REPUBLIC OF KENYA

THE JUDICIARY

The State of the Judiciary & the Administration of Justice

Annual Report

2024/2025

Theme:

Enhancing Accountability and Public Trust in the Judiciary

Social Transformation *through* Access to Justice

The State of the Judiciary and the Administration of Justice

ANNUAL REPORT

2024/2025

Published by:

The Judiciary of Kenya
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City Hall Way
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Nairobi, Kenya

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VISION

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

MISSION

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

ACKNOWLEDGEMENTS

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THE SUPREME COURT OF KENYA

It is important to emphasise that combating corruption requires a whole-of-society approach. This vice has permeated deeply into our culture, value systems, and governance structures. Over time, it has been normalised, concealed, and even rationalised. Therefore, to effectively fight this vice, the government and Kenyans must work together to transform values and behaviours across all levels of society.

FOREWORD FROM THE CHIEF JUSTICE

I am honoured to present *'the State of the Judiciary and the Administration of Justice'* (SOJAR) Report for the Financial Year 2024/25 to Parliament and to the people of Kenya. This annual report is a constitutional and statutory accountability mechanism through which the Judiciary reports on its performance in discharging judicial functions. It reflects our steadfast commitment to the principles of transparency, integrity, and accountability that anchor the administration of justice.

This year's SOJAR outlines the milestones achieved, reforms undertaken, and challenges encountered as we strive to deliver on our constitutional mandate of ensuring access to justice for all. *In addition, in line with its thematic focus on 'enhancing accountability and public trust in the Judiciary'*, the Report highlights institutional initiatives undertaken to entrench integrity and root out corruption from our judicial and administrative processes.

It is important to emphasise that combating corruption requires a whole-of-society approach. This vice has permeated deeply into our culture, value systems, and governance structures. Over time, it has been normalised, concealed, and even rationalised. Therefore, to effectively fight this vice, the government and Kenyans must work together to transform values and behaviours across all levels of society. Put differently, eliminating corruption must be a whole-of-government and whole-of-society endeavour that brings together the Executive, Legislature, Judiciary, Independent Commissions, Agencies in the Justice Sector, the Law Society of Kenya, civil society, the private sector, religious institutions, and, above all, citizens who are committed to upholding integrity and embracing ethical conduct as a national value and personal duty.

Within the Judiciary, we have adopted a Zero Tolerance Policy on Corruption, anchored in concrete institutional measures. During the year, the Judiciary operationalised Court Integrity Committees in all court stations and rolled out implementation of the Anti-Corruption Guiding Framework, a sector-wide initiative under the National Council on the Administration of Justice (NCAJ). In addition, under the auspices of the NCAJ, we also launched Guidelines for the Expeditious Trial of Corruption Cases to enhance efficiency and consistency in handling corruption and economic crime cases.

Internal accountability mechanisms were equally strengthened. The Judicial Service Commission (JSC) processed petitions and disciplinary cases against judges, judicial officers, and staff, ensuring that misconduct was addressed firmly, fairly, and transparently. The establishment of the Employee Protection Unit (EPU) and the Employee Protection and Inclusivity Committee (EPIC) created safe and confidential channels for reporting workplace sexual harassment and misconduct. Together, these interventions have fostered a culture of integrity and accountability across the institution.

In addition, under the auspices of the NCAJ, we also launched Guidelines for the Expeditious Trial of Corruption Cases to enhance efficiency and consistency in handling corruption and economic crime cases.

Recognising that public trust is built on openness and ethical conduct, the Judiciary prioritised communication and engagement as key enablers of accountability. The establishment of the Judiciary Spokesperson's Office, hosting of Judiciary Dialogue Day and Open Days, and strengthening of citizen feedback mechanisms deepened interaction with the public and stakeholders. These forums provided platforms for direct engagement, promoting dialogue and mutual learning that inform our strategies for improving service delivery.

The Judiciary intensified efforts to reduce backlog, recognising it as a barrier to timely justice. Service Weeks and Rapid Results Initiatives (RRIs) were deployed to clear long-pending matters, particularly in family, commercial, tax, and public interest cases. Notably, the Judiciary recorded significant gains in case disposal. A total of 621,425 cases were filed as compared to 647,686 resolved cases, reflecting a Case Clearance Rate of 104% - a historic achievement in reducing pending cases. Backlog declined by 30%, with the most notable reductions in Magistrates' Courts and the High Court. An analysis of case filings by type revealed an 8% overall decline in criminal cases and a 58% increase in civil cases compared to the previous year. This increase in civil cases was largely driven by the rapid expansion of Small Claims Courts, which now number 40 nationwide.

Significant progress was made in expanding judicial presence across the country. A new Court of Appeal sub-registry was operationalised, bringing the total number of the court's sub-registries to six. In the same token, a new High Court station was established, and five High Court sub-registries became operational in counties that do not host High Court stations. This expansion now ensures High Court presence in all 47 counties, with 47 High Court stations and seven sub-registries. An Appeal Division was created for the Environment and Land Court, raising the number of the court's divisions to three, while two new sub-registries were added, increasing the total sub-registries to six.

At the subordinate court level, six new Magistrates' Courts were operationalised, increasing the total number of stations to 143. The rollout of Small Claims Courts continued with three new courts established, bringing the total number of operational Small Claims Courts to 40, supported by one sub-registry. The Retirement Benefits Appeals Tribunal transitioned to the Judiciary, bringing the total number of tribunals operating under the Judiciary to 27 out of 43 gazetted tribunals. Shared services were also launched in Nairobi and Kisumu for tribunals to enhance access to justice and optimise resources.

In addition, the Mahakama Popote initiative enabled redistribution of caseloads across stations through digital platforms, easing congestion in high-volume areas and expanding access to justice. A total of 19,089 cases identified in these courts were redistributed to judicial officers in other stations with lower caseloads, out of which 14,240 were resolved. This enhanced access to justice by reducing case backlog.

The use of Alternative Justice Systems (AJS) and Court-Annexed Mediation (CAM) provided faster, less adversarial, and more affordable dispute resolution pathways, restoring relationships and reducing systemic pressure on courts. During the year, 14 new CAM registries were established bringing the number of court stations where CAM was adopted to 94 court stations. AJS County Action Plans were launched in six additional counties, increasing the total to ten counties where the AJS policy is now being implemented as a means of expanding access to justice through multiple doorways.

Digitisation continued to transform judicial services. Investments in e-filing, the Case Tracking System (CTS), transcription services, and the Enterprise Resource Planning (ERP) system streamlined workflows, and reduced reliance on manual processes. These reforms have made judicial services more transparent, efficient, and accessible to the public.

The Judiciary's performance in FY 2024/25 reflects a strong and steady trajectory of reform anchored in the 'Social Transformation through Access to Justice' (STAJ) blueprint. It demonstrates a justice system that is becoming more open, more inclusive, and more responsive to the needs of the people.

I express my appreciation to Honourable Judges, Judicial officers, and staff for their dedication, resilience, and commitment to service. I also thank the Government, justice sector partners, and stakeholders for their unwavering support in building a justice system that is fair, accessible, efficient, and faithful to our Constitution and the rule of law.

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

During the reporting period, the Judiciary took steps to enhance accountability, through transformative jurisprudence, strengthening administrative and disciplinary systems, and improved access for, outreach to, and communication with, court users and the general public whom the institution is duty bound to serve.

NOTE FROM THE DEPUTY CHIEF JUSTICE

The Judiciary recognises that public trust is essential if it is to be effective in delivering and promoting justice provision. Ensuring and enhancing accountability in all aspects of the Judiciary's operations, judicial and administrative, is crucial to cultivating public trust in the institution.

During the reporting period, the Judiciary took steps to enhance accountability, through transformative jurisprudence, strengthening administrative and disciplinary systems, and improved access for, outreach to, and communication with, court users and the general public whom the institution is duty bound to serve. Notable interventions during the reporting period saw the strengthening of the Judiciary complaints handling systems, establishment of the Employee Protection Unit in the Office of the Chief Justice, and the setting up of Court Integrity Committees across the institution as part of the implementation of the Judiciary's anti-corruption policies, particularly through addressing weaknesses and risks identified in the EACC Systems Audit undertaken in 2022.

The Judiciary took deliberate steps to improve communication and information sharing with court users and the public, hosting the inaugural Judiciary Dialogue Day in January 2025 and establishing a Judiciary Call Centre. In addition to making the institution more accessible through expanded physical infrastructure and improved virtual accessibility, the Judiciary continued to undertake outreach programmes, notable amongst them was the lecture and dialogue series by the Supreme Court as part of its Supreme Court @ 12 celebrations.

The SOJAR Report reflects the institutions commitment to building and maintaining public trust through transparency, fairness, competence, integrity, accessibility, and engagement & communication. Whilst significant gains have been made, the institution is alive to the challenges many continue to face in accessing justice through our courts and tribunals. That is why the assessment and engagement with this Annual Report by all justice system stakeholders is so important.

The solutions and strategies to overcome our justice challenges require a whole-justice-system/ whole-of-society approach based on authentic collaboration and partnership in guiding decisions about present and future justice. The SOJAR Report provides a frank, honest, evidence-based platform from which such a discourse can be conducted towards socially transformative justice for all.

Hon Lady Justice Philomena Mbete Mwilu, FCIArb., ADE, EGH
Deputy Chief Justice & Vice President of the Supreme Court of Kenya

> ***During the review period, the Judiciary continued to advance its transformative vision under the Social Transformation through Access to Justice Blueprint, with Accountability and Public Trust identified as a key outcome of this framework.***

MESSAGE FROM THE CHIEF REGISTRAR OF THE JUDICIARY

It is an honor to join the Chief Justice in presenting the SOJAR Report for the FY 2024/20245, a report that carries profound importance in the continuum of our annual reporting tradition. This report aims to deliver an in-depth overview of the Judiciary's initiatives, accomplishments, and obstacles encountered throughout the financial year, underscoring the commitment to transparency, accountability, and a people-centered justice system.

During the review period, the Judiciary continued to advance its transformative vision under the Social Transformation through Access to Justice Blueprint, with Accountability and Public Trust identified as a key outcome of this framework. The year emerged as a pivotal moment for enhancing institutional integrity, optimising service delivery, and strengthening frameworks that guarantee the equitable, transparent, and efficient administration of justice for all stakeholders.

The report outlines the Judiciary's steadfast approach in its dedication to fostering a culture of accountability through improved financial scrutiny, comprehensive internal and external audits, fortified performance management systems, and the implementation of integrity frameworks including the establishment of Court Integrity Committees. These mechanisms have not only fostered transparency but also reinforced the notion that the legitimacy of the Judiciary is fundamentally rooted in the confidence and trust of the populace it serves.

Digitisation efforts were intensified through the expansion of the Case Tracking System (CTS), e-filing, and automated registries, making judicial processes more visible and accessible. Equally, the operationalisation of public feedback channels, stakeholder forums, and Judiciary Open Days bridged the gap between the courts and the citizens, fostering a responsive justice system.

Our collective progress is also the product of dedicated Judges, Judicial Officers, and Judiciary Staff who uphold integrity and excellence in service delivery. Their contributions have strengthened the Judiciary's function not merely as a provider of justice but also as a paragon of accountability within the public sector.

As we continue to implement the STAJ Blueprint, the Judiciary remains resolute in sustaining reforms that promote ethical leadership, transparency, and efficiency. Building and maintaining public trust is not a one-off achievement, but a continuous pursuit that demands vigilance, discipline, and commitment to the rule of law.

Hon Winfridah B. Mokaya, CBS
Chief Registrar of the Judiciary

ACRONYMS & ABBREVIATIONS

ADR	Alternative Dispute Resolution
AG	Attorney General
AJS	Alternative Justice Systems
ASGF	Anti-Corruption Strategic Guiding Framework
ATP	Advocates Training Programme
CAM	Court-Annexed Mediation
CBA	Collective Bargaining Agreements
CCR	Case Clearance Rate
CIArb	Chartered Institute of Arbitrators
CJE	Continuous Judicial Education
CLE	Council of Legal Education
COA	Court of Appeal
CPD	Continuous Professional Development
CRAMP	Corruption Risk Assessment and Mitigation Plan
CRB	Credit Reference Bureau
CREAW	Centre for Rights Education and Awareness
CRJ	Chief Registrar of the Judiciary
CRR	Centre for Reproductive Rights
CSO	Community Service Order
CSR	Corporate Social Responsibility
CTS	Case Tracking System
CUC	Court Users Committee
DCI	Directorate of Criminal Investigations
DPP	Director of Public Prosecutions
EACC	Ethics and Anti-Corruption Commission
EAP	Employee Assistance Programme
EIA	Environmental Impact Assessment
ELC	Environment and Land Court
ELRASE	Employment and Labour Relations Annual Symposium and Exhibition
ELRC	Employment and Labour Relations Court
EPIC	Employee Protection and Inclusivity Committee
EPU	Employee Protection Unit
ERP	Enterprise Resource Planning
EU	European Union
FRC	Financial Reporting Centre
GBV	Gender-Based violence
IAO	Integrity Assurance Officer
IAWJ	International Association of Women Judges
ICJ	International Commission of Jurists
IEBC	Independent Electoral and Boundaries Commission
IEC	Information, Education, and Communication
IFCE	International Framework for Court Excellence
ILO	International Labour Organization
ILS	International Labour Standards
IPOA	Independent Policing Oversight Authority
JCMS	Judiciary Complaints Management System
JDMAC	Judiciary Discipline Management Advisory Committee
JLAC	Justice and Legal Affairs Committee
JPIP	Judicial Performance Improvement Project
JSC	Judicial Service Commission
KDF	Kenya Defence Forces
KDIC	Kenya Deposit Insurance Corporation
KJA	Kenya Judiciary Academy
KMJA	Kenya Judges and Magistrates Association
KJSA	Kenya Judiciary Staff Association
KJWA	Kenya Judges Welfare Association
KRA	Kenya Revenue Authority
KSG	Kenya School of Government
KSL	Kenya School of Law
KWS	Kenya Wildlife Service
LAN	Local Area Network
LMT	Leadership and Management Team
LSK	Law Society of Kenya
MADIP	Mahakama Digitization Programme
NaSCI-AJS	National Steering Committee on the implementation of Alternative Justice Systems
NCAJ	National Council on the Administration of Justice
NCRC	National Crime Research Centre
NCTAC	National Counter Trafficking Advisory Committee
NCTC	National Counter Terrorism Centre
NEMA	National Environment Management Authority
NG-CDF	National Government Constituencies Development Fund

ACRONYMS & ABBREVIATIONS

NHIF	National Hospital Insurance Fund
NICA	National Intelligence Coordinating Agency
NLAS	National Legal Aid Service
NLC	National Land Commission
NPSC	National Police Service Commission
NSSF	National Social Security Fund
NYS	National Youth Service
OCJ	Office of the Chief Justice
ODPC	Office of the Data Protection Commissioner
ODPP	Office of the Director of Public Prosecutions
OJO	Office of the Judiciary Ombudsman
PAC	Public Accounts Committee
PAS	Performance Appraisal System
PFMA	Public Finance Management Act
PLEAD	Programme for Legal Empowerment and Aid Delivery
PMMUs	Performance Management and Measurement Understandings
PWDs	Persons with disabilities
RRI	Rapid Results Initiative
SCC	Small Claims Court
SGBV	Sexual and Gender-Based Violence
SHA	Social Health Authority
SMEs	Small and Medium-sized enterprises
SOPs	Standard Operating Procedures
SRC	Salaries and Remuneration Commission
STAJ	Social Transformation through Access to Justice
TFGBV	Technology-Facilitated Gender-Based Violence
UNODC	United Nations Office on Drugs and Crime
USDOJ	United States Department of Justice
USF	Universal Service Fund
WPA	Witness Protection Agency
WRA	Water Resources Authority

EXECUTIVE SUMMARY

The State of the Judiciary and Administration of Justice Report (SOJAR) for FY 2024/25 presents a comprehensive account of the Judiciary's performance, reforms and innovations in delivering justice. During the review period, the Judiciary expanded access to justice through new courts, sub-registries, tribunals, and specialized divisions. The Court of Appeal opened a Garissa sub-registry, bringing the total to six, the High Court added two courts in Isiolo and Makadara expanding its presence to 47 stations in 42 counties and the Environment and Land Court established an Appeals Division in Nairobi. Six new Magistrates Courts were operationalized increasing the total number of Magistrates' Courts in the country to 143 stations in 133 constituencies, while 3 Small Claims Courts were established increasing the total to 40.

The Retirement Benefits Appeals Tribunal transitioned to the Judiciary, bringing to 27 the number of tribunals now operating under its administration out of 43 gazetted tribunals. Fourteen new Court-Annexed Mediation (CAM) registries were set up, increasing the total to 82 across 42 counties.

Case filings rose by 20% to 621,425, while resolutions increased by 25% to 647,686, achieving a clearance rate of 104%. Criminal filings fell by 8%, whereas civil filings rose by 58%, largely driven by Small Claims Court matters. Pending cases reduced by 3% to 601,490, and backlog cases (over one year old) fell by 30% to 177,081, mainly in the High Court and Magistrates' Courts. Women comprised 28% of litigants in superior courts, 11% in magistrates' courts, 32% of tribunal applicants, 35% in Kadhis' Courts, and 20% in Small Claims Courts. Children's cases accounted for 7% of all filings.

Through the *Mahakama Popote* initiative, 19,089 cases from high-volume courts were redistributed to stations with lower caseloads, resulting in 14,240 cases being resolved. A total of 677 cases were concluded through Alternative Justice Systems (AJS) in counties where the Judiciary was actively monitoring referrals. The Prison Decongestion Programme, launched at the Industrial Area Remand and Maximum Prison, reviewed 3,157 cases, leading to probation placements, community service orders, sentence reductions, and releases.

The Supreme Court delivered landmark rulings on inheritance, environmental accountability and legislative processes. The Court of Appeal clarified matters on succession, remuneration and tribunal jurisdiction, while the High Court issued significant decisions on criminal justice, housing, prisoners' rights and presidential appointments. Specialised courts, tribunals and Small Claims Courts advanced jurisprudence in labour rights, land governance, child protection and contract enforcement. Alternative Justice Systems also contributed to resolving complex disputes through community-based mechanisms.

Technology further enhanced efficiency and access through the Judiciary Mobile App, alongside improvements in case tracking, AI speech-to-text transcription and digital connectivity, now covering 177 courts and offices nationwide.

The Judiciary has made significant progress in strengthening accountability through reforms, policies, and institutional innovations. Mechanisms such as OJO, EPU, JCMS, and the

Call Centre have enhanced transparency, while disciplinary and financial oversight reforms have reinforced integrity. Achievements such as a 90% complaint resolution rate, high staff appraisal compliance, and asset recovery demonstrate real progress. However, challenges remain in resource gaps, corruption risks, and gender disparities. Moving forward, the Judiciary will deepen ICT integration, expand ethics training, and sustain oversight mechanisms to strengthen public trust in the administration of justice.

A total of 322,295 court case files across 128 stations were digitised under the Mahakama Digitisation Programme, representing 53 per cent of the targeted 611,580 files while 15,249 administrative records were digitised.

Construction projects in Marimanti Law Courts and Dagoretti Law Courts were completed, while planned developments in Mihang'o and Kasarani were deferred due to funding constraints.

The staffing level stood at 6,979, representing 64 per cent of the approved establishment of 10,870 positions. This comprised 202 judges, 566 Magistrates, 46 Kadhis. 143 Tribunal members, 48 Registrars, 150 Law Clerks and Legal Researchers and 5,824 staff.

The Judiciary was allocated KSh 22.78 billion against a requirement of KSh 44.90 billion, leaving a funding gap of KSh 22.12 billion (49%). Nonetheless, budget absorption improved to 98% in FY2024/25, while revenue collections surpassed the target at KSh2.88 billion, largely driven by increased court fees and automation. The funding deficits of KSh 22.12 billion had a far-reaching implication on the Judiciary's ability to deliver on its constitutional mandate. Underfunding of recurrent expenditure, which covered critical operational needs such as salaries, contractual obligations and other operational expenses, undermined efficiency and contributed to the growing backlog of cases.

Equally, the underfunding of the development budget affected infrastructure expansion, court construction, modernisation of courtrooms, and investment in ICT systems. As a result, efforts to enhance access to justice, digitise court operations and decentralise judicial services were significantly hampered. The Judiciary will continue to engage with Parliament and other stakeholders for an increase in the budgetary allocation to the institution, and to have this allocation anchored in the law as envisioned in the Social Transformation through Access to Justice Blueprint.

MUHTASARI WA RIPOTI

Ripoti ya Hali ya Mahakama na Utawala wa Haki kwa mwaka wa fedha 2024/25 inatoa maelezo ya kina kuhusu utendaji wa Mahakama, mageuzi na ubunifu uliotekelezwa katika utoaji wa haki.

Katika kipindi cha mwaka wa fedha 2024/25, Mahakama ilipanua upatikanaji wa haki kupitia uanzishaji wa Mahakama ndogo za usajili, mabaraza na vitengo maalum (Tribunals). Mahakama ya Rufaa ilifungua ofisi ndogo ya usajili mjini Garissa, na kufanya jumla ya ofisi hizo kuwa sita. Mahakama Kuu iliongeza vituo viwili vipya vya mahakama katika Isiolo na Makadara, hivyo kuifanya iwe na mahakama arobaini na saba (47) katika kaunti arobaini na mbili (42), huku Mahakama ya Mazingira na Ardhi ikianzisha Kitengo cha Rufaa jijini Nairobi. Mahakama za Hakimu sita (6) zilifunguliwa, na kuongeza jumla ya Mahakama za Hakimu nchini hadi vituo mia moja arobaini na tatu (143) katika maeneo bunge mia moja thelathini na ttau (133), huku Mahakama Ndogo za Madai tatu (3) zikianzishwa, na kufanya jumla yake kuwa arobaini (40).

Baraza Maalum la Marupurupu ya Kustaafu ilihamishwa rasmi chini ya usimamizi wa Mahakama, na kufanya jumla ya Baraza Maalum zinazoendeshwa na Mahakama kufikia ishirini na saba (27) kati ya arobaini na tatu (43) zilizoidhinishwa. Vituo vipya 14 vya usajili wa mfumo wa Upatanishi Ulioambatanishwa na Mahakama vilizinduliwa, na kufanya jumla ya mifumo hiyo kuwa themanini na mbili (82) katika kaunti arobaini na mbili (42).

Idadi ya kesi zilizowasilishwa iliongezeka kwa asilimia ishirini (20) hadi kufikia milioni mia sita ishirini na moja, mia nne ishirini na tano (621,425), huku zilizotatuliwa zikiongezeka kwa asilimia ishirini na tano (25) hadi mia sita hamsini na saba elfu, mia sita themanini na sita (647,686), na kufanikisha kiwango cha utatuzi cha asilimia mia moja na nne (104). Kesi za jinai zilipungua kwa asilimia nane (8), huku kesi za madai zikipanda kwa asilimia hamsini na nane (58), hasa kutokana na ongezeko la kesi katika Mahakama Ndogo za Madai. Kesi zinazoendelea zilipungua kwa asilimia tatu (3) hadi mia sita na moja elfu, mia nne na tisini (601,490), na kesi za mrundiko (zilizozidi mwaka mmoja) zikapungua kwa asilimia thelathini (30) hadi elfu mia moja na sabini na saba, themanini na moja (177,081), hasa katika Mahakama Kuu na Mahakama za Hakimu. Wanawake walikuwa asilimia ishirini na nane (28) ya walalamikaji katika mahakama za juu, asilimia kumi na moja (11) katika mahakama za hakimu, asilimia thelathini na mbili (32) katika Mahakama Maalum, asilimia thelathini na tano (35) katika Mahakama za Kadhi, na asilimia ishirini (20) katika Mahakama Ndogo za Madai. Kesi za watoto zilichangia asilimia saba (7) ya kesi zote zilizowasilishwa.

Kupitia mpango wa 'Mahakama Popote', jumla ya kesi elfu kumi na tisa na themanini na tisa (19,089) kutoka mahakama zenye mizigo mikubwa zilisambazwa upya kwa vituo vyenye mzigo mdogo wa kazi, na matokeo yake kesi elfu kumi na nne, mia mbili na arobaini (14,240) zilitolewa uamuzi. Kesi mia sita, sabini na saba (677) zilitatuliwa kupitia mifumo mbadala ya haki (Alternative Justice Systems – AJS) katika kaunti ambako Mahakama ilikuwa ikifuatilia utekelezaji. Mpango wa kupunguza msongamano wa wafungwa magerezani uliozinduliwa katika Gereza la Eneo la Viwanda (Industrial Area) ulipitia kesi elfu tatu, mia moja Hamsini na saba (3,157), na kusababisha baadhi ya wafungwa kupewa kazi za kuhudumia jamii, kupunguziwa vifungo au kuachiliwa.

Mahakama ya Upeo ilitoa maamuzi muhimu kuhusu urithi, uwajibikaji wa mazingira na michakato ya kisheria. Mahakama ya Rufaa ilifafanua masuala kuhusu mirathi, mishahara na mamlaka ya Tribunals, huku Mahakama Kuu ikitoa maamuzi yenye uzito kuhusu haki za wafungwa, makazi, haki za jinai, na uteuzi wa viongozi wa serikali. Mahakama maalum, Baraza Maalum (Tribunals) na Mahakama Ndogo za Madai ziliendeleza tafsiri ya sheria katika nyanja za haki za wafanyakazi, usimamizi wa ardhi, ulinzi wa watoto na utekelezaji wa mikataba. Mifumo mbadala ya utoaji haki pia ilichangia kutatua migogoro tata kupitia njia za kijamii.

Teknolojia iliendeleza ufanisi na upatikanaji wa huduma kupitia Programu ya Rununu ya Mahakama, Mfumo wa Usimamizi wa Wageni na Mtandao wa Mahakama, sambamba na maboresho katika ufuatiliaji wa kesi, uandishi wa hati kwa kutumia teknolojia ya Usemi wa AI kwa Maandishi, na miunganisho ya kidijitali ambayo sasa inafikia mahakama na ofisi mia moja sabini na saba (177) kote nchini.

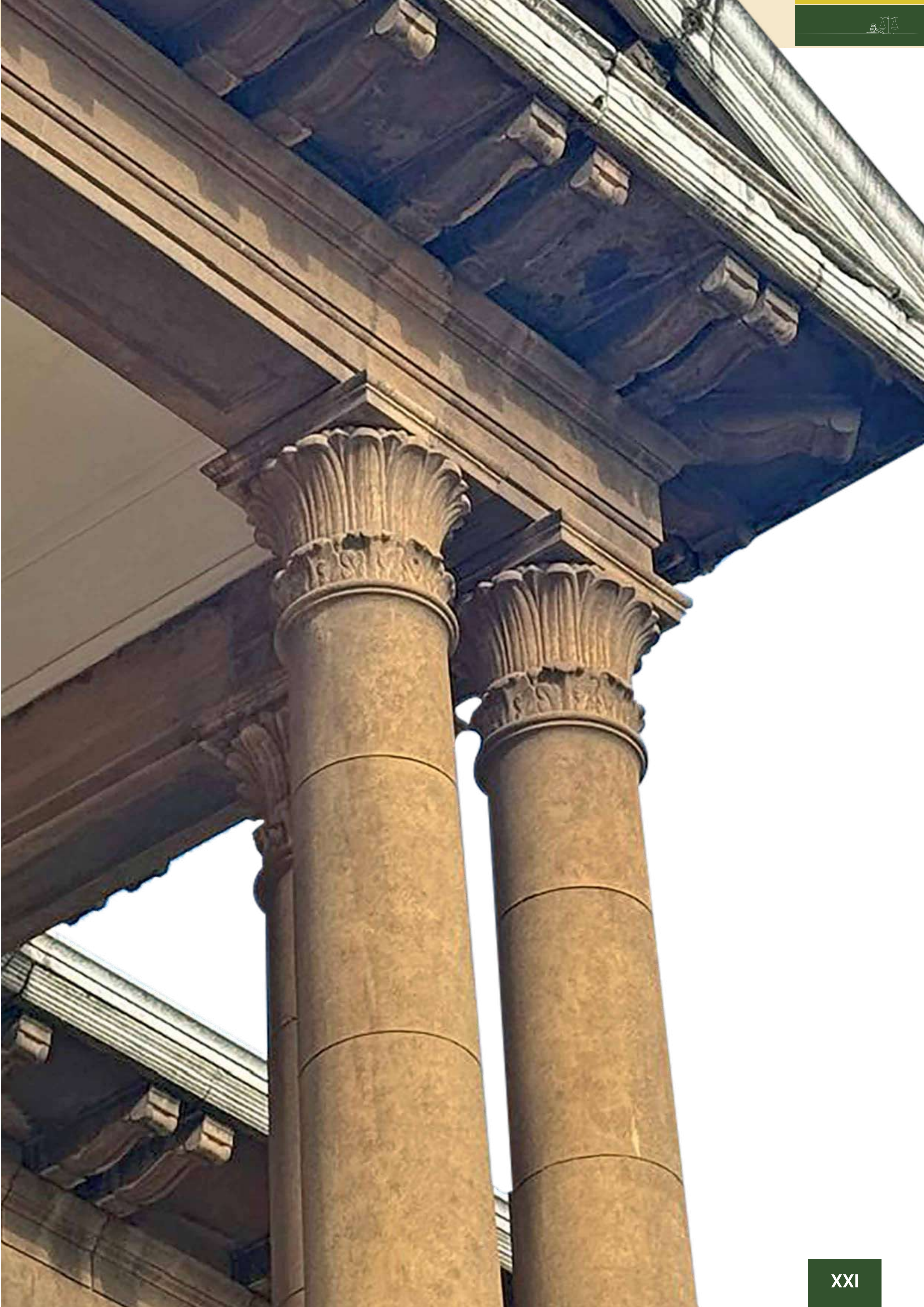
Ofisi ya Mpatanishi wa Mahakama ilitatua asilimia tisaini (90) ya zaidi ya malalamiko elfy moja mia mbili (1,200) kuhusu huduma, hasa yale yanayohusiana na huduma katika Mahakama za Hakimu. Malalamiko ya uadilifu yalihusu zaidi mahakimu na watumishi wa mahakama, ambapo kesi mia moja na kumi (110) ziliwasilishwa dhidi yao, na kesi mia moja (100) dhidi ya majaji, nusu ya ambazo tayari zimekamilika. Kesi za kinidhamu zilihusisha maafisa wa mahakama kumi (10) na watumishi wa mahakama mia moja na kumi na tano (115), na kusababisha adhabu, kufutwa kazi, kujiuzulu au kurejeshwa kazini.

Miradi ya ujenzi ya Mahakama za Marimanti na Dagoretti ilikamilika, huku miradi iliyopangwa katika Mihang'o na Kasarani ikiahirishwa kutokana na ukosefu wa fedha.

Jumla ya mafaili ya kesi mia tatu ishirini na mbili elfu, mia mbili tisini na tano (322,295) kutoka vituo mia moja ishirini na nane (128) yalihifadhiwa kidijitali chini ya Programu ya Udijitali Mahakamani, sawa na asilimia Hamsini na tatu (53) ya la faili mia sita na kumi na moja elfu, mia tano na themanini (611,580) yaliyolengwa, huku rekodi zingine elfu kumi na tano, mia mbili arobaini na tisa (15,249) pia zikihifadhiwa kwa mfumo wa kidijitali.

Idadi ya watumishi wa Mahakama ilifikia elfu sita, mia tisa sabini na tisa (6,979), sawa na asilimia sitini na nne (64) ya nafasi zilizothibitishwa elfu kumi, mia nane na sabini (10,870). Hii ilijumuisha majaji mia mbili na mbili (202), mahakimu mia tano sitini na sita (566), makadhi arobaini na sita (46), wanachama wa Mahakama Maalum mia moja, arobaini na tatu (143), wasajili arobaini na nane (48), na wasaidizi wa kisheria nia moja Hamsini (150).

Mahakama ilitengewa KSh 22.78 bilioni dhidi ya mahitaji ya KSh 44.90 bilioni, na kuacha pengo la KSh 22.12 bilioni (asilimia arobaini na tisa (49). Hata hivyo, matumizi ya bajeti yaliboreka hadi asilimia tisini na nane (98) katika mwaka wa fedha 2024/25, huku mapato yakizidi malengo kwa kufikia KSh 2.88 bilioni, hasa kutokana na ongezeko la ada za mahakama na matumizi ya mifumo ya kidijitali.

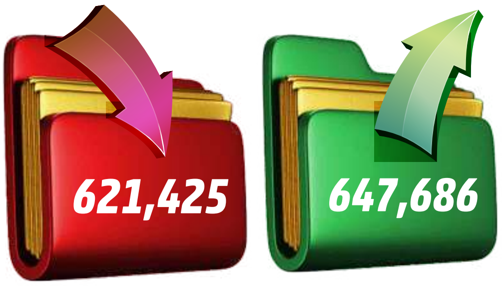


REPUBLIC OF KENYA | JUDICIARY REPUBLIC OF KENYA

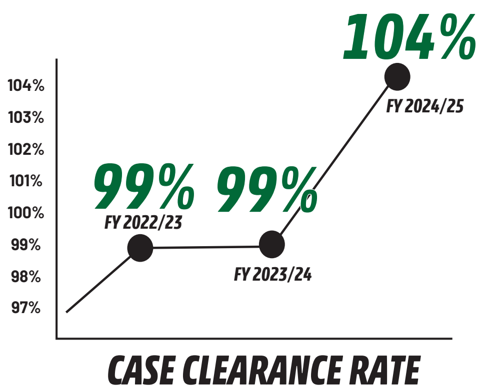
JUDICIARY AT A G

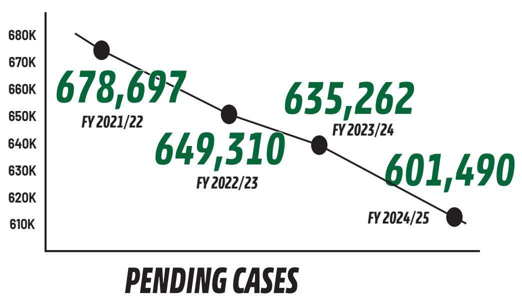
Reducing Case Backlog

Cases Filed | Cases Resolved



Case Clearance Rate
104%



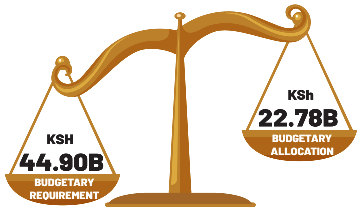


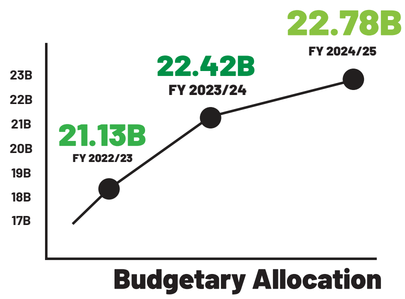
Strengthened Financial Mechanisms

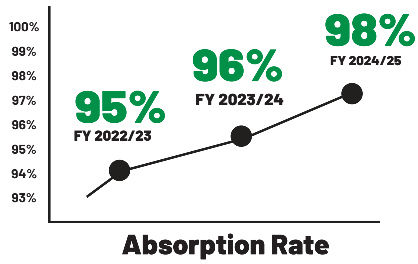
Budgetary Allocation FY 2024/2025

Ksh 22.78B

BUDGETARY GAP KSHs22.12B







Expanding Doorways of Justice

- New 1 OA Sub- Reg
- New 2 HIGH COURTS
- New 6 MAGISTRATES COURTS
- New 3 SMALL CLAIMS COURTS
- New 14 CAM Registries

MAHAKAMA POPOTE
19,089 CASES FILED
14,240 CASES RESOLVED

GLANCE FY 2024/2025

HOW TO LODGE A COMPLAINT

Multiple Channels available for Easy Access

- Walk-in
- Email
- Call
- Letter

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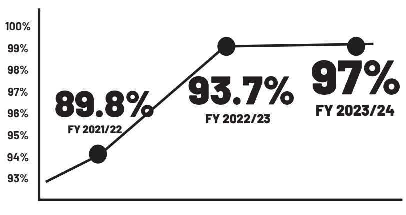
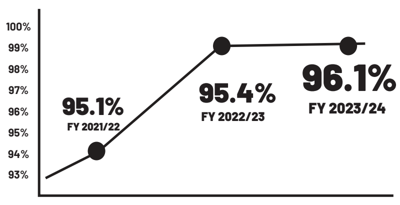


Overall Institutional Performance



Average Individual Performance

Accountability in the Judiciary

1,206 COMPLAINTS & ENQUIRIES

90% RESOLVED

214 COMPLAINTS AGAINST JUDGES

82 CONCLUDED

DISPLINARY CASES	Handled
JUDICIAL OFFICERS	10
STAFF	115

Overall Staff Complement 6,979

68% FY 2023/24 → Due to an Expanded Establishment → **64%** FY 2024/25

Overall Staff Complement

Judges	202
Magistrates	566
Kadhis	46
Tribunal members	143
Registrars	48
Law Clerks and Legal Researchers	150
Staff	5,824

Leveraging Technology For Delivery Of Justice

322,295
Cases digitized through mahakama digitization programme

Status of Internet connectivity

- No. of stations connected: 177 Stations
- No. of internet links: 214 Stations
- Bandwidth Distributed: 7.405 Gbps
- Technology: FIBER - 95(44%), RADIO - 75(35%), SATELLITE - 32(15%), MODEMS - 12(6%)

SCAN TO DOWNLOAD
SOJAR REPORT 2024/2025

YEAR IN REVIEW, 2024

July, 2024

CJ Koome leads procession for Nairobi ELRC Open Day.

The CRJ meets PS Chris Kiptoo on Judiciary budget support.

Judicial personnel following a church service during the Judiciary prayer day.

CRJ meets World Bank specialist to explore collaboration on flagship projects.

CJ arriving for the launch of the RRI prison decongestion at Industrial Area.

August, 2024

The CJ and members of the AJS Committee during the launch of the AJS suite.

September, 2024

Hon. Daisy Mutai conducts live court session at Judiciary ASK Show.

Development partners having a roundtable discussion at Safari Park.

CJ Koome and Gov. Hassan unveil the AJS Centre at Isiolo Courts.

Dagoretti Law courts launch in October 11th, 2024.

CoA President Justice Musinga hosts Strathmore law students.

October, 2024

Justice Ogola leads bench in former Deputy President's impeachment hearing.

November, 2024

CJ Koome, Maraga and Mutunga in panel discussion at Supreme Court.

DCJ Mwilu graces Justice Majanja Memorial Cup at Kenya School of Law.

Supreme Court hosts grand finale of Moot Court involving 17 local universities.

Delegates attend Judiciary Staff Superannuation Schemes AGM in Nairobi.

Judges follow discussions during the High Court Human Rights Summit.

December, 2024

SC Judge Isaac Lenaola delivers lecture at Strathmore on 'Breathing Life into the Constitution.'

YEAR IN REVIEW, 2025

January, 2025

The CRJ swears in Abdi Ahmed as new EACC CEO.

CoA Judge Dr. Laibuta flags off Judiciary Dialogue Day procession in Mombasa.

CJ hosts Zanzibar Judiciary delegation on ADR, performance and justice reforms.

Judiciary Spokesperson Hon. Paul Ndemo addresses media at Supreme Court.

CJ Koome hosts Azerbaijan Chief Justice Karimov at the Supreme Court.

February, 2025

German Constitutional Court, led by President Harbarth, tours CoA Virtual Court Centre.

March, 2025

Dutch King Willem-Alexander and Queen Máxima received by CJ at Supreme Court.

Swearing in of newly admitted advocates at Milimani Law courts.

CJ Koome and Supreme Court Judges holding discussions with Justices from the Supreme Court of India.

Justice Odunga leads stakeholders in signing joint communiqué of the CAM and ELC.

CJ Koome engages community at Mathari Primary School.

April, 2025

The DCJ delivering remarks during the High Court Leaders summit.

May, 2025

JKIA SPM Njeri Thuku sentences four over trafficking of live harvester ants.

The Tax Appeals Tribunal launching a Case Law Digest on judicial decisions on tax appeals.

CJ Koome and Gov. Nyong'o launch Tribunals Shared Services in Kisumu.

Gov. Mutula Kilonzo Jnr confers with the DCRJ at Makueni Heads of Station Forum.

CJ inspecting the damaged Kikuyu Law Courts after the protests.

June, 2025

CJ Koome, CS Kabogo and judges taken through the LAN project at Msambweni Courts.

Contents

LIST OF TABLES

LIST OF FIGURES

Chapter 1

Governance and Strategy Implementation

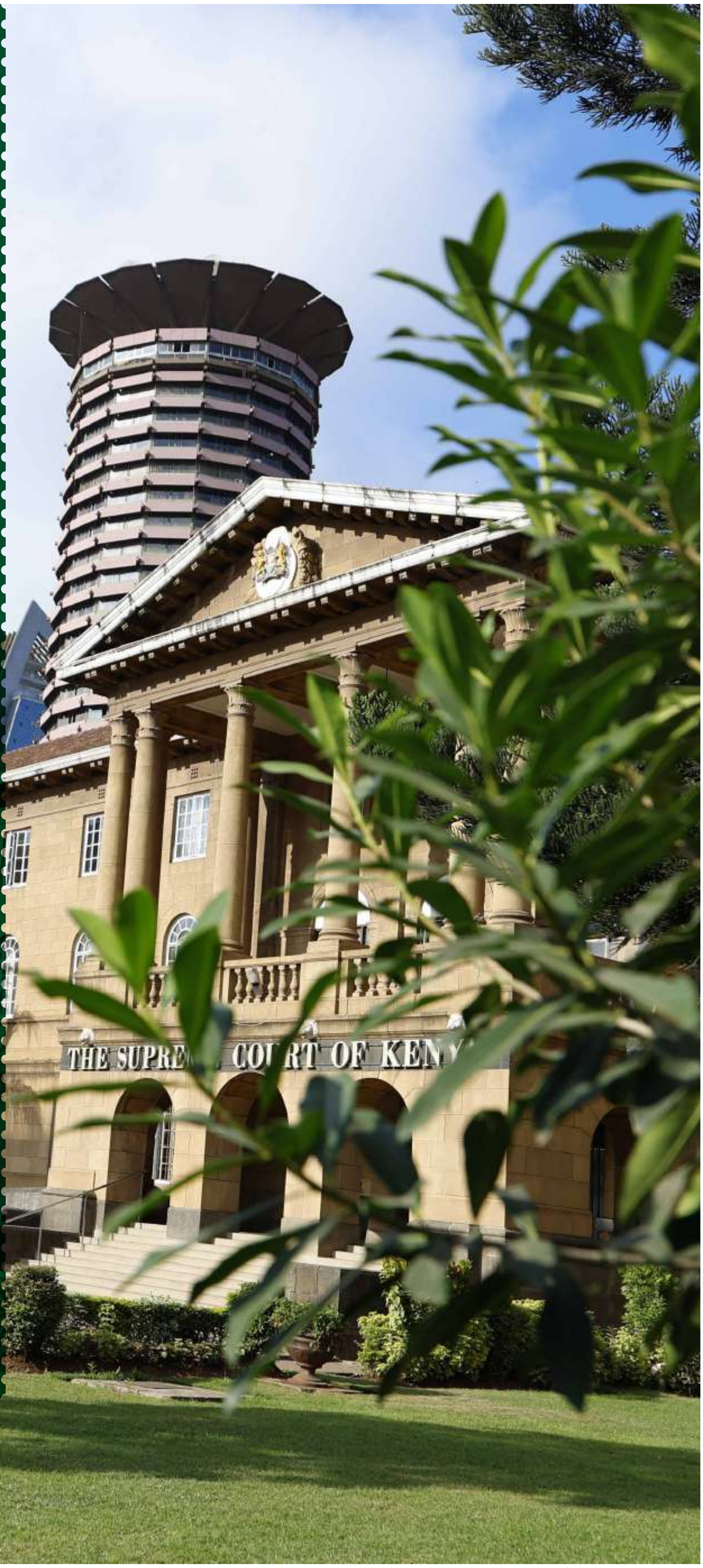
GOVERNANCE AND STRATEGY IMPLEMENTATION

Introduction

Judicial authority in Kenya flows directly from the people and is exercised through courts and tribunals established under the Constitution, as set out in Articles 1 and 159. These provisions mandate the Judiciary to ensure that justice is administered to all persons without delay and without regard to status. The Constitution also requires the courts to promote alternative forms of dispute resolution, including reconciliation, mediation, arbitration, and traditional mechanisms so as to expand access to justice and safeguard social harmony.

Guided by these constitutional prerogatives, the governance and strategic direction of the Judiciary is anchored in a leadership structure that spans superior courts and subordinate courts including specialized tribunals, supported by robust administrative organs. This framework ensures that decision-making, oversight, and accountability are exercised in a coherent and coordinated manner across the institution.

This chapter sets out the governance structures and leadership of the Judiciary and the courts, together with the overarching policy framework that guides institutional performance. It highlights the Judiciary's strategic focus areas during financial year 2024/2025, the implementation efforts undertaken to advance them, and the collaborative engagements that continue to strengthen accountability, institutional resilience, and public trust.



1.1 LEADERSHIP AND GOVERNANCE STRUCTURE OF THE JUDICIARY

The Chief Justice serves as the Head of the Judiciary and the President of the Supreme Court, providing overall leadership and direction to the institution. The Chief Justice is deputised by the Deputy Chief Justice, who also serves as the Vice-President of the Supreme Court.

The Chief Registrar of the Judiciary functions as the chief administrator and accounting officer, responsible for the overall management of the Judiciary's operations, finances, and staff. Together, this leadership structure ensures coherence in judicial decision-making, institutional governance, and administrative efficiency.

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

Hon. Lady Justice Philomena Mbete Mwilu, FCIArb, EGH
Deputy Chief Justice & Vice President
of the Supreme Court

Hon. Winfridah Boyani Mokaya, CBS
Chief Registrar of the Judiciary

1.1.1. Judiciary Leadership Teams & Committees

As part of shared leadership, the Chief Justice employs an organised framework of standing and ad hoc committees to strengthen institutional governance. Standing committees oversee the core operations of the Judiciary, while ad hoc committees are constituted to address specific, time-bound tasks. These committees are composed of judges, judicial officers, and staff members, ensuring that decision-making is inclusive and reflective of the Judiciary's diverse expertise.

At the highest level is the Judiciary Leadership Team which is chaired by the Chief Justice, and comprises the Deputy Chief Justice, the leaders of all superior and subordinate courts, as well as chairpersons of select standing committees. The Deputy Chief Justice chairs the Judiciary Management Committee whose members are drawn from the chairpersons of all standing committees. The Chief Registrar chairs the Judiciary Management Team whose members include the Deputy Chief Registrar, all Registrars, Directors and Heads of Administrative Units.

The mandate of these committees is illustrated in Figure 1.1.1 and Figure 1.1.2 below.

Figure 1.1.1: Leadership and mandate of the Judiciary's leadership teams

Judiciary Leadership Team (JLT)

CHAIR: Chief Justice

Key Functions: Policy & Strategy

Role:
- Receives reports from JMC.
- Makes policy prescriptions.
- Provides strategic direction.
- Links with stakeholders (e.g, Judicial Service Commission)

Judiciary Management Committee (JMC)

CHAIR: Deputy Chief Justice

Key Functions: Coordination & Oversight

Role:
- Enhances coordination among Judiciary committees.
- Provides oversight for effective activities
- Identifies and mitigates challenges in policy implementation.
- Monitors and evaluates administration progress.
- Ensures informed decision-making across leadership structures.

Judiciary Management Team

CHAIR: Chief Registrar of the Judiciary

Key Functions: Day to day administration of the Judiciary

Role:
- Re-engineering justice and service delivery processes and work methods.
- Enhancing budget planning and overall public financial management across the Judiciary.
- Strengthening resource and asset management.

SHARED LEADERSHIP

In addition, each court station hosts a Court Users Committee (CUC), which serves as a forum for collaboration between the Judiciary and justice sector partners, both state and non-state. CUCs operate at the grassroots level to address emerging challenges in the administration of justice, promote coordinated service delivery, and strengthen public confidence in the justice system.

At the station level, shared leadership is exercised through Leadership and Management Teams (LMTs), which bring together judges, judicial officers, and staff representatives, and provide a platform for collaborative governance and joint decision-making on matters of administration and service delivery within court stations.

Figure 1.1.2: Leadership and mandate of the Judiciary's leadership teams

1. Judiciary Honours Advisory Committee
Chair: Hon Lady Justice Martha Koome
Consider and propose Judiciary personnel who merit national honours for outstanding service.

2. Employee Protection and Inclusion Committee (EPIC)
Chair: Hon Lady Justice Njoki Ndungu
Oversees the implementation of policies, establishes safe reporting mechanisms for complaints, and reports incidents of sexual harassment to the Chief Justice for appropriate measures.

3. Judiciary Committee on Elections (JCE)
Chair: Hon Lady Justice Njoki Ndungu
Advise the Judiciary on administrative arrangements and measures for efficient processing of election related disputes. The committee also works in collaboration with KJA to develop and implement training programmes on efficient and effective management of election disputes.

4. Integrated Court Management Systems Committee (ICMS)
Chair: Hon Mr Justice Isaac Lenaola
Enhances utilization of ICT in all judicial and administrative functions, including guiding collaboration with other justice sector actors so as to advance the administration of justice.

5. Public Affairs and Communication Advisory Committee (PAC)
Chair: Hon Mr Justice Isaac Lenaola
Develop and implement the Judiciary's Communication Strategy and Policy, and manage information gateways within and outside of the Judiciary.

6. Judiciary Security Committee
Chair Hon Mr Justice William Ouko
Ensure proper security coverage for all court stations, Judges, Judicial Officers, Staff, Court users and Judiciary installations.

7. Building, Infrastructure and Facilities Development Committee (BIDC)
Chair: Hon Mr Justice William Ouko
Guarantees strict adherence to the Judiciary project masterplan, prudent contract management for all construction projects and proper accountability of the Judiciary's physical assets.

8. Human Resource Management and Administration Committee (HRMC)
Chair: Hon Lady Justice Fatuma Sichale
Operationalise the Judiciary's organisation structure, advise on human resource gaps within the institution, cater for welfare of all employees and institutionalise a performance based culture for operations.

9. Administration of Justice and Performance Management Committee (AJPMC)
Chair: Hon Lady Justice Agnes Murgor
Ensures courts are established in all parts of the country, in line with the STAJ Blueprint. The Committee also undertakes the performance review of all courts and administrative units in the Judiciary.

10. Rules Committee
Chair: Hon Mr Justice G. V. Odunga
Propose rules to guide and facilitate efficient procedures before courts and tribunals to compliment the Civil Procedure Act (Cap 21) and any other applicable law.

11. Judiciary Public Finance Management Steering Committee (JPFMSC)
Chair: Hon Winfridah Mokaya
Ensures the Judiciary Fund is operationalised, equitable allocation of resources to all spending units, and proper utilization of the funds to meet fiduciary requirements. The committee is statutorily chaired by the Chief Registrar of the Judiciary.

LMTs – Leadership and Management Teams
Chaired by Presiding Judges, or Heads of Station to manage the affairs of courts stations

CUCs – Court User Committees
Provide a platform for actors in the justice sector at local or regional level to consider collaborative ways to improve service delivery

1.1.2. Court Structure and Leadership

The Constitution establishes courts at two levels:

- **Superior Courts,** which include the Supreme Court, the Court of Appeal, the High Court, the Employment and Labour Relations Court, and the Environment and Land Court.
- **Subordinate Courts,** which include the Magistrates' Courts, Kadhis' Courts, Courts Martial, the Small Claims Court, and Tribunals.

The structure, jurisdiction and leadership of the courts is illustrated in Figure 1.1.3 below.

Figure 1.1.3: Court structure and leadership

SUPREME COURT
Hon Justice Martha Koome, FCIArb., EGH
Chief Justice of the Republic of Kenya and President of the Supreme Court of Kenya

The Supreme Court, established under Article 163 of the Constitution, is Kenya's highest court. It has exclusive authority to hear presidential election disputes and hears appeals from the Court of Appeal and tribunals on the removal of judges. It can issue advisory opinions on matters concerning county government when requested by national or county organs. The Court also rules on the validity of state of emergency declarations and related actions or legislation. It is headed by the Chief Justice as President, assisted by the Deputy Chief Justice as Vice President.

COURT OF APPEAL
Hon Mr. Justice Daniel K. Musinga, EBS
President, Court of Appeal

The Court of Appeal is established under Article 164 of the Constitution. It exercises appellate jurisdiction over decisions from the High Court, the Employment and Labour Relations Court, and the Environment and Land Court. The Court is headed by the **President of the Court of Appeal,** who provides leadership and ensures the efficient management and administration of the Court.

ENVIRONMENT AND LAND COURT
Hon Mr. Justice Oscar Angote, MBS
Presiding Judge, ELC

The Environment and Land Court (ELC) is established under the Environment and Land Court Act, pursuant to Article 162(2)(b) of the Constitution. It has jurisdiction to determine disputes relating to land and the environment, and exercises appellate and supervisory jurisdiction over subordinate courts and specialised tribunals handling matters within its mandate. The Court also oversees decisions of public bodies carrying out quasi-judicial functions in its area of jurisdiction. The Court is headed by the **Presiding Judge of the ELC**.

HIGH COURT
Hon Justice Eric Ogola, EBS
Principal Judge, High Court

The High Court is established under Article 165 of the Constitution with unlimited original jurisdiction in criminal and civil matters, jurisdiction to enforce and protect the Bill of Rights and to interpret the Constitution, appellate jurisdiction over decisions of subordinate courts, and supervisory jurisdiction over subordinate courts and persons or bodies exercising judicial or quasi-judicial authority. The High Court is headed by the **Principal Judge.**

EMPLOYMENT AND LABOUR RELATIONS COURT
Hon Mr. Justice Byram Ongaya
Principal Judge, ELRC

The Employment and Labour Relations Court (ELRC) is established under the Employment and Labour Relations Court Act, pursuant to Article 162(2)(a) of the Constitution. It has jurisdiction to hear and determine disputes relating to employment, labour relations, and industrial matters. The Court is headed by the **Principal Judge of the ELRC**.

SUBORDINATE COURTS

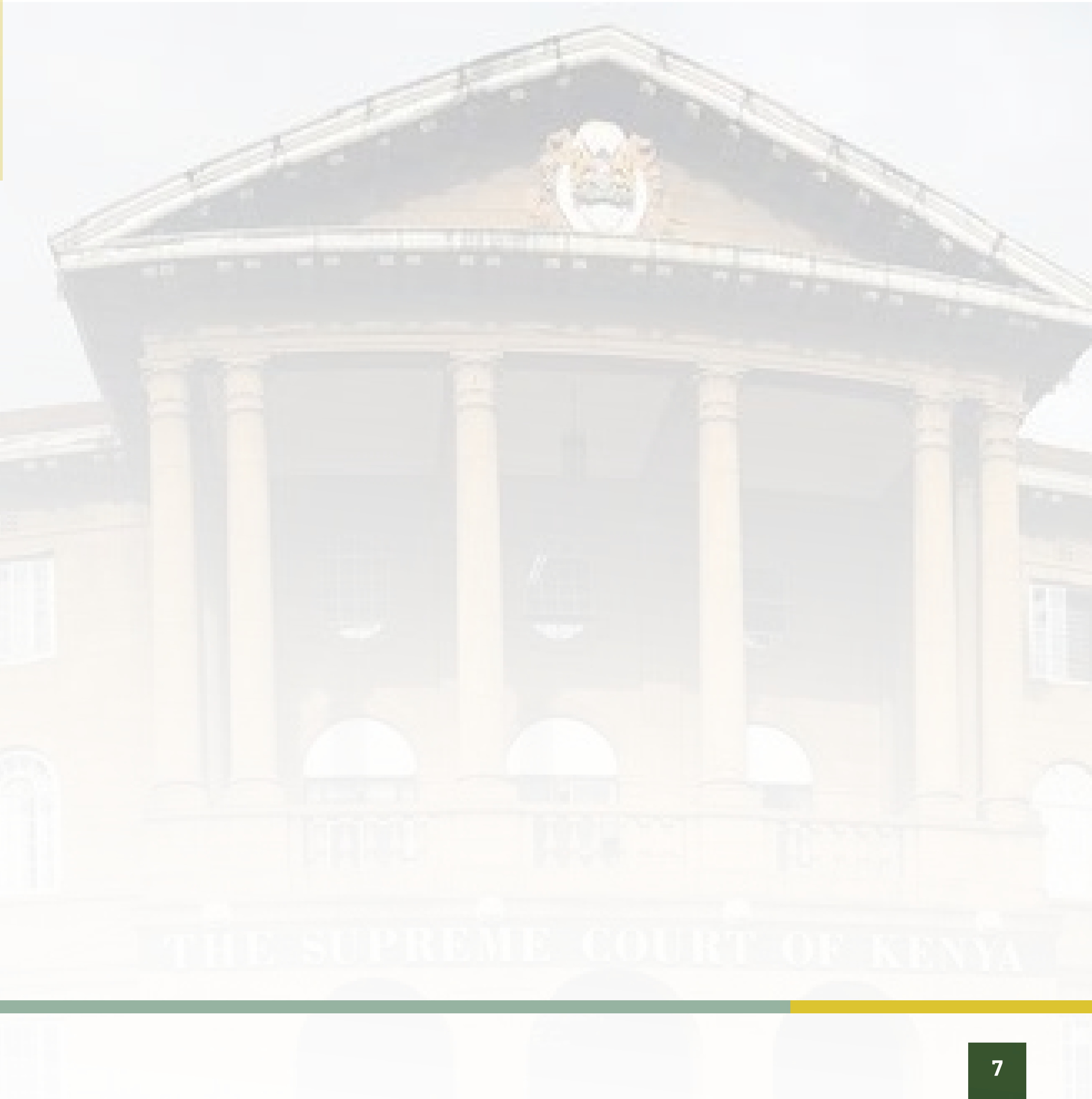
MAGISTRATES COURTS / KADHIS' COURT / SMALL CLAIMS COURTS
Hon Caroline Kabucho
Registrar, Magistrates' Courts

The Constitution expressly establishes three subordinate courts: the Magistrates' Courts, the Kadhis' Courts, and the Courts Martial. In addition, Parliament is empowered to establish other subordinate courts and tribunals through legislation. Within this category fall the Small Claims Court, created under the Small Claims Court Act, together with a wide range of specialised tribunals established under various Acts of Parliament. The subordinate courts play a central role in the administration of justice as they handle the majority of cases filed by the public. Their accessibility and geographical spread make them the primary interface between citizens and the justice system.

TRIBUNALS
Hon Ann Asugah
Registrar, Tribunals

The Registrars of the respective courts provide essential administrative and operational support, and are accountable to the Chief Justice and the Chief Registrar of the Judiciary.

At the station level, Presiding Judges appointed by the Chief Justice oversee superior court stations, while subordinate court stations are led by Heads of Station, designated from among the Magistrates by the Chief Registrar in consultation with the Chief Justice. This governance arrangement ensures consistency, accountability, and efficiency in the day-to-day running of courts across the country.



1.1.4. Judiciary Associations

Within the Judiciary, a number of self-governing professional associations play an important role in advancing the welfare of members, strengthening peer support, and promoting shared values. The Kenya Magistrates and Judges Association (KMJA) represents judges and magistrates, advocating for their collective interests, independence, and professional development. The International Association of Women Judges – Kenya Chapter (IAWJ-Kenya) provides a platform for women judges to promote gender equality, mentorship, and initiatives that advance the rights of women and vulnerable groups. The Kenya Judges Welfare Association (KJWA) focuses on the social and economic well-being of judges, complementing institutional efforts to ensure a supportive working environment. The Kenya Judicial Staff Association (KJSA) brings together judicial staff, offering a unified voice on issues of welfare, capacity-building, and workplace rights.

Together, these associations foster collegiality, strengthen institutional resilience, and contribute to a cohesive, motivated, and values-driven Judiciary. Importantly, their work complements the Judiciary's Social Transformation through Access to Justice (STAJ) Blueprint by promoting welfare, inclusion, accountability, and professional excellence as cornerstones of sustainable transformation.

As evidence of the Judiciary's consultative approach to leadership, the Presidents of KMJA and KJSA sit on the Judiciary highest organ, the Judiciary Leadership Team, which makes policy prescriptions and provides strategic direction to the institution.

March 12, 2025: Kennedy Miruka takes his Oath of Office before Chief Magistrate Stella Atambo following his election as President of the Kenya Judicial Staff Association. Other elected officials are Elizabeth Wahu Ngugi (Deputy president), Oscar Soi (Secretary General), Quincy Osore Shisia (Deputy Secretary General), Dan Denis Mutugi (Treasurer), Ommasaba Jane Mung'óni (Deputy Treasurer), Vincent Kiogora Gikunda (Organizing secretary), Edward M Ndung'u (Deputy Organizing Secretary), Amrata Gedow Hassan (Trustee), Tarsy Karambu (Trustee), and Mohamednur Adan Abdi (Trustee)

1.2 CORE STRATEGIC AREAS OF FOCUS

The operations of the Judiciary are anchored in the Social Transformation through Access to Justice (STAJ) Blueprint, which provides the institution's strategic direction for the period 2023 - 2033. The Blueprint responds to constitutional imperatives while aligning the Judiciary to emerging trends in governance, technology, and access to justice.

Figure 1.2.1: The five outcomes of the Social Transformation through Access to Justice Blueprint

During Financial Year 2024/2025, the Judiciary pursued a wide range of initiatives designed to strengthen institutional performance, safeguard constitutional mandates, and build lasting public trust. Anchored in the STAJ Blueprint, these reforms addressed governance and integrity, security, gender justice, digitisation, institutional expansion, efficiency in case management, alternative justice pathways, prudent resource management, and staff welfare. Collectively, they reinforced the Judiciary's vision of a responsive, independent, and people-centred institution. These areas reflect both long-term strategic priorities and the need to respond to emerging challenges in the justice sector.

1.2.1 Transparency and Accountability

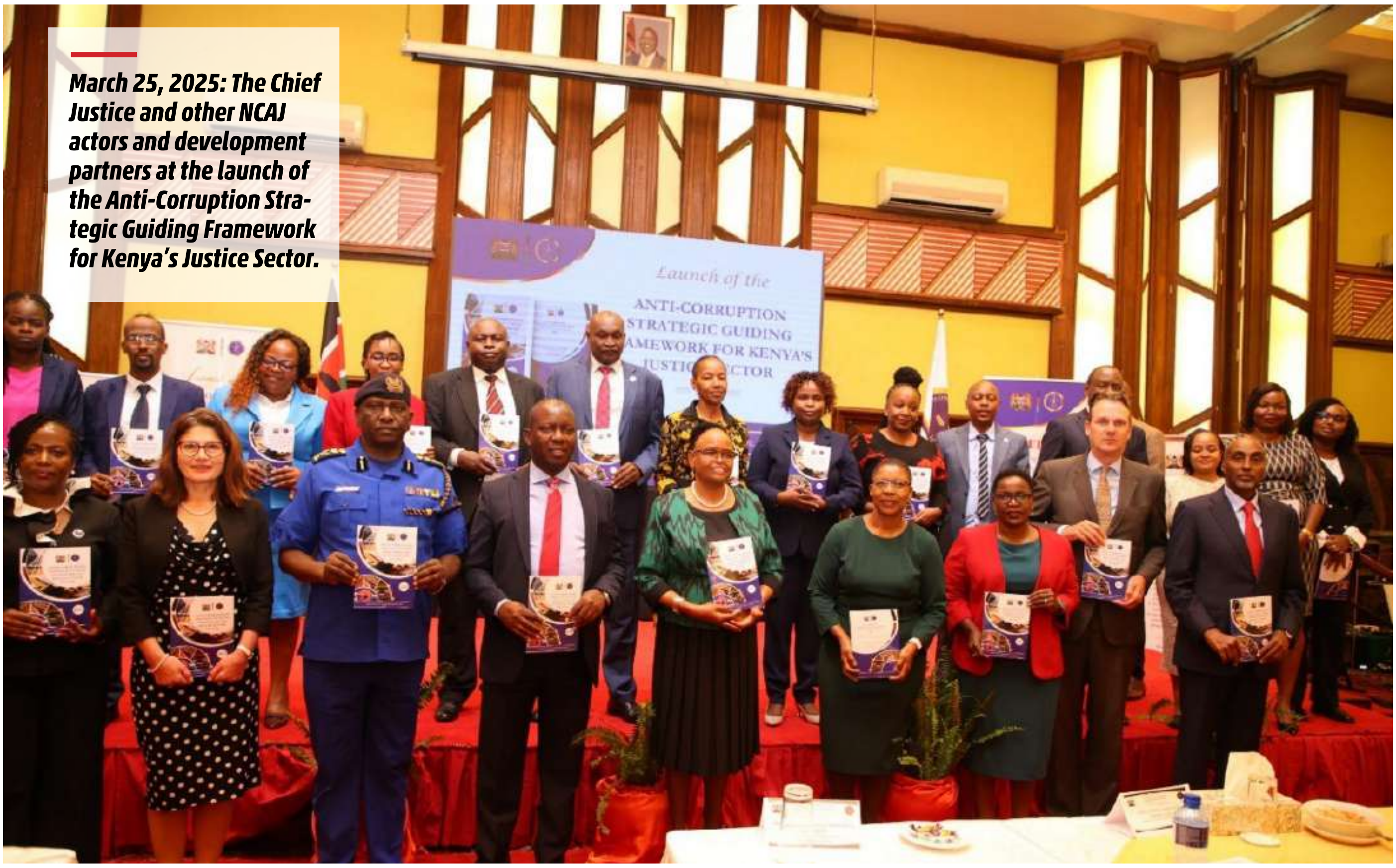
The Judiciary advanced accountability and transparency through the expansion of e-filing, the Case Tracking System (CTS), and public cause-list portal. These innovations made case progress visible to litigants and the wider public, minimised delays, and enhanced data integrity, thereby strengthening confidence in judicial outcomes.

Recognising that public trust is built on openness and ethical conduct, the Judiciary prioritised communication and integrity as core strategies. Responsive feedback channels were established, and the office of the Judiciary Spokesperson was created to improve public engagement and media relations. Regular public-facing forums such as the Judiciary Dialogue Day and Open Days provided opportunities for direct interaction between the public, stakeholders, and the Judiciary, enabling the exchange of ideas and concerns to improve service delivery.

In reinforcing integrity, the Chief Justice launched the Anti-Corruption Strategic Guiding Framework for Kenya's Justice Sector which is aimed at fostering a robust, transparent, and accountable justice system that proactively addresses the multifaceted challenges posed by corruption

Within the Judiciary, this was complemented by the operationalisation of codes of conduct, the strengthening of court integrity committees, and sector-wide initiatives under the National Council on the Administration of Justice (NCAJ). Together, these measures supported a culture of transparency, ethical practice, and impartiality, reinforcing the Judiciary's role as a trusted guardian of justice.

February 6, 2025: Judiciary Spokesperson and Deputy Chief Registrar of the Judiciary, Hon Paul Ndemo, fields questions from journalists during an engagement with the media at the Supreme Court Building.



March 25, 2025: The Chief Justice and other NCAJ actors and development partners at the launch of the Anti-Corruption Strategic Guiding Framework for Kenya's Justice Sector.

January 31, 2025: Hon Justice (Dr) Imaana Laibuta, Judge of the Court of Appeal, flags off a procession to mark the start of the Judiciary Dialogue Day at the Mombasa Law Courts.

March 11, 2025: The Chief Justice meets with the Independent Policing Oversight Authority Board, led by Chairman Ahmed Issack Hassan, to explore enhanced cooperation in advancing justice, accountability, and the rule of law.

1.3.2 Security of Judiciary Personnel and Property

During the reporting period, the Judiciary pursued a wide range of initiatives designed to strengthen institutional performance, safeguard constitutional mandates, and build lasting public trust. Anchored in the STAJ Blueprint, these reforms addressed governance and integrity, security, gender justice, digitisation, institutional expansion, efficiency in case management, alternative justice pathways, prudent resource management, and staff welfare. Collectively, they reinforced the Judiciary's vision of a responsive, independent, and people-centred institution. These areas reflect both long-term strategic priorities and the need to respond to emerging challenges in the justice sector.

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Recognising that public trust is built on openness and ethical conduct, the Judiciary prioritised communication and integrity as core strategies. Responsive feedback channels were established, and the office of the Judiciary Spokesperson

February 26, 2025: The Chief Justice in engagement with the Cabinet Secretary for Interior and National Administration, Hon Kipchumba Murkomen, on critical security challenges facing the Judiciary

June 26, 2025: Chief Justice Martha Koome conducts an inspection tour of Kikuyu Law Courts which was targeted and extensively damaged during demonstrations on June 25, 2025

August 1, 2024: Chief Registrar Winfridah Mokaya with Makadara Law Courts Head of Station Tito Gesora when she visited the station to review the security measures put in place after the fatal gun incident on June 14, 2024. The improvements include separate entries for pedestrians, judicial officers, and staff, installation of body scanners, an armoury, and waterproofing of the cells.

1.2.3 Advancing Child and Gender Justice

The Judiciary scaled up gender justice initiatives to ensure that equality and the protection of vulnerable groups remain central to the administration of justice. Specialised Sexual and Gender-Based Violence (SGBV) courts were expanded, supported by gender mainstreaming policies and continuous capacity-building through the Kenya Judiciary Academy. These measures responded to the rising incidences of sexual and gender-based violence, femicide, and other gender-related violations, which demand deliberate, system-wide reforms.

In addressing these challenges, the Judiciary worked closely with state and non-state actors to embed gender-responsive approaches within judicial processes. Emphasis was placed on survivor-centred mechanisms in the handling of cases, ensuring sensitivity, timeliness, and dignity in proceedings.

Beyond the courtroom, the Judiciary fostered partnerships across sectors and jurisdictions to strengthen collective action against gender-based injustices, reinforcing its commitment to building a justice system that is inclusive, responsive, and protective of all.

November 28, 2024: The Chief Justice meets members of the Kenya Women Parliamentarians Association (KEWOPA) to deliberate on the justice sector's response to the alarming rise in femicide and gender-based violence across Kenya.

November 29, 2024: Hon Anne Mwangi, Kibera Law Courts Head of Station, engages with a delegation from Colombia led by the Colombian Ambassador to Kenya, H.E. Pedro Cortez. The delegation toured the Kibera SGBV Registry and the children's play area and observed Kenya's innovative approach to enhancing access to justice through mobile courts, particularly in remote areas.

October 31, 2024: The Chief Justice shares a light moment with Judges Teresia Matheka, Fred Ochieng and Abigail Mshila on her arrival at Kirigiti Rehabilitation Centre, Kiambu County, for the launch of the 2024 National Child Justice Service Month. Reflecting the Judiciary's commitment to ensure that the justice system is child-friendly, throughout November, the Judiciary prioritised cases involving children including promoting preliminary inquiry and diversion processes as alternatives to conventional court processes and punitive measures, supporting rehabilitation and reintegration of children into their communities.

April 30, 2025: The Chief Justice held a meeting with the Technical Working Group on Gender Based Violence, led by Hon Lady Justice (Rtd) Dr Nancy Baraza. The meeting discussed GBV causes, SGBV, femicide, collaboration with stakeholders, including on the implementation of the Judiciary's Sexual & Gender Based Violence Strategy (2023-2030).

1.2.4 Automation and Digitisation

Automation and digitisation remained a cornerstone of judicial reform during Financial Year 2024/2025. Investments in e-filing, CTS, transcription services, ERP systems, and AI-driven tools reduced reliance on manual processes, cut delays, and improved evidence-based decision-making across the institution. The Judiciary prioritised the ongoing automation and digitisation to improve accessibility, strengthen accountability and safeguard the integrity of information. This included the rollout of the ERP system to streamline workflows, reduce reliance on manual processes and promote timely decision-making. The Mahakama Digitisation Programme (MADIP) continued to enhance the digitisation of records to ensure that court records, processes and services were available in digital formats, enabling easier access, secure storage and greater transparency.

At the service delivery level, Judiciary digitisation is transforming how Kenyans interact with the justice system. Court users can now file cases remotely, access court schedules and judgments online, and attend hearings through video-conferencing facilities, reducing travel time and costs. These innovations are particularly impactful in expanding access to justice for rural and marginalised communities, while also promoting environmental sustainability by cutting reliance on paper.

Looking ahead, system digitisation provides the foundation for emerging technologies, including the potential adoption of artificial intelligence tools for case management, smart scheduling, and analytics to inform evidence-based judicial reforms. Through these digitisation initiatives, the Judiciary is laying the groundwork for a justice system that is not only independent and accessible but also adaptive to the evolving needs of society in a digital era.

1.2.5 Small Claims Courts

To support economic actors and reduce the pressure on mainstream courts, the Judiciary significantly expanded the Small Claims Courts, which are designed to provide simple, fast, and affordable resolution of high-volume, low-value disputes. Operating on streamlined procedures, these courts dispose of matters within sixty days of filing, making them a game-changer for ordinary citizens and small and medium-sized enterprises (SMEs) whose survival often depends on timely resolution of commercial disputes. By unlocking stalled capital through quick settlement of claims, the courts directly contribute to improved cash flow for traders and entrepreneurs, strengthen business confidence, and stimulate local economic activity.

Beyond easing access for litigants, Small Claims Courts also play a systemic role in decongesting superior and magistrates' courts, allowing those courts to focus on more complex matters. Their rapid expansion across counties has widened the Judiciary's footprint, bringing justice closer to communities while embodying the STAJ vision of a responsive, people-centred justice system. The model has also enhanced public trust by demonstrating that justice can be both efficient and affordable, offering a blueprint for future reforms in access to justice.

1.2.6 Tribunals' Transition to the Judiciary

The administration and operations of tribunals under the Judiciary advanced steadily through the Office of the Registrar of Tribunals, with the Tribunals supported by shared-service arrangements that provide common infrastructure, financial management, and administrative support. This process has strengthened governance standards by embedding Tribunals within the Judiciary's accountability framework, ensuring greater consistency in leadership, decision-making, and service delivery.

Integration has also streamlined operations; reducing duplication, harmonising procedures, and enabling Tribunals to benefit from Judiciary-wide innovations such as digitisation, case tracking, and financial oversight under the Jumuika ERP system. In aligning Tribunals with the Judiciary's service delivery ethos, the transition enhances public confidence by making these specialised bodies more accessible, efficient, and transparent, while also ensuring that Tribunal users receive justice that meets the same standards of independence and integrity as the wider court system.

In order to ensure Kenyans enjoy the full benefits of the operation of Tribunals under the Judiciary, there is need for Parliament to enact the Tribunals Bill which provides a comprehensive legal framework for the full transition of Tribunals to the Judiciary.

May 12, 2025: Chief Justice Martha Koome joined by Kisumu Governor Prof. Anyang' Nyong'o, Kisumu County Woman Representative Ruth Odinga, Supreme Court Judge William Ouko and Registrar of Tribunals Ann Asugah during the launch of the Kisumu Tribunals Shared Services at the Lake Victoria South Water Works Development Agency in Nyalenda, Kisumu.

1.2.7 Case Backlog Reduction and Alternative Pathways to Justice

The Judiciary intensified efforts to tackle case backlog, recognising it as a major barrier to timely justice and public confidence. Through the use of digital case tracking systems, courts were able to monitor case lifecycles more effectively and flag delays, while targeted service weeks mobilised judicial and administrative resources towards clearing long-pending matters. These interventions, supported by data-driven management, resulted in measurable declines in pending cases and improved efficiency in case disposal.

A notable innovation during the reporting period was the roll-out of Rapid Results Initiatives (RRI) in selected priority areas. In the Family Division of the High Court, RRIs accelerated the hearing and determination of matters affecting children, ensuring that their best interests were safeguarded without undue delay. Similar initiatives were extended to commercial and tax cases, where timely decisions are critical for business confidence and revenue stability, as well as to public interest cases requiring urgent resolution. These focused efforts showcased the Judiciary's commitment to delivering impactful outcomes within compressed timelines, while also relieving systemic pressure on the dockets.

In parallel, the Judiciary scaled up the use of Alternative Dispute Resolution (ADR) mechanisms, anchored in the Constitution and the STAJ Blueprint, as a complementary pathway to justice. Alternative Justice Systems (AJS) and Court-Annexed Mediation grew significantly during the reporting period, recording high settlement rates and providing timely, less adversarial, and more affordable outcomes. These platforms promoted reconciliation, restored relationships, and allowed parties to reach mutually acceptable solutions outside the traditional adversarial process.

Together, the combined strategies of backlog clearance, RRIs, ADR, and AJS demonstrated the Judiciary's resolve to widen access to justice, reduce undue delays, and entrench a culture of efficiency and responsiveness in the justice system.

1.2.8 Efficiency and Prudent Resource Utilisation

Operational efficiency was strengthened through prudent resource mobilisation and effective utilisation of available resources. The Judiciary advanced financial autonomy through the operationalisation of the Judiciary Fund and the adoption of programme-based budgeting, which together enhanced accountability while ensuring that resources were channelled to priority areas such as infrastructure, ICT, and service delivery.

To reinforce transparency in financial management, the Judiciary adopted the Enterprise Resource Planning (ERP) Jumuika system, a digital platform designed to enhance efficiency in human resource, financial, and procurement processes. By integrating planning, budgeting, and expenditure tracking into a unified system, Jumuika promotes real-time monitoring, reduces leakages, and strengthens institutional safeguards against inefficiencies. These innovations demonstrate the Judiciary's commitment to upholding the highest standards of fiscal responsibility in line with its constitutional mandate.

1.2.9 Prison Decongestion and Restorative Justice

In collaboration with correctional services and other justice sector partners, the Judiciary advanced targeted measures to address prison overcrowding and promote more humane approaches to justice. Recognising that excessive reliance on custodial sentences and pre-trial detention undermines rehabilitation and strains correctional facilities, the Judiciary pursued innovative alternatives that balance accountability with social reintegration.

Key interventions included the scaling up of plea-bargaining frameworks, which enabled accused persons to take responsibility while reducing the length and cost of trials. Diversion programmes, particularly for petty offences and cases involving children, redirected matters away from formal prosecution towards community-based solutions that emphasise rehabilitation over punishment. In addition, the adoption of non-custodial and community-based sanctions provided courts with practical tools to impose proportionate penalties while reducing congestion in prisons.

To strengthen the sustainability of these interventions, the Judiciary, working with the Ethics and Anti-Corruption Commission (EACC) and the National Crime Research Centre (NCRC), advanced the development of a Balanced Court Fines Policy for Petty Offenders. The policy seeks to guide courts in issuing fines that are fair, consistent, and commensurate with offences, while taking into account the socio-economic circumstances of offenders. This approach mitigates the cycle of imprisonment for those unable to pay disproportionately high fines, while still holding offenders accountable within the law.

Together, these initiatives reflect a deliberate shift towards restorative justice, where emphasis is placed on repairing harm, addressing root causes of offending, and reintegrating offenders as productive members of society. By reducing the burden on prisons, strengthening fairness in sentencing, and promoting reconciliation, the Judiciary not only improved efficiency in the administration of justice but also safeguarded the dignity of those in conflict with the law.

1.2.10 Bail and Bond Practices

The Judiciary streamlined bail and bond practices through the application of the Bail and Bond Policy Guidelines, which provide clear standards for judicial officers when determining release conditions. The guidelines promote fairness and consistency across courts, ensuring that decisions are not arbitrary but grounded in transparent criteria. They also safeguard constitutional rights by reducing unnecessary pre-trial detention, while at the same time balancing considerations of public safety, victim concerns, and the risk of absconding.

During the reporting period, courts undertook continuous sensitisation of judicial officers, prosecutors, and defence counsel on the proper application of the guidelines. Monitoring mechanisms were also strengthened under NCAJ to track compliance and assess emerging trends. These measures reinforced the principle that bail and bond are instruments of justice, not punishment while enhancing accountability and building public confidence in the fairness of the criminal justice system.

The National Crime Research Centre also published the result of a study on the level of satisfaction with the bail and bond policy guidelines, the challenges and gaps around the guidelines as well as the impact of the policy. Among its key recommendations is the revision of the policy guidelines, clarification and declassification of crimes and offenses and the enactment of a Bail and Bond Act enforceable beyond the provisions of the policy.

1.2.11 Judiciary Infrastructure and Expanded Judicial Footprint

The Judiciary continued to prioritise the expansion of its infrastructure and institutional footprint as a cornerstone of access to justice. During the reporting period, new court facilities were constructed and operationalised across several counties, extending both superior and subordinate courts to regions that had previously been underserved. The establishment of additional Magistrates' Courts and the rapid rollout of Small Claims Courts further enhanced proximity to justice, particularly for rural communities and small-scale economic actors.

This expansion is guided by the principle of bringing justice closer to the people, reducing the time, cost, and logistical barriers that citizens face in accessing courts. It also reinforces institutional presence nationwide, ensuring that the Judiciary is visible and accessible in every county. Beyond physical construction, the infrastructure programme includes the modernisation of existing facilities to meet evolving standards of safety, inclusivity, and digital-readiness, thereby aligning the Judiciary's physical growth with its broader transformation under the STAJ Blueprint.

Through the Mahakama Popote Guidelines for the Magistrates' Courts, Kadhis' Courts, and Small Claims Courts which were finalized and launched during the reporting year, the Judiciary continued to expand the Mahakhama Popote initiative which enables the institution to leverage technology to allow judicial officers to handle cases regardless of the court station in which the case was filed, thereby making use of available human capital more efficiently.

June 24, 2025: Chief Justice Martha Koome with Magistrates Courts Registrar Caroline Kabucho during the launch of the Mahakama Popote Guidelines at the 12th Annual Heads of Station Forum in Makueni.

1.2.12 Human Resource Optimisation

The Judiciary continued to invest deliberately in its most valuable resource, its people, through a range of initiatives aimed at building a skilled, adaptable, and motivated workforce. Redeployment and re-skilling programmes ensured that human resources were aligned to areas of greatest need, while also equipping staff with the competencies required in a rapidly digitising justice environment. Structured pathways for career progression and promotions provided incentives for performance and professional growth, reinforcing morale and institutional loyalty.

Capacity-building was anchored in the Kenya Judiciary Academy which rolled out targeted training on emerging areas such as digital systems, gender justice, bail and bond administration, case management, and integrity frameworks. Continuous professional development programmes also enhanced judicial officers' and staff members' ability to adapt to reforms under the STAJ Blueprint. Together, these initiatives promoted not only technical proficiency but also a culture of excellence, accountability, and service orientation across the institution.

1.2.13 Employee Assistance and Wellness

The Judiciary recognised staff well-being as central to STAJ's outcome of building an "inspired team of Judges, Judicial Officers, and Judiciary staff," and strengthened a comprehensive Employee Assistance Programme (EAP) offering psychosocial support, counselling, and health-promotion services. Wellness was mainstreamed through Judges' Wellness Days including retreats convened by the Kenya Judges Welfare Association and regional staff wellness activities at court stations nationwide, featuring practical activities such as physical exercise, meditation, medical check-ups, and talks on mental health, workplace safety, and spiritual wellness.

A national wellness calendar was institutionalised and aligned to the International Day for Judicial Well-Being, declared by the UN General Assembly on March 4, 2025 and observed on July 25, 2025. These initiatives embed a preventive, dignity-affirming approach to occupational health, directly linking staff resilience to effective, people-centred service delivery.

November 16, 2024: The Judiciary's Mahakama Legends soccer team, led by team captain Boru Waqo, celebrate with team patron Mr Justice Oscar Angote after emerging the winners of the Justice Majanja Memorial Cup, at the Kenya School of Law. 18 teams from across the justice sector competed in the tournament.

1.2.14 Policy Development

In the year under review, the Judicial Service Commission approved seventeen key policies and resources designed to strengthen judicial operations, governance, and modernisation. These included practical tools such as the Bench Book on Wildlife, Forest and Fisheries Crimes, the Court Administrators Handbook and Court Process Servers Handbook, as well as the Curriculum for Training Court Administrators and the Decision Making and Judgment Writing Bench Book. Collectively, these resources standardised practice, enhanced professionalism, and built capacity across the institution.

To reinforce ethical leadership, the JSC approved a Leadership and Integrity Code for Members of the Commission, alongside an Anti-Corruption Policy, which together provide a stronger framework for accountability and transparent governance in the Commission. The Stakeholder Engagement and Communication Strategy institutionalised structured dialogue with partners and the public, strengthening trust and reinforcing the Judiciary's openness.

A major highlight was the approval of seven ICT-related policies, covering ICT security, systems development and management, database and network administration, leasing of ICT equipment, end-user devices, and digitisation of records. Together, these policies accelerated the transition to fully digital operations, enhanced the security of digital platforms, and fortified the Judiciary's capacity to modernise its systems sustainably.

In further support of staff welfare, the Commission also approved the proposed Judiciary Car Loan Scheme Fund Regulations and the proposed Judiciary Mortgage Scheme Fund Regulations which are to be gazetted under the hand of the Cabinet Secretary to the National Treasury.

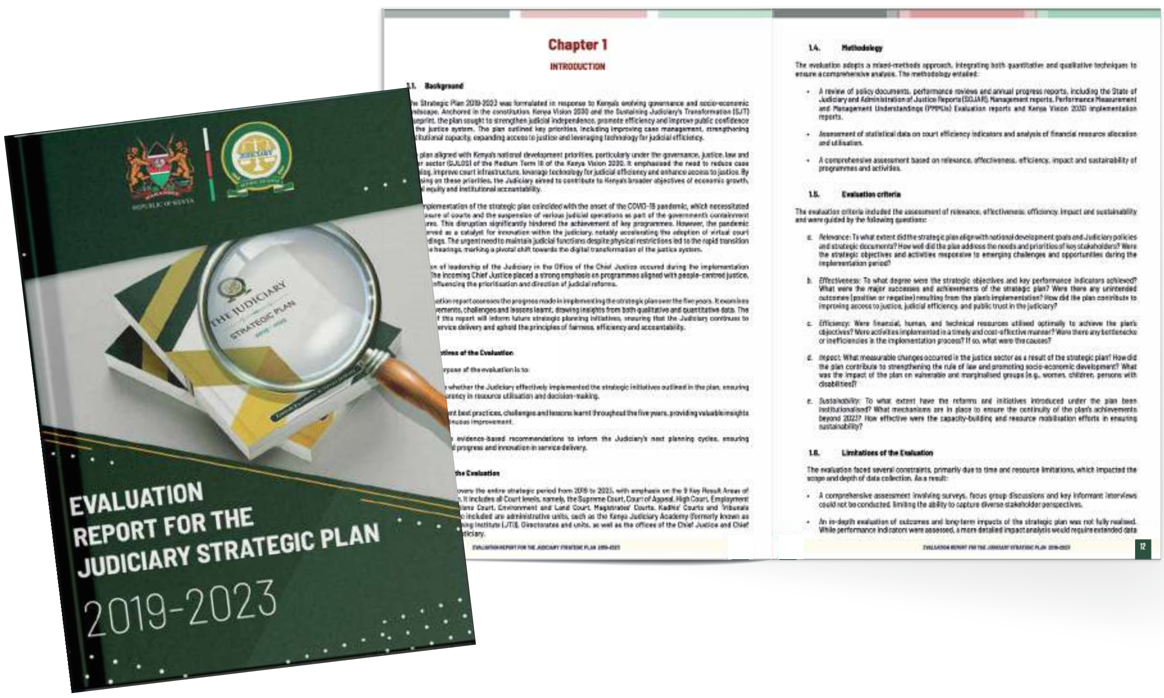
Table 1.2.1: Policies and resources approved by the JSC during FY 2024/2025

POLICY / REGULATION	FOCUS AREA	INTENDED IMPACT
Bench Book on Wildlife, Forest and Fisheries Crimes	Environmental and natural resource justice	Provides judicial officers with reference material to standardise decisions on environmental and wildlife-related offences.
Court Administrators Handbook	Court administration	Enhances professionalism and efficiency in the management of court stations.
Curriculum for Training Court Administrators	Capacity building	Establishes structured training for administrators to strengthen governance and service delivery.
Court Process Servers Handbook	Court processes	Standardises service of court documents, improving reliability and accountability.
Decision Making and Judgment Writing Bench Book	Judicial practice	Improves quality, clarity, and consistency in judgments and rulings.
Leadership and Integrity Code for Members of the Judicial Service Commission	Governance and ethics	Reinforces ethical leadership, accountability, and public trust in the JSC.
Judicial Service Commission Anti-Corruption Policy	Integrity	Establishes safeguards against corruption and promotes a culture of transparency.
JSC Stakeholder Engagement and Communication Strategy	Partnerships and communication	Institutionalises structured engagement with partners and the public to enhance trust.
Policy on ICT Security	ICT governance	Secures Judiciary digital platforms against breaches and data risks.
Policy on Systems Development and Management	ICT systems	Provides standards for developing and maintaining Judiciary ICT systems.
Policy on Systems and Database Administration	ICT systems	Strengthens efficiency, integrity, and oversight of Judiciary databases.
Policy on Network Administration	ICT infrastructure	Improves management and security of Judiciary networks nationwide.
Policy on Leasing of ICT Equipment	ICT infrastructure	Streamlines ICT procurement and ensures cost-effective technology adoption.
Policy on End User Computing Devices	ICT access	Standardises provision and use of devices for Judiciary officers and staff.
Policy on Digitisation of Records	ICT transformation	Facilitates the transition to paperless operations and secure digital records.
Judiciary Car Loan Scheme Fund Regulations, 2025	Staff welfare	Expands access to affordable car loans for Judiciary officers and staff.
Judiciary Mortgage Scheme Fund Regulations, 2025	Staff welfare	Provides affordable mortgage financing to enhance staff stability and welfare.

1.2.15 Strategy Evaluation

In parallel, the Judiciary undertook an evaluation of its 2019 – 2023 Strategic Plan which revealed an overall achievement rate of 57%. This progress highlighted significant reforms achieved but also pointed to areas requiring strengthened policy direction and institutional reforms. The evaluation recommended harmonising policy, planning, and resource allocation to ensure that strategic objectives translate into meaningful results. It also underscored the need to entrench people-centred service delivery, consistent with the STAJ Blueprint, and to sustain reform momentum.

To reinforce accountability and continuous improvement, the evaluation further called for the establishment of a centralised monitoring and evaluation system that will enable consistent performance tracking across all levels of the Judiciary. This would provide a structured basis for measuring progress, learning from implementation, and driving evidence-based reforms that deepen access to justice.



Evaluation Report of the Judiciary Strategic Plan (2019-2023)

1.2.16 Partnerships and Cooperative Dialogue

The Judiciary continued to incorporate cooperative dialogue into its strategic implementation framework, recognising that sustainable justice reforms and people-centred outcomes are only achievable through deliberate collaboration and broad-based partnerships. By engaging state institutions, professional bodies, civil society, development partners, and community actors, the Judiciary created platforms for mutual learning, shared responsibility, and joint problem-solving.

These partnerships facilitated the cross-pollination of ideas and the scaling of innovations that have directly improved the delivery of justice, particularly for marginalised and vulnerable populations. They also enhanced institutional resilience by drawing on diverse expertise, resources, and perspectives, ensuring that reforms remain inclusive, evidence-driven, and responsive to the evolving needs of society.

Engagement with National Justice Stakeholders

The Judiciary continued to engage stakeholders through platforms such as Judiciary Dialogue Days, Court Users Committees (CUCs), and structured engagements with the National Treasury and publishers like Longhorn, Law Africa and Kenya Law. These engagements have not only mobilised critical resources such as support for digital resources in remote courts but also strengthened stakeholder ownership of institutional reforms.

The Judiciary also held engagements with the leadership of the Law Society of Kenya on issues affecting justice delivery, including e-filing, virtual sessions, case backlog and court infrastructure. Both parties recognised the importance of structured regular engagements, with the LSK pledging support in addressing these challenges.

In addition, the Judiciary held structured engagements with the Justice and Legal Affairs Committee of the National Assembly, focusing primarily on law reform and enhanced budget allocation to strengthen judicial operations. During these discussions, the Judiciary emphasised the need for adequate funding to support priority areas such as automation and digitisation, expansion of court infrastructure, and recruitment of judicial officers.

March 21, 2025: The Judiciary Leadership Team led by Chief Justice Martha Koome at a meeting with the Law Society Council at the Milimani Law Courts Ceremonial Hall. The discussions focused on improving efficiency, embracing digitisation, and safeguarding integrity, with alignment between the Bench and Bar on critical issues—from boosting court efficiency to integrating cutting-edge technology—while candidly addressing ongoing challenges.

May 12, 2025: KJA Director General Dr Smokin Wanjala and Chief Registrar Winfridah Mokaya with the Chairperson and Members of the Justice & Legal Affairs Committee of the National Assembly at a meeting at the Pride Inn Paradise, Mombasa, to deliberate on funding for the Judiciary and the JSC as well as the proposed legal framework for the Kenya Judiciary Academy.

January 16, 2025: Chief Registrar Winfridah Mokaya and Commissioner Evelyne Olwande who chairs the JSC's Finance, Planning, and Administration Committee, paid a courtesy call on Hon FCPA John Mbadi Ng'ong'o, EGH, Cabinet Secretary for the Treasury & Economic Planning.

February 3, 2025: Chief Justice Martha Koome who chairs the National Council for Law Reporting, with the Council's CEO Prof Jack Mwimali, at a Stakeholder Roundtable to explore strategic partnerships for enhancing access to legal information.

Engagements with Development Partners

The Judiciary convened the Annual Judiciary Development Partners Roundtable, reaffirming its commitment to structured dialogue with bilateral and multilateral partners, civil society, and philanthropic organisations. The meeting underscored the importance of sustained collaboration in institution-building, recognising that effective partnerships are central to positioning the Judiciary as a reliable anchor for dispute resolution, the rule of law, and constitutionalism.

At the Roundtable, the Judiciary presented progress achieved under its reform agenda and outlined priority areas requiring support, particularly in the realms of digitisation, infrastructure expansion, backlog reduction, gender justice, and staff capacity-building. Partners were called upon to align their technical and financial support with the STAJ Blueprint, which envisions a people-centred justice system that is accessible, efficient, inclusive, and responsive to the needs of all Kenyans.

Beyond financial contributions, development partners provided critical knowledge capital, innovation, and comparative perspectives that enriched the Judiciary's reform journey. The Roundtable also served as a platform for mutual accountability, where progress was reviewed, challenges candidly discussed, and commitments renewed to strengthen justice delivery. This collaborative approach continues to ensure that reform initiatives are not only well-resourced but also aligned with global best practices and the lived realities of Kenyan citizens.

August 13, 2024: Chief Registrar Winfridah Mokaya with World Bank Senior Public Sector Specialist Ms. Christine Owuor and the Head of the Judiciary's Resource mobilisation Unit, Ms Lucy Njaramba, during discussions on strengthening partnerships to support judicial reforms and institutional development.

March 5, 2025: The Chief Registrar of the Judiciary chairs a meeting with a delegation from the International Monetary Fund at the Supreme Court Building to discuss collaboration on strengthening financial management, accountability, and institutional resilience within the Judiciary.

Engagements with the Civil Society and Thought-Leaders

The Judiciary continued to demonstrate openness to diverse voices in shaping legal discourse by hosting engagements with civil society organisations, youth networks, and global thought leaders. The Refugee Consortium of Kenya was recognised for its work in promoting the rights of refugees and asylum seekers, particularly in advancing access to justice for marginalised and displaced communities. Similarly, the Judiciary commended Embellish, a network of young advocates, for its contributions to community service and its role in nurturing the next generation of legal professionals committed to justice and social transformation.

In parallel, the Judiciary held structured discussions with the Ford Global Fellows, focusing on the role of the Rule of Law, constitutionalism, and judicial precedent in tackling inequality and promoting inclusion. These exchanges highlighted the Judiciary's position as a safeguard of human dignity and its role in ensuring that constitutional guarantees translate into meaningful protection for vulnerable groups.

By engaging with such diverse actors, from grassroots advocates to international fellows, the Judiciary enriched its reform agenda with innovative ideas, intergenerational perspectives, and global best practices. These partnerships underscore the institution's commitment to building a justice system that is not only legally sound but also socially responsive and anchored in the lived realities of the people it serves.

1.3 EXCELLENCE, INNOVATION AND RECOGNITION

The Judiciary continued to position itself as a centre of excellence by fostering innovation, nurturing talent, and promoting integrity across the justice sector. This commitment was reflected not only in broad institutional reforms but also in the personal initiatives and achievements of judicial officers and staff who embody the Judiciary's values of professionalism, service, and accountability.

1.3.1. Judicial Diplomacy and Benchmarking: The Kenya Judiciary as a Center of Excellence

The Judiciary leveraged diplomacy and international benchmarking as tools for knowledge exchange, peer learning, and institutional strengthening. This high-level judicial diplomacy also reinforced the Kenya Judiciary's role as a hub for knowledge exchange and collaboration in judicial practice and its profile as a center of excellence in global justice networks.

Engagements with counterparts from Uganda, Zanzibar, India, Azerbaijan, Germany, Zambia, and China provided a platform to reflect on common challenges and share innovations in areas such as Alternative Dispute Resolution, gender justice, climate change litigation, the integration of Artificial Intelligence into legal systems, and institutional performance management. These engagements deepened the Judiciary's comparative insights and positioned Kenya as a continental and global reference point for reform.

The Judiciary hosted the King and Queen of the Netherlands, reaffirming shared commitments to human rights, democratic governance, and the rule of law. Bilateral dialogues with the Chief Justices of Zambia and Uganda strengthened inter-jurisdictional cooperation and opened avenues for sustained collaboration in navigating emerging issues such as transnational crime, cross-border disputes, and climate justice.

Notably, the visit by the Federal Constitutional Court of Germany to the Court of Appeal's Virtual Court Command Centre showcased Kenya's pioneering leadership in digitised justice delivery, affirming the Judiciary's position as a continental reference point for technology-enabled access to justice.

The Judiciary also hosted a delegation from Colombia, led by the Vice President and Minister of Equality and Equity, who visited Kenya from 25th to 29th November 2024. The objectives were to strengthen judicial collaboration and partnership between the judiciaries of Kenya and Colombia, facilitate reciprocal high-level engagements following prior visits, and exchange knowledge on gender equality, equity, and the adjudication of sexual and gender-based violence (SGBV) cases.

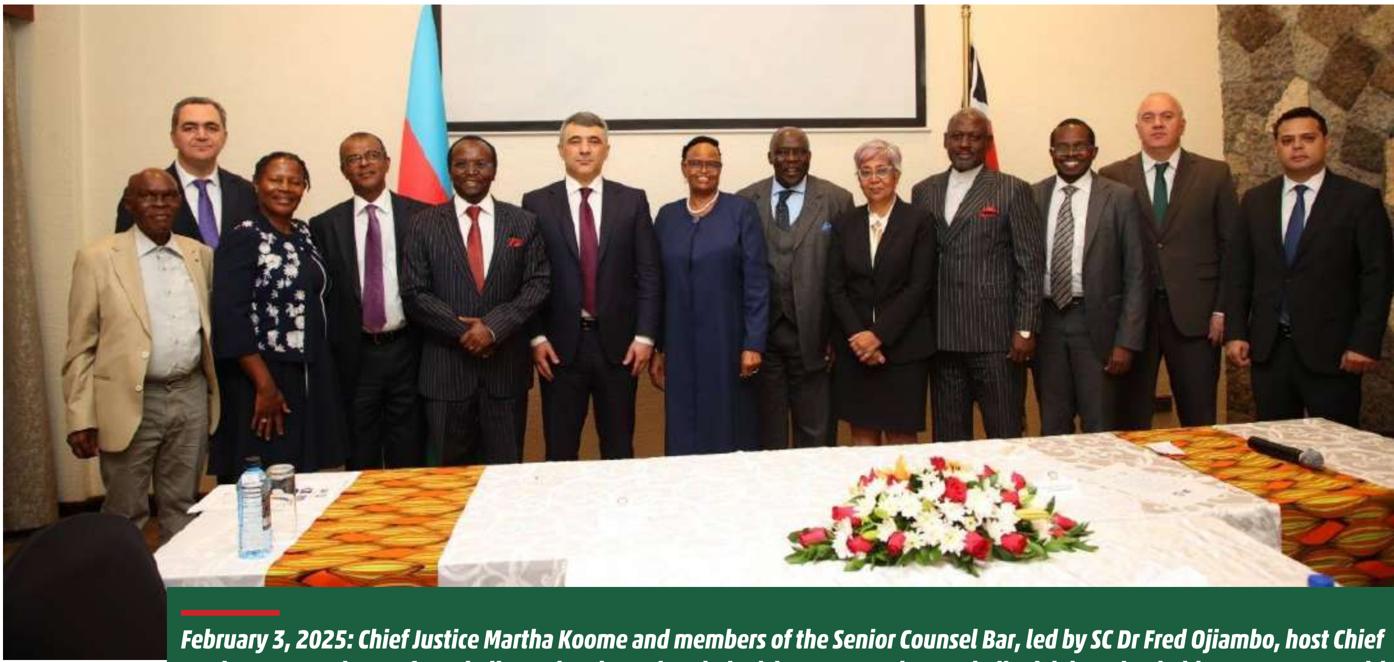
A delegation from the Judiciary of Zanzibar also visited to share lessons and best practices on ADR, performance management, gender justice, and climate justice, holding structured engagements which highlighted replicable innovations under the Judicial Performance Improvement Project (JPIP), which are being adapted to local contexts to strengthen efficiency. Additionally, Judges of the Supreme Court of India, accompanied by the Commonwealth Asia team, held structured dialogues exploring areas of cooperation and partnership in strengthening justice systems.

Through these engagements which yielded practical outcomes for Kenya's Judiciary, the Judiciary positioned itself not only as a beneficiary of global best practices, but also as an active contributor to international discourse on justice transformation. Lessons from comparative jurisdictions informed refinements in case management strategies, reinforced the Judiciary's approach to Court-Annexed Mediation and AJS frameworks, and inspired the adoption of tools for performance tracking and accountability.

By combining diplomacy with practical benchmarking, the Judiciary has enriched its reform agenda, secured legitimacy for its innovations, and built partnerships that will sustain its progress in an evolving legal landscape.

March 20, 2025: Chief Justice Martha Koome in a discussion with His Majesty King Willem-Alexander and Her Majesty Queen Máxima of the Kingdom of the Netherlands at the Supreme Court during a visit that reaffirmed shared commitments to human rights, democracy, and the rule of law.

November 28, 2024: Public Affairs and Communication Officer James Munga offers a guided tour of the Judiciary Museum to a delegation from Colombia led by H.E. Ambassador Pedro Cortez. The delegation visited the Kenya Judiciary as part of our South-South cross-jurisdictional experience sharing on access to justice for survivors of Sexual and Gender-Based Violence.



February 3, 2025: Chief Justice Martha Koome and members of the Senior Counsel Bar, led by SC Dr Fred Ojiambo, host Chief Justice Inam Karimov of Azerbaijan to lunch. During their visit to Kenya, the Azerbaijani delegation held engagements with the High Court, the ELC, the ELRC, the Tribunals Secretariat, and Kahawa Law Courts, aimed at providing a valuable platform to explore collaborative strategies that can strengthen judicial effectiveness in both nations.

January 23, 2025: Hon Moses Wanjala (Deputy Registrar, Mediation Accreditation Committee) makes a presentation to a delegation from the Judiciary of Zanzibar. The objective of the visit was to facilitate knowledge exchange on key areas, including Alternative Dispute Resolution (ADR), the Performance Management System, Gender Justice, and the Climate Justice Strategy within the Judiciary of Kenya.

> ***"We are glad that we are developing cooperation between our two countries at the judicial level. This visit will serve as an opportunity for mutual learning, deepening our mutual cooperation in judicial sphere and strengthen judicial systems through shared experiences and knowledge exchange."***
>
> *Azerbaijan Chief Justice Inam Karimov during a luncheon hosted by Chief Justice Martha Koome and the Senior Counsel Bar*

March 10, 2025: Judges of the Supreme Court of Kenya engage with Justices of the Supreme Court of India at the Supreme Court Library, exploring opportunities for cooperation and exchange of judicial best practices.

1.3.2. Individual Innovation & Recognition

Individual accolades further reflected the culture of excellence and depth of talent within the institution. Hon Justice John Chigiti launched his book The Diary Mentorship for Young Lawyers, a practical guide on ethics, courtroom practice, and professional growth, contributing to the mentorship of the next generation of lawyers. Hon Lady Justice Asenath Ongeri unveiled The Making of a Judge during the High Court's Human Rights Summit, offering a reflective account of her judicial journey and insights on resilience, service, and leadership within the Bench.

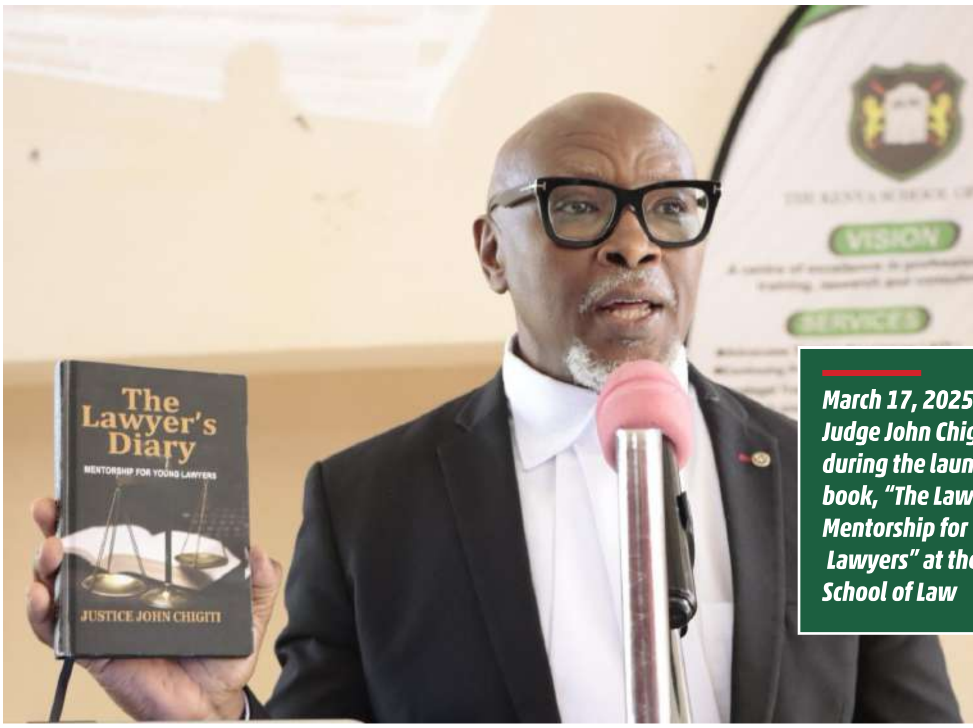
Meanwhile, Hon Jane Kamau, Principal Magistrate at the Kajiado Law Courts, was recognised as Judicial Officer of the Year at the Nairobi Legal Awards for her pioneering contributions in advancing Alternative Justice Systems and improving access to justice at the grassroots. Environment and Land Court Judge Oguttu Mboya was also recognized as the 2024 Judge of the Year Award by the Nairobi Legal Awards.

Additionally, a total of twenty-one judges, judicial officers and staff received various National Honours during the Jamhuri Day celebrations on December 12, 2024.

Together, these institutional milestones and individual achievements illustrate the Judiciary's pursuit of excellence, innovation, and integrity, affirming its central role in building a justice system that inspires public trust and sets a benchmark within and beyond Kenya.

Table 1.3.1: Judiciary Employees who received National Honours & Awards during Jamhuri Day Celebrations on December 12, 2024

AWARD	RECIPIENT	DESIGNATION
Elder of the Order of the Golden Heart (EGH)	Hon Lady Justice Philomena Mbete Mwilu	Deputy Chief Justice & Vice President of the Supreme Court of Kenya
Chief of the Order of the Burning Spear (CBS)	Hon Winfridah B. Mokaya	Chief Registrar of the Judiciary
Elder of the Order of the Burning Spear (EBS)	Hon Mr Justice John Mativo	Judge, Court of Appeal
	Hon Lady Justice Pauline Nyamweya	Judge, Court of Appeal
	Hon Mr Justice Byram Ongaya	Principal Judge, ELRC
	Ms. Rose Wachuka Macharia	Chief of Staff, Office of the Chief Justice
Moran of the Order of the Burning Spear (MBS)	Hon Lady Justice Abigail Mshila	Judge, High Court
	Hon Lady Justice Maureen Onyango	Judge, ELRC
	Hon Justice Antony Ombwayo	Judge, ELC
	Hon Lady Justice Esther Maina	Judge, High Court
	Hon Justice Alfred Mabeya	Judge, High Court
	Hon Everlyne Olwande	Chief Magistrate & Commissioner, JSC
	Hon Caroline Kabucho	Registrar, Magistrates Courts
	Hon Letizia Wachira	Registrar, Supreme Court
Order of The Grand Warrior of Kenya (OGW)	Hon Thomas Nzyoki	Chief Magistrate
	Hon Monicah Kivuti (Posthumous)	Principal Magistrate
	Hon Benard Kasavuli	Deputy Registrar, Supreme Court
	Dr Masha Baraza	Legal Counsel, Office of the Deputy Chief Justice
Head of State Commendation (HSC)	Mr. Omagwa Kepha Achuka	Court Administrator
	Ms. Kamau Miriam Wanini	Court Administrator



March 17, 2025: High Court Judge John Chigiti, SC, during the launch of his book, "The Lawyer's Diary: Mentorship for Young Lawyers" at the Kenya School of Law

December 10, 2024: Chief Justice Martha Koome receives a copy of the book "The Making of a Judge" authored by High Court Judge, Asenath Ongeri during the High Court Annual Human Rights Summit

November 23, 2024: Hon Jane Kamau, Principal Magistrate, awarded Judicial Officer of the Year by the Nairobi Legal Awards for her contributions to Alternative Justice Systems and improved justice delivery at at Kajiado Law Courts.

November 23, 2024: Environment and Land Court Judge Oguttu Mboya, winner of the 2024 Judge of the Year Award by the Nairobi Legal Awards.

December 9, 2024: High Court Judge William Musyoka (2nd Left) and other honorees during TI Kenya's National Integrity Action Awards 2024. Hon Justice Musyoka received the Judicial Integrity Award 2024.

1.4 ADMISSIONS, CERTIFICATIONS AND OATHS OF OFFICE

During the reporting year, the Judiciary sustained its constitutional role in regulating entry and practice within the legal profession while embedding digital efficiency in its administrative processes. A total of 1,984 advocates were admitted to the bar, strengthening the pool of legal practitioners available to serve the justice system. Reflecting the Judiciary's commitment to digital transformation, 18,634 digital annual practising certificates were issued through automated platforms, reducing delays, improving accountability, and streamlining regulatory oversight.

To further expand professional capacity, 856 advocates were appointed as Commissioners for Oaths and 738 as Notaries Public, enabling wider access to essential legal services across the country.

Beyond the legal profession, the Chief Justice and the Chief Registrar presided over the administration of the Oath of Office to individuals appointed to various constitutional and statutory offices, reaffirming the Judiciary's role as custodian of constitutional order and a guarantor of lawful authority. These milestones demonstrate the Judiciary's pivotal role in strengthening the legal profession, safeguarding constitutionalism, and entrenching digital efficiency in professional regulation.

> ***Service to society should not be optional, it should be at the core of your legal practice. You must be prepared to use your knowledge and skills as a lawyer to serve the society, promote public good, and protect the vulnerable members of the society including women, children, the poor, elderly, and persons with disabilities,"***
>
> Chief Justice Martha Koome during the admission of new advocates on March 6, 2025

In line with its constitutional mandate to administer oaths of office, the Judiciary presided over the assumption of office of Hon Kithure Kindiki as Deputy President of the Republic of Kenya. The ceremony, conducted by the Chief Justice, reaffirmed the Judiciary's central role in upholding constitutional order and ensuring the smooth transition of executive authority. By administering this oath, the Judiciary not only safeguarded the integrity of the country's democratic processes but also reinforced public confidence in the constitutional framework governing leadership and succession.

Prof. Kithure Kindiki being sworn in as Deputy President before Chief Justice Martha Koome at KICC Comesa grounds.

March 6, 2025: Joel Maina and other candidates take the Advocates Oath before the Chief Justice during their call to the bar at the Milimani Law Courts Ceremonial Hall. A total of 1,984 new advocates were admitted to the bar during FY 2024/2025.

January 20, 2025: Chief Registrar Winfridah Mokaya administers the Oath of Office to Harun Maalimu Hassan when he took office as a Member of the Salaries and Remuneration Commission at the KICC Building.

1.5 CORPORATE SOCIAL RESPONSIBILITY

In its ongoing commitment to social responsibility and nation-building, the Judiciary undertook targeted CSR programmes aimed at supporting vulnerable groups and fostering social equity and healing. These initiatives reinforced the Judiciary's identity not only as a dispenser of justice but also as an institution attuned to the lived realities of the communities it serves.

During the reporting year, outreach activities were conducted across different regions. At Machao Children's Home and the Makueni Remand Prison, assorted goods were donated, strengthening bonds of compassion with both children and inmates. In Mukuru Kayaba informal settlement, judges and staff distributed foodstuffs for Iftar during Ramadhan, ensuring that vulnerable residents could participate in the sacred observance with dignity. A visit to Mama Ibado Charity in Isiolo saw donations of food and clothing, while at Shimo La Tewa Prison, the Judiciary provided supplies and held engagements with inmates to underscore the importance of dignity and rehabilitation in correctional facilities.

These acts of solidarity underscored the Judiciary's human face, an institution that extends beyond the courtroom to touch lives directly, nurture inclusion, and contribute to the broader goal of social transformation in Kenya.

June 28, 2025: Hon Susan Gitonga (Deputy Registrar Small Claims Courts) and Hon Njeri Thuku (SPM JKIA Law Courts) at Makueni Remand Prison when Heads of Stations visited the remand prison for a CSR activity on the side lines of the 12th Edition of the Annual Heads of Station Forum.

April 17, 2025: High Court Judges and Judicial Officers, led by Lady Justice Hedwig Ong'udi, visit Shimo La Tewa Prison on the side lines of the Annual High Court Leaders Conference to donate assorted goods to inmates. The Judges also conducted a prison decongestion exercise during the visit. They reviewed 120 case files at the Prison whereupon 49 inmates were placed on probation and 20 .


THE SUPREME COURT OF KENYA

Chapter 2

Access to Justice

INTRODUCTION

Pursuant to Article 48 of the Constitution of Kenya, which guarantees every person the right to access justice, the Judiciary is mandated to eliminate barriers, simplify procedures, and make court services readily available to all. This chapter presents the initiatives undertaken to enhance access to justice, examines the transformative role of technology in the administration of justice and provides an analysis of court statistics.

2.1. INITIATIVES TO ENHANCE ACCESS TO JUSTICE

Guided by the Constitution, the Judiciary deepened its commitment to bringing justice closer to the people by expanding its physical footprint across the country. Over the reporting period, remarkable strides were made at every level of the court system, thereby removing barriers, enhancing accessibility, and ensuring that no Kenyan is left behind in the quest for justice

2.1.1. Establishment of Courts and Sub-Registries

A Court of Appeal sub-registry was operationalized in Garissa, thus providing litigants in the region with greater access to appellate services. The sub-registry in Garissa brings the total number of Court of Appeal sub-registries to seven. Other sub-registries have previously been established in Eldoret, Busia, Kisii, Meru, Malindi and Kakamega.

The Isiolo High Court sub-registry was upgraded to a full High Court station while a new High Court was also established at Makadara Law Courts. This expansion brings the High Court to all the 47 counties with 47 High Court stations and Seven sub-registries. Five of the seven High Court sub-registries were operational in counties that do not host High Court stations namely, Elgeyo Marakwet, Lamu, Mandera, Samburu, and Wajir.

At the Environment and Land Court in Milimani, an Appeals Division was established, raising the number of divisions to three, namely, the Land Division, the Environment and Planning Division, and the Appeals Division. In addition, two new sub-registries of the ELC were established in Bomet and Wajir. The ELC now has six sub-registries in Witu, Bomet, Kabarnet, Lamu, Lodwar, and Wajir.

November 11, 2024: The Chief Justice and the Narok County Governor, H. E. Patrick Ole Ntutu, during the launch of the Environment and Land Court, solar-powered station and Court-Annexed Mediation Registry in Kilgoris.

At the subordinate courts, six new Magistrates Courts were operationalized in Dagoretti, Kamwangi, Kendu Bay, Kombewa, Moiben, and Wamunyu, increasing the total number of Magistrates' Courts stations in the country to 143.

The rollout of Small Claims Courts also continued during the reporting period, with three new Small

Claims Courts established at Dagoretti, Garissa and Voi Law Courts. This brings the total number of operational Small Claims Courts across the country to 40, with one sub-registry at Makueni Law Courts.

Further, the Retirement Benefits Appeals Tribunal transitioned to the Judiciary, bringing the total number of tribunals operating under the Judiciary to 27. Table 2.1.1 illustrates the establishment of courts and sub-registries and the transition of Tribunals during the reporting period.

Table 2.1.1: Establishment of courts and sub-registries and transition of Tribunals

Court	FY 2023/24		Established in FY 2024/25		Total	
	Stations	Sub-registries	Stations	Sub-registries	Stations	Sub-registries
Supreme Court	1	2	-	-	1	2
Court of Appeal	6	6	-	1	6	7
High Court	46	7	1	1	47	7
ELRC	10	11	-	-	10	11
ELC	40	3	-	2	40	5
Magistrates Court	137	-	6	-	143	-
Kadhis Court	47	-	-	-	47	-
Small Claims Court	37	1	3	-	40	-
Tribunals (Transited to the Judiciary)	26	3	1	-	27	3

2.1.2. Court Circuits

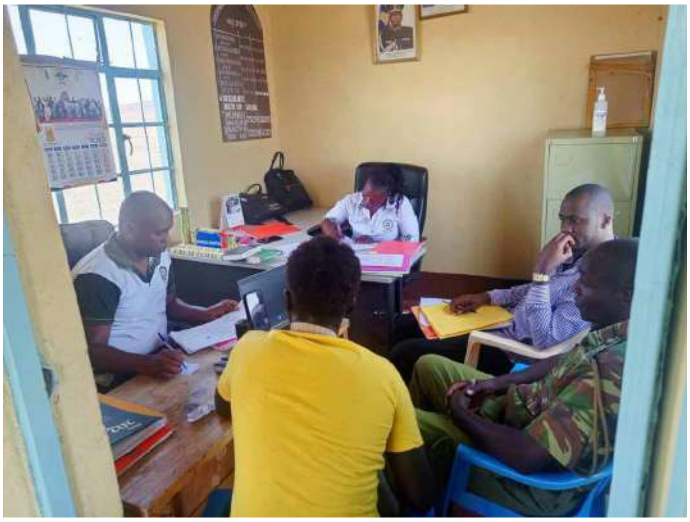
Circuits are need-based court sessions designed to expedite the resolution of disputes and bring justice closer to the people. This is achieved by temporarily deploying Judges and judicial officers to specific court stations away from their ordinary posting. The Judiciary carried out 79 circuits where 6,050 cases were resolved, as illustrated in Table 2.1.2.

Table 2.1.2: Court circuits per court level

Court	No. of Court Circuits	Cases Resolved
Court of Appeal	19	162
High Court	22	1,987
ELRC	7	211
ELC	4	2,570
Tribunals	27	1,120
Total	79	6,050

2.1.3. Mobile Courts

During the year, 59 mobile courts were in operation, registering 7,872 new cases and successfully resolving 6,751. Through these mobile courts, the Judiciary brought justice closer to marginalized and vulnerable communities in line with the STAJ Blueprint, reaching populations that would otherwise have to travel long distances or navigate difficult terrain to access the nearest court.



October 7, 2024: Marsabit Senior Principal Magistrate Christine Wekesa conducts a mobile court session in Loiyangalani, 280 kilometers from the court station. The magistrate was accompanied by Court Assistant Eric Mawira and Prosecution Counsel Omar Ali. Advocates joined the session virtually.

2.1.4. Strengthening Tribunals' Shared Services

The Judiciary launched shared services for Tribunals in Nairobi and Kisumu Counties to enhance access to justice. This initiative seeks to streamline administrative processes, optimize resource allocation, and standardize service delivery by pooling resources and leveraging economies of scale.

The shared services provide registry support to clients across all tribunals in the region and facilitates circuit sittings. These services include shared courtrooms, registries, chambers, digital hubs, archives, and human resources. The initiative is expected to enhance efficiency, improve accessibility, and reinforce the Judiciary's commitment to expanding access to justice.

Between the launch of the Kisumu shared services on May 12, 2025 and the end of the financial year on June 30, 2025, more than 150 cases were registered, and 56 individuals were assisted to have their cases heard through the digital hub.

Tribunals Shared Services facilities at the Kenya Re Towers in Upper Hill, Nairobi, featuring a courtroom, chamber, and boardroom.

2.1.5. Mahakama Popote

Mahakama Popote is an innovation designed to enhance efficiency and equitable access to justice by redistributing workload among Judicial Officers, leveraging on technology, thus reducing case backlog. It enables Judicial Officers in courts with lower caseloads to support busier courts through virtual platforms and e-filing, eliminating the need for physical transfers.

During the year, the initiative was implemented to assist with cases in high-volume courts including Milimani Commercial Courts, Thika Kadhis Court, Mombasa Law Courts and Mombasa Kadhis Court. The initiative was also deployed to resolve cases in Small Claims Courts in Milimani, Eldoret, Kisumu, Kakamega and Thika.

A total of 19,089 cases identified in these courts were distributed to Judicial Officers in other court stations with lower caseloads, out of which 14,240 were resolved.

To guide and strengthen its implementation, the Mahakama Popote Guidelines were launched. These guidelines set out clear and transparent case assignment procedures, incorporating case complexity assessments and regular workload reviews to ensure fairness and consistency in distribution.

2.1.6. Service Weeks

From time to time, different courts conduct service weeks which entail concentration and focus of resources over a specified period of time to clear cases that are considered backlog. Through this initiative, High Court heard and determined 2,507 cases while Tribunals determined 1,723 cases. These reduced the case backlog, increased access to justice, and ensured quick resolution of matters by leveraging technology, as all the matters under Rapid results Initiative (RRI) were conducted virtually.

As is tradition, the National Service Month on children's matters was held in the month of November 2024, targeting matters that had remained unresolved for over six months. A total of 521 cases were resolved. Of the cases resolved, 33 per cent were civil cases while 67 per cent were cases involving children in conflict with the law.

In addition, the Judiciary held a National Succession Service Week in May 2025, targeting probate and administration cases. Table 2.1.3 highlights the outcome of service weeks held across the country per court level.

Table 2.1.3: Service Weeks per Court

Court	No. of Service Weeks	Cases Heard	Cases Resolved
High Court	4	2,507	2,507
ELC	2	44	10
Tribunals	10	1,723	1,723
CAM	1	35	18

2.1.7. Prison Decongestion

The Judiciary launched a Rapid Results Initiative (RRI) to decongest prisons in the Nairobi region. Through this initiative, 3,157 matters were reviewed, resulting in inmates being placed on probation, assigned Community Service Orders, having their sentences reduced, or being released. The RRI seeks to achieve a sustainable prison population that aligns with the designated capacity of correctional facilities, while promoting fairness, dignity, and efficiency in the administration of justice.

2.1.8. Pro-Bono Scheme

To enhance access to justice for indigent persons, the Judiciary allocated KSh 82.1 million to support pro bono legal services across courts. These funds were applied to settle claims from advocates who rendered such services, as shown in Table 2.1.4. The Judiciary acknowledges that this budget is inadequate to meet outstanding fees payable to advocates who have offered these crucial services to indigent litigants, and calls on the National Assembly to provide additional funding to support this scheme.

With the recent operationalization of the National Legal Aid Service under the Office of the Attorney General, the Judiciary now plans to transition the administration of pro bono services to this new entity, ensuring a more structured and sustainable framework for legal aid.

Table 2.1.4: Distribution of Pro bono Funds

Court	Amount (KSh)
Court of Appeal	4,300,000
High Court	26,589,970
Magistrates Courts	50,655,000
Tribunals	600,000
Total	**82,144,970**

2.1.9. Simplification of Court Procedures

The Judiciary is committed to enhancing access to justice by simplifying court procedures and providing user-friendly resources that demystify complex legal processes. In line with this commitment, a range of policy documents, manuals, and guides were developed with the overarching goal of improving efficiency, transparency, and user experience across all levels.

Resource	Objective
Supreme Court of Kenya Self-Representing Litigant E-Guide	To empower self-representing litigants by guiding them through filing and appearance procedures with clear, step-by-step instructions. The objective is to reduce procedural barriers for self-representing litigants and ensure they can navigate the court effectively.
Court of Appeal Electronic Hearings and Case Management Guides	A suite of tools, including the Court of Appeal Automation Guide, Service of Process Guide, Case Management Guide, and the CoA Indexing Guide, were developed to standardise documentation and enhance the efficiency of electronic hearings and case tracking. For administrative support, the Registrar's Practice Note and the Request for Transcription Guide were also introduced to ensure consistency, improve caseflow management, and facilitate seamless adoption of digital processes within the Court of Appeal.

Resource	Objective
Guidelines on the Conduct of Service Weeks, Circuits, and Part-Heard Cases at the High Court	To standardize the planning, execution, and reporting of these activities, thereby promoting uniformity, consistency, and efficiency across High Court operations.
High Court Information Handbook	To provide the public with accessible information about the High Court's role, functions, and procedures, with the objective of fostering transparency and public awareness.
Employment and Labour Relations Court Registry Operations Manual	To standardize processes, enhance efficiency, and improve the overall customer experience.
Conciliation Manual	To provide structured guidelines for conciliation, fostering amicable settlements and helping to reduce the case backlog.
ELC Guide to Environmental and Land Justice in Kenya	To provide clear guidance on land and environmental justice processes, with the aim of raising public awareness and enhancing access to specialized justice in these critical areas.
Small Claims Court Registry Manual	To simplify and standardize procedures in Small Claims Courts, with the goal of making justice more accessible, efficient, and cost-effective for court users.
Tribunals Registry Manual	To standardize registry procedures across tribunals to ensure consistency, efficiency, and clarity in service delivery.
Court-Annexed Mediation Private Mediation Guidelines	To guide litigants in filing for mediation services before commencing formal court proceedings, to promote alternative dispute resolution, encourage amicable settlements, and ease the burden of caseloads on the courts.

2.1.10. Strengthening Access to Justice through Court Annexed Mediation and Alternative Justice Systems

The Judiciary has actively engaged with a wide range of stakeholders to expand access to justice through the adoption of alternative dispute resolution mechanisms such as Court-Annexed Mediation and Alternative Justice Systems (AJS). These approaches are fostering a more inclusive, efficient, and responsive legal framework that better meets the needs of all court users.

Court Annexed Mediation

Court-Annexed Mediation (CAM) was introduced to ease case backlog, in line with Article 159(2)(c) of the Constitution, which requires the promotion of alternative forms of dispute resolution, including reconciliation, mediation, arbitration, and traditional mechanisms.

14 new Court Annexed Mediation registries were established in Isiolo, Kilgoris, Marsabit, Kamwangi, Olkalou, Githunguri, Ruiru, Kapenguria, Kakuma, Lodwar, Lokichar, Lokitang, Kwale, and Msambweni Law Courts. This expansion brought the total number of mediation registries to 82, covering 42 counties. Plans are underway to operationalize mediation registries in the remaining five counties namely Lamu, Mandera, Moyale, Samburu, and Wajir, moving the Judiciary closer to nationwide coverage.

Alternative Justice Systems

Through its multi-stakeholder committee, the Judiciary advanced the implementation of the Alternative Justice Systems (AJS) Policy by prioritizing training, public awareness, and county-level action plans.

AJS County Action Plans were launched in six counties namely Narok, Uasin Gishu, Kisumu, Trans Nzoia, Isiolo, and Marsabit. These plans integrate AJS policy into county governance by engaging diverse community groups. Special emphasis was placed on inclusivity and gender equity within traditional justice systems, including addressing unfair practices and promoting the participation of women in decision-making processes.

Another key milestone was the training and capacity building of 600 AJS stakeholders including legal professionals, community leaders, and social justice advocates, equipping them to serve as AJS champions and drive policy implementation within their communities. These sessions also bridged the gap between policy and practice, ensuring that AJS principles are meaningfully applied on the ground.

July 22, 2024: Supreme Court Judge Dr Smokin Wanjala with Trans Nzoia Governor George Natembeya during the Launch of Trans Nzoia County AJS Action Plan

A total of 677 cases were resolved through AJS in the counties with County Action Plans, where the Judiciary is actively monitoring referrals with a success rate of 96%. Matters referred and resolved through AJS are depicted in Figure 2.1.1 below.

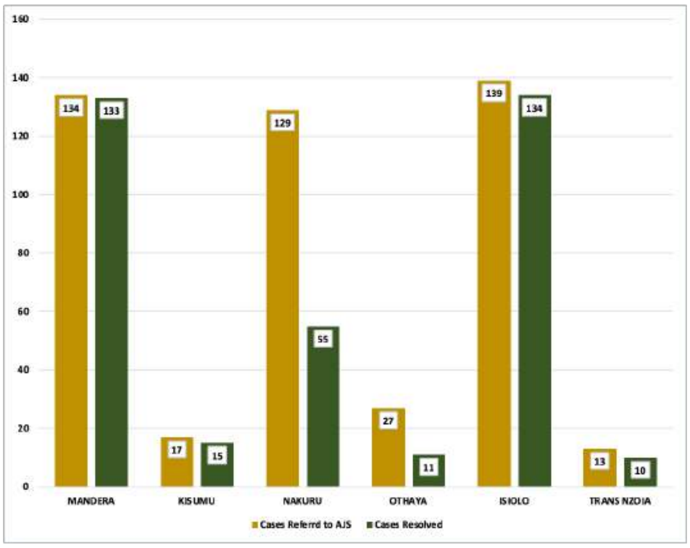


Figure 2.1.1: Cases referred to AJS in six counties

In Eldoret, 38 cases were resolved through autonomous AJS mechanisms while 27 cases were resolved through Third Party mechanisms. Kajiado resolved 189 cases through autonomous AJS mechanisms while 3 cases were resolved through the court referral mechanism. In Gichugu, 62 cases were resolved through court referrals to autonomous AJS mechanisms while Narok resolved 5 cases through court annexed mechanisms

Table 2.1.5: AJS Case resolution in select courts

County	Autonomous AJS Mechanism	Court Referral Mechanism	Third Party Mechanism
Eldoret	38	-	27
Kajiado	189	3	-
Gichugu	62	-	-
Narok	-	5	-

June 19, 2025: New Kwale Law Courts, set to be completed during Financial Year 2025/2026.

October 11, 2024: *Inset* – Chief Justice Martha Koome, joined by Solicitor General Shadrack Mose, Correctional Services PS Dr Salome Muhia – Beacco, LSK President Faith Odhiambo, High Court Judge Lilian Mutende and Chief Registrar Winfridah Mokaya at the opening of Dagoretti Law Courts.

2.2. DEVELOPMENT OF COURT INFRASTRUCTURE

The Judiciary is steadfast in advancing, renovating, and maintaining its infrastructure to enhance the quality of court facilities and bring justice closer to the people. By creating secure, dignified, and user-friendly spaces, the Judiciary ensures that both court users and staff experience an environment that upholds respect, fairness, and confidence in the justice system

2.2.1. Construction Projects

Construction works progressed in 13 locations namely Othaya, Eldoret, Kwale, Takaba, Kandara, Meru, Githongo, Mandera, Mukurweini, Habasweini, Lodwar, Bomet, and Kiambu. Two projects were successfully completed namely the Marimanti Law Courts, designed with inclusive amenities such as a lactation room and disability access, and the Dagoretti Law Courts. However, the planned construction of courts at Mihango and Kasarani could not proceed due to budgetary constraints.

2.2.2. Refurbishment Projects

The Judiciary made significant progress in refurbishing court facilities, with a focus on structural safety and compliance with occupational safety, health, environmental, and accessibility requirements. Notable achievements included the installation of a new access ramp at Murang'a Law Courts to enhance accessibility and the completion of modern ablution blocks at Bungoma, Loitoktok, and Thika Law Courts, greatly improving sanitation while incorporating disability-friendly features.

Similarly, tribunals carried out targeted refurbishments at the Business Premises Rent Tribunal, the Tax Appeals Tribunal, and other shared office spaces, improving both functionality and staff wellbeing.

2.2.3. Solar Projects

In advancing its commitment to climate action and green energy, the Judiciary continued the installation of solar PV systems with a threefold objective: reducing its carbon footprint, lowering operational costs, and ensuring reliable power to sustain the growing use of technology in the administration of justice, particularly in remote and underserved regions. During the year, solar installations were completed at nine court stations namely Etago, Kajiado, Kiambu, Kilgoris, Kyuso, Mwingi, Naivasha, Sirisia, and Tawa, bringing the total number of solar-powered stations to 42.

2.3. LEVERAGING TECHNOLOGY TO ENHANCE ACCESS TO JUSTICE

The Judiciary continues to make steady progress in the automation of its operations, with projects targeting both court and administrative systems. These efforts aim to enhance the delivery of justice by improving efficiency, accountability, and service accessibility.

2.3.1. Automation of Court Processes

Court system automation focuses on digitising core judicial processes such as case filing, case tracking, and virtual hearings.

Case Tracking System

The Case Tracking System (CTS) automates registry operations namely; case registration, fee assessment, cause list preparation, court orders generation & performance reports, with support to online payments. This digital platform further allows judges and judicial officers to update and track the status of the cases they handle with the ability to file resolutions at any given time. The system also provides real-time status information on the progress of all cases within the Judiciary.

During financial year 2024/2025, the system was enhanced with the following features:

a. Operationalization of the **flip book Case Document Viewing Interface** to make it easier for users to navigate and access case documents online, thereby enhancing efficiency and user experience. The key features include allowing filtering of documents by Case Party Type, filtering by Individual Case Party, listing of Case Parties by Type (such as appellants and respondents), a section on all documents generated and published by judges and judicial officers (such as court orders, rulings, and judgments), and documents uploaded by registry officers. The flip book also has a document preview area where the currently selected case document is displayed.

b. Operationalization of the **Exhibit Management, Securities Management and File Movement** features to enhance efficiency, accountability, and transparency in the court and registry processes. The Exhibit Management feature enables courts to digitally log, track, and retrieve exhibits submitted during trials while the securities management feature allows real-time tracking of court-ordered securities such as cash bail and bonds. The file movement feature keeps track of physical case files enabling users to know the exact location of a file at any given time.

c. **Standardized Court Templates** for the generation of court documents were adopted to assist the registries in the efficient generation of court documents being processed. All courts now operate the templates effectively.

The transparency offered by CTS has, over the years, fostered trust in the legal system and empowered stakeholders with timely information. The system is currently fully operational across all court stations and tribunals.

CTS user accounts grew by 128,930 to 206,990 by June 30, 2025 as shown in Figure 2.3.1. Out of the 128,930 new accounts created in the system during the year, 124,816 are held by individual users, 1,378 by law firms, 2,715 by organizations, and 21 by state entities. This demonstrates the diverse user base of the Case Tracking System, serving various stakeholders in Kenya's legal landscape.

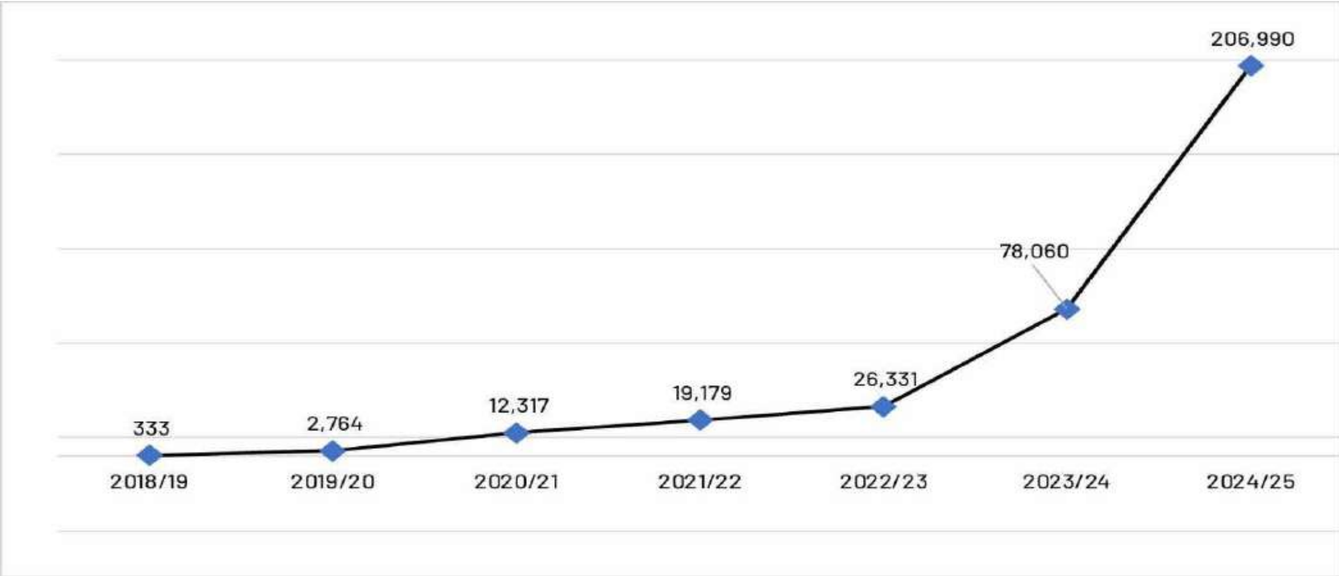


Figure 2.3.1: Cumulative user accounts on the Case Tracking System

Electronic Filing System

The Judiciary rolled out Electronic Filing (E-filing) in Nairobi in July 2020, later expanding it nationwide by March 2024. The system comprises an e-filing portal, public information kiosks, and validation of probate and administration matters, court orders, and receipts.

E-Filing has significantly reduced the time spent by litigants, advocates and court users to present pleadings in registries. It has also reduced the paperwork, cost of litigation and attendant delays.

A user-satisfaction survey conducted in May 2025 recorded a satisfaction rate of 61 per cent, as shown in Figure 2.3.2. This was a slight decline from 68 per cent in April 2023. Most dissatisfied respondents had concerns with infrastructure and capacity challenges following the national rollout. The Judiciary is addressing these challenges through infrastructure upgrades, investments in green power and sustained user support initiatives.

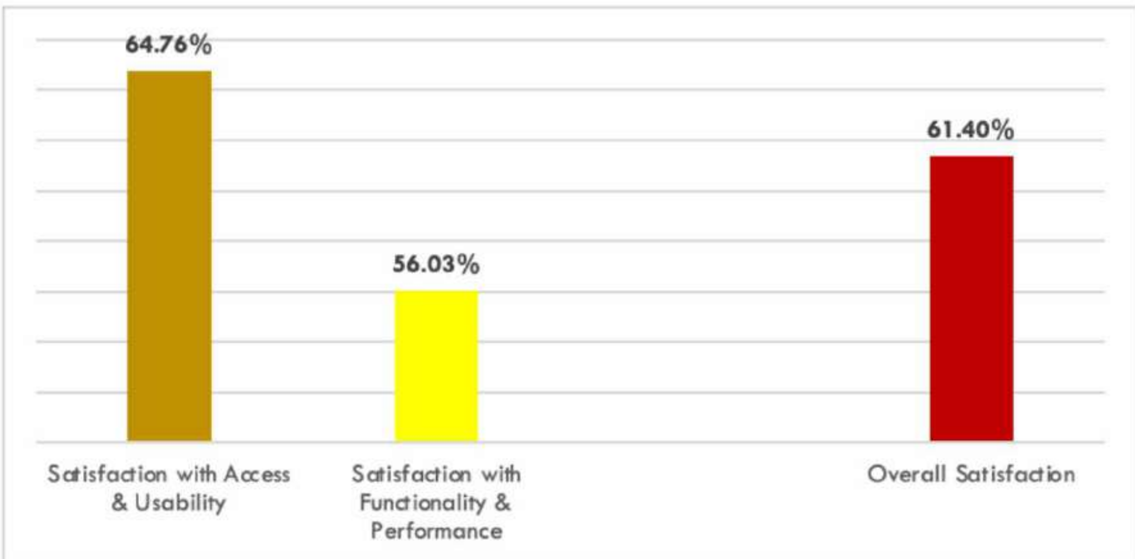


Figure 2.3.2: User satisfaction with e-filing

E-Judiciary Mobile App

The Judiciary has developed and deployed the E-Judiciary Mobile App, a major step forward in realizing the STAJ vision of accessible and efficient justice. The app extends the Judiciary's service delivery to mobile devices including smartphones, iPads, and tablets making it easier for the public to access judicial services anytime, anywhere.

Integrated with the CTS and E-Filing, the app provides users with key services and information without the need to log in. It features eight major functions designed to enhance convenience, transparency, and accessibility for court users.

By June 30, 2025, the app had been downloaded 1,726 times on Google Play Store and 51 times on the Apple Store, with numbers steadily growing as more people embrace this digital solution.

Video Conferencing Services

Video conferencing (VC) services have become increasingly integrated into court processes throughout the country, as shown in Figure 2.3.3. VC equipment was distributed to five courts namely Kibera High Court, Dagoretti Law Courts, Nyandarua High Court, Kwale High Court and Mombasa Kadhi's Court. This equipment enhances access to remote hearings and reduces the need for physical appearances.

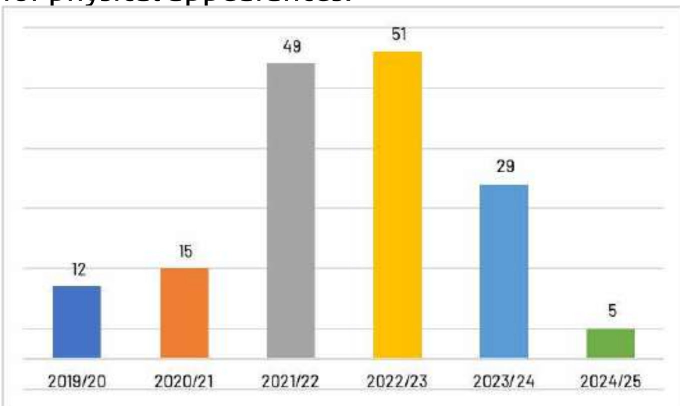
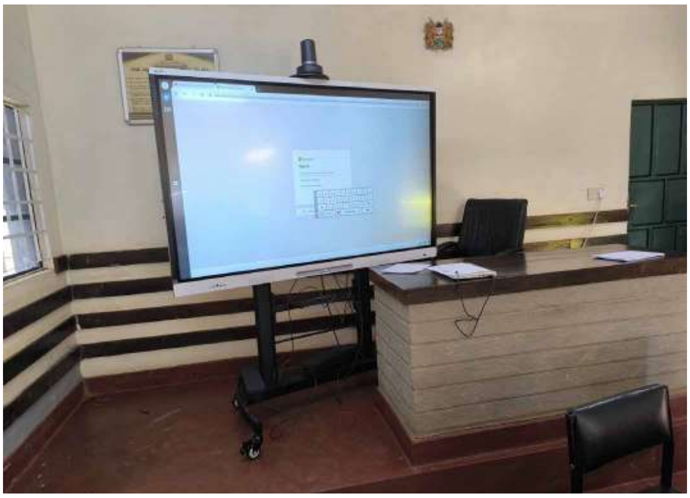


Figure 2.3.3: Annual distribution of VC kits from FY 2019/2020 to FY 2024/2025



Set up of Video Conferencing equipment deployed within courts

Transcription Services

A Transcription Centre was established in October 2023 to address delays in typing court proceedings. To support this, an AI-powered Speech-to-Text system was adopted during the reporting period, automatically converting recorded court proceedings into text. This innovation reduces manual workload, improves accuracy, and significantly shortens the time taken to prepare official court records.

The system is fully integrated with virtual courts and the Case Tracking System, making transcripts easier to manage, process, and access. It also allows both Judiciary staff and external stakeholders to request transcriptions seamlessly.

A pilot implementation in key Nairobi courts including the High Court (Family and Civil Divisions), the ELRC, the ELC, the Commercial Courts, the Small Claims Court, the Business Premises Rent Tribunal, and the Tax Appeals Tribunal has already demonstrated faster turnaround times and more reliable transcripts, with 806 transcripts submitted.

February 3, 2025: Chief Justice Inam Karimov of Azerbaijan follows a demonstration from Court Assistant Joy Aoko and Automation Registrar Elizabeth Tanui at the Judiciary's National Transcription Center where he observed how artificial intelligence is used to enhance judicial efficiency by transcribing court proceedings and expediting case determination.

2.3.2. Automation of Administrative Processes

Aside from public-facing systems, the Judiciary also automated internal administrative processes through roll out of the **Judiciary Enterprise Resource Planning (ERP) System**, dubbed ***Jumuika***, which is expected to revolutionize the way administrative functions are carried out within the Judiciary.

In the first phase which commenced in June 2023, the system was deployed to automate human resources and payroll management, and was progressively deployed to project management, finance, accounting and supply chain management during the reporting period. Full deployment is anticipated during financial year 2025/2026 when the system will be expanded to Audit and Risk, Customer Relationship Management (CRM), Electronic Document Management System (EDMS), and Library modules.

The Judiciary has also developed a **Guest Management Mobile Application** which streamlines check-in processes at the gates for staff and visitors, enhancing security and improving the overall visitor experience in court premises.

The App strengthens security, eliminates manual check-in procedures, and ensures accurate visitor records. It also improves efficiency by making the check-in and check-out process faster and more convenient for guests. Through the system, the Judiciary can securely record visitor details, track the offices or directorates being visited, and manage increasing numbers of guests with ease. Ultimately, the JGM App enhances both security and service delivery while offering visitors a smoother, more professional experience.

The system is deployed at the Supreme Court before the phased national roll-out.

2.3.3. ICT Infrastructure

The ICT Infrastructure encompasses data center services, ICT equipment and software, communications network services and equipment and storage equipment, services and software. The Judiciary continued to strengthen its ICT infrastructure to improve the speed, reliability, and accessibility of justice services.

a. **Reliable Systems**: Data center capacity was expanded to support faster processing of cases and ensure uninterrupted access to Judiciary digital platforms.

b. **ICT Equipment**: Desktops, laptops, video conferencing screens, and digital recording equipment were provided to enhance efficiency and support technology-driven service delivery. At total of 650 equipment including desktops (201), laptops (439) and iPads (10) were procured. These investments are bridging the digital divide, ensuring that even Kenyans in remote areas can benefit from modern, technology-enabled justice.

c. **Improved Court Connectivity**: Reliable internet connectivity is critical for delivering technology-driven justice. During the year, the Judiciary upgraded internet services in 41 law courts across the country, including Lodwar, Kapenguria Eldoret, Iten, Kapsabet, Molo Narok, Engineer, Makueni, Mwingi, Kisii Mombasa, Msambweni Malindi Garsen Law Courts, Voi, Garbatulla Kadhis Courts, Merti Kadhis Court, Isiolo, Meru, Chuka, Embu, Nyeri, Kerugoya, Kangema, Kiambu, Thika, Milimani, Supreme Court Building, Sports Disputes Tribunal, Kenya-Re 9th Floor Office, Mediation Offices – Reinsurance Plaza, Garissa, Wajir, Madiany, Konza Data Center, Bungoma, Busia, Kakamega and Vihiga Law Courts.

In addition, eight more stations were connected for the first time including Dagoretti, Kamwangi, Moiben, Wamunyu, Kendubay, and Kitui County Law Courts. Also connected were the ELRC premises at the KSG Mombasa and ELC premises in Daima Towers in Eldoret. These additions bring the total number of connected courts and offices to 180 nationwide.

With stronger and wider connectivity, more Kenyans can now benefit from services such as e-filing, virtual hearings, online payment systems, and real-time case tracking reducing delays and improving access to justice in both urban and remote areas. Most of the stations are connected via fiber which guarantees reliability of the internet services as per Figure 2.3.4.

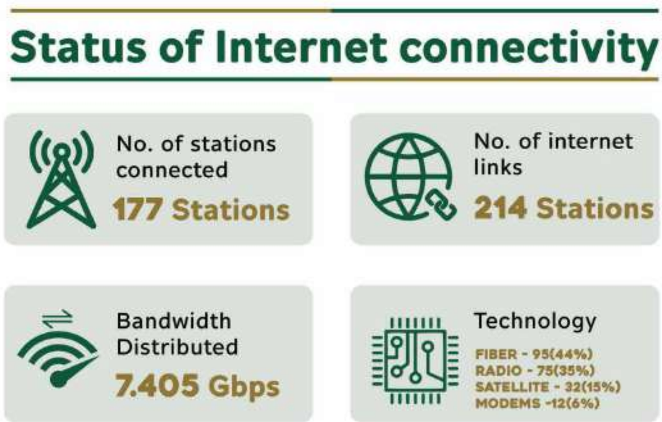


Figure 2.3.4: Status of internet connectivity

2.3.4. The Judiciary Cyber Space and Digital Assets Security

As courts embrace digital transformation, protecting sensitive data and systems has become a top priority. Cyber threats such as hacking and cyber extortion continue to grow globally, and the Judiciary is taking proactive steps to safeguard platforms like the E-Filing System, Judiciary Financial Management Information System (JFMIS), and the Case Tracking System (CTS).

During the reporting period, the Judiciary deployed measures to secure its digital assets to not only protect the Judiciary's cyberspace but also reinforce public confidence in the integrity and security of Kenya's digital justice systems.

2.3.5. Judiciary Desks at Huduma Centres

In February 2024, the Judiciary operationalised service desks in six Huduma Centres at Kibra, GPO, City Square, Makadara, Eastleigh, and Thika, to bring services closer to the people. These desks make it easier for citizens to access court services without having to travel to court stations. Services available include:

1. Case support: Guidance in filing new civil cases, submitting documents, and making case inquiries.
2. Court documents: Issuance of summons, notices, court orders, rulings, judgments, decrees, and certified proceedings.
3. E-filing assistance: Opening and recovering e-filing accounts, password resets, and navigation support through the Judiciary Public Information Kiosk.
4. Payments: Help with generating invoices and making payments for fines, cash bail, and court-ordered deposits.
5. Virtual court access: Providing links and support for attending hearings remotely.

By integrating services into Huduma Centres, the Judiciary is reducing travel costs, cutting waiting times, and ensuring that justice services are more accessible, citizen-friendly, and efficient.

The roll out of the desks to other Huduma Centers countrywide was put on hold pending further consultations with the Law Society and other key stakeholders.

The number of visitors served at the various desks during the reporting period is given in Figure 2.3.5.

Figure 2.3.5: Performance of Judiciary desks at Huduma Centers in Nairobi

2.3.6. Mahakama Digitization Programme

One key strategic intervention to fully support electronic filing is the digitization of active historical court records and handwritten proceedings for use by Judges and Judicial Officers. To achieve this goal, the Mahakama Digitization Programme (MADIP) builds on the earlier Ajira initiative, aligning with STAJ goals to reduce the distance to court and improve the administration, as well as access to justice. By integrating digital technologies into court operations, MADIP has laid the foundation for a smarter, paperless, and people-centered justice system. Digitization of court records involves the conversion of court files from Manual to digital format and thereafter upload to the Case Tracking System.

Digitization is reducing reliance on paper files, minimizing risks of file loss or tampering, and improving transparency. It is also laying the foundation for a smarter, paperless, and people-centered justice system where court users benefit from faster processing and more reliable services.

Through MADIP, the Judiciary is building the backbone for future innovations, including artificial intelligence tools to further enhance decision-making and access to justice. Key achievements recorded under the programme during FY 2024/25 are;

a. Digitized **322,295 court case files** across 128 stations, representing 53 per cent of the targeted 611,580 files.
b. Digitized **15,249 administrative records** to streamline support functions.

2.4. DISPUTE RESOLUTION THROUGH COURTS

Courts remain the primary formal avenue through which litigants in Kenya seek trusted resolution of disputes. In FY 2024/25, the Judiciary sustained its commitment to enhancing case resolution, reducing case pendency, and tackling backlog across court stations nationwide.

This section presents a detailed overview of the court-specific statistics, offering valuable insights into how individual courts are managing their caseloads. By examining trends across the superior courts, specialized courts, Magistrates' Courts, these insights inform evidence-based decision-making and support ongoing efforts to enhance efficiency, and strengthen access to justice in line with the Judiciary's STAJ agenda.

2.4.7. Overall Statistics

Caseload statistics provide an overview of the volume and nature of matters handled by the courts, encompassing data on filed, resolved, and pending cases. These statistics are further disaggregated by case type and court station, providing insight into the performance and workload of the judicial system. Collectively, they highlight both the progress made and the ongoing challenges in the dispensation of justice.

Case Filings and Resolutions

During the period under review, a total of **621,525** cases were filed across the Judiciary, compared to 516,121 cases in the previous year, representing an increase of 20 per cent. This was largely a result of increased filings in the expanded Small Claims Court, which were rolled out in the last quarter of the previous year.

The Judiciary resolved **647,666** cases, compared to 509,664 cases in the previous year, a 25 per cent increase in case disposal. The significant improvement in resolution is attributed to the increased capacity at the expanded Small Claims Courts. The overall clearance rate stood at 104 per cent, indicating a drop in the number of pending cases as compared to the previous year, as shown in Table 2.4.1.

The steady rise in the number of cases filed and resolved by the Judiciary in recent years can be

Table 2.4.1: Filed and resolved cases by type and court

Court Rank	Filed Cases			Resolved Cases			CCR (%)
	Criminal	Civil	All	Criminal	Civil	All	
Supreme Court	-	70	**70**	-	72	**72**	103%
Court of Appeal	1,269	3,587	**4,856**	1,177	2,541	**3,718**	77%
High Court	19,756	28,456	**48,212**	18,261	38,275	**56,536**	117%
Employment & Labour Relations Court	-	4,854	**4,854**	-	6,389	**6,389**	132%
Environment & Land Court	-	8,923	**8,923**	-	10,331	**10,331**	116%
Magistrates' Courts	246,476	124,976	**371,452**	243,689	144,606	**388,295**	105%
Tribunals	-	11,246	**11,246**		14,536	**14,536**	129%
Small Claims Courts	-	158,357	**158,357**	-	155,227	**155,227**	98%
Kadhis' Courts	-	13,555	**13,555**	-	12,562	**12,562**	93%
All Courts	**267,501**	**354,024**	**621,525**	**263,127**	**384,539**	**647,666**	104%

attributed to sustained measures to enhance access to justice, such as the expansion of court stations (Small Claims Courts rose from 11 in FY 2022/23 to current 40 stations), harnessing technology in e-filing and virtual hearings, efficiency and strengthening case management practices. Increased public awareness and confidence in the judicial system have also played a role, encouraging more individuals to seek redress through formal legal channels. Together, these dynamics have driven a consistent upward trend in both case filings and resolutions over time, as illustrated in Figure 2.4.1.

The trends in filed criminal and civil cases over time is shown in Figure 2.4.2. An analysis of filed cases by type reveals an 8 per cent overall decline in criminal case filings and a significant 58 per cent increase in civil cases compared to the previous year. While criminal filings at the Court of Appeal rose by 8 per cent, they declined by 12 per cent at the High Court and by 8 per cent at the Magistrates' Courts. On the other hand, the substantial rise in civil case filings and resolutions is largely linked to the expansion and operationalization of Small Claims Courts, which have improved access to civil justice.

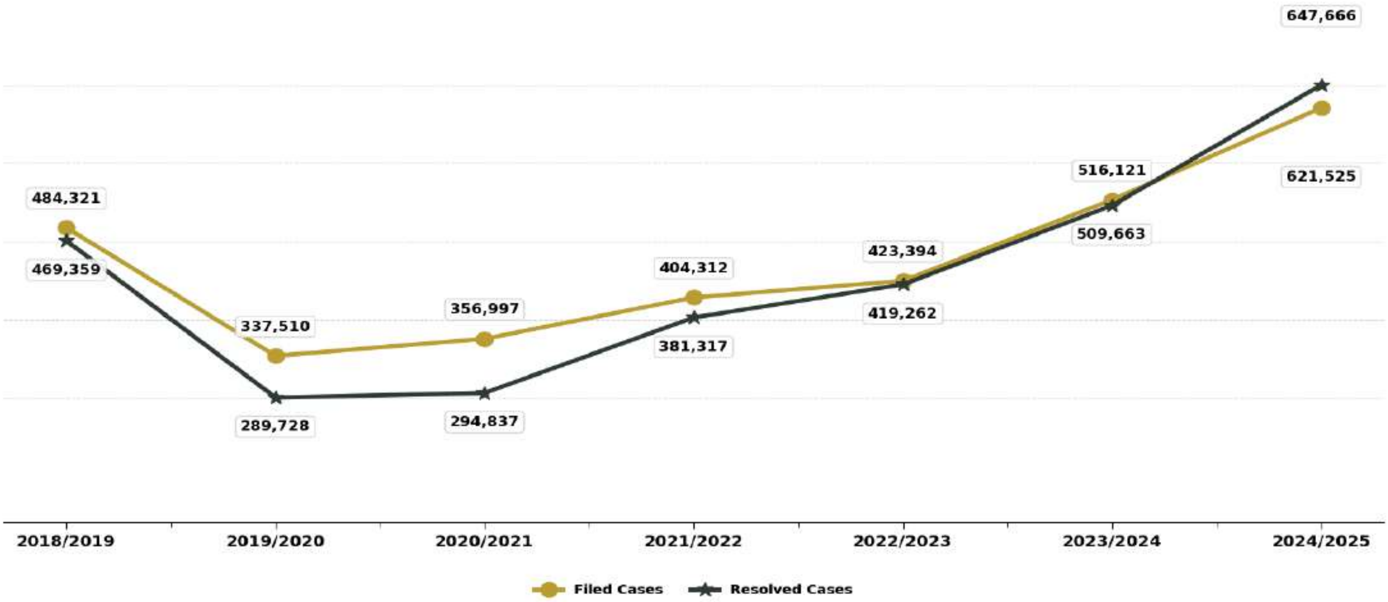


Figure 2.4.1: Trends in Filed and Resolved Cases

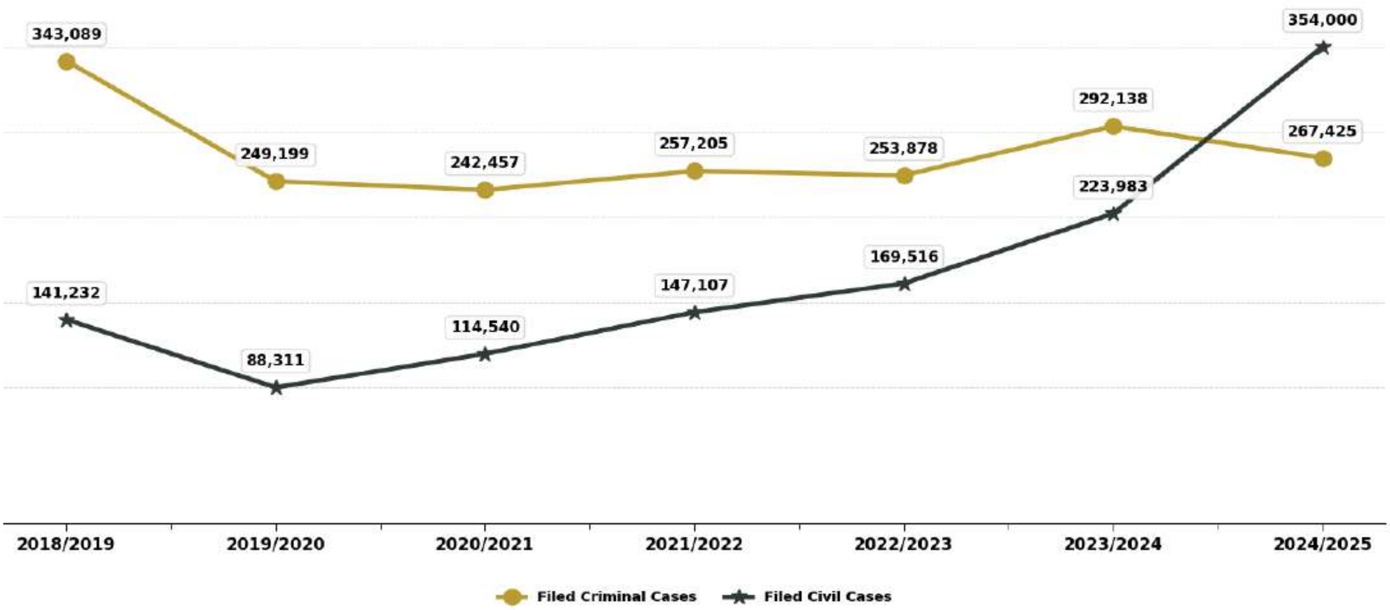


Figure 2.4.2: Trends in Filed Criminal and Civil Cases

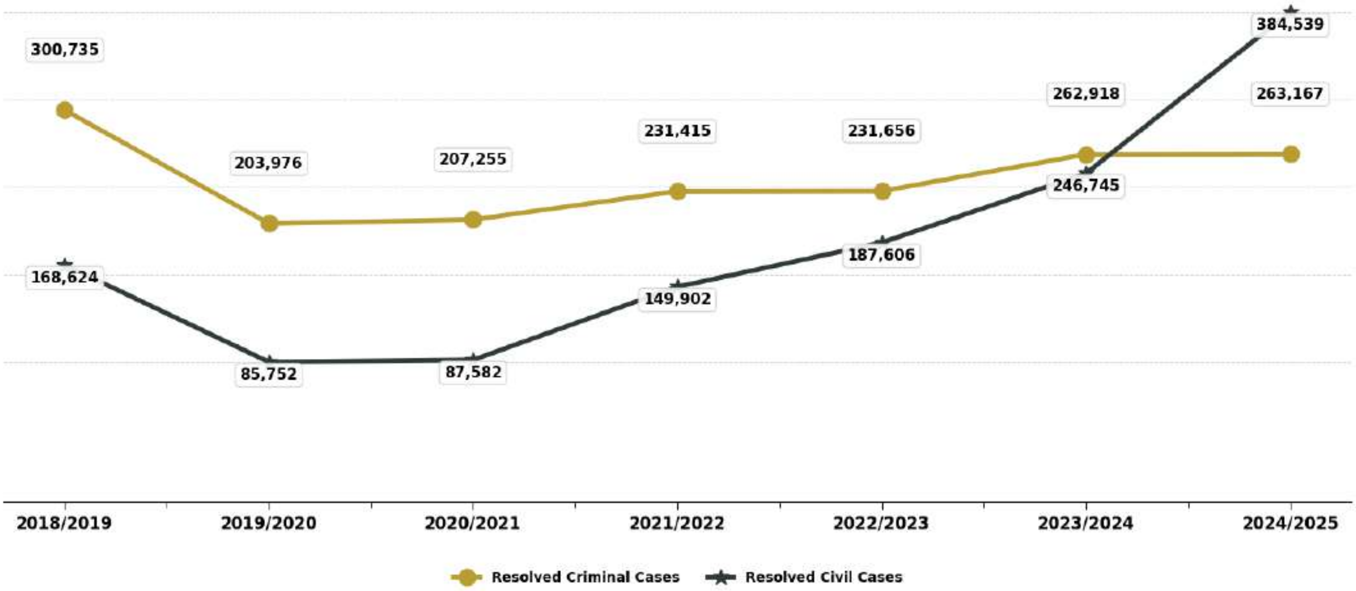


Figure 2.4.3: Trends in Resolved Criminal and Civil Cases

Case volumes per county vary widely. Figure 2.4.4 is a map providing a visual representation of the geographical spread and concentration of case filings in Kenya. Each county is labeled with the number of cases filed during the year. The shading indicates intensity with darker shades representing counties with higher case filings, while lighter shades represent lower filings. Nairobi tops the list with filings, followed by Kiambu, Nakuru, Mombasa, Machakos, Kisumu, Kakamega, Uasin Gishu, Meru, and Murang'a. Collectively, these ten counties accounted for 415,089 cases, representing approximately 68 per cent of the national total. At the low end, Tana River, Marsabit, West Pokot, Lamu, Mandera, Wajir, and Samburu recorded less than 2,000 cases.

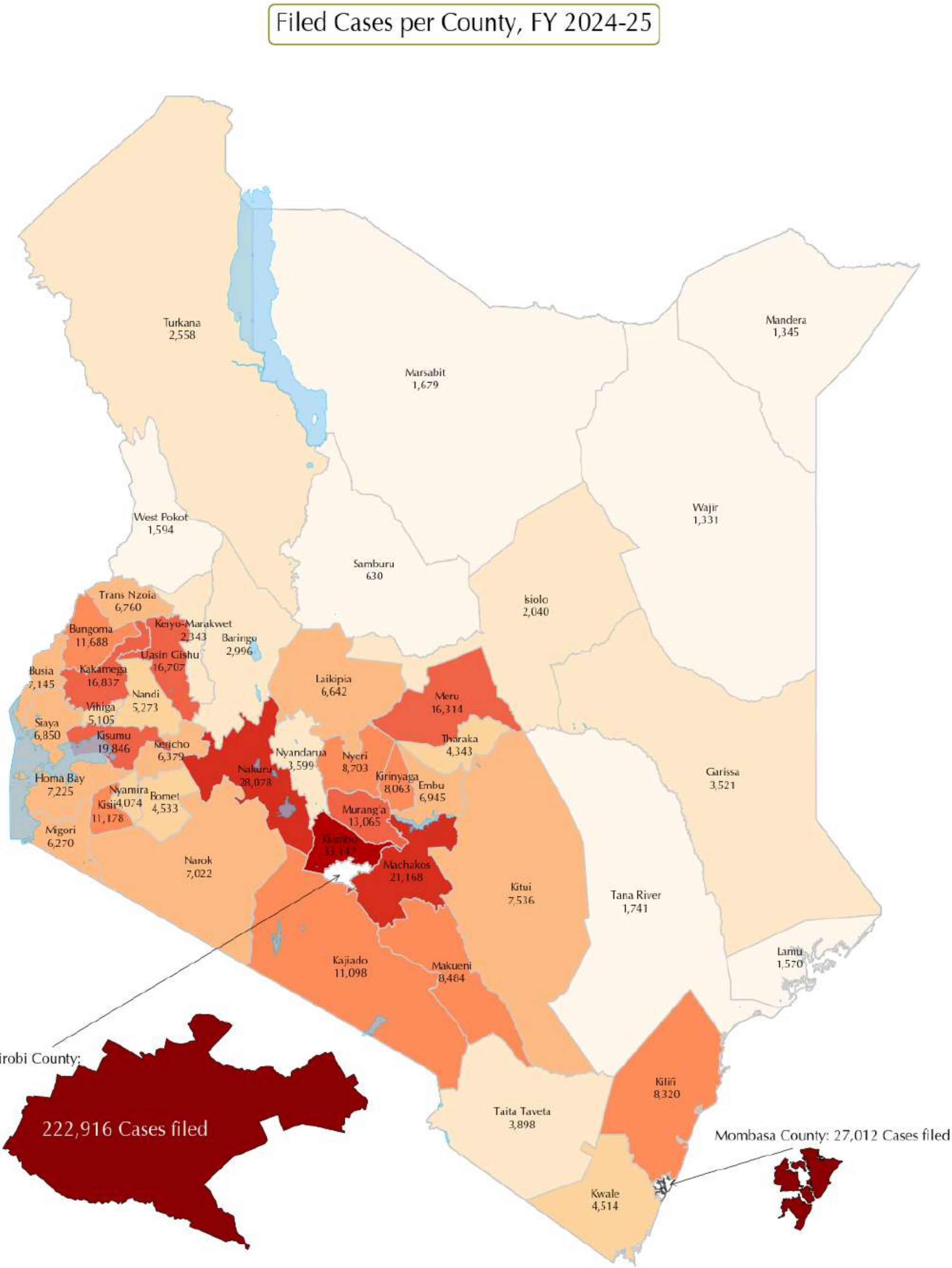


Figure 2.4.4: Filed Cases Per County

The counties also show sharp contrasts in the share of criminal versus civil cases. West Pokot (83%), Elgeyo-Marakwet (79%), Turkana (78%), and Samburu (78%) lead in criminal case proportions, while Nairobi (25%), Tana River (37%), Uasin Gishu (39%), and Kisumu (39%) have the lowest proportion of criminal cases. This points to urban–rural divide where major urban and commercial hubs—Nairobi, Kisumu, Nakuru, Mombasa, and Kiambu—have more case filing related to property, land, commercial, contracts, and family matters. Rural and pastoralist counties, especially in arid and semi-arid areas, tend toward higher criminal caseloads.

These patterns could be used to guide the allocation of resources, such as court infrastructure, judicial officers, and specialized services should be aligned with the predominant case types in each county. Counties with high criminal caseloads may require additional criminal courts, prosecutors, and legal aid services, while urban centers with more civil disputes would benefit from expanding civil courts, enhancing ADR services including mediation, and strengthening case management systems to address complex cases efficiently.

Pending Cases

A pending case refers to a matter that remains unresolved before the court at a specific point in time. As of June 30, 2025, the total number of pending cases stood at 598,628 representing a 6 per cent reduction from 635,262 cases recorded in June 2024, as presented in Table 2.4.2. This decline reflects the Judiciary's sustained efforts in reduction of pending cases through various initiatives such as *Mahakama Popote*, service weeks, and enhanced case management practices. Notably, the reduction in pending cases was observed across most court levels, except in the Court of Appeal, Small Claims Courts, and Kadhis' Courts, which recorded slight increases.

Table 2.4.2: Pending Cases per Court Rank

Court Rank	Pending cases as at June 30, 2024			Pending Cases as at June 30, 2025			Change (%)
	CR	CC	ALL	CR	CC	All	
Supreme Court	-	47	**47**	-	45	**45**	**-4%**
Court of Appeal	3,313	9,340	**12,653**	3,366	10,186	**13,552**	**7%**
High Court	20,916	45,332	**66,248**	22,450	38,570	**61,020**	**-8%**
Employment & Labour Relations Court	-	6,973	**6,973**	-	5,452	**5,452**	**-22%**
Environment & Land Court	-	12,927	**12,927**	-	11,519	**11,519**	**-11%**
Magistrates' Courts	279,945	224,629	**504,574**	262,332	208,226	**470,558**	**-7%**
Tribunals	-	14,568	**14,568**	-	11,361	**11,361**	**-22%**
Small Claims Courts	-	14,642	**14,642**	-	21,419	**21,419**	**46%**
Kadhis' Courts	-	2,630	**2,630**	-	3,702	**3,702**	**41%**
All Courts	**304,174**	**331,088**	**635,262**	**288,148**	**310,480**	**598,628**	**-6%**

Case Backlog

Case backlog refers to matters that remain unresolved in court beyond the timeframes set in the Judiciary's performance standards or by law. Matters that remain unresolved beyond 60 days in the Small Claims Courts are classified as backlog. In all other courts, any matter that is older than one year is categorized as backlog.

As at June 30, 2025, the total backlog stood at 169,349 cases, down from 244,267 in June 2024, a reduction of 31%. Magistrates Courts account for the highest case backlog at 127,264, followed by the High Court at 23,469. This is tabulated in Table 2.4.3.

Table 2.4.3: Case Backlog per court rank

Court Rank	Total Case Backlog as at June 30, 2024	Case Backlog as at June 30, 2025			
		1-3 years	Over 3 years	All ages	% Change in Backlog
Supreme Court	7	2	1	3	-57%
Court of Appeal	5,822	3,585	1,832	5,417	-7%
High Court	31,106	9,336	14,133	23,469	-25%
ELRC	4,927	3,455	409	3,864	-22%
ELC	6,625	2,368	2,791	5,159	-22%
Magistrates' Courts	187,370	94,048	33,216	127,264	-32%
Tribunals	8,097	1,145	2,721	3,866	-52%
Kadhis' Courts	313	251	56	307	-2%
All Courts	**244,267**	**114,190**	**55,159**	**169,349**	**-31%**

The Small Claims Court case backlog rose from 5,019 cases in FY 2023/24 to 10,853 cases in FY 2024/25.

Adjournment of Cases

Adjournments remain a significant factor hindering the timely resolution of cases in Kenyan courts. They contribute to delays, escalate litigation costs, and prolong uncertainty for litigants. Reducing case adjournments remains critical to enhancing judicial efficiency.

Adjournment Rates

During the year, adjournment rates declined across most courts, with the exception of the ELRC, Tribunals, and Small Claims Courts. As shown in Table 2.4.4, the Supreme Court maintained an adjournment rate of below 1 per cent, while the High Court improved from 7 per cent to 4 per cent, and the Court of Appeal reduced from 14 per cent to 11 per cent. These improvements reflect strengthened adherence to case management practices.

Table 2.4.4: Adjournment rates per court

Court	Adjournment Rate FY2023/24	Adjournment Rate FY2024/25
Supreme Court	<1%	<1%
Court of Appeal	14%	11%
High Court	7%	4%
ELRC	2%	3%
ELC	14%	12%
Magistrates' Courts	18%	15%
Kadhis' Courts	4%	3%
Tribunals	6%	8%
Small Claims Courts	3%	4%

Reasons for Adjournment

Addressing challenges brought about by adjournment of cases requires a clear understanding of the **key drivers of adjournments**, as this is central to reducing case backlogs and enhancing the efficiency of justice delivery. As illustrated in Figure 2.4.5, external reasons accounted for 53 per cent of all the causes. Figure 2.4.6 highlights the ten leading reasons for adjournments.

Figure 2.4.5: Internal vis-a-vis external reasons for adjournment

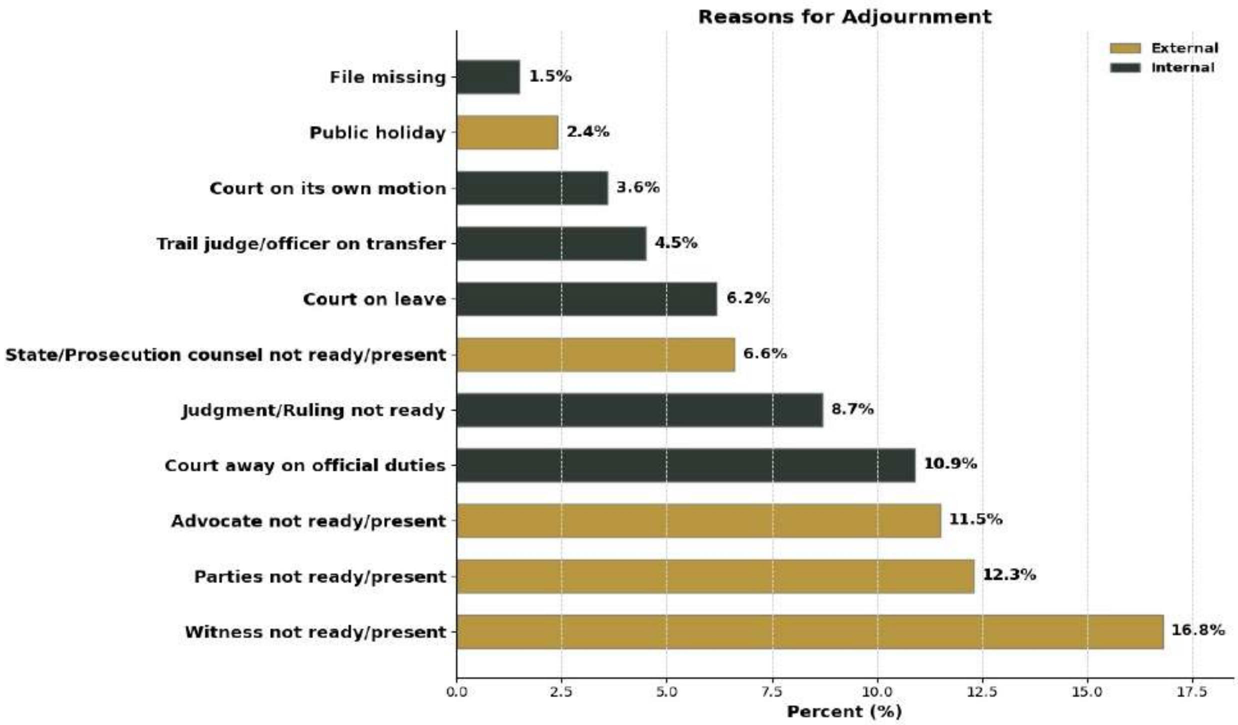


Figure 2.4.6: Top ten reasons for adjournments

Gender Statistics in Courts

Gender statistics provide valuable insights into how women and men engage with, and are impacted by, the justice system. By disaggregating court data by gender, the Judiciary is better positioned to identify barriers faced by different groups of court users, promote fair representation, and support evidence-based reforms. Such insights are vital to the broader goal of building a justice system that is inclusive, responsive, and people-centered in line with the STAJ agenda.

During the review period, women accounted for 28 per cent of litigants in the superior courts, either as plaintiffs or defendants. The analysis reveals persistent disparities in gender representation across case categories. In family-related matters, there was near parity, with women making up 51 per cent of adoption cases and 40 per cent of probate administration cases in the High Court. However, participation by women was considerably lower in other areas, with only 22 per cent of civil appeals and 13 per cent of constitutional petitions filed by or involving female litigants. Criminal cases were especially male-dominated, with men constituting 94 per cent of criminal appeals, 91 per cent of criminal applications, and 93 per cent of murder cases.

In the specialized courts, women's participation was similarly limited. Female litigants accounted for 27 per cent of cases filed in the Environment and Land Court, while in the Employment and Labour Relations Court, they constituted only 15 per cent of applicants.

In the Magistrates' Courts—which registered a total of 652,353 individual litigants during the reporting period, the imbalance was even more pronounced. Of these, 62,359 were plaintiffs and 589,994 were respondents or accused persons, with men making up 89 per cent of the total. In criminal cases before the Magistrates' Courts, 92 per cent of accused persons were men, and in traffic cases, this proportion rose sharply to 99 per cent. Civil matters reflected a smaller, though still significant, disparity, with men representing 74 per cent of plaintiffs.

Cases involving children comprised 7 per cent of the total caseload reviewed. Among children in conflict with the law, 94 per cent were boys and 6 per cent were girls. A similar trend was observed in cases involving children in contact with the law, where boys constituted 93 per cent of the caseload.

Gender disparities were also evident in other judicial forums. In the Kadhi's Courts, 65 per cent of applicants were male, while in the Small Claims Court, men accounted for 80 per cent of applicants compared to 20 per cent for women. In Tribunals, women constituted 32 per cent of applicants

2.4.8. The Supreme Court

The Supreme Court of Kenya has exclusive original jurisdiction to hear and determine disputes related to presidential elections and appellate jurisdiction to hear and determine appeals from the Court of Appeal in specified matters. Additionally, it gives advisory opinions upon request from the national government, any State organ, or any county government on matters concerning county government. The Court also hears appeals from tribunals set up to consider the removal of a judge under Article 168(8) and considers applications related to a declaration of a State of Emergency.

Filed and Resolved Cases

A total of 70 cases were filed in the Supreme Court during the year. These included 46 Petitions, 22 Applications, and 2 Advisory Opinions. The Court determined 72 cases comprising 46 Petitions, 25 Applications, and 1 Advisory Opinion. Figure 2.4.7 illustrates the number of cases filed and resolved by case type

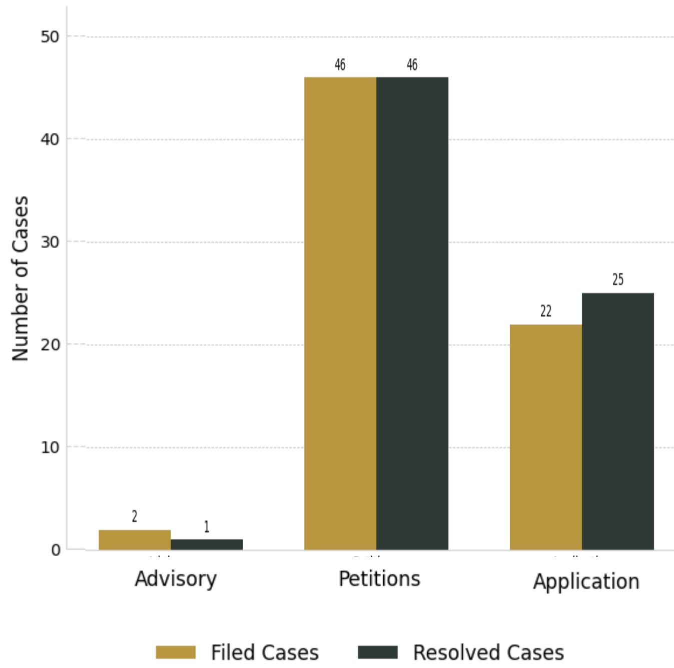


Figure 2.4.7: Filed and Resolved Cases, Supreme Court

Between FY 2018/19 and FY 2024/25, the number of cases filed in the Supreme Court declined from 96 to a low of 47 in 2020/21, before rising to 82 in 2023/24 and closing at 70 in 2024/25. Resolved cases mirrored this trend, dropping from 119 to 62 in the early years, peaking at 95 in 2022/23, and settling at 72 in 2024/25. Except for 2023/24, the Court consistently resolved as many or more cases than were filed, as illustrated in Figure 2.4.8.

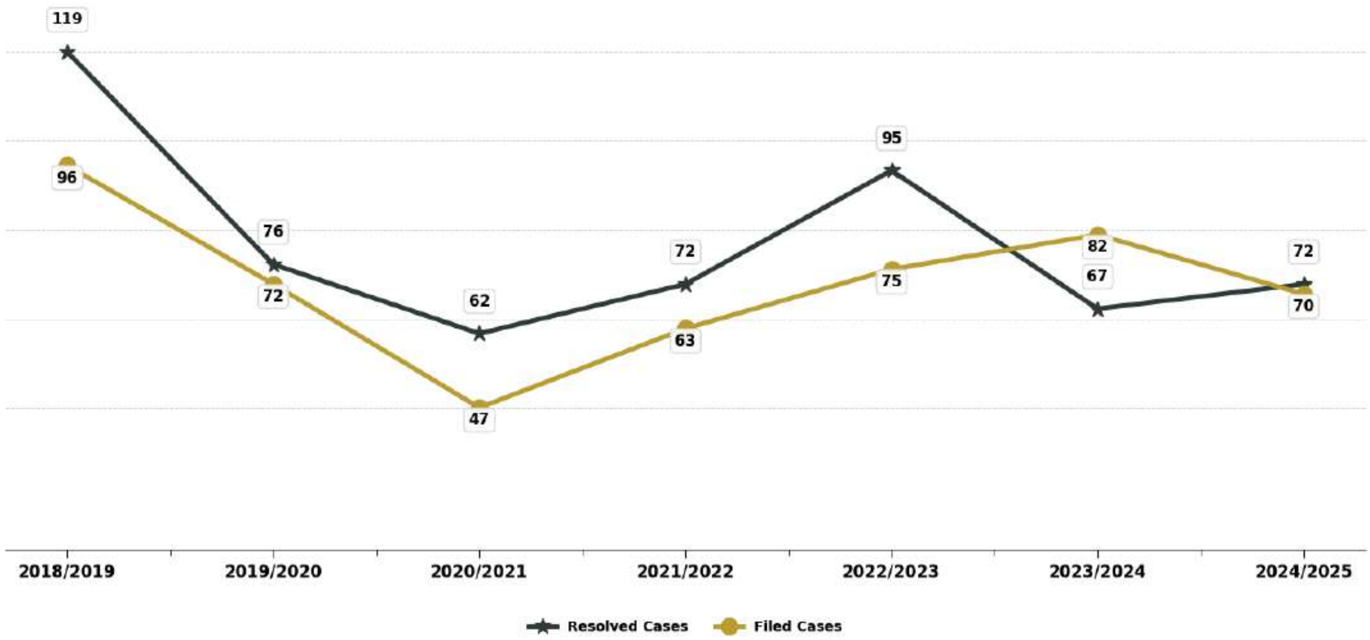


Figure 2.4.8: Trend on Filed and Resolved Cases, Supreme Court

Pending Cases

The number of pending cases shows a significant net reduction of 44 per cent over the seven-year period, as shown in Figure 2.4.9. Starting at 80 cases in 2018/19, the caseload declined steadily for five consecutive years, reaching a low of 32 cases in 2022/23. This downward trend then reversed, with pending cases rising to 47 in 2023/24 before settling at 45 by the end of FY 2024/25.

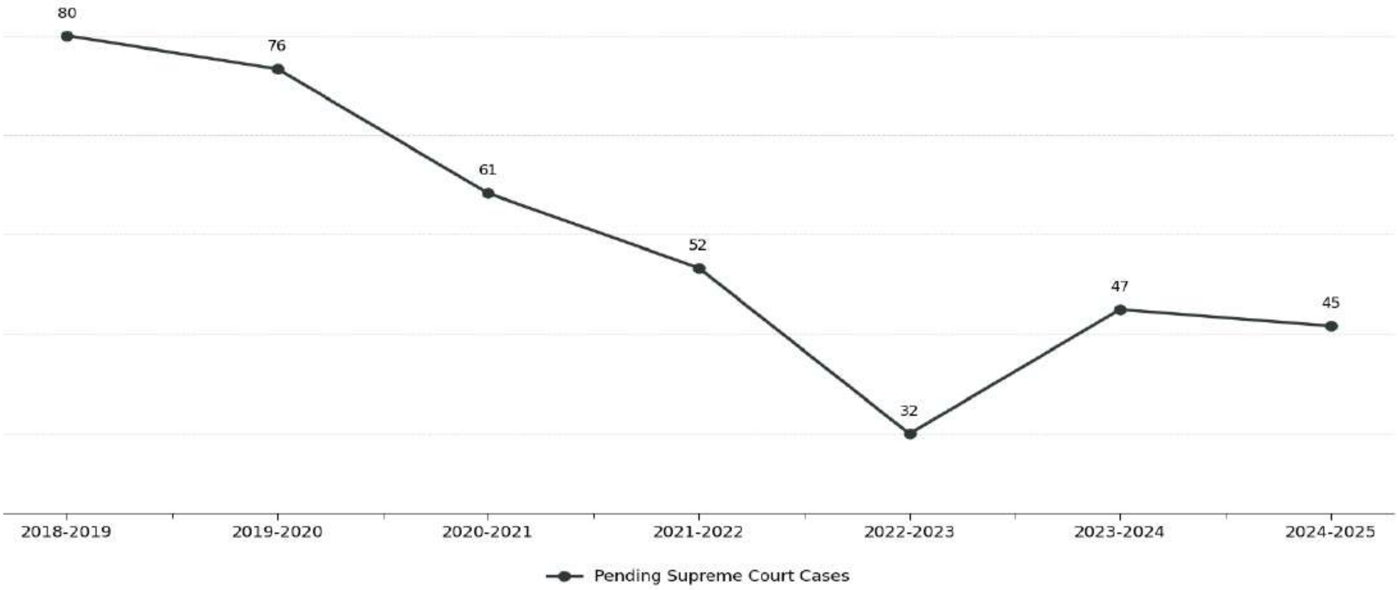


Figure 2.4.9: Trends in pending cases, Supreme Court

Case Backlog

During the reporting period, the overall backlog stood at three cases: two aged between one and three years, and one over three years old. This reflects a significant reduction from seven backlog cases recorded in June 2024, representing a 57 per cent decrease.

2.4.9. The Court of Appeal

The Court of Appeal derives its jurisdiction from Article 164(3) of the Constitution. It hears appeals from the High Court as well as other courts and tribunals prescribed by statute. The Court determines both criminal and civil matters, either through appeals or applications. As an appellate court, it is ordinarily constituted by a bench of three judges although an expanded bench of five judges may sit in certain instances.

During the reporting period, the Court of Appeal operated six stations: Kisumu, Mombasa, Nairobi, Nakuru, Nyeri, and Eldoret. The Nairobi station was further divided into Criminal and Civil Divisions. To enhance accessibility and decentralize its services, the Court also maintained sub-registries in Busia, Garissa, Kakamega, Kisii, Malindi, and Meru.

Filed and Resolved Cases

During the reporting period, a total of 4,856 cases were filed in the Court of Appeal, while 3,718 cases were resolved. Both filings and resolutions have shown a steady upward trend over the past seven reporting cycles, as illustrated in Figure 2.4.10.

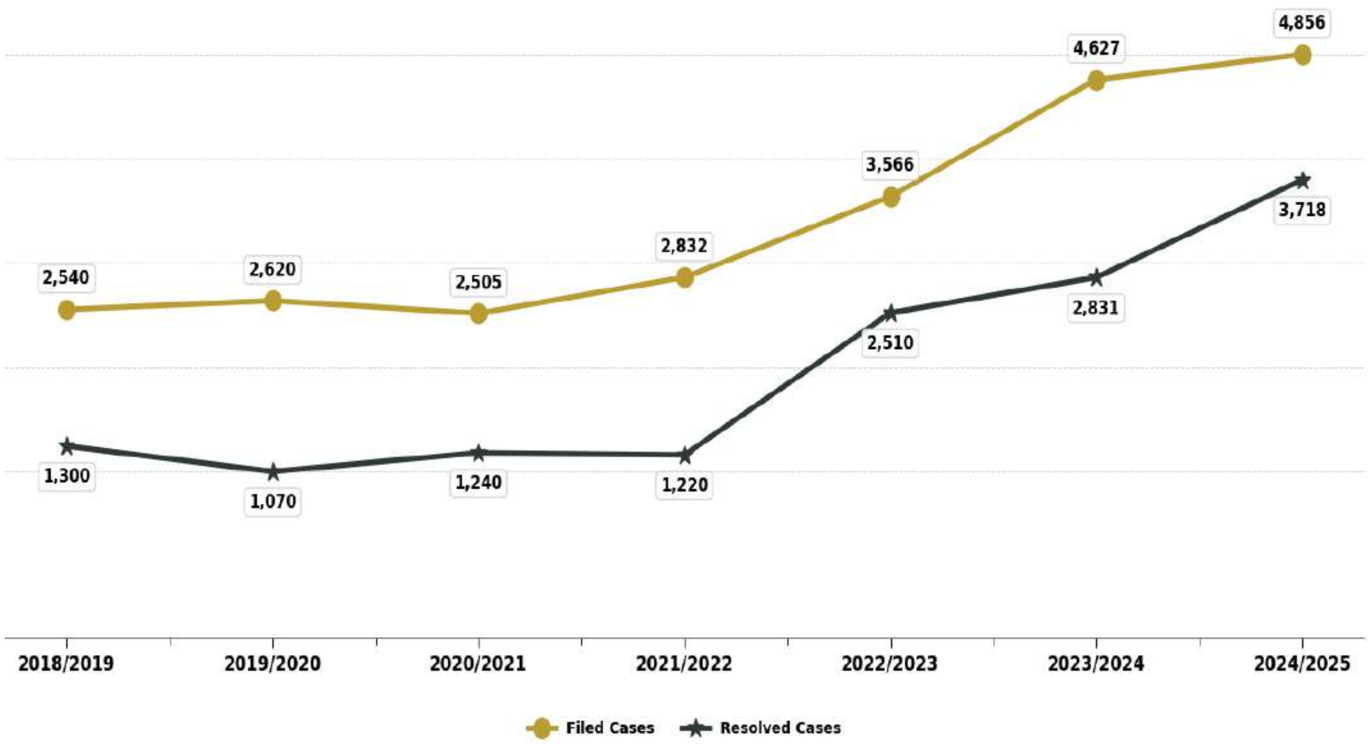


Figure 2.4.10: Trend on Filed and Resolved Cases, Court of Appeal

Pending Cases

An analysis of pending cases over the seven-year period from 2018/19 to 2024/25 reveals a substantial and sustained rise in the overall caseload. The number of pending cases more than doubled, increasing from 6,840 in 2018/19 to 13,552 by the end of June 2025. This growth has been primarily driven by the persistent pattern of annual case filings outpacing resolutions, resulting in a steady accumulation of unresolved matters.

By case type, pending civil cases rose sharply from 4,211 to 10,186, while pending criminal cases grew from 1,839 to 3,366 during the same period. Civil matters now constitute approximately three-quarters of all pending cases before the Court, as illustrated in Figure 2.4.11.

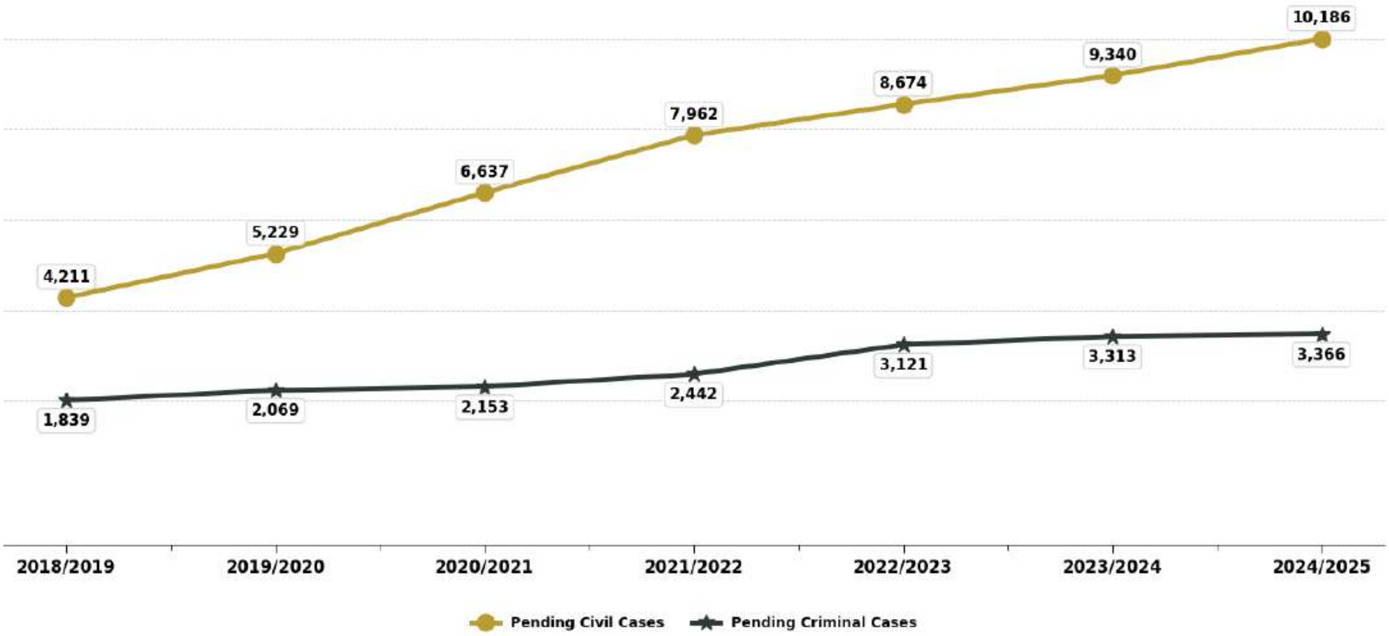


Figure 2.4.11: Trends of Pending Cases, Court of Appeal

As illustrated in Figure 2.4.12, the Nairobi Civil Division accounted for the largest share of pending cases, with 5,657 matters, representing approximately 41 per cent of the total among the three busiest stations. Kisumu recorded 2,251 cases (17 per cent), followed closely by Nyeri with 2,083 cases (17 per cent).

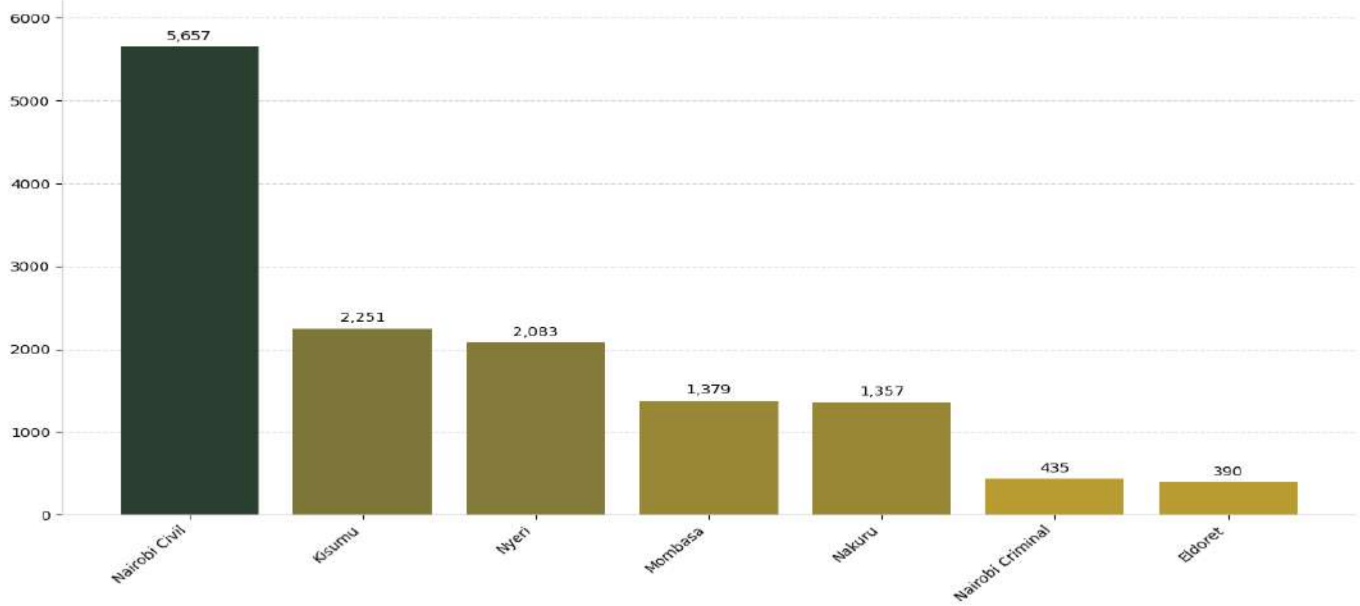


Figure 2.4.12: Pending cases per Court of Appeal station

Case Backlog

The Court recorded a 7 per cent reduction in case backlog during the reporting period, with the number of cases pending for more than one year declining from 5,822 to 5,417. Of the remaining backlog, cases aged between one and three years accounted for 25 per cent, while those pending for more than three years comprised 75 per cent, as illustrated in Figure 2.4.13.

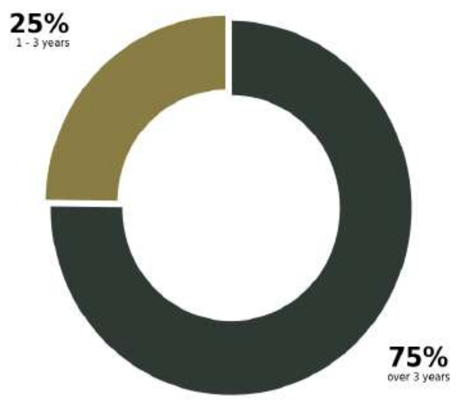


Figure 2.4.13: Case Backlog in the Court of Appeal

Backlog trends from June 2020 to June 2025 show an initial rise from 4,982 cases to a peak of 7,426 in 2021/22, followed by a steady decline to 5,417 by 2024/25, as illustrated in Figure 2.4.14. This represents a reduction of nearly 30 per cent from the peak. Despite the decline, the 2024/25 backlog remained slightly higher than the 2019 baseline, indicating that overall backlog levels have not yet returned to pre-peak levels.

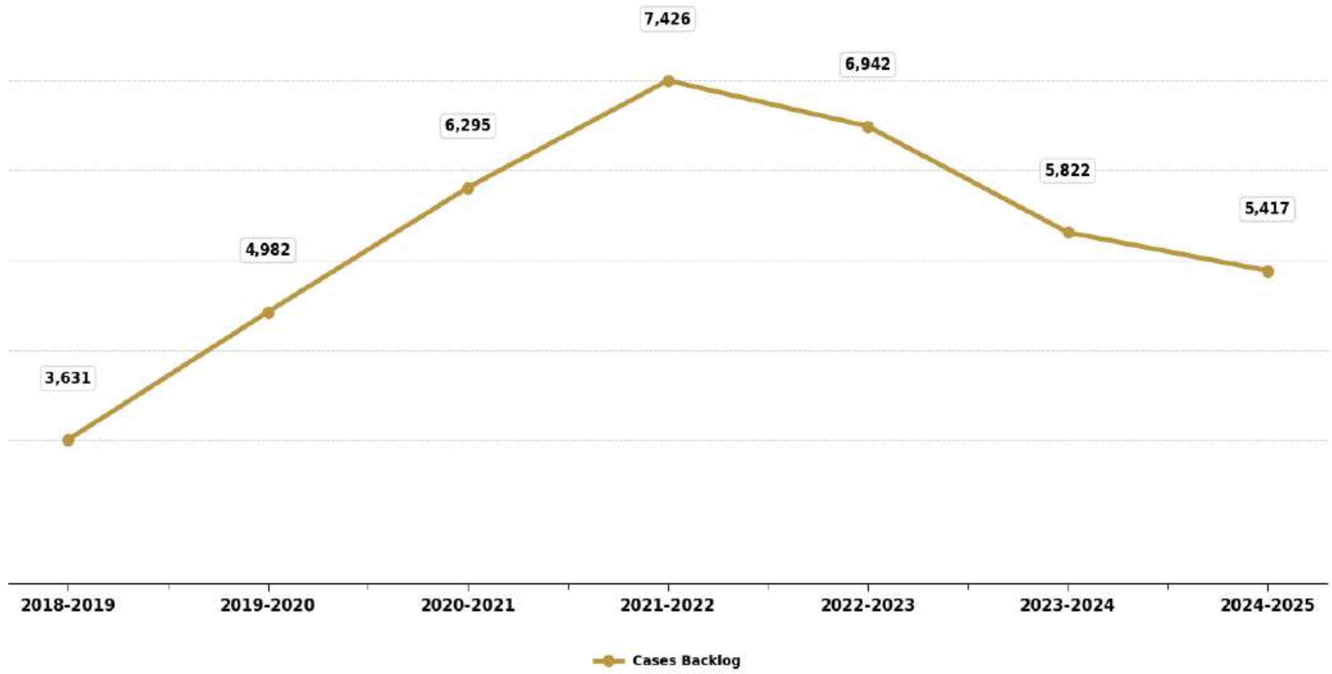


Figure 2.4.14: Trend on Case Backlog, Court of Appeal

2.4.10. The High Court

The High Court is established under Article 165 of the Constitution, with unlimited original jurisdiction to hear all criminal and civil matters, appeals from subordinate courts, and cases involving violations or infringements of the Constitution, among others. During the reporting period, the High Court operated 47 stations, in addition to five sub-registries.

Filed and Resolved Cases

As shown in Figure 2.4.15, both filed and resolved cases increased significantly over the seven-year period. Filings initially declined from 30,695 in FY2018/19 to 23,602 in FY2019/20, before rising steadily to a peak of 48,392 in FY2023/24 and slightly declining to 48,212 in FY2024/25. Similarly, resolved cases dropped to 22,735 in FY2019/20, then increased consistently to reach 56,536 in FY2024/25. Resolutions exceeded filings in all years except FY2019/20 and FY2020/21.

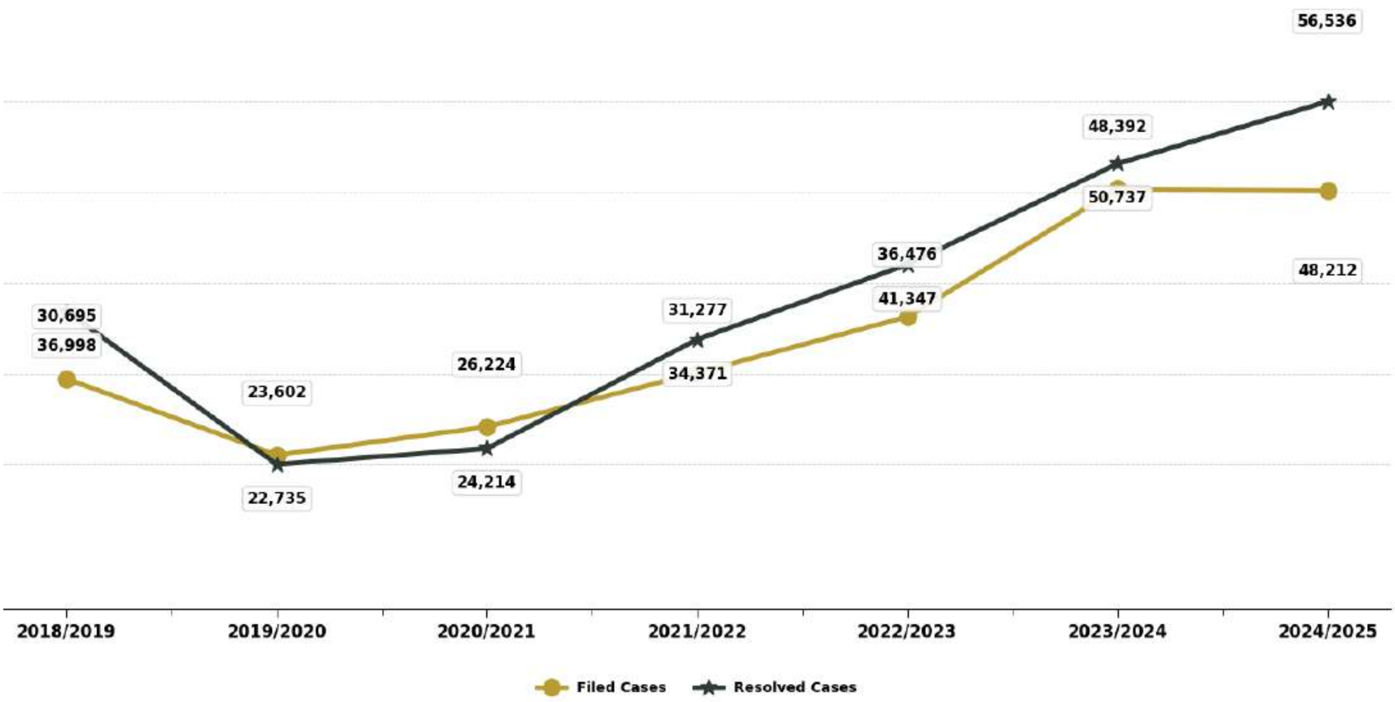


Figure 2.4.15: Trends of Filed and Resolved Cases, High Court

During the FY 2024/25 reporting period, the High Court recorded a total of 48,212 newly filed cases across all stations and divisions. Of these, 19,756 were criminal cases, while 28,456 were civil matters. Over the same period, the Court concluded 56,536 cases, comprising 18,241 criminal cases and 38,315 civil cases, as illustrated in Figure 2.4.16.

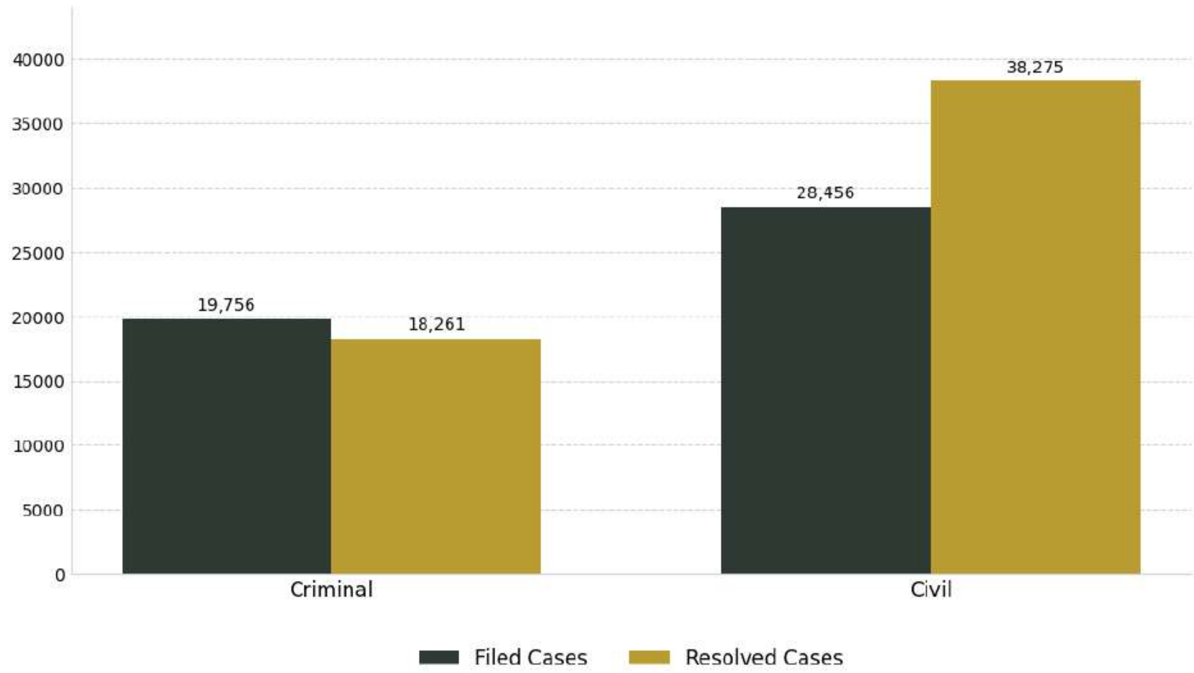


Figure 2.4.16: Distribution of filed and resolved cases, High Court

Criminal Revision cases accounted for the largest proportion, with 9,274 filings and 8,939 resolutions, representing approximately 47 per cent of total filings in these categories. Miscellaneous Criminal Applications followed at 27 per cent (5,333 filed; 4,664 resolved), while Criminal Appeals comprised 19 per cent (3,720 filed; 3,323 resolved). Murder cases made up the smallest share at 7 per cent (1,429 filed; 1,335 resolved). Resolution rates across categories ranged from 89 per cent to 97 per cent, with Criminal Revision cases showing the narrowest gap between filings and resolutions, achieving a 97 per cent resolution rate. Figure 2.4.17 illustrates the filed and resolved volumes for these criminal case categories

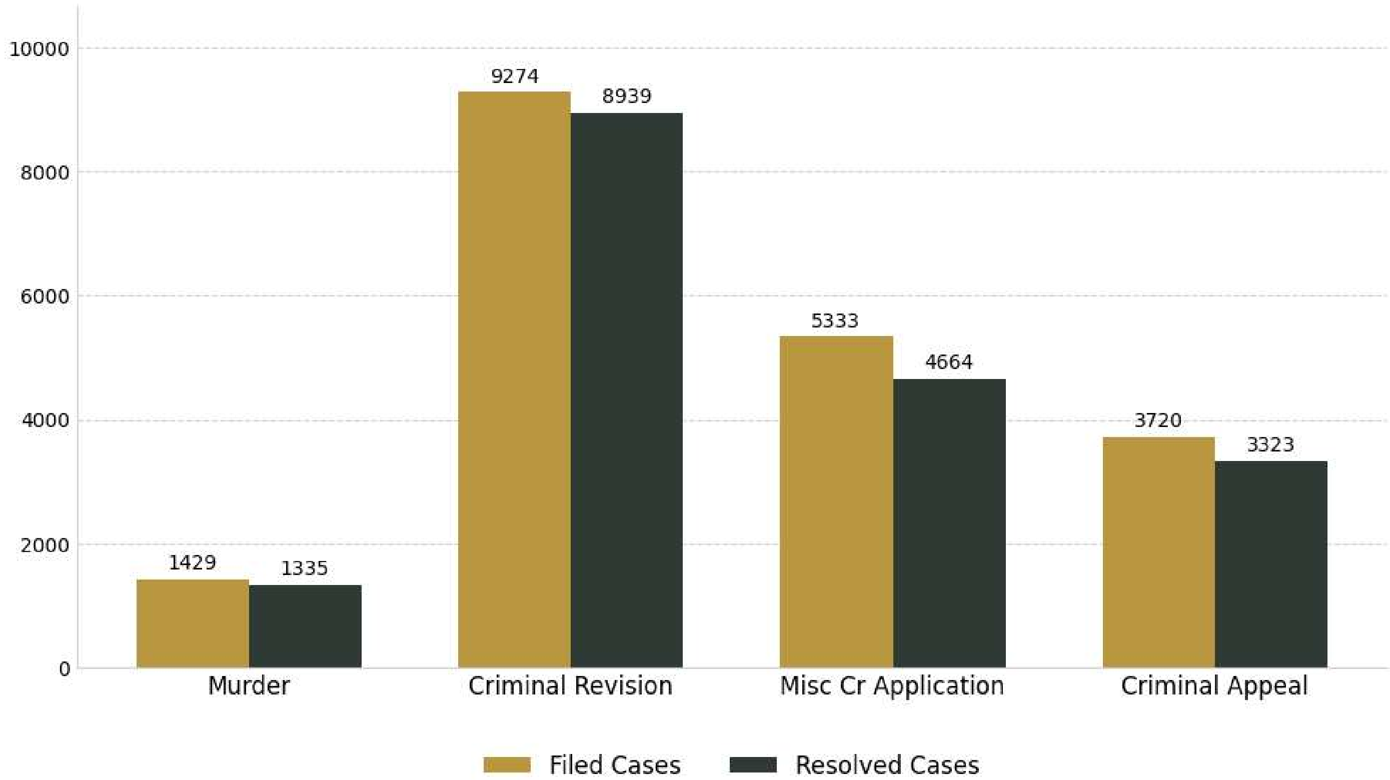


Figure 2.4.17: Distribution of filed and resolved Criminal cases, High Court

Miscellaneous Applications accounted for the largest share of civil caseloads, representing 47 per cent of filings (10,309 filed; 12,628 resolved), followed by Civil Appeals at 35 per cent (8,419 filed; 8,736 resolved). As illustrated in Figure 2.4.18, the top two categories together accounted for 82 per cent of all civil filings. The Court recorded a Case Clearance Rate (CCR) of over 300 per cent in Probate & Administration matters, reflecting the impact of the RRI exercise conducted in March 2025.

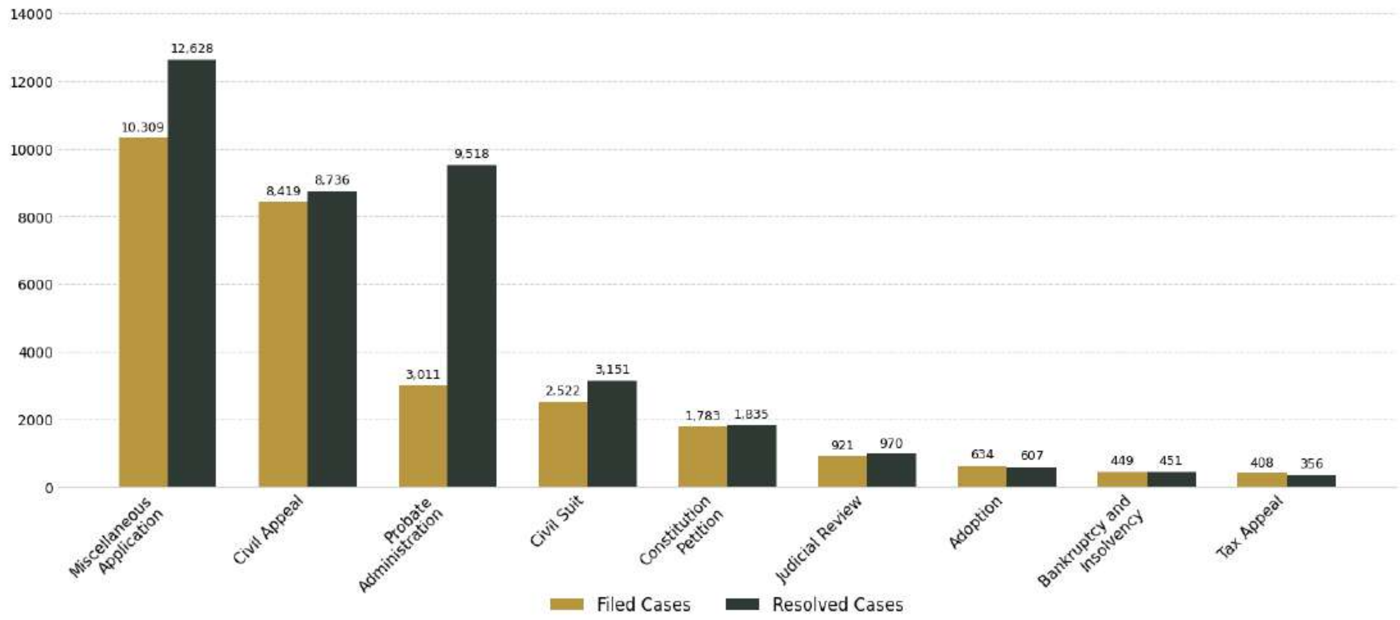


Figure 2.4.18: Distribution of filed and resolved Civil cases, High Court

Milimani Commercial and Tax Division (3,288), Mombasa (2,294), Milimani Family Division (2,101) and Kisumu (2,034) had the highest number of filed cases all attaining over 2,000 filed cases. On the other hand, Kapenguria (171), Eldama Ravine(128), Milimani ACEC (79), Maralal (77) and Mandera (19) filed less than 200 cases in the year.

Pending Cases

Pending cases have shown a consistent decline over the past seven years, decreasing from 87,477 in 2018/19 to 61,006 in the current reporting period (FY2024/25). As illustrated in Figure 2.4.19, this reduction is largely driven by a substantial decrease in civil cases, which fell by 43 per cent, from 68,136 in 2018/19 to 38,665 in 2024/25. In contrast, criminal cases followed an upward trajectory, increasing by 16 per cent over the same period, from 19,341 to 22,351. Three divisions at Milimani were among the 19 courts with pending cases exceeding 1,000: Milimani Civil (5,639), Milimani Family (5,090), and Milimani Commercial and Tax (4,654). Other stations outside Nairobi with high pending caseloads included Eldoret (4,027), Nakuru (3,953), and Kiambu (2,702).

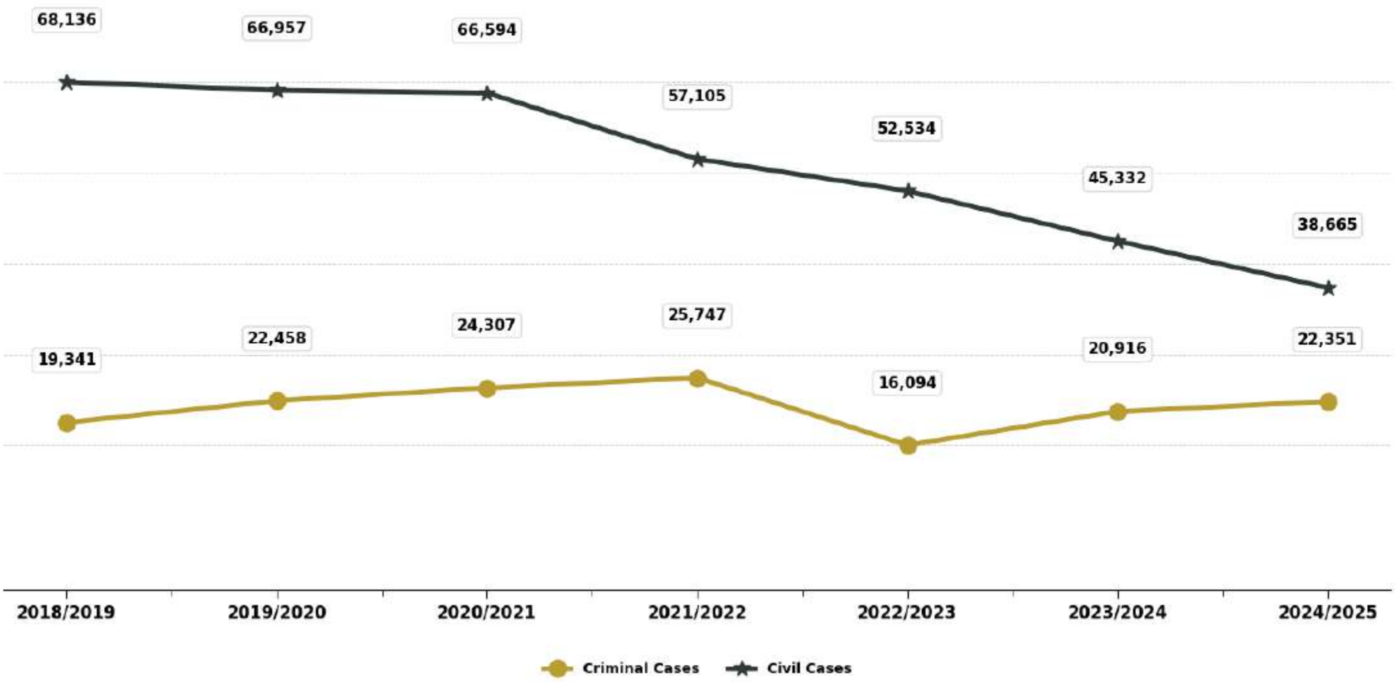


Figure 2.4.19: Trends in Pending Criminal and Civil Cases, High Court

Case Backlog

The total backlog declined significantly by 25 per cent, from 31,106 cases in 2023/24 to 23,469 cases in 2024/25. As depicted in Figure 2.4.20, the current backlog comprises 9,336 cases pending for 1 - 3 years and 14,133 cases pending for over 3 years, reflecting a balanced distribution between the two categories. Milimani Civil had the highest number of backlog at 3,822 cases, a decline by 5% from the previous period, followed by Milimani Commercial and Tax (3,764) cases and Milimani Family with 1,817 cases. A total of 42 stations reduced their case backlog. Migori (81%) managed the highest level of reduction in backlog, followed by Eldoret (79%), Nyeri (72%) and Embu (71%). Detailed Court statistics are presented in Annex 2.1.

Figure 2.4.20: Case backlog by age, High Court

2.4.11. The Employment and Labour Relations Court

The Employment and Labour Relations Court (ELRC) is a specialized superior court established under Article 162(2) of the Constitution, tasked with hearing and determining employment and industrial relations disputes. Matters at the Court are categorised as either Collective Bargaining Agreements (CBA), Cause Disputes, Petitions, Miscellaneous Applications, Appeals, or Reviews.

During the period under review, there were 10 ELRC stations in Bungoma, Eldoret, Kakamega, Kericho, Kisumu, Malindi, Mombasa, Nairobi, Nakuru, and Nyeri. Kakamega, Kericho, and Malindi stations were supported by visiting judges. To further improve on access to justice, the Judiciary operationalised 10 ELRC sub-registries in Garissa, Kisii, Kitale, Kitui, Machakos, Meru, Naivasha, Siaya, Thika, and Voi. The court was served by 28 Judges.

Filed and Resolved Cases

A total of 4,854 cases were filed in the Court during the year. The Nairobi Claims and Labour Rights Division registered the highest number, with 1,780 cases followed by Mombasa and Kisumu with 563 and 367 filings, respectively. The Voi Sub-Registry recorded only two cases.

In the same period, the Court resolved 6,389 cases. The Nairobi Claims and Labour Rights Division again led with 2,836 cases resolved. Mombasa and Kisumu followed with 697 and 587 resolutions, respectively. The Voi Sub-Registry did not resolve any cases during the year.

As illustrated in Figure 2.4.21, filings in the Court rose from 2,672 in 2018/19 to 4,854 in 2024/25, reflecting a cumulative caseload growth of 82 per cent. Resolved cases increased by 51 per cent over the same period, from 4,228 to 6,389.

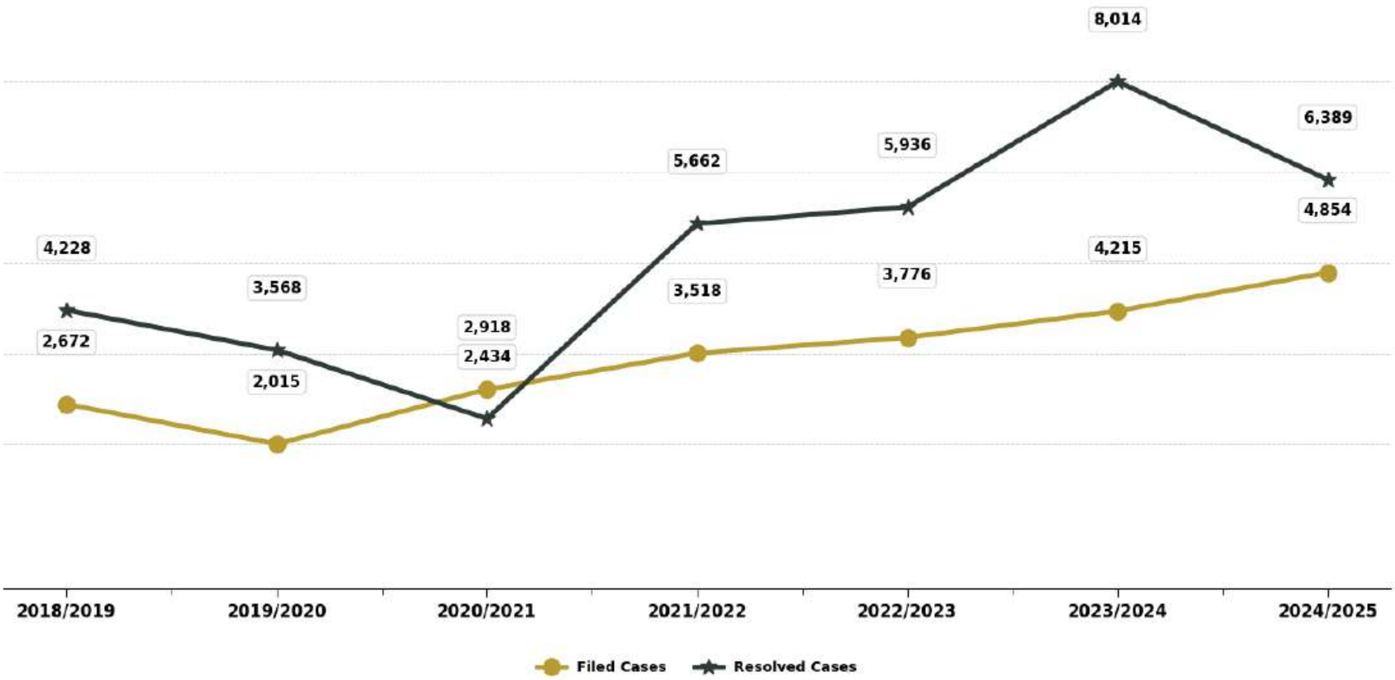


Figure 2.4.21: Trends in filed and resolved cases, ELRC

Cause Disputes were the most common category in both filings and resolutions, with 1,780 cases filed and 2,836 resolved. Appeals and Miscellaneous Applications also featured prominently among filings. Collective Bargaining Agreements (CBAs) were filed exclusively in the Nairobi Claims Division, accounting for 305 cases, and were primarily resolved there as well, with 135 cases concluded. No CBA filings were reported in other stations.

Pending Cases

Pending cases declined steadily from 13,788 in 2018/19 to 5,454 in 2024/25, marking a 60 per cent reduction as depicted in Figure 2.4.22. After a temporary 8 per cent increase during 2020/21 pandemic disruptions, the downward trend resumed with particular momentum in subsequent years. The most significant reductions occurred between 2021/22 and 2023/24, with consecutive annual decreases of 17 per cent and 21 per cent. Overall, 5,454 fewer cases remained pending by the period's end.

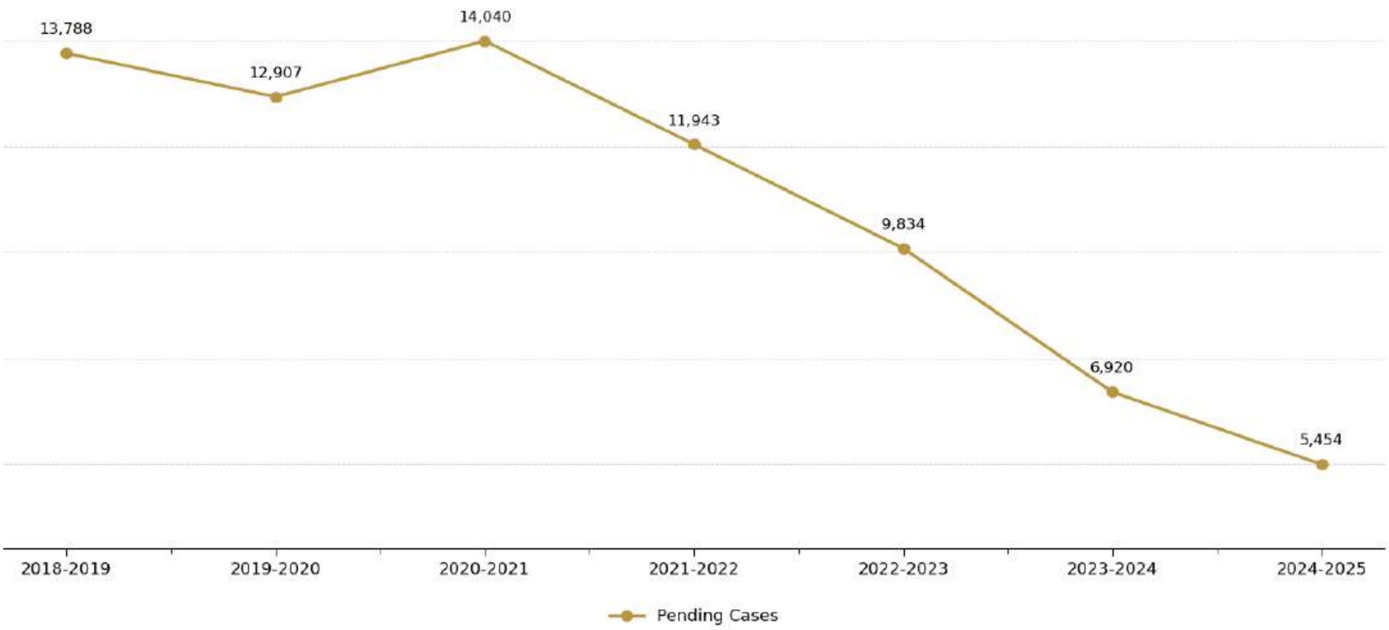


Figure 2.4.22: Trend in Pending Cases, ELRC

As shown in Figure 2.4.23, Labour dispute cases (2,654) accounted for the highest proportion representing approximately 49 per cent of pending cases. Miscellaneous Applications followed at 19 per cent (1,011), while Appeals comprised 15 per cent (840) and Petition causes 10 per cent (567).

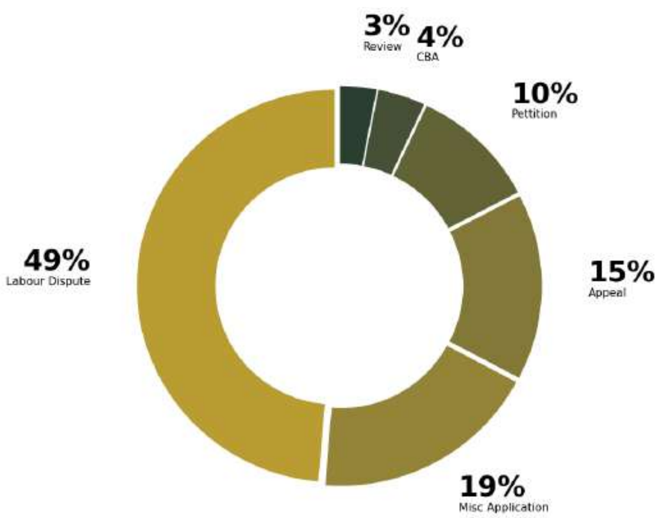


Figure 2.4.23:Pending cases by specific case types, ELRC

Case Backlog

During the reporting period, case backlog in the ELRC decreased by 12 per cent to 3,864 cases from 4,370 cases in FY 2023/24. A significant portion of these cases, approximately 90per cent, falls within the age bracket of 1 to 3 years as shown in Figure 2.4.24.

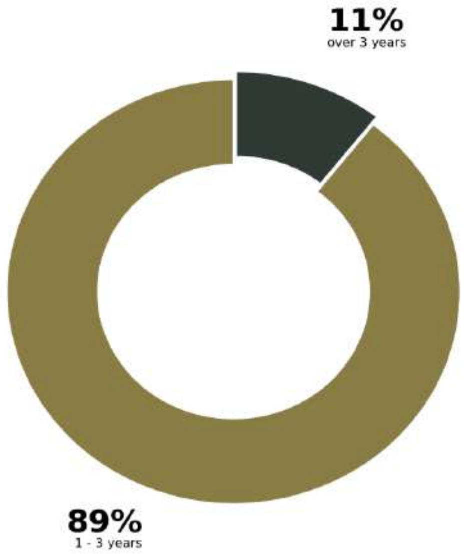


Figure 2.4.24: Case backlog by category ELRC

2.4.12. The Environment and Land Court

The Environment and Land Court (ELC) is established by Article 162(2) of the Constitution of Kenya and operationalised by the ELC Act No.19 of 2011. It is established to hear and determine disputes relating to the environment and the use and occupation of, and title to land. The court also exercises appellate jurisdiction over the decisions of subordinate courts and local tribunals in respect to matters falling within its jurisdiction. Matters at the ELC are categorised as General Suits, Miscellaneous Applications, or Appeals.

In the year under review, 51 Judges were serving in 40 ELC stations and 5 sub registries across the country.

Filed and Resolved Cases

During the reporting period, 8,923 new cases were filed, and 10,331 cases were resolved, achieving a case clearance rate of 116 per cent. The ELC has maintained a case clearance rate of over 100 per cent over the past seven years effectively reducing the number of pending matters before it. The number of both filed and resolved cases over the recent reporting periods is illustrated in Figure 2.4.25 The majority of the cases filed and resolved were General Suits and Appeals.

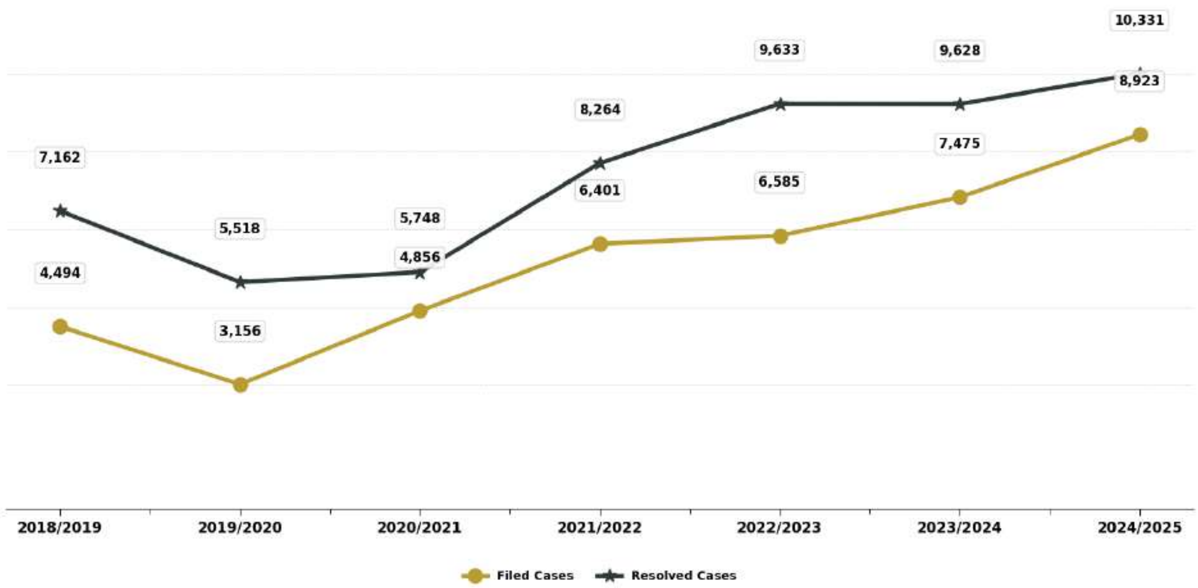


Figure 2.4.25: Trends in filed and resolved cases, ELC

The breakdown of filed cases comprised Suits (2,849), Appeals (2,345), Miscellaneous Applications (1,866), Petitions (546), Judicial Review (322), Originating Summons (967), Notices of Motion (26), and References (2). Milimani recorded the highest number of filings at (2,040), followed by Thika (629), Mombasa (437), Machakos (402), and Malindi (390). The lowest filings were recorded in Chuka (74), Vihiga (74), Isiolo (70), Nyamira (68), Garissa (51), and Lodwar (5), with no matters filed in Lamu during the period.

In the same period, the Court resolved a total of 10,331 cases, with Suits constituting the largest share at 44per cent. Milimani recorded the highest number of resolutions (1,905), followed by Mombasa (630), Kajiado (626), Malindi (539) and Thika (525). The lowest resolutions were recorded in Nanyuki (80), Vihiga (71), Iten (57 each), and Garissa (35). Lamu and Lodwar did not resolve any matters during the period.

Pending Cases

The Court experienced a decrease of pending cases by 11 per cent to 11,519 matters in FY 2024/25 as compared to the previous year. The stations with the highest pending cases were Milimani 2,654, Thika 1,313, Eldoret 1,075, Malindi 84, and Mombasa 836. The stations with the lowest pending cases were Kilgoris 40, Voi 38, Chuka 35, Nyandarua 17 and Lodwar 6. Lamu did not have any pending case. This, however, is a significant reduction from 24,574 cases in FY2018/19 as shown in Figure 24..26

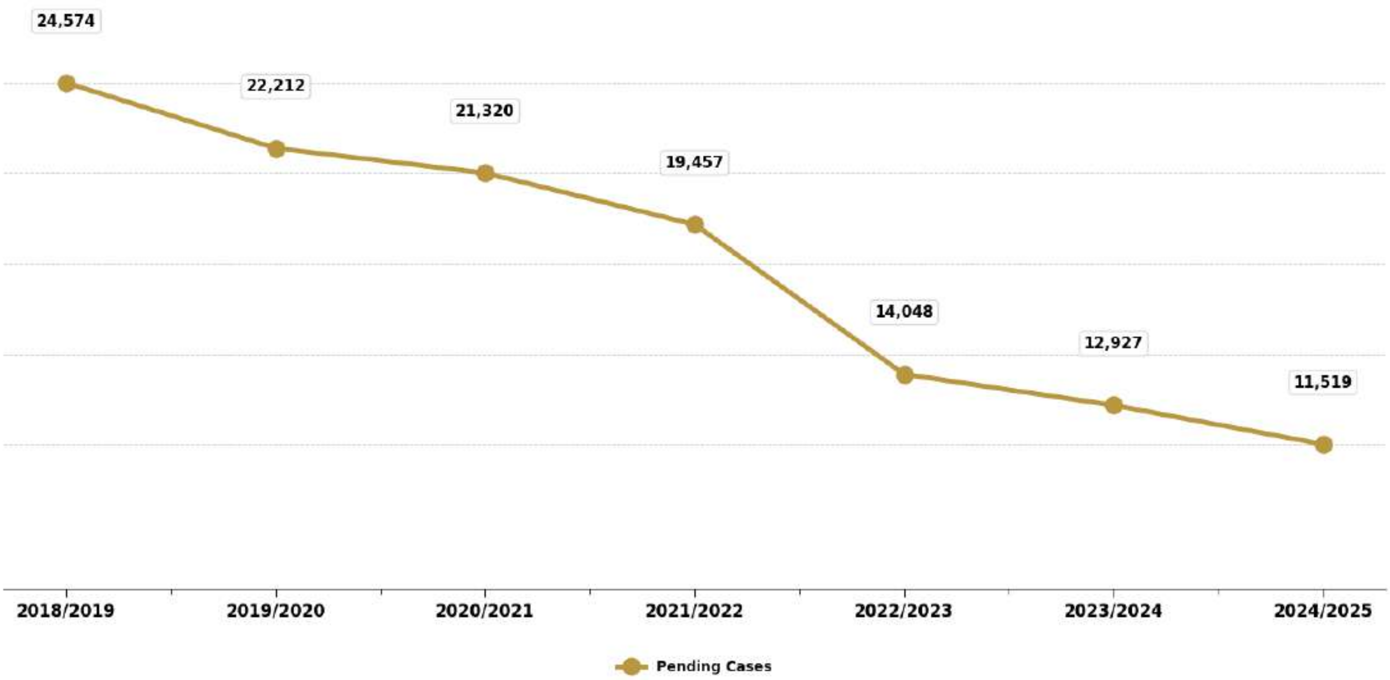


Figure 2.4.26: Trend of Pending Cases, ELC

Case Backlog

During the reporting period, the overall case backlog in the ELC decreased by 22 per cent, falling from 6,625 in FY2023-2024 to 5,159 cases in FY2024-2025. The cases with the highest case backlog were Milimani 712, Eldoret 591, Makueni 522, Kitui 407 and Nyeri 387, while the courts with the lowest case backlog were Isiolo 12, Garissa 11, Iten 10, Chuka 6 and Nanyuki 4. Cases older than three years comprised 46 per cent of the total backlog. as illustrated in Figure 2.4.27.

Figure 2.4.27:Case backlog by category ELC

2.4.13. Magistrates' Courts

In the year under review, six Magistrates' Courts in Kendu Bay, Kamwangi, Wamunyu, Dagoretti, Moiben and Kombewa were established, bringing the total number of Magistrates' Courts in the country to 143. Seven stations exclusively handle criminal cases; these are JKIA, Kahawa, Kibera, Makadara, Milimani Anti-Corruption, Milimani Chief Magistrates', and Shanzu Magistrates Courts. Milimani Commercial and Milimani Family Courts handle civil matters only. In addition, 13 specialised courts handling Sexual and Gender-Based Violence (SGBV) cases have been established. To further enhance access to court services, 59 mobile courts were in operation during the year.

Filed and Resolved Cases

During the FY 2024-2025, the Magistracy filed 371,452 cases. Among these, 246,476 cases were criminal in nature, while 124,976 cases were civil in nature. The court resolved a total of 388,295 matters, of which 243,689 were criminal while 144,606 were civil cases.

An analysis of trends since FY 2019/2020 indicates a 28 per cent increase in the number of filed cases, rising from 298,838 in FY 2019/2020 to a peak of 383,277 in FY 2023/2024. However, this was followed by a slight decline of 3 per cent in FY 2024/2025. The number of resolved cases registered an increased remarkably by 54 per cent from 251,496 in FY2019-2020 to 388,295 in FY2023/2024, as shown in Figure 2.4.28.

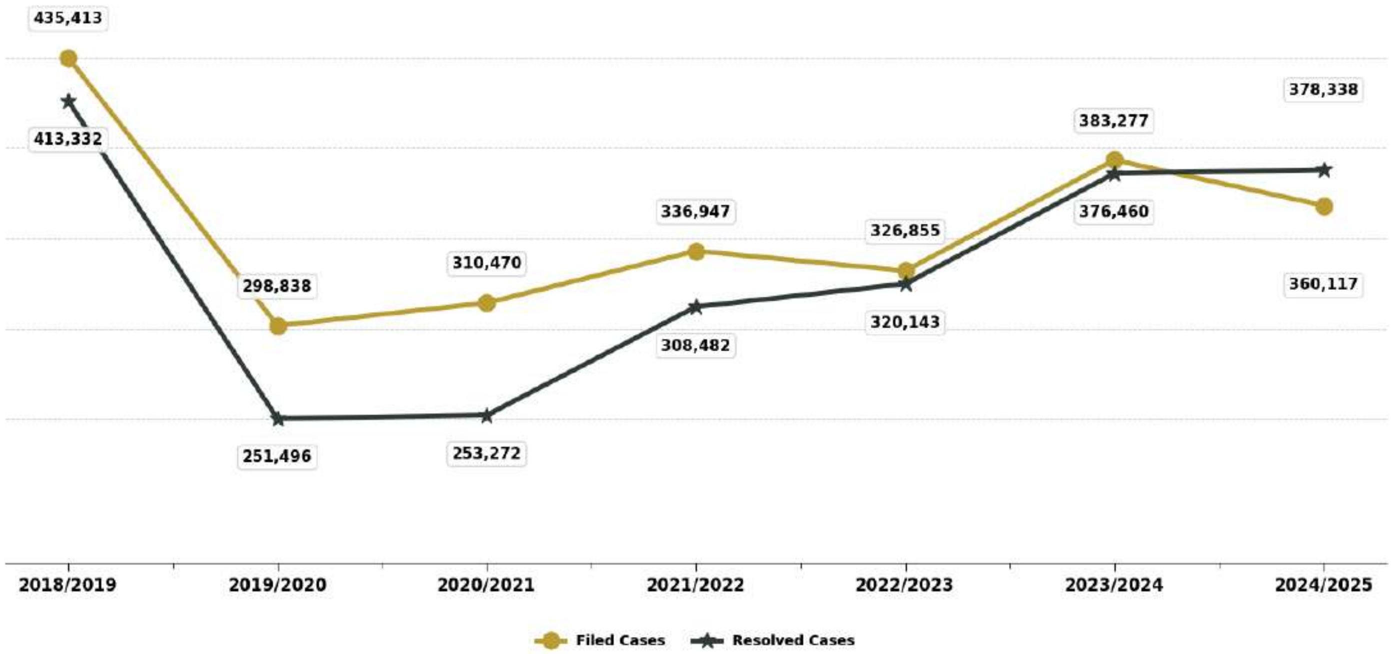


Figure 2.4.28: Trends of Filed and Resolved Cases, Magistrates' Courts

Makadara recorded the highest number of filings at 17,355 cases, followed closely by the Milimani Chief Magistrates Court with 16,531 cases. Other stations in the top ten for filings included Milimani Commercial, Mombasa, Nakuru, Eldoret, Thika, Ruiru, Mavoko, and Kakamega. Collectively, these ten stations accounted for 30per cent of all cases filed in the magistrates' courts. There were 37 stations that filed less than 1,000 cases. On average, approximately 30,000 cases were filed each month across the magistrates' courts.

The top ten courts in case resolutions, in order, were Milimani Commercial Court, Milimani Chief Magistrates' Court, Makadara, Mombasa, Nakuru, Eldoret, Thika, Mavoko, Ruiru, and Bungoma.

Pending Cases

At the end of the FY 2024/2025, the overall pending cases in the Magistrates Courts stood at 470,558 cases which represents a 4 per cent decrease from 489,072 cases as at June 30, 2024. Criminal cases accounted for 56 per cent of the pending cases which amounted to 262,332 cases. Civil cases on the other hand were 208,226 cases. Pendency in criminal cases grew by one per cent whereas civil cases recorded a 9 per cent decline in pendency.

The data indicates fluctuations in pending civil cases increased by 25 per cent, from 204,457 in FY2017-2018 to 266,451 in FY2022-2023, before decreasing by 12 per cent to 224,629 in FY2023/24, and a further drop by 7 per cent as depicted in Figure 2.4.29.

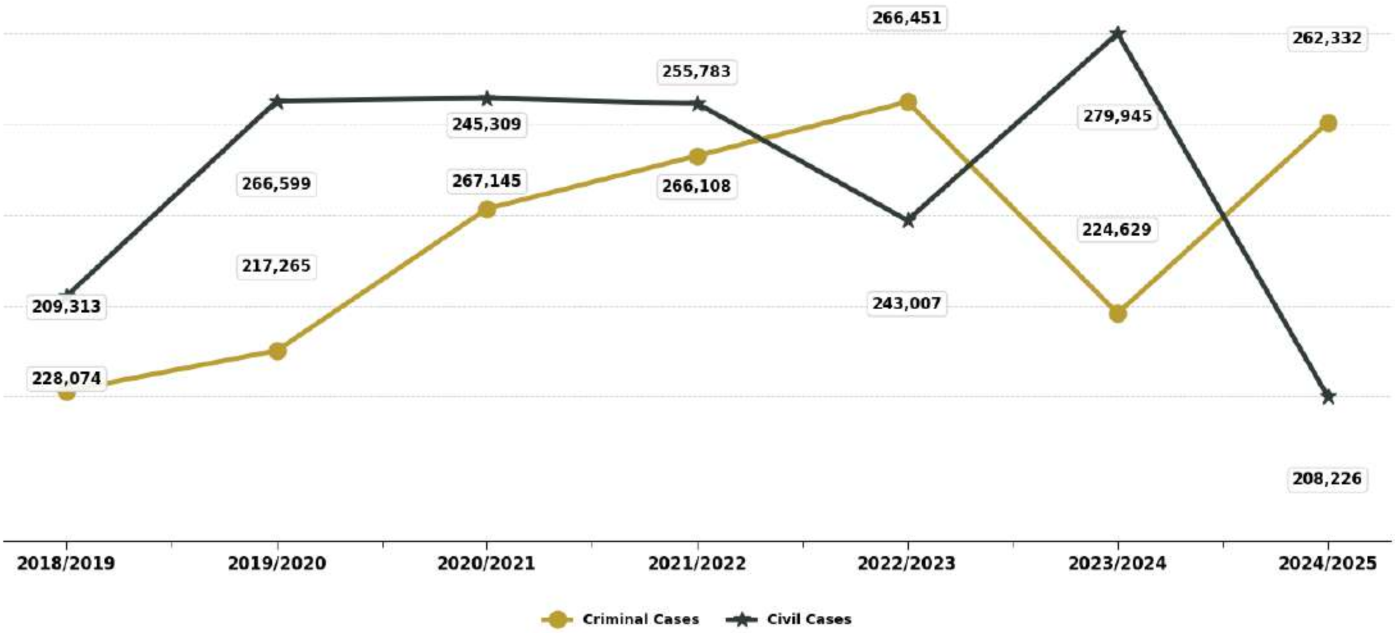


Figure 2.4.29: Trends of Pending Cases, Magistrates' Courts

The number of pending cases range from 17 cases at Wamunyu to 48,453 at the Milimani Commercial court. Seven stations (5 per cent) had pending cases in excess of 10,000, that is: Milimani Commercial, Mombasa, Nakuru, Makadara, Eldoret, Busia and Kitale. These 7 stations contributed to 40 per cent of all pending cases in the Magistrates' Courts. The average number of pending cases was 3,279 cases.

Backlog Cases

As of June 30, 2025, the overall case backlog in the magistracy stood at 127,264 cases, representing a 31 per cent reduction from 184,458 cases recorded on June 30, 2024. The majority of the backlog—74 per cent—consisted of cases aged between one and three years, while the remaining 26 per cent comprised cases pending for more than three years. Figure 2.4.30 illustrates the percentage distribution of pending cases by age in the Magistrates' Courts

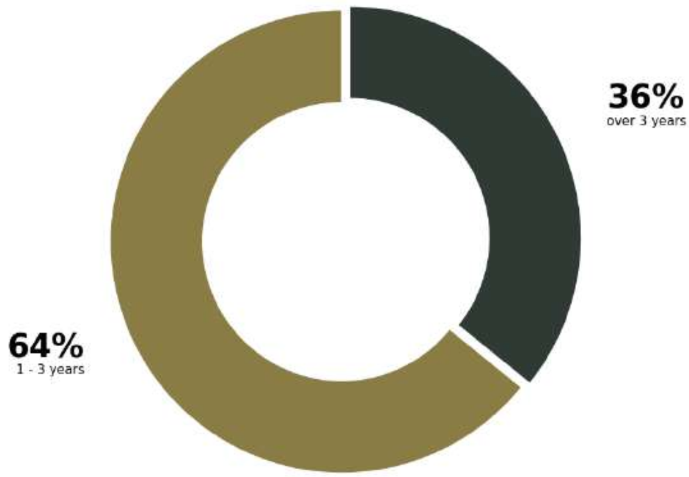


Figure 2.4.30: Case backlog Magistrates' Courts

2.4.14. Child Justice Statistics

Placing the best interest of the child at the heart of judicial processes, the Judiciary's Child Justice Strategy is reshaping how minors engage with the legal system. Specialized children's courts ensure that proceedings are conducted in private, child-friendly environments that protect safety, confidentiality, and psychological well-being, reflecting international standards in child-centered justice. Judges and judicial officers are being sensitized to make decisions guided by the welfare and rights of the child, fostering trust in the justice system among vulnerable populations.

During the review period, 15,670 cases involving children were recorded in magistrates' courts nationwide. Of these, 14,573 cases (93 per cent) involved children in contact with the law, while 1,054 cases (7 per cent) involved children in conflict with the law. Defilement remained the most prevalent offence (268 cases), with property and violent crimes, such as stealing, robbery with violence, and grievous harm, also prominent. These trends highlight persistent social vulnerabilities and underscore the need for prevention and rehabilitation interventions that safeguard children's welfare.

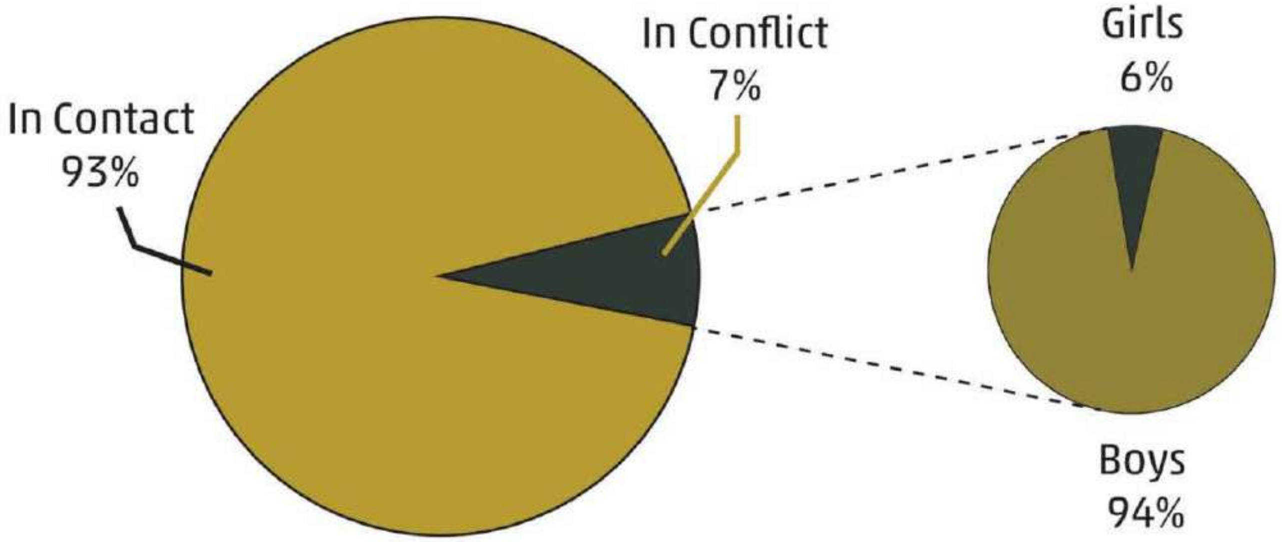


Figure 2.4.31: Children in Contact and In Conflict with the Law

Gender disparities are pronounced, with boys representing 94 per cent of children in conflict with the law, emphasizing the need for targeted, child-sensitive interventions. By centering decisions on the best interest of the child, these reforms not only protect individual minors but also strengthen broader societal outcomes—reducing cycles of crime, supporting safe communities, and creating pathways for education, rehabilitation, and reintegration.

The Judiciary's investments in child-centered justice, combined with enhanced data tracking and reporting, provide partners with clear opportunities to support initiatives that promote equity, uphold children's rights, and deliver measurable impact across Kenya's justice system. The summary of cases and ratio of boys to girls is graphed in Figure 2.31.

The most prevalent case type in this category was defilement, followed by Stealing and Grievous Harm. Cases that were sexual in nature contributed nearly half (45 per cent) of filed cases where a child was in conflict, whereas cases where children were alleged to be involved in theft, breaking into a building, robbery or handling stolen property accounted for 25 per cent of filed children in conflict with the law. A detailed breakdown of these cases is shown in Table 2.4.5.

Table 2.4.5: Filed Cases where a child was in conflict with the law

Case Type	Number
Defilement	268
Stealing	169
Grievous Harm	95
Breaking into Building	85
Robbery With Violence	67
Sexual Offense	67
Assault	48
Felony	46
Possession of Narcotic Drugs	44
Attempted Defilement	43
Drug Trafficking	24
Creating Disturbance	23
Indecent Act	22
Being Unlawfully Present in Kenya	21
Incest	11
Arson	6
Child In Conflict with the Law	6
Handling Stolen Goods	4
Robbery	3
Possession of Weapons	2
Total	**1,054**

In instances where a child was in contact with the law, the top cases filed included "Custody and Maintenance" (45 per cent) and "Children in Need of Care and Protection" (43 per cent). These two broad categories incidentally contributed to 89 per cent of the cases where a child was in contact with the law, as tabulated in Table 2.4.6.

Table 2.4.6: Filed Cases where a child was in contact with the law

Case Type	Number
Custody and Maintenance	6,609
Care and Protection - Children Officer	5,624
Care and Protection - Police Station	695
Guardianship	605
Children Miscellaneous	514
Child Negligence / Cruelty	302
Indecent Act with a Child	140
Child Stealing	53
Children Act, No. 29 Of 2022	26
Subjecting a Child into Labour	24
Extension of Parental Responsibility	13
Foster Care Protection	10
Assisting a Child to Escape	1
Total	**14,616**

The distribution of child justice cases across counties highlights both the demand for specialized services and the concentration of children affected by legal issues in urban and peri-urban areas. Nairobi County recorded the highest number of children in contact with the law, with 3,513 cases, followed by Nakuru (1,167), Kiambu (993), and Mombasa (930). Collectively, these four counties represent a substantial portion of the national total of 14,616 cases, emphasizing the need for targeted welfare and protection interventions in high-burden areas.

For children in conflict with the law, the trend is similar but more concentrated: Mombasa (216 cases), Nakuru (201), and Nairobi (147) accounted for the majority of cases, with Kiambu trailing at 39. Boys overwhelmingly dominate these figures, with Nakuru (411), Mombasa (352), Nairobi (265), and Makueni (71) recording the highest numbers. Girls remain a small minority, led by Nairobi with 22 cases, followed by Nakuru and Kiambu (6 each) and Mombasa (5), with most other counties reporting very few or none. This is shown in Table 2.4.7.

Table 2.4.7: Filed Cases and Gender Children in Conflict with the law by County

County	Number of Filed Cases		Number of Children in Conflict with the Law	
	Contact	Conflict	Boys	Girls
Baringo	127	28	53	1
Bomet	124	20	38	2
Bungoma	369	8	16	1
Busia	74	8	14	0
Elgeyo Marakwet	30	3	6	0
Embu	136	7	16	1
Garissa	89	4	5	0
Homa Bay	179	8	17	0
Isiolo	47	2	2	0
Kajiado	514	5	10	0
Kakamega	264	22	47	2
Kericho	187	9	18	0
Kiambu	993	39	65	6
Kilifi	189	11	27	1
Kirinyaga	241	17	19	1
Kisii	377	7	10	0
Kisumu	474	14	37	2
Kitui	133	4	3	1
Kwale	74	5	10	0
Laikipia	210	8	18	0
Lamu	155	4	6	1
Machakos	348	23	43	1
Makueni	153	34	71	0
Mandera	55		0	0
Marsabit	80	9	17	1
Meru	363	19	35	3
Migori	82	21	43	0
Mombasa	930	216	352	5
Murang'a	229	26	51	4
Nairobi	3513	147	265	22
Nakuru	1167	201	411	6
Nandi	138	9	19	0
Narok	221	13	31	0
Nyamira	83	6	13	0
Nyandarua	186	15	28	0
Nyeri	297	16	29	3
Samburu	64	7	12	4
Siaya	207	7	15	0
Taita Taveta	162	16	34	1
Tana River	37	11	20	0
Tharaka-Nithi	93		0	0
Trans Nzoia	451		0	0
Turkana	84	3	4	0
Uasin Gishu	409	5	11	1
Vihiga	154	3	6	0
Wajir	80	3	5	1
West Pokot	44	11	23	0
Total	**14,616**	**1,054**	**1,975**	**71**

These patterns underline the urgent need for county-level, child-focused interventions that are gender-sensitive and tailored to the distinct profiles of children in conflict and in contact with the law. For the partners, the data highlights opportunities to support programs that reduce risk, strengthen rehabilitation, and ensure the welfare and protection of all children within Kenya's justice system.

2.4.15. Sexual and Gender-Based Violence Cases

The establishment of specialised courts and procedures for handling Sexual and Gender-Based Violence cases have enhanced access to justice and improved case outcomes. The integration of fast-tracking mechanisms, dedicated SGBV-trained judicial officers, and supportive court infrastructure, such as private testimony rooms and video-link facilities, are being undertaken to strengthen the handling of these cases.

In the year, a total of 31,460 SGBV cases were filed across the courts. This represents a slight increase of 284 cases (0.9%) compared to 31,176 cases filed in FY 2023/2024. The upward trend is an indication of continued reporting and enforcement of SGBV-related offences, which may reflect both heightened public awareness and improved responsiveness by the justice sector. Grievous harm and assault cases remained the most prevalent, accounting for nearly three-quarters of all filed SGBV cases, while sexual offences committed against minors, which include defilement and attempted defilement, ranked second, constituting approximately 19 per cent of total filings.

During the same period, 31,880 cases were concluded, translating to an overall Case Clearance Rate (CCR) of 101%. This is a notable improvement from the 97% CCR recorded in the previous year. The overall improvement in clearance rate demonstrates enhanced efficiency in the handling of SGBV cases, possibly resulting from strengthened case management systems, inter-agency coordination, and increased prioritization of gender-based violence within the justice system.

As shown in Table 2.4.8, a category-wise review of these offences shows varying performance across case types. Defilement as well as rape, gang rape, attempted rape, and attempted gang rape, recorded a clearance rate of over 100 per cent. Other SGBV-related offences such as detention of females for immoral purposes, incest, indecent acts, offences against morality, and unnatural offences, also had a CCR exceeding 100 per cent.

On the other hand, the number of pending grievous harm, assault, and sexual assault cases increased. This signals the need for targeted interventions such as specialised investigations, survivor-centred procedures, and faster forensic support.

Table 2.4.8: Filed and concluded SGBV cases

Case Type	Number of Filed Cases	Number of Concluded Cases	CCR
Defilement	6,088	6,847	112%
Rape	1,014	1,058	104%
Sexual Assault	399	312	78%
Grievous Harm and Assault	23,269	22,912	98%
Other Sexual Offences	690	751	109%
Total	**31,460**	**31,880**	**101%**

2.4.16. Kadhis' Courts

Kadhis' Courts are established under Article 170 of the Constitution with the jurisdiction to hear and determine matters of Islamic law concerning personal status, marriage, divorce, and inheritance, provided that all parties involved are Muslim and consent to the court's jurisdiction. The cases handled by Kadhis' Courts are categorised into divorce and marriage registration, matrimonial causes, miscellaneous applications, and succession.

Filed and Resolved Cases

A total of 13,555 new cases were filed, while 12,562 cases were resolved at the Kadhis' Courts. The majority of both filed and resolved cases comprised marriage and miscellaneous applications. Over the past seven years, the number of filed cases has shown a consistent upward trend. Resolved cases, on the other hand, have exhibited a fluctuating pattern, with a slight decline in FY 2024–2025, decreasing from 12,615 to 12,562. This trend is illustrated in Figure 2.4.32

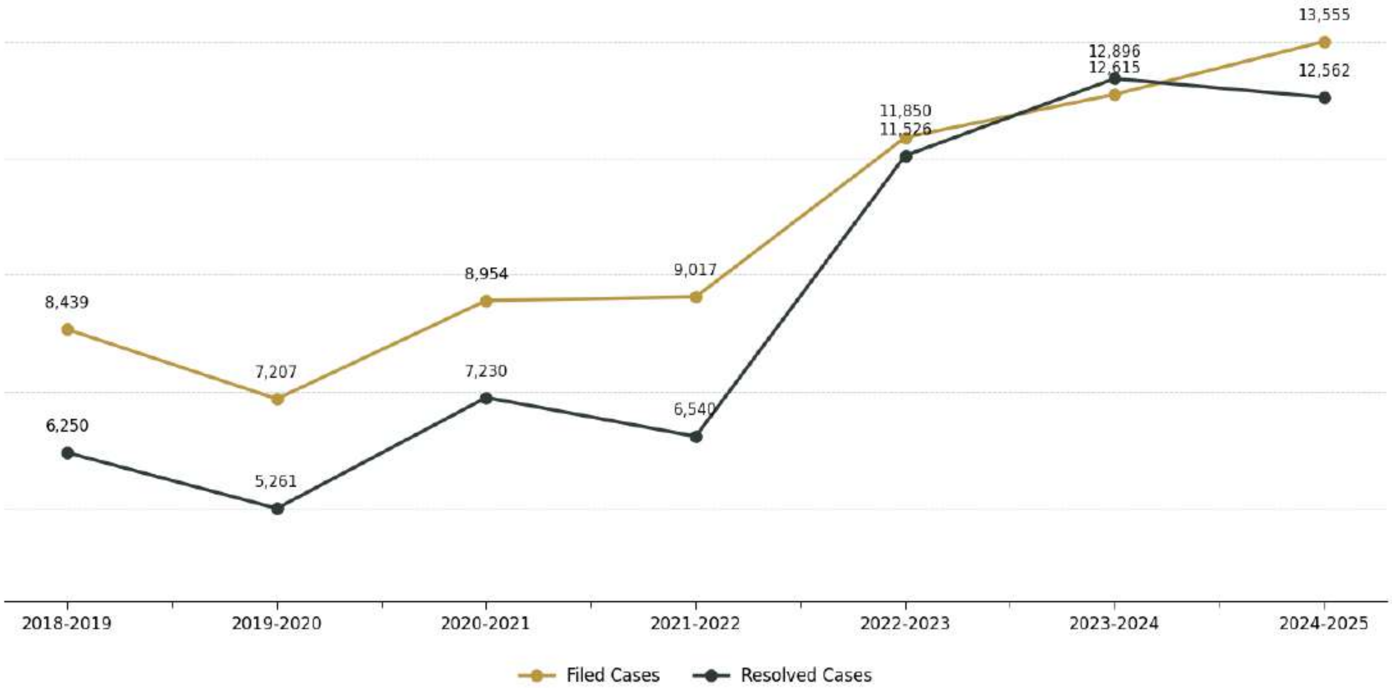


Figure 2.4.32: Trends of Filed and Resolved Cases, Kadhis' Courts

The highest number of cases were filed in the Nairobi and Mombasa stations, with 3,261 and 2,844 cases respectively, making up 24 per cent and 21 per cent of all cases filed. Among the different types of cases, marriage matters had the highest number, with 4.853 cases filed, representing 36 per cent of the total.

Pending Cases

The trend, as shown in Figure 2.4.33, shows that the number of pending cases in the Kadhis' Courts rose steadily from FY 2017/18 to FY 2020/21, reaching its highest point during that period. This was followed by a noticeable decline in FY 2021/22, after which the numbers rose again, reaching 3,702 pending cases by the end of FY 2024/25. Mombasa (1,120 cases) and Nairobi (509 cases) account for the largest share of these pending cases

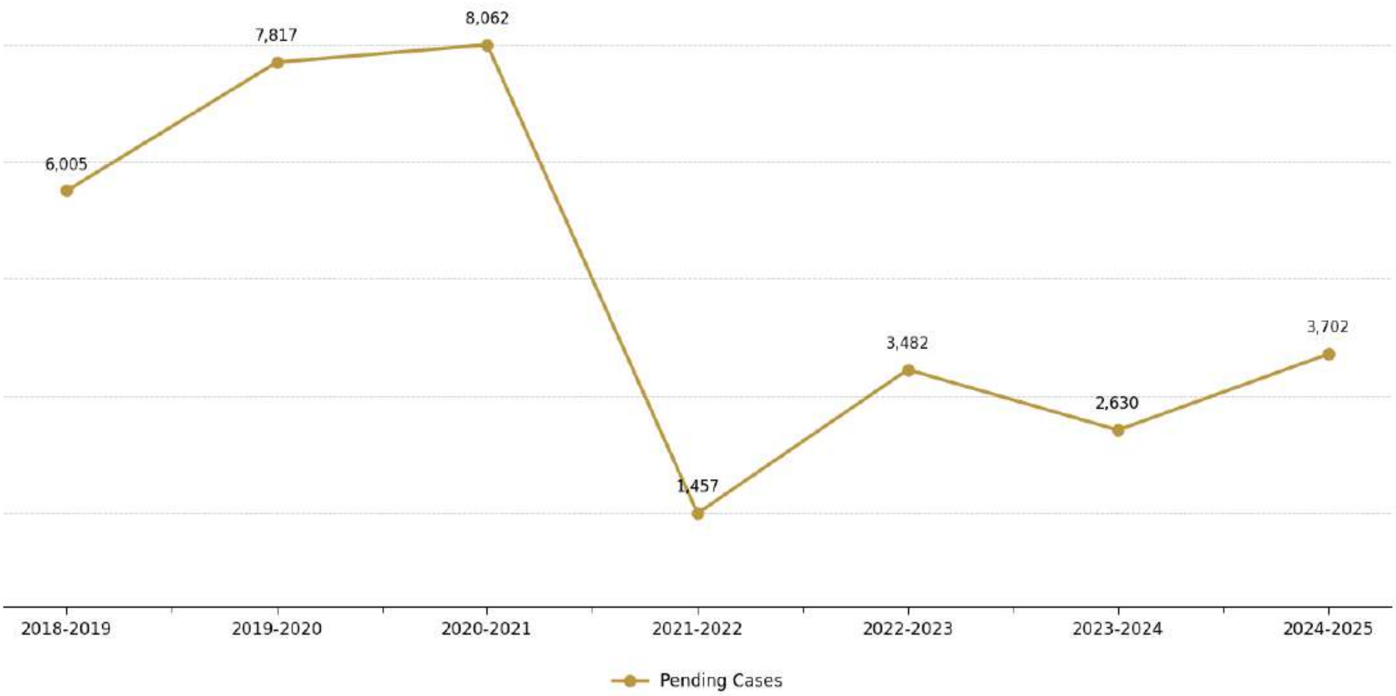


Figure 2.4.33: The trend of Pending Cases, Kadhis Courts

Case Backlog

The Kadhis' Courts reduced the overall case backlog from 708 at the close of FY2023/2024 to 307 in FY2024/2025, which shows a reduction of 57 per cent. This significant improvement was attributed to enhanced case management strategies and data clean-up exercises conducted across the stations. Of the cases, 56 matters have been pending for over three years, as illustrated in Figure 2.4.34.

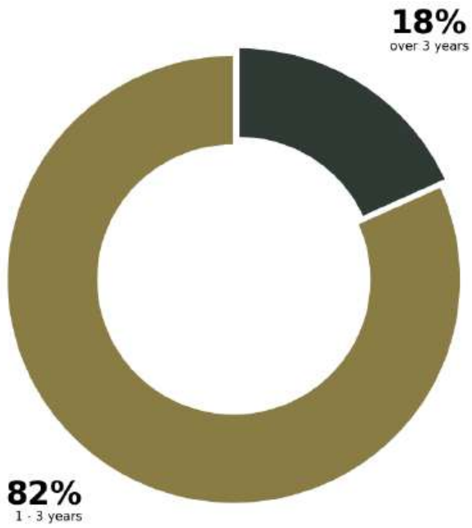


Figure 2.4.34: Case Backlog According to Age, Kadhis' Courts

2.4.17. Tribunals

Tribunals are subordinate courts established under Article 169 of the Constitution and operationalized through specific legislation to perform judicial functions. They provide an efficient and cost-effective mechanism for resolving disputes in specialized areas, including but not limited to sports, transport, tax, civil aviation, and copyright. By focusing on these niche areas, tribunals aim to deliver prompt and expert adjudication, ensuring that cases are handled with the necessary specialized knowledge at a lower cost than traditional court proceedings. Their establishment forms part of a broader effort to enhance access to justice and streamline the resolution of complex, sector-specific issues.

Filed and Resolved Cases

During the period under review, a total of 11,246 new cases were filed, and 14,536 cases were resolved at the Tribunals. Over the past six years, there has been a consistent upward trend in both the number of filed and resolved cases. Both experienced a decline in the FY 2024-2025 as shown in Figure 2.4.35. Four tribunals - RRT, Cooperatives, BPRT, and Tax Appeals - accounted for 95 per cent of all cases filed, with the BPRT registering highest number of cases at 3,977 cases.

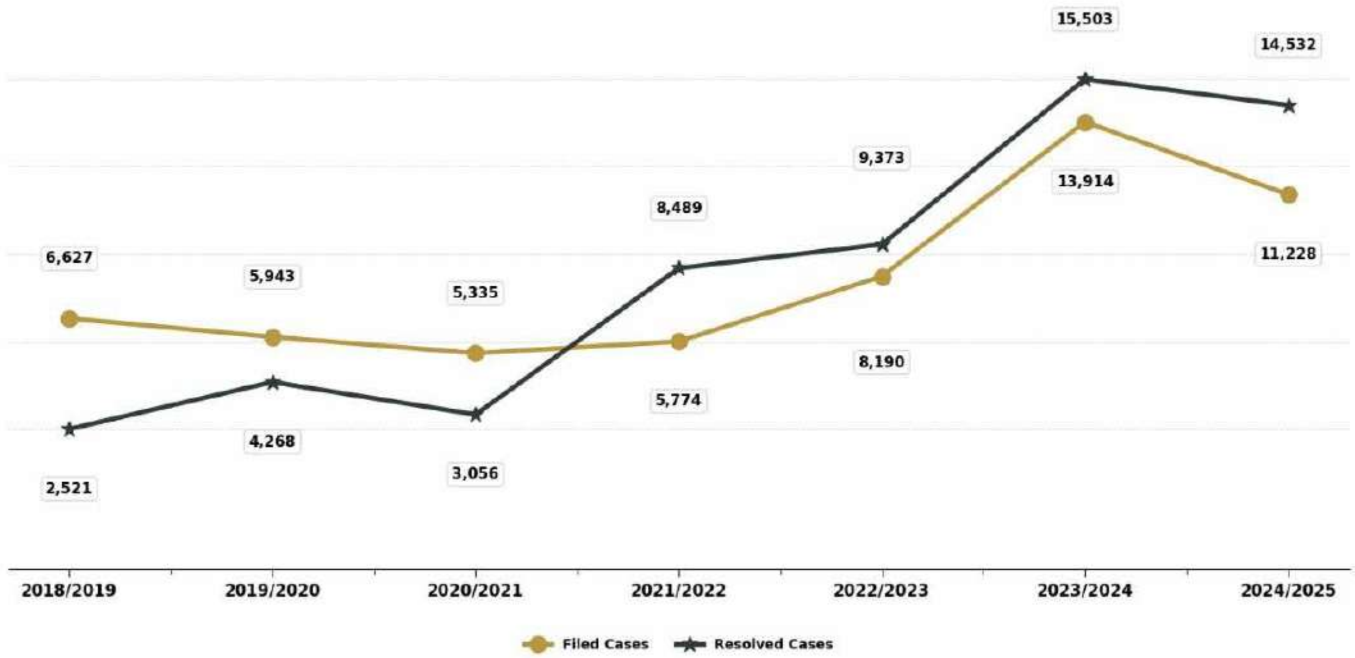


Figure 2.4.35: Trends in Filed and Resolved Cases, Tribunals

Pending Cases

By the end of the reporting period, there were 11,361 pending cases in the Tribunals, representing a 22 per cent decrease compared to the previous year. Figure 2.4.36 illustrates the annual trend of pending cases in the Tribunals over the past seven years.

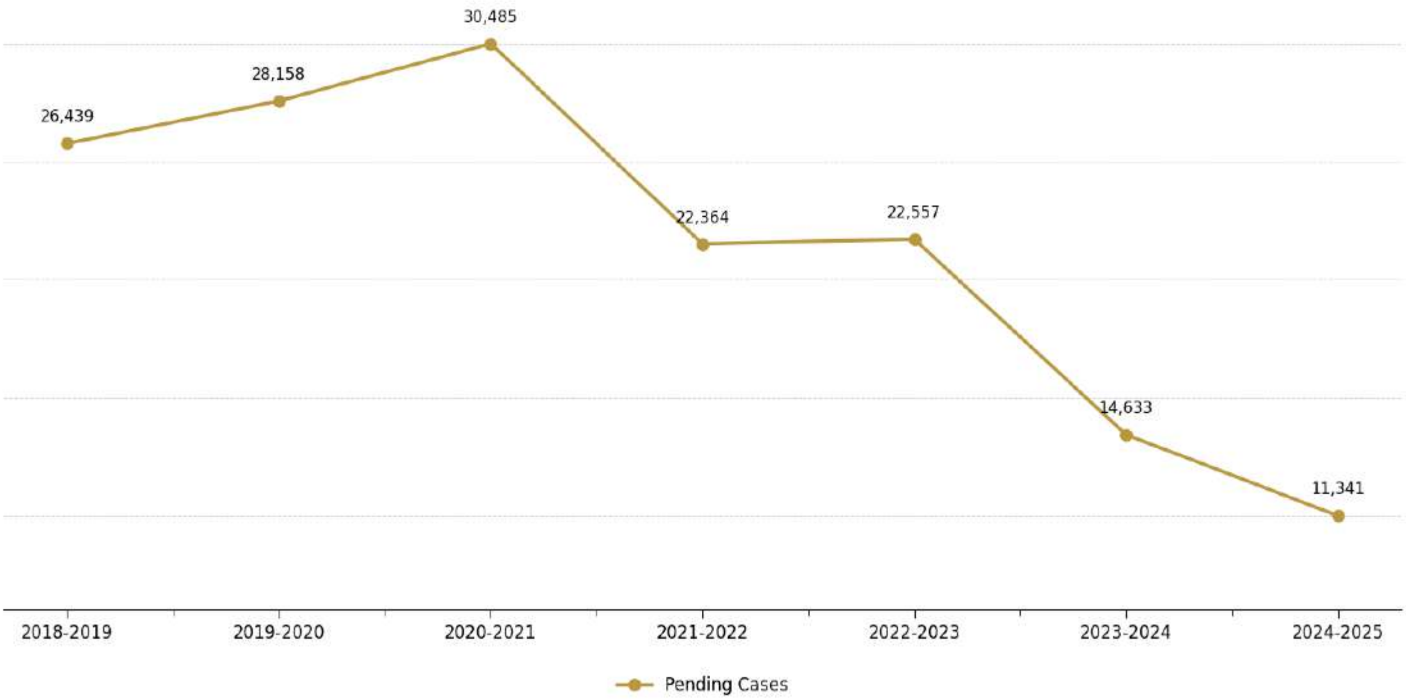


Figure 2.4.36: The trend of Pending Cases, Tribunals

Case Backlog

Out of the 11,361 pending cases in the Tribunals, 3,866 constituted a case backlog, representing 34 per cent of the total pending cases. This backlog was further categorized by age, with 1,145 cases aged between 1-3 years and 2,721 cases aged over 3 years. This indicated that 70 per cent of the backlog consists of cases older than 3 years as highlighted in Figure 2.4.37.

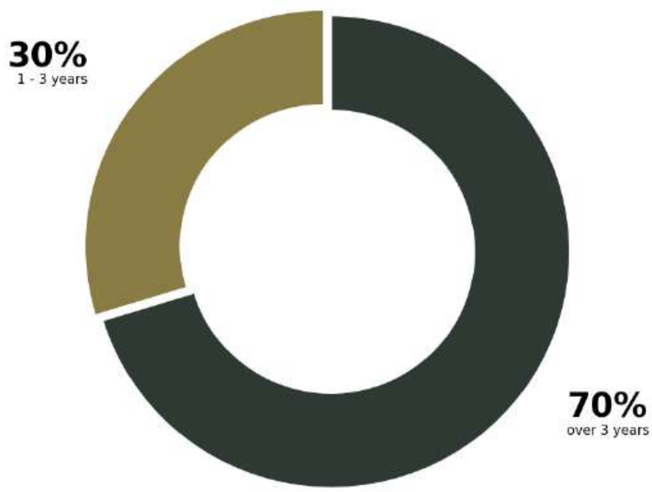


Figure 2.4.37: Case Backlog by Age, Tribunals

2.4.18. Small Claims Court

The Small Claims Court (SCC), established under Section 2 of the Small Claims Court Act, 2016, is a subordinate court with jurisdiction to determine specific civil claims. These include: contracts for the sale and supply of goods or services; contracts involving money held or received; liability in tort for loss or damage to property or for the delivery or recovery of movable property; compensation for personal injuries; and set-offs and counterclaims arising from contracts. The court's monetary jurisdiction is limited to claims not exceeding Kenya Shillings one million. Cases filed in SCCs are generally categorised as breach of contract, commercial disputes, or personal injury claims. As of FY2024/25, there were 40 operational Small Claims Court stations.

Filed and Resolved

During the FY 2024/25, Small Claims Courts recorded a total of 158,357 filed cases. The Milimani SCC registered the highest caseload, with 120,914 cases representing 76 per cent of all filed matters in the SCCs. Eldoret and Nakuru followed with 5,394 and 3,665 cases, respectively. Debt Recovery cases dominated the filings, totalling 125,642 cases, which accounted for 79 per cent of the total.

During the same period, SCCs resolved 155,227 cases. The Milimani court resolved the highest number, with 118,701 cases, representing 76 per cent of all resolved cases, followed by Eldoret and Thika courts with 4,805 and 3,827 cases, respectively. Debt Recovery cases formed the largest category of resolved cases, totaling 121,786 cases, representing 79 per cent. Figure 2.4.38 illustrates the number of filed and resolved cases by case type.

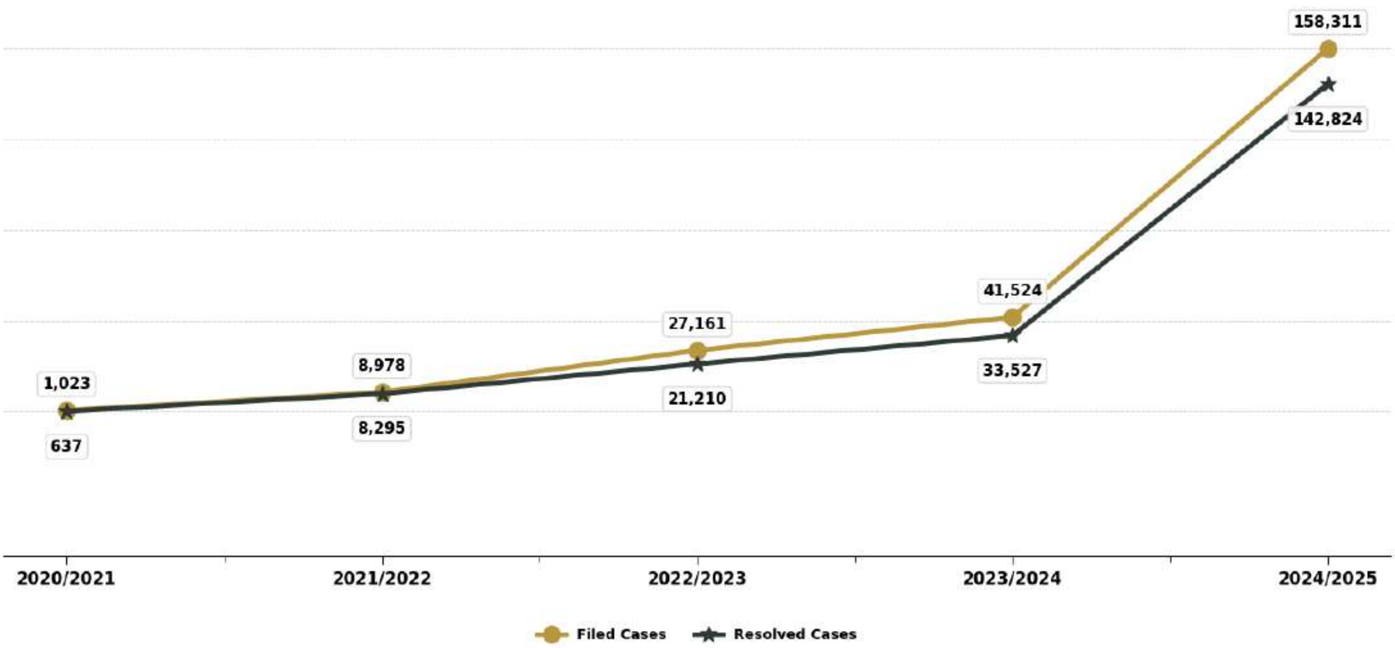


Figure 2.4.38: Trends of Filed and Resolved cases, SCC

There was a significant increase in the number of cases filed at the Small Claims Court attributed primarily to two key factors. First, the establishment of new court stations in the final quarter of the previous year contributed to a rise in filings. Second, the Milimani station experienced a surge of over 100,000 commercial dispute cases, largely driven by filings from mobile credit providers. This trend is likely linked to the licensing of additional 27 digital credit providers by the Central Bank of Kenya, which has enabled increased legal action in loan recovery efforts. Debt recovery matters formed the largest category in both filed and resolved cases. A total of 137,556 were recorded, representing 79 per cent of all filed matters. Figure 2.4.39 illustrates the number of filed and resolved cases by case type.

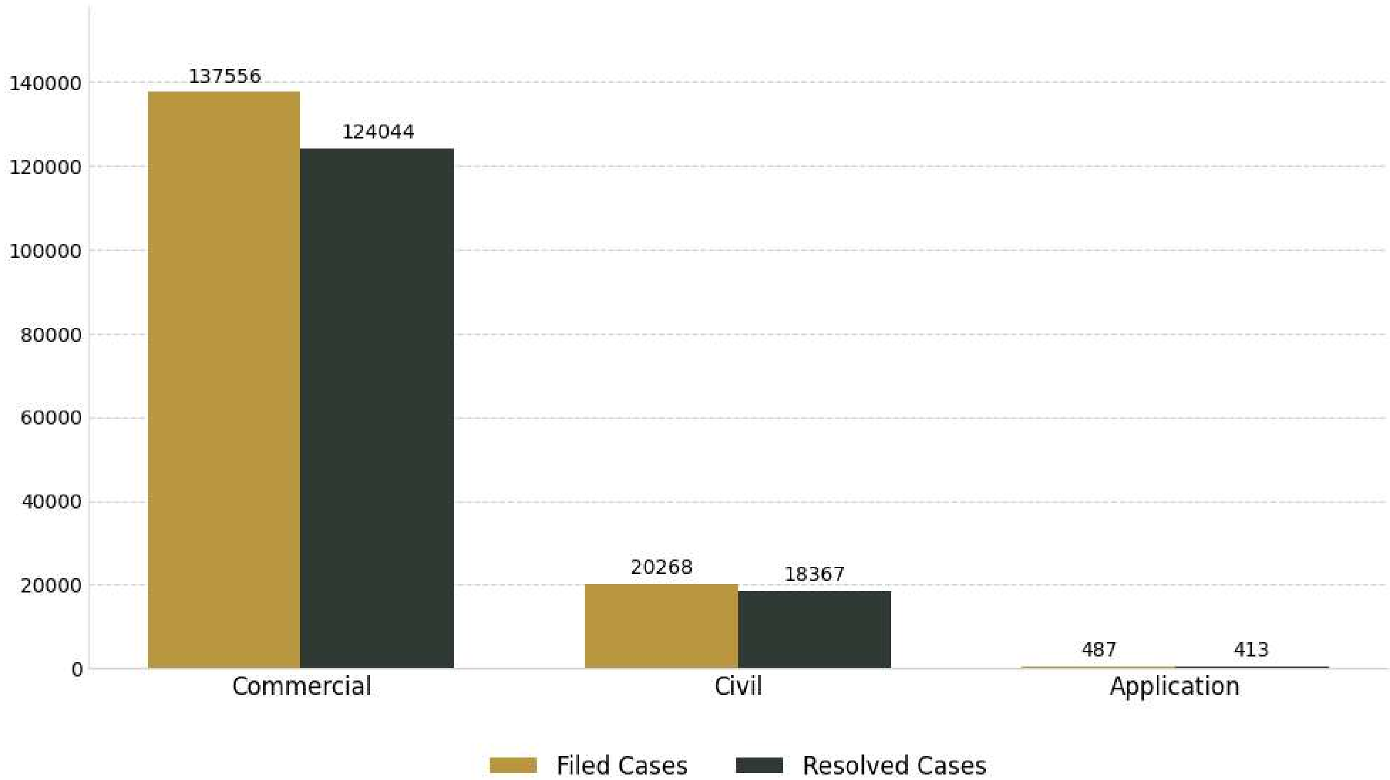


Figure 2.4.39: Number of filed and resolved cases by case type SCC

Pending Cases

As shown in Figure 2.4.40, pending cases at the Tribunals have risen sharply over the five-year period from FY 2020/21 to FY 2024/25, signaling increasing pressure on the system. In FY 2020/21, there were 386 pending cases, which rose to 1,069 in FY 2021/22. The number then escalated dramatically in FY 2022/23 to 7,264, more than six times the previous year's total. This upward trajectory persisted in FY 2023/24, with 14,642 pending cases, and surged further to 33,141 by FY 2024/25—more than double the prior year's figure. Milimani station accounted for the largest share, with 9,085 pending cases, followed by Eldoret (2,309 cases) and Kisumu (1,537 cases). The rapid accumulation of pending cases highlights growing operational bottlenecks and underscores the urgent need for targeted interventions to enhance efficiency and reduce delays in case resolution.

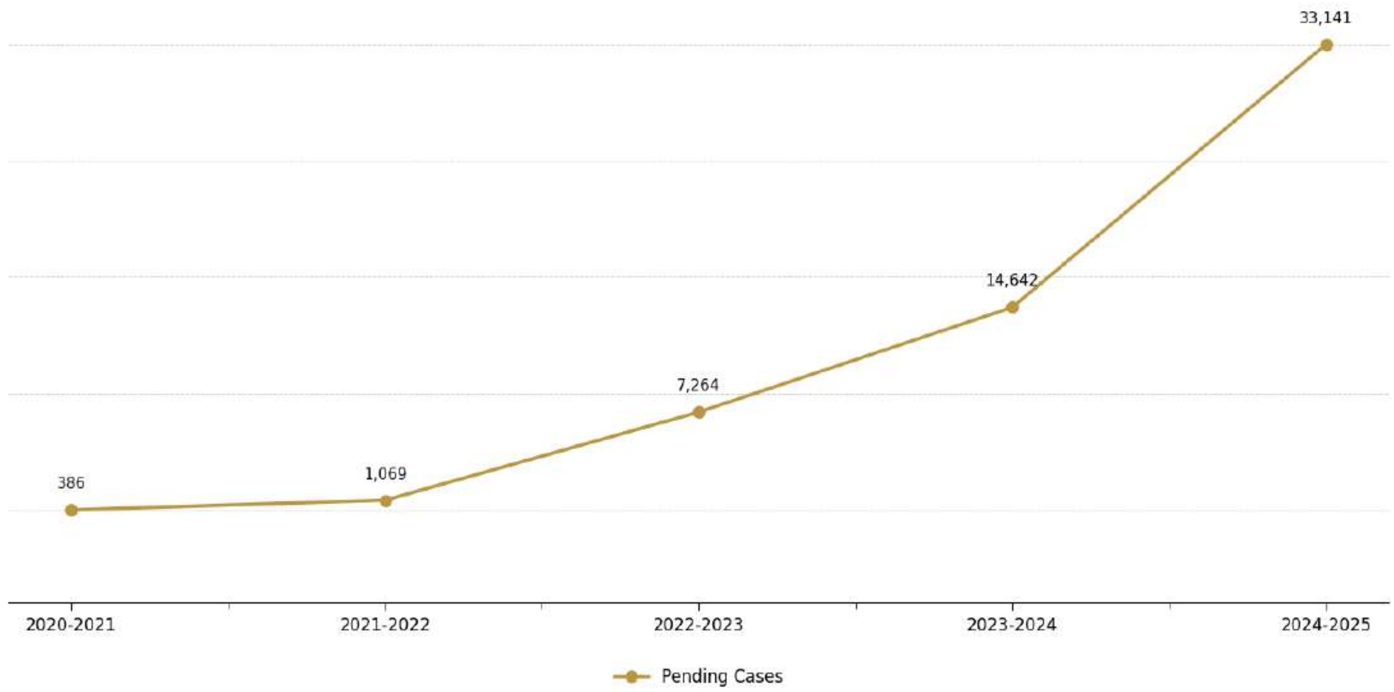


Figure 2.4.40: Trends of Pending cases, SCC

Majority of the cases pending in the Court are commercial cases which include breach of contracts and debt recoveries as shown in Figure 2.4.41

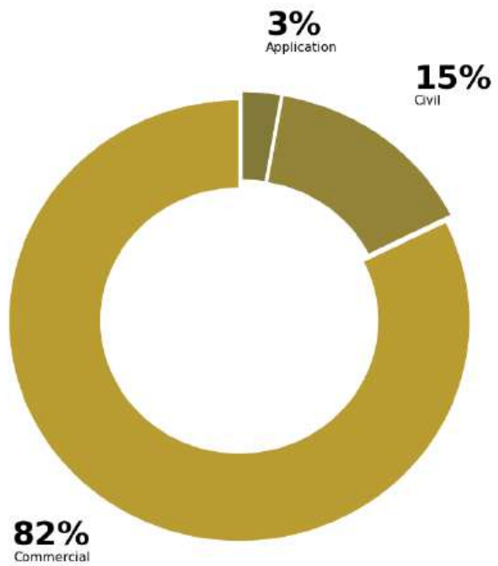


Figure 2.4.41: Pending cases by type, SCC

2.4.19. Court Annexed Mediation

Since its introduction in 2016, Court Annexed Mediation (CAM) has been implemented across the Judiciary. During the reporting period, CAM was adopted in 94 court stations across different court ranks throughout the country.

Referred and Concluded matters

During the reporting period, 9,843 cases were referred to CAM, marking a 50 per cent increase from the previous year's 6,573 referrals. In the same period, 8,828 cases were concluded, resulting in a conclusion rate of 90 per cent. Table 2.4.9 shows the distribution of referred and concluded matters across the court ranks

Table 2.4.9: CAM Cases per Court Rank

Court Type	Referred matters	Concluded matters	Conclusion rate
Court of Appeal	3	2	67%
High Court	1061	936	88%
ELRC	115	82	71%
ELC	716	469	66%
Magistrate Court	7712	7150	93%
Small Claims Court	137	128	93%
Kadhi Court	54	34	63%
Tribunals	25	15	60%
All Courts	9,823	8,816	90%

Settlement Agreements in CAM

A settlement agreement is a written and signed document that emerges from a mediation process, encompassing both full and partial agreements. A full agreement occurs when the parties successfully resolve all disputed issues. Partial agreement arises when the parties reach a consensus on some issues, while any remaining disputes are referred back to the trial court for resolution.

Out of all the concluded matters in CAM, 4,566 cases had settlement agreements. This represented a settlement agreement rate of 61 per cent. Furthermore, 4,566 cases had full agreements,785 had partial agreements and 67 consents were recorded. Figure 2.4.42 shows the proportion of agreements by mode of settlement.

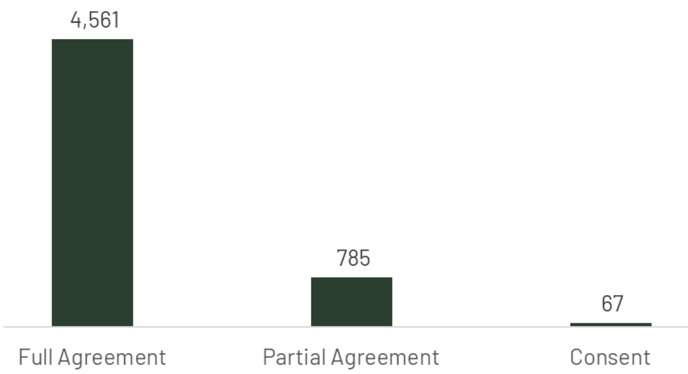


Figure 2.4.42: proportion of CAM agreements by mode of settlement

Non-Settled matters

Non-settlement occurs when the parties are unable to resolve any of the issues in dispute, resulting in the entire case being referred back to the trial court for determination. This situation can arise from three scenarios: the absence of an agreement, non-compliance with the mediator's directions, or termination due to a technicality. There were 3,403 non-settled matters, comprising 2,467 cases with no agreements, 581 due to non-compliance, and 355 that were terminated. Figure 2.4.43 shows the distribution of non-settlements in the period under review.

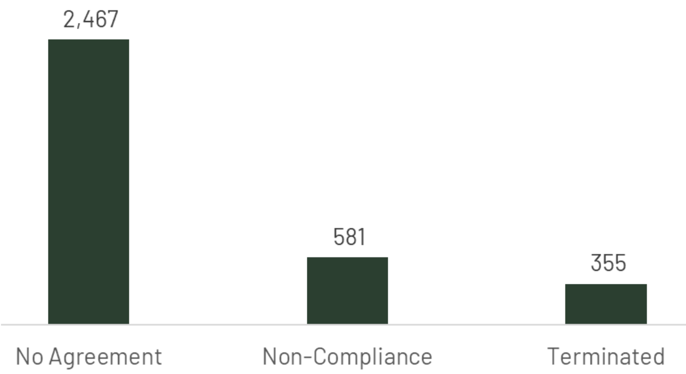


Figure 2.4.43: Distribution of Non-settlements in CAM

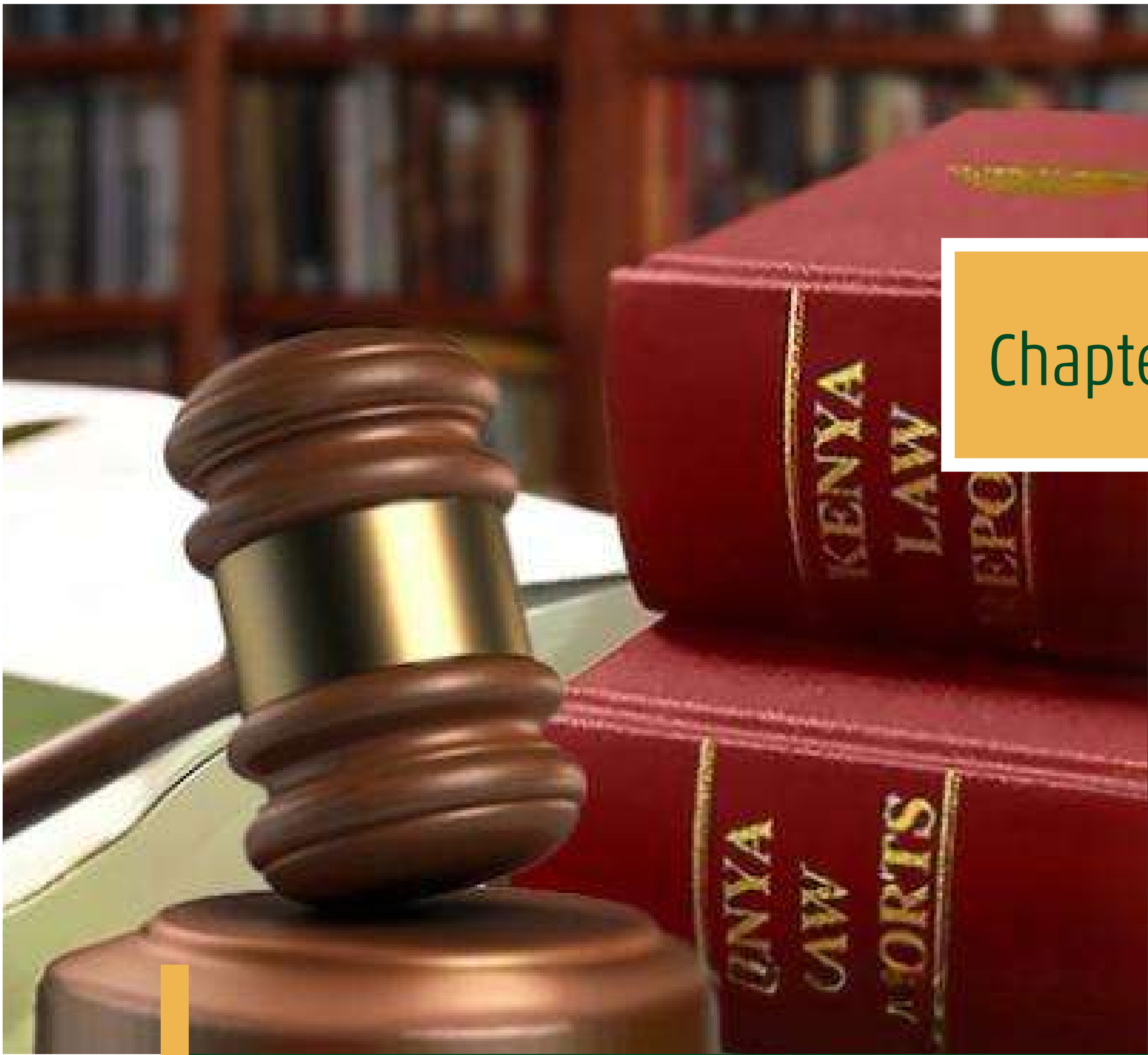
Table 2.4.10: Value of matters referred, agreed

Court Type	Total Value of Referred matters (KSh)	Total value of settlement agreements (KSh)
Court of Appeal	-	-
High Court	46,088,681,706	18,765,372,298
Employment and Labour Relations Court	232601943.2	63643335.9
Environment and Land Court	6338864768	429176623.2
Magistrate Court	10,022,354,200	7,305,084,472
Small Claims Court	69,950,250	30,228,152
Kadhi Court	83,614,060	0
Tribunals	691,195,733	0
All Courts	**63,527,262,660**	**26,593,504,881**

Monetary value of cases Referred and Settled in CAM

During the reporting period, the total monetary value of cases referred to mediation amounted to Ksh 63.53 billion. As shown in Table 2.4.10, approximately Ksh 26.5 billion of these cases were successfully settled


THE SUPREME COURT OF KENYA



Chapter 3

Jurisprudence

INTRODUCTION

The Judiciary continues to discharge its constitutional mandate as the independent organ entrusted with the administration of justice, the promotion of social justice, and the protection of the rule of law. Vested with judicial authority under Article 159 of the Constitution, the courts serve as the forum through which disputes are resolved, rights are enforced, and constitutional values are actualised.

During the reporting period, courts at all levels demonstrated commitment to the transformative promise of the Constitution. Through their decisions, the courts and tribunals interpreted and applied the law across diverse fields including environmental justice, succession, public finance, land rights, among many others.

The jurisprudence emerging during the year under review reflects a maturing constitutional culture, with courts grappling with evolving societal challenges and balancing competing interests in a principled and rights-based manner. Decisions rendered during the year also demonstrate a steady deepening of constitutional interpretation, with the courts and tribunals rendering landmark judgments that not only resolved individual disputes, but also contributed to institutional development and good governance.

This chapter highlights key judicial decisions that underscore the Judiciary's transformative role in society. In addition, it documents the growing body of *demosprudence*, the jurisprudence that emerges from the dialogue between formal courts and community-based justice systems. This reflects the Judiciary's commitment to a people-centered justice approach through the promotion of Alternative Justice Systems (AJS) and other non-formal mechanisms, as required under Article 159(2)(c) of the Constitution.

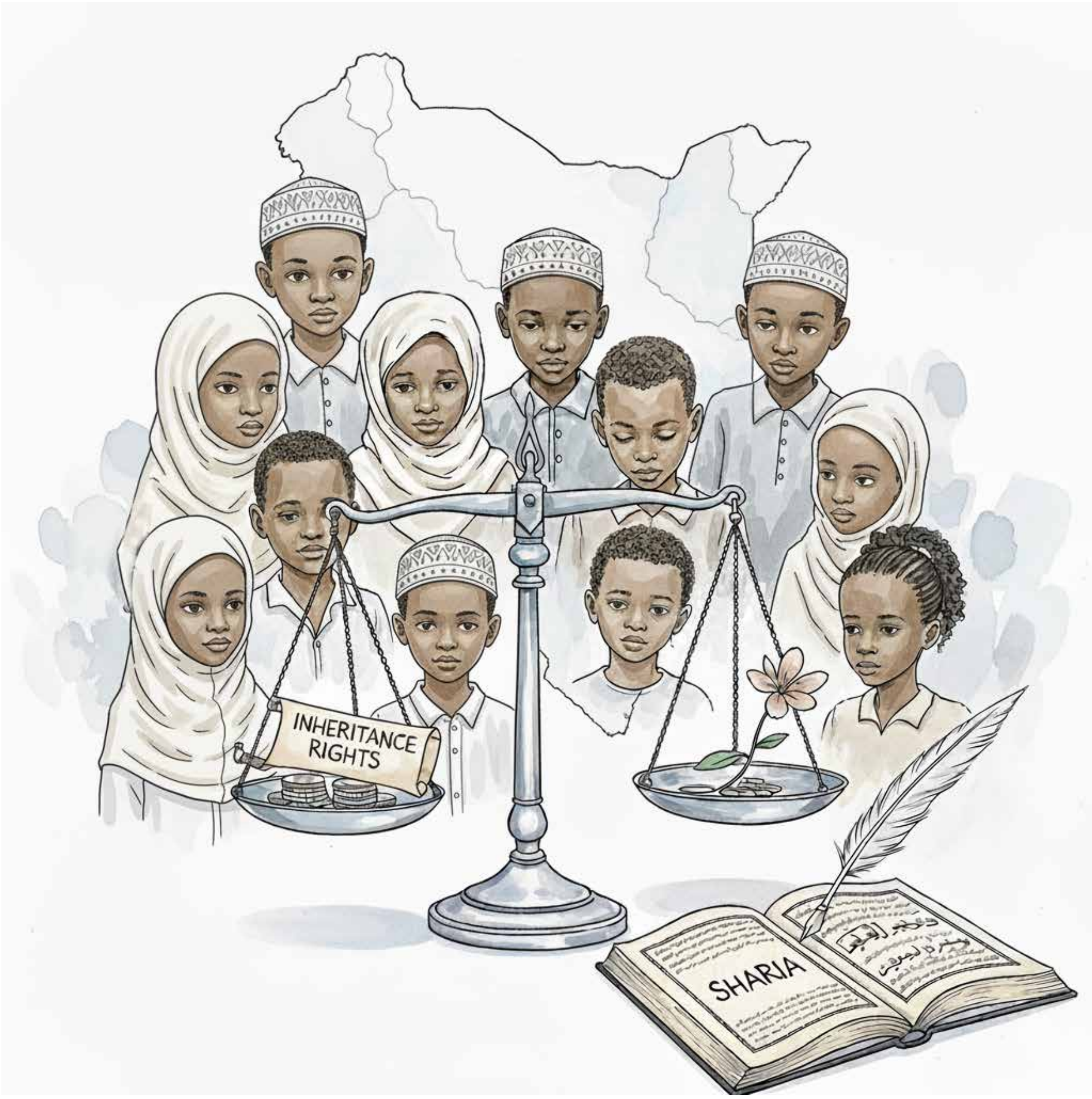
3.1. JURISPRUDENCE FROM THE SUPERIOR COURTS

3.1.1. Supreme Court

In the year under review, the Supreme Court rendered decisions that settled the law on critical questions of constitutional interpretation and matters of general public importance. These included matters touching on children's inheritance rights under Muslim law, the evidentiary value of title deeds in land ownership disputes, the scope of environmental protection obligations of state organs, the scope of the Senate's legislative mandate, the constitutional standards for public participation in the legislative process, and the distinction between mandatory and minimum sentences in criminal law.

The Right of Children Born Out of Wedlock to Inherit Under Muslim Law

FAAF v RFM & 2 others (Petition E035 of 2023) [2025] KESC 45 (KLR)



Brief facts

The dispute arose from the question of whether children born out of wedlock to a Muslim father can inherit under Muslim law from their deceased father. Article 24(4) of the Constitution allows the application of Islamic law in matters of personal status, marriage, divorce, and inheritance for parties who profess the Islamic faith.

The deceased and the appellant celebrated an Islamic marriage and were subsequently, blessed with four children. Thereafter, the deceased commenced cohabitation with the 1st respondent and were blessed with three children during the course of their cohabitation. It is after the birth of the three children that the deceased and the 1st respondent got married under Islamic law. Similarly, the deceased also cohabited with the 3rd respondent and later celebrated an Islamic marriage with her. Less than six months after the deceased's marriage with the 3rd respondent, they were blessed with a son.

Following the demise of the deceased, a dispute arose as to whether the 1st and 3rd respondents' children were entitled to inherit from the deceased under Muslim law. In particular, the appellant claimed that the 1st respondent's children were born prior to the celebration of her Islamic marriage with the deceased. Therefore, under Muslim law, the said children are considered illegitimate and incapable of inheriting from the deceased who professed the Islamic faith at the time of his death.

Additionally, the appellant argued that the same position applied to the 3rd respondent's son, as though he was born a few months after her alleged Islamic marriage to the deceased, the appellant alleged that the 3rd respondent's Islamic marriage to the deceased was a nullity. There was no dispute concerning the appellant's children since they were born within her Islamic marriage with the deceased.

The High Court held that the applicable law to the deceased's estate was Muslim law, as long as it was not repugnant to justice and morality, since the deceased was a Muslim at the time of his demise.

The High Court further held that where a Muslim man during his lifetime sires a child out of wedlock, such a child should be treated as a dependant and/or beneficiary to his estate. The High Court found that such a child should not be prejudiced because of his/her parents' choices and the consequences thereof. The Court of Appeal also found that denying children born out of wedlock the right to inherit, while allowing those born within a marriage to benefit, would constitute unjustifiable and unfair discrimination contrary to Article 27 and 53 of the Constitution. As a result, the appellate court found that the 1st and 3rd respondents' children were entitled to benefit from the deceased's estate.

Issues

i. Whether the Court of Appeal improperly limited the application of Article 24(4) of the Constitution, and in doing so, misconstrued the relationship between Articles 24(4), 27 and 53 of the Constitution.
ii. Whether the Court of Appeal failed to give effect to the mandatory application of Muslim Law as provided under Section 2(3) of the Law of Succession Act.

Holding

1. Article 24(4) of the Constitution demands the application of the proportionality principle, meaning that any Muslim law that

departs from the Constitution's guarantee of equality must be strictly limited in scope, reasonable in its purpose, justifiable within a democratic society, and genuinely necessary to achieve a legitimate aim.

2. Article 24(4) of the Constitution must be read in harmony with other provisions, such as articles 21 (3) and 53 of the Constitution. In cases involving the welfare of children touching on religious laws, doctrines, teachings, rules, or tenets, the paramount consideration by the court must be the protection of the welfare and best interests of the child, taking into account the specific circumstances of each case.

3. All laws, including religious or customary law, must be interpreted and applied through the lens of the Bill of Rights. Where the law applicable to a dispute did not yield an outcome consistent with those values and rights, the courts must integrate the normative content of the Bill of Rights into the interpretation and application of that law. In doing so, the law was transformed and applied in a manner that promoted the Constitution's transformative vision.

4. Where a Muslim man during his lifetime sires a child out of wedlock, such a child should be treated as a dependant and/or beneficiary to his estate. Such a child should not be prejudiced because of his/her parents' choices and the consequences thereof.

The petition was allowed. The matter was remitted to the High Court at Mombasa for determination of respective entitlements of the beneficiaries.

Title Deeds are Prima Facie Evidence but Not Conclusive Proof of Land Ownership

Harcharan Sehmi & another v Tarabana Company Limited & 5 others, Petition E033 of 2023; [2025] KESC 21 (KLR)

Brief Facts

The appellants were registered leasehold proprietors of land in Nairobi acquired in 1968. Before the lease expired in 2001, they applied for renewal but received no formal response. In 2009, the Government allocated the same land to the 2nd respondent, who later transferred it to the 1st respondent. The appellants remained in possession until their eviction in 2014. They filed a suit before the Environment and Land Court, which nullified the respondents' titles and reinstated the appellants as owners. However, the Court of Appeal reversed the ELC's judgment, holding that the 1st respondent was a *bona fide* purchaser. The Supreme Court considered whether such a purchaser's title could withstand an illegal allocation and addressed the doctrine of legitimate expectation in lease renewals.

Issues

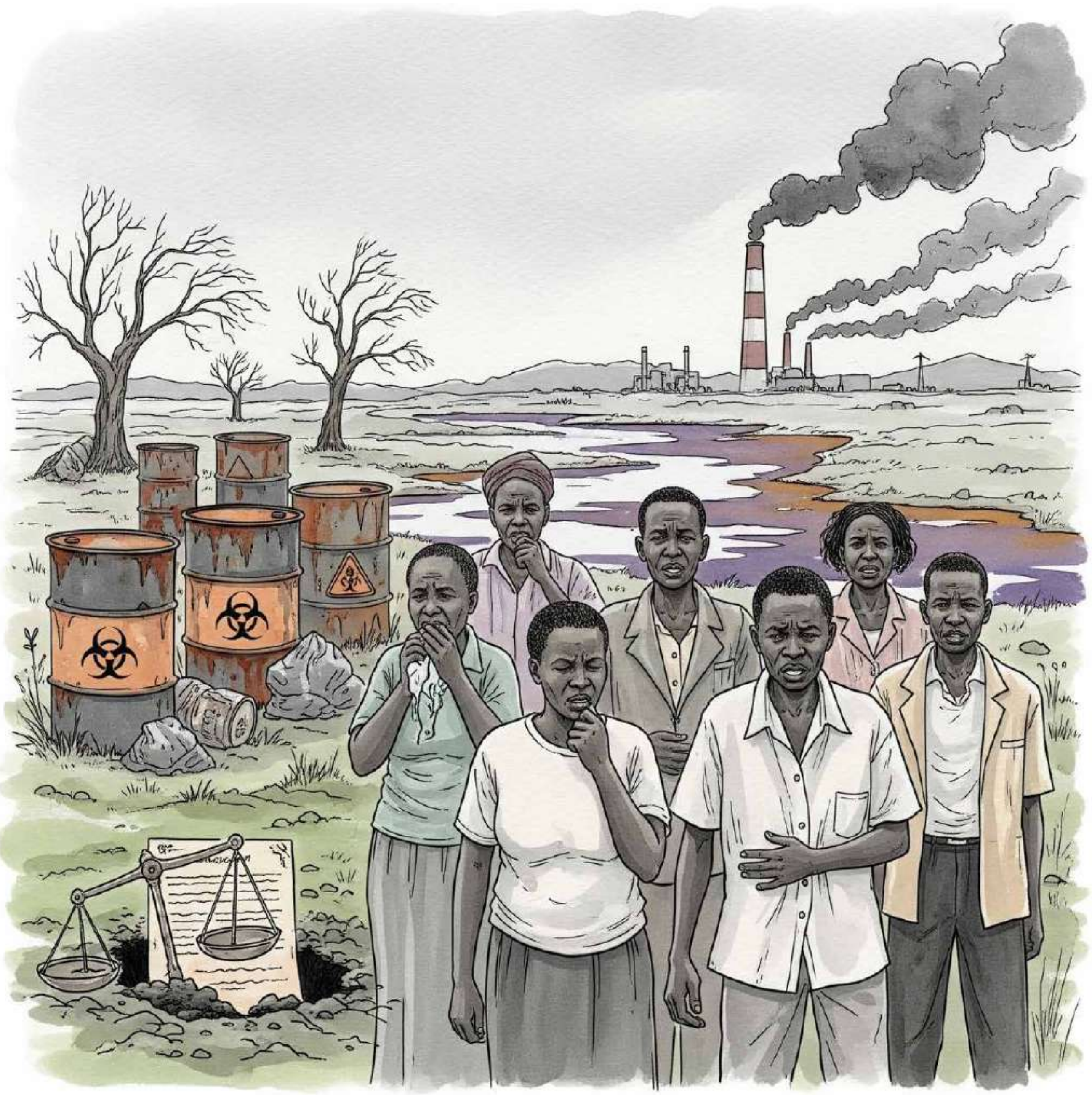
i. Whether the concept of indefeasibility of title under Section 23 of the repealed Registration of Titles Act was similarly applicable under Section 26 of the Land Registration Act.
ii. Whether a certificate of title is conclusive or *prima facie* evidence of ownership.
iii. The meaning, scope, and applicability of the doctrine of *bona fide* purchaser for value without notice.
iv. Whether a legitimate expectation arises in the context of lease renewal over public land.

Holding

1. Under the repealed Registration of Titles Act, title was conclusive evidence of ownership. On the other hand, under the Land Registration Act, a certificate of title is only *prima facie* evidence of ownership and can be challenged for fraud, misrepresentation, or illegality.
2. A *bona fide* purchaser must prove (i) innocence, (ii) payment of value, and (iii) acquisition of a legal estate. The doctrine protects purchasers against prior *equitable* interests, not illegal titles. It does not shield purchasers of illegally or irregularly allocated public land titles.
3. A title obtained through illegal or procedurally flawed processes is void. Such a title cannot confer valid ownership or attract equity's protection, even where the purchaser lacked knowledge of the illegality.
4. An original allottee of leasehold public land remains a lessee, not an owner. The estate subsists until expiry, after which the land reverts to the Government. Any subsequent allotment must follow lawful procedures.
5. The appellants had a legitimate expectation of renewal based on their application, occupation, and past renewals granted to others. A legitimate expectation arises when (i) there is a clear promise by a competent authority, (ii) the expectation is reasonable, and (iii) it is not contrary to law. The Government failed to consider or respond to their application, thus breaching procedural fairness.
6. The Court cautioned that recognising pre-emptive rights over public land leases could improperly convert leases into permanent ownership. A legitimate expectation gives a right to fair consideration, not automatic entitlement to renewal.

The petition was allowed.

Constitutional and Legal Obligations on State Organs to Ensure the Protection of the Environment



Export Processing Zone Authority & 10 others (Suing on their own behalf and on behalf of all residents of Owino-Uhuru Village in Mikindani, Changamwe Area, Mombasa) v National Environment Management Authority & 3 others, (Petition E021 of 2023) [2024] KESC 75 (KLR)

Brief facts

The case concerned the environmental impact of a lead-acid battery recycling factory operated by Metal Refinery (EPZ) Limited in Owino-Uhuru Village, Mombasa County. The residents alleged that toxic waste from the factory led to severe health problems, including lead poisoning and multiple deaths. The National Environment Management Authority (NEMA) had initially issued an Environmental Impact Assessment (EIA) license to the factory. However, despite concerns about pollution, NEMA failed to enforce necessary environmental safeguards. Instead of halting the operations, NEMA allowed Metal Refinery to conduct "test runs" to assess the environmental impact of its discharges. The Environment and Land Court (ELC) found that NEMA, along with other state agencies, failed to uphold environmental protections, leading to the factory's continued operations despite clear environmental harm. The ELC awarded damages amounting to KSh 1.3 billion for loss of life and personal injury and KSh 700 million for environmental restoration.

On appeal, the Court of Appeal modified the allocation of liability and revising the award of damages. The matter was further appealed to the Supreme Court, which examined whether NEMA had the legal authority to permit "test runs" and whether the Court of Appeal correctly assessed liability and damages.

Issues

i. When can the State and its organs and agencies be held responsible for the actions of private persons.
ii. Whether the Court of Appeal erred in its interpretation of Article 23 of the Constitution, specifically the available remedies once a Court has determined that there were violations of rights.
iii. Whether the Court of Appeal erred in reversing the ELC's award on damages and remitting the matter back to the ELC for re-assessment of the award of damages.
iv. What was the difference between a representative suit and a class action suit?
v. Whether the appellants were entitled to the reliefs sought.

Holding

1. Articles 69 and 260 of the Constitution impose a duty on all State organs to ensure respect for the environment. In addition, Section 23 (c) of the Export Processing Zone Act imposed a specific and clear obligation on the Export Processing Zones Authority to ensure that the environment was protected.

2. The constitutional provision on the enforcement of the right to a clean and healthy environment is largely based on the Polluter Pays Principle. Those provisions gave extensive powers to the court to compel the government or any public agency to take restorative measures, to provide compensation to any victim of pollution, and to compensate the costs borne by victims for the lost use of natural resources as a result of an act of pollution. In addition to the Polluter Pays Principle, there was also the precautionary principle which directly impacted on environmental liability. The precautionary principle marked a shift from post-damage control (civil liability as a curative tool) to the level of pre-damage control (anticipatory measures of risk).

3. The infringement in this case was not static but a continuous violation. Therefore, although the infringements began before 2010, the provisions of the Constitution were nevertheless applicable to the circumstances of the case given that the acts complained about were continuous.

4. Under the provisions of Article 70(3) of the Constitution, an applicant does not have to demonstrate that he / she has incurred loss or suffered injury to justify award of remedies. Even in the absence of clear evidence to quantify the damage caused by the breach, courts may still award remedies based on the principle that the violation of constitutional rights itself warrants redress.

5. The difference between a representative suit and a class action suit was that a representative suit was opt-in in nature; parties instituting a representative suit were required to give notice of the suit to all persons with the same interest. A class action related to proceedings in which an individual or a group of people with a common complaint lodged a legal challenge in court against an organisation or an individual on behalf of a larger group or class of people. If successful, all consumers aggrieved stood to get compensated.

6. The court's ability to grant a remedy, including compensation, was however limited by certain principles, including the enforceability and appropriateness of the remedy, and it cannot also grant a remedy at large. The identity of the persons represented in the suit ought to be reasonably ascertainable. Courts could not issue vague or unenforceable orders, and the identities of the represented individuals were crucial in determining the scope and amount of compensation. Without clarity on who was represented, it would be difficult for the court to fashion an enforceable order. Compensation in class action and representative suits hinged on defining the class or group represented. Once the group was clearly identified, the court could tailor the remedy to ensure that it was appropriate, specific, effective and enforceable for the affected parties.

7. The ELC arrived at the correct amount in terms of compensation for personal injury and loss of life; the amount was neither excessive nor did the court consider an irrelevant factor. The Court of Appeal had arrived at the wrong conclusion in its finding that the persons were not identifiable. The sum of Ksh 1.3 billion issued by the trial court on account of general damages for loss of life and personal injury was not only for the benefit of the 2nd to 11th appellants but for the 450 households and residents of Owino Uhuru Village which encompassed an approximate 13.5 acres.

Appeal partly allowed. The Court affirmed the award of damages for environmental damage by the ELC and remitted the matter to ELC Mombasa to monitor compliance with restoration orders.

Scope of the Senate's Participation in Law-Making

Senate & 3 others v Speaker of the National Assembly & 10 Others, Petition No. 19 (E027) of 2021[2025] KESC 11 (KLR)

Brief facts

The Senate challenged the enactment of 23 Acts of Parliament passed by the National Assembly between 2018 and 2021 without the involvement of the Senate. They contended that the Speaker of the National Assembly had unconstitutionally excluded the Senate from the legislative process in contravention of Articles 96, 110(3), and 112 of the Constitution. The Senate argued that the Acts touched on county functions and, as such, required the Senate's input as part of the bicameral legislative process. The National Assembly, through its Speaker and the Attorney General, opposed the petition, asserting that the Speaker had discretion to determine whether a Bill concerned counties and that not all laws required Senate participation.

In addition, the National Assembly counter-appealed against the finding by the Court of Appeal that the Parliamentary Service Act, 2019 was unconstitutional on the ground that the question of the constitutionality of that statute arose for the first time at the Court of Appeal, and had not been determined by the High Court.

Issues

i. Whether the Constitution provides for the participation of the Senate in the consideration and enactment of a Money Bill;
ii. Whether it is mandatory for every Bill published by either House of Parliament to undergo the joint concurrence process under Article 110(3);
iii. Whether the 23 Acts passed without Senate involvement were unconstitutional and invalid.

Holding

1. A holistic reading of the relevant constitutional provisions reveals that the Constitution expressly excludes the Senate from participating in the consideration and enactment of Money Bills. This position is affirmed by the exclusion of Article 114 of the Constitution, which addresses the legislative process of enacting money bills, from the scope of Article 96(2) which calibrates the Senate's role in the passage of Bills. Therefore, once a Bill is classified as a Money Bill, the Senate lacks the authority to introduce or deliberate on it.

2. Article 110(3) of the Constitution provides that the Speakers of the National Assembly and the Senate "*shall jointly resolve any question as to whether a Bill concerns counties.*" This means that a joint determination is only required when there is uncertainty or disagreement about the nature of the Bill. If both Speakers independently agree on the classification, there is no need to invoke the joint resolution process. The provision anticipates that questions may arise in some cases, but it also presupposes that such a question must first exist before the mechanism for joint resolution is triggered. Therefore, the joint resolution process is intended as a dispute-resolution mechanism, not a mandatory step for all Bills.

3. The obligations under Article 110(3) of the Constitution must be fulfilled in a way that fosters legislative harmony and cooperation

between the two Houses of Parliament. A purposive reading of Article 110(3) leads to the conclusion that determining whether a Bill concerns county government, and its proper classification, can only happen if both Speakers, who are central to the concurrence process, are fully informed of all Bills introduced in either House. This calls for a proactive and transparent approach. Each Speaker must notify the other when a Bill is introduced, including the position taken on whether the Bill concerns counties. This is especially important in cases where there is a likelihood of a dispute arising, even if no formal disagreement has yet occurred. Such an approach promotes institutional dialogue, prevents procedural breakdowns, and reduces the risk of a Bill being invalidated later in the legislative process.

4. The Court found that 19 of the 23 challenged Acts did not require the involvement of the Senate and were thus validly enacted. However, it held that three Acts did require Senate participation and were therefore enacted unconstitutionally. These are:

a. The Equalization Fund Appropriation Act, No. 3 of 2018;
b. The Sacco Societies (Amendment) Act, No. 16 of 2018; and,
c. The amendments to Sections 3 and 4 of the Kenya Medical Supplies Authority Act introduced by the Health Laws (Amendment) Act, No. 5 of 2019.

5. The Court suspended the declaration of invalidity of the Sacco Societies (Amendment) Act, 2018 for a period of 18 months from the date of the judgment to allow for its proper re-enactment in accordance with the Constitution.

6. The Court reversed the Court of Appeal's finding that the Parliamentary Service Act, 2019 was unconstitutional given that the question of unconstitutionality of this statute was neither raised before nor determined by the High Court.

Appeal dismissed. Counter appeal on the constitutionality of the Parliamentary Service Act, 2019 allowed.

The Legal Threshold for Public Participation in the Legislative Process and the Constitutional Validity of Amendments Introduced through the Finance Act, 2023

Cabinet Secretary for the National Treasury and Planning & 4 Others v Okoiti & 52 Others; Bhatia (Amicus Curiae), Consolidated Petitions Nos. E031, E032 & E033 of 2024, [2024] KESC 63 (KLR)

Brief facts

The Finance Act, 2023 introduced significant tax reforms, including changes to income tax rates, adjustments to excise duties and introduction of a housing levy, sparking legal challenges in the High Court. Petitioners argued that parts of the Act violated public participation requirements, lacked justification for legislative decisions, and were enacted unconstitutionally without proper revenue estimates or concurrence by the two Houses.

The High Court upheld most provisions of the Act but invalidated the housing levy for lacking a legal framework and violating equality principles. It also nullified amendments to the Kenya Roads Act and Unclaimed Financial Assets Act, deeming them unrelated to a Money Bill.

The Court of Appeal declared the entire Finance Act, 2023 unconstitutional. It ruled that significant post-public participation amendments required further public consultation and criticised the National Assembly for failing to justify its decisions. Additionally, it found the Appropriations Bill lacked the required revenue and expenditure estimates. The Court did not render a determination on the housing levy's constitutionality since a new Affordable Housing Act had addressed it, rendering the issue moot.

Issues

i. Whether amendments made after the public participation process require renewed public consultation.

ii. Whether Parliament is obligated to provide justification for amendments made after public participation.

iii. Whether the housing levy and other provisions were validly enacted into law.

Holding

1. The issue of the constitutionality of housing levy was moot, as it had been overtaken by the enactment of the Affordable Housing Act, 2024. Hence, the Court, like the Court of Appeal, did not pronounce itself on the issue.

2. The amendments to the Kenya Roads Act and the Unclaimed Financial Assets Act were unconstitutional. They were unrelated to the definition of a Money Bill and were improperly included in the Finance Act, contrary to Article 114 of the Constitution.

3. The substantive amendments introduced after public participation must undergo a fresh round of public consultation if they were not informed by prior public input. However, technical or minor amendments do not require a new participation process. In addition, given the 61-day timeline for passing a Finance Bill, it is untenable to require or subject amendments intended to give effect to proposals and suggestions from a public participation exercise to another fresh round of public participation.

4. Parliament is not constitutionally required to provide reasons for accepting or rejecting public submissions. Nonetheless, it must

adopt reasonable measures to document and consider public views. The National Assembly's Departmental Committee on Finance had adequately reported on and responded to public views in its report on the Finance Bill.

5. Revenue estimates are not a component of the Appropriations Act and the court therefore upheld the legislative process regarding the 2023/2024 budget.

6. Courts should generally defer to Parliament on policy matters. However, the High Court retains residual jurisdiction under Article 165 to determine the constitutionality of any law, policy, or decision.

In addition, the Supreme Court recommended to Parliament as follows:

i. Establish a legislative framework to standardise and regulate the process of public participation.
ii. All versions of Bills, at every stage of the legislative process, should be made accessible to the public for review and scrutiny.
iii. Adopt reasonable measures to ensure meaningful consideration of public proposals, views, and comments during law-making processes.

Conceptual distinction between minimum and mandatory sentences

Republic vs Mwangi; Initiative for Strategic Litigation in Africa (ISLA) & 3 Others (Amicus Curiae) (Petition E018 of 2023) [2024] KESC 34 (KLR)

Brief Facts

The respondent was charged with the offence of defilement contrary to Section 8(1) as read with Section 8(3) of the Sexual Offences Act. He was also charged with the alternative count of committing an indecent act with a child contrary to Section 11(1) of the Sexual Offences Act. The Senior Principal Magistrate, Karatina found the respondent guilty of the main count of defilement and sentenced him to serve 20 years imprisonment as per Section 8(3) of the Sexual Offences Act.

On appeal, the High Court held that the conviction was safe as the key elements of the offence, that is penetration, that the victim was a child and the positive identification of the perpetrator, were proven satisfactorily. Further, the High Court held that the Trial Court indeed considered the respondent's defence, which defence, in any event, did not displace the prosecution's case. Consequently, the Court upheld it stating that the same was proper in view of the seriousness of the offences and the age of the victim at the time of the offence and the provisions of Section 8(3) of the Sexual Offences Act, to wit, that the sentence, upon conviction, is not less than 20 years.

Unrelenting, the respondent lodged an appeal at the Court of Appeal on the principal basis that the sentence of 20 years was harsh and excessive. The Court of Appeal held that the rationale in the case of *Muruatetu & Another vs Republic; Katiba Institute & 5 Others (Amicus Curiae) (Petition 15 & 16 of 2015)*

(Consolidated) [2017] KESC 2 KLR was applicable mutatis mutandis to mandatory sentences under the Sexual Offences Act. Consequently, the Court of Appeal held that a mandatory sentence for a sexual offence violates an accused person's right to fair trial and dignity and substituted the 20-year sentence with a 15-year sentence.

Aggrieved, the Director of Public Prosecutions lodged an appeal before the Supreme Court on the basis that the Court of Appeal acted without jurisdiction and violated the doctrine of stare decisis.

Issues

I. Whether the Court of Appeal assumed original jurisdiction on constitutional matters not raised at the High Court, hence acted ultra vires and without jurisdiction.

II. Whether the Court of Appeal's determination and application of the *Muruatetu* Case and *Muruatetu* Directions on mandatory sentences was a violation of the doctrine of *Stare Decisis.*

III. Whether mandatory sentences are conceptually different from minimum sentences.

IV. Whether courts had discretion to impose sentences below the minimum mandatory sentences as prescribed by the Sexual Offences Act.

Holding

1. To the extent that the Court of Appeal handled the issue of the unconstitutionality of the sentence imposed, it acted in excess of its appellate jurisdiction under Article 164(3) of the Constitution since this was not an issue before the High Court and neither was it an issue before the Court of Appeal.

2. Article 163(7) of the Constitution elevates the principle of *stare decisis* to a constitutional dictate so that the decisions of the Supreme Court are binding on all courts in Kenya and these courts cannot depart from the said decisions.

3. The Court of Appeal violated the principle of *stare decisis* in applying the rationale in the Murutatetu Case despite the clear guidance issued by the Supreme Court in *Muruatetu & Another vs Republic; Katiba Institute & 4 Others (Amicus Curiae) (Petition 15 & 16 of 2015) [2021] KESC 31 (KLR)* that the Muruatetu Case did not invalidate the mandatory sentences or minimum sentences in the Penal Code, the Sexual Offences Act or any other statute.

4. The term 'minimum mandatory' is inapplicable in Kenya since the two terms 'minimum sentences' and 'mandatory sentences' refer to distinct and different concepts. While 'mandatory sentences' are compulsory and must be issued as set out in statute, 'minimum sentences' set the floor, as opposed to the ceiling.

5. Before a declaration of unconstitutionality is made, there must be a specific plea that a section or sections of a statute or a statute are unconstitutional. This plea is then compared and tested against the edicts of the Constitution. A declaration of unconstitutionality may then be made based on the outcome of the exercise and the declaration of unconstitutionality ought to be accompanied by reasons.

6. While Courts exercise discretion when meting out the appropriate sentences, it is Parliament that legislates, that is, it sets the parameters of sentencing for each crime in statute.

Appeal allowed.

3.1.2. Court of Appeal

The Court of Appeal continued to play a central role in clarifying the law in appeals from the High Court, the ELC and the ELRC. In the year under review, the Court addressed diverse questions spanning limits of testamentary freedom in succession law, exhaustion of administrative remedies before pursuing administrative justice in courts, the scope of the Salaries and Remuneration Commission's mandate in setting public remuneration, the mandate of the Council of Legal Education, and the delineation of the place of local tribunals within the judicial system.

Limits of Testamentary Freedom to Uphold a Married Daughters' Right to Reasonable Provision Under Section 26 of the Law of Succession Act

Dadhialla v Chaudri (Sued as Executor of the Estate of Gurdip Kaur Sagoo) & 2 others (Civil Appeal E309 of 2021) [2025] KECA 728 (KLR))

Brief Facts

The appellant, a biological daughter of the deceased, filed an application under Section 26 of the Law of Succession Act seeking reasonable provision from her mother's estate. The deceased's will had excluded her, while providing for her daughters-in-law. The respondents, including the executor of the estate, argued that the appellant had already received substantial *inter vivos* gifts (allegedly totalling over Ksh 143 million) and that her exclusion was consistent with cultural and testamentary intent, reflecting her father's prior will. The High Court dismissed her application. She appealed challenging the trial court's reasoning and findings.

Issue

Whether the High Court erred in declining to make reasonable provision for the appellant under section 26 of the Law of Succession Act.

Holding

i. The Court acknowledged the appellant as a dependant under section 29(a) of the Law of Succession Act and held that she need not prove financial need to qualify.
ii. It rejected the High Court's inference that the appellant's father's will dictated her mother's testamentary decisions, stating that each will must stand on its own.
iii. While testamentary freedom is protected under section 5 of the Act, the Court emphasised that it must be exercised responsibly, especially where a child is excluded without explanation.
iv. The appellant had contested the nature and purpose of the alleged *inter vivos* gifts. The Court found no sufficient evidence proving she had been adequately provided for earlier.
v. The Court noted the vast estate value (Ksh 750 million) and the lack of valuation did not preclude a reasonable award.
vi. It declined to equalise distribution but ordered reasonable provision (Ksh 130 million), considering the circumstances and past benefits.

The Court of Appeal allowed the appeal, holding that the appellant was entitled to reasonable provision of Ksh 130 million from her late mother's estate.

Exhaustion of Administrative Remedies in Wildlife Injury Claims

Kenya Wildlife Service v Kanini (Suing as the Next Friend to Edward Koome), (Civil Appeal 30 of 2020) [2024] KECA 1127 (KLR)

Brief Facts

A minor was bitten by a snake while herding goats on his family's farm near Murerwa National Park. His mother sued the Kenya Wildlife Service (KWS) at the Chief Magistrate's Court in Maua for negligence, claiming the snake had left the park and attacked the child. KWS denied negligence, arguing snakes naturally exist in the area and the injury occurred on private land. KWS also raised a jurisdictional objection, stating that under section 25 of the Wildlife Conservation and Management Act, 2013, the claim ought to have been filed with the County Wildlife Conservation and Compensation Committee and not the courts. The Magistrate's court allowed the claim and awarded the respondent KSh 3 million in general damages. The High Court upheld the judgment, prompting KWS to appeal to the Court of Appeal.

Issue

i. Whether the appellant had led a case that warranted the Court of Appeal to interfere with the judgment of the trial court.

ii. Whether the trial court had jurisdiction to hear and determine the matter.

iii. Whether the trial court awarded excessive damages.

iv. Whether the appeal was merited.

Holding

1. Section 25(1) of the Wildlife Act provides a specialised mechanism for compensation via the County Wildlife Committee, with structured verification and approval by the Cabinet Secretary.
2. Despite the use of the word "may" in the statute, the Court held that this created a mandatory obligation to first use the administrative process before resorting to courts.
3. The Court reaffirmed the exhaustion doctrine and ruled that the internal dispute resolution mechanism under the Act must be strictly followed unless exceptional circumstances exist, which were not shown in this case.
4. The failure to pursue or follow up on the administrative route meant the court lacked jurisdiction.

Appeal allowed. The suit was dismissed with costs. The High Court judgment and the Chief Magistrate's Court award were set aside.

The Scope and Reach of the SRC Mandate Over Public Sector Remuneration in Statutory Bodies

Salaries and Remuneration Commission v Kenya Union Commercial Food and Allied Workers & 2 others (Civil Appeal E489 of 2020), [2025] KECA 402 (KLR)

Brief Facts

The Kenya Union of Commercial Food and Allied Workers filed a petition challenging a 2012 circular issued by the Salaries and Remuneration Commission (SRC) which required public institutions to consult SRC before negotiating or concluding collective bargaining agreements (CBAs). The dispute arose when SRC blocked implementation of a CBA between the union and the National Social Security Fund (NSSF), citing its constitutional mandate under Article 230. The union argued that this infringed on the right to collective bargaining under Articles 36 and 41 of the Constitution. The Employment and Labour Relations Court (ELRC) agreed, holding that SRC had no jurisdiction over NSSF, and that NSSF employees were not public officers.

Issues

i. Whether employees of NSSF were public officers and thus their salaries and emoluments were subject to the jurisdiction of the SRC.

ii. Whether NSSF was a state corporation and therefore a public office within the meaning of the Constitution.

iii. What were the requirements for the salaries and remuneration of employees of a body or organisation to fall within the ambit of the SRC.

Holding

1. NSSF, although self-financing, is a state corporation established under statute,

funded by public contributions, and subject to audit by the Auditor-General.

2. Applying a purposive and harmonised interpretation of Articles 206 and 260 of the Constitution, the Court held that "monies provided by Parliament" includes funds authorised through Acts of Parliament such as the NSSF Act.
3. Employees of state corporations like NSSF, whose salaries are drawn from public funds authorised by statute, are public officers.
4. The ELRC had misinterpreted the Constitution by narrowly construing the term "public funds" to exclude such institutions.
5. SRC's role in advising on and regulating public sector remuneration is binding and applies to all state and public officers, including those in state corporations.

The Court of Appeal allowed the appeal, holding that NSSF is a public office and its employees are public officers whose remuneration falls under SRC's jurisdiction.

The reach of the mandate of the Council of Legal Education and liberalisation of the Advocates Training Programme

Otinga v Cabinet Secretary, Ministry of Education & 3 others (Civil Appeal E625 of 2023) [2025] KECA 460 (KLR)

Brief Facts

The appellant challenged the constitutionality of the Kenya School of Law's (KSL) exclusive provision of the Advocates Training Programme (ATP), arguing that the Council of Legal Education (CLE) had failed in its statutory duty to license other legal education providers. He relied on findings from a 2016 Legal Sector Taskforce Report recommending liberalisation and decentralisation of the ATP due to quality concerns and overcrowding at KSL. The High Court had dismissed the petition, prompting this appeal.

Issues

i. Whether the CLE had failed or refused to fulfil its statutory mandate under the Legal Education Act to develop a regulatory framework and license other institutions to offer the ATP.
ii. Whether section 16 and the Second Schedule to the KSL Act were inconsistent with section 8(3)(c) of the Legal Education Act, thus violating the rule of law, legal certainty, and academic progression.

Holding

1. The Court found that the CLE was under a clear statutory obligation to develop a licensing framework for ATP providers under section 8(3)(a) of the Legal Education Act.
2. Although the CLE argued that no institution had applied for licensing, the Court held that the absence of regulations created a barrier to such applications.
3. The Court also found that the conflicting provisions between the KSL Act and the Legal Education Act created legal uncertainty and violated constitutional principles under Article 10. The Legal Education Act, being more specific and newer legislation governing licensing and regulation of legal education, takes precedence.

The appeal was allowed. The High Court's decision was set aside and replaced with an order granting the reliefs sought in the original petition.

Jurisdiction of Employment and Labour Relations Court to Entertain a Claim Involving a Constitutional Office Holder

Attorney General & Another v Muiu & Another (Civil Appeal E146 of 2021) [2025] KECA 816 (KLR)

Brief Facts

The 1st respondent was appointed as a Commissioner at the National Police Service Commission (NPSC) in 2012 for a six-year term. While on an official benchmarking tour abroad in 2013, he suffered a stroke and was hospitalised. Upon return, he continued receiving treatment and did not report back to duty until his term lapsed in 2018. In 2014, the NPSC directed the stoppage of his salary and medical cover, prompting the 1st respondent to file a constitutional petition at the ELRC. He sought declarations that the stoppage of his remuneration was unconstitutional and in violation of Articles 27, 41, and 250(8) of the Constitution. The ELRC ruled in his favour, finding that the salary stoppage was unlawful and ordered the appellants to pay Ksh 35,145,000 in withheld salary. The appellants appealed to the Court of Appeal.

Issue

Whether the ELRC had jurisdiction to entertain a petition where the terms of employment were underpinned by the Constitution and not the Employment Act.

Holding

1. Commissioners of independent constitutional commissions, such as the 1st respondent, are not governed by ordinary employment law, but by constitutional provisions.
2. The appointment, remuneration, and removal of such officeholders are *sui generis* and outside the scope of Section 12 of the Employment Act.
3. The ELRC had wrongly assumed jurisdiction by entertaining the petition, even though the respondent's contract and remuneration were constitutionally protected under Article 250(8).
4. The ELRC lacked jurisdiction to determine the dispute, as it related to a constitutional office and not a traditional employer-employee relationship governed by the Employment Act.
5. The appropriate forum was the High Court of Kenya under Articles 22, 23, and 165 of the Constitution, not the ELRC.

Appeal allowed. Judgment and decree of the ELRC set aside.

Local Tribunals are Subordinate Courts and Ought to be Under the Judiciary

Attorney General v Okoiti & 3 others (Civil Appeal E416 of 2021) [2025] KECA 309 (KLR)

Brief facts

The petition at the trial court was based on the contention that although local tribunals fell under Article 169(1)(d) of the Constitution, many of them were under the direct control and regulation of the Executive and that infringed on the principle of separation of powers. At the trial court, the 1st respondent sought for, among other orders, a declaration that tribunals were subordinate courts under the Judiciary and that the Judicial Service Commission was exclusively responsible for appointing and removing members of the tribunals, for establishing their rules of procedure, and for doing anything incidental thereto to ensure their smooth operations as courts of law.

The trial court allowed the petition, holding that local tribunals must be transited to the Judiciary and the appointment and removal of their members be undertaken by the Judicial Service Commission. In addition, the court directed the Attorney General and Parliament to take proactive steps within their respective dockets towards ensuring the enactment of the Tribunals Bill with a view of transiting the local tribunals to the Judiciary. Moreover, the court directed the Attorney General to file affidavits within 6 months of the judgment detailing the steps taken to enact the Bill into law. It is this decision that prompted the appeal to the Court of Appeal.

Issues

i. Whether the tribunals contemplated in Article 169(1)(d) of the Constitution ought to be under the Judiciary.
ii. Whether the High Court had jurisdiction to grant an order of structural interdict.

Holding

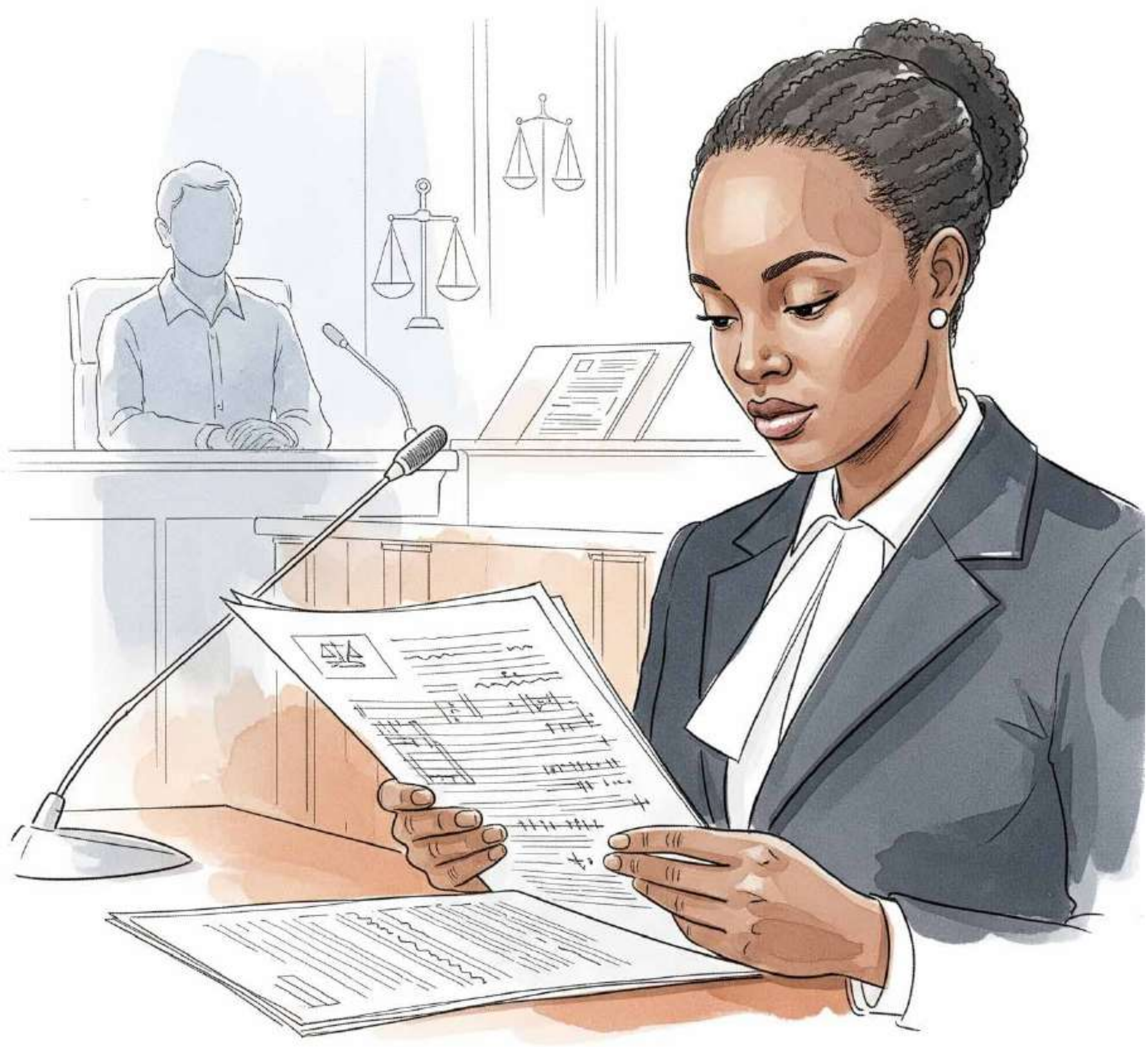
1. Article 169(1)(d) of the Constitution applied to all local tribunals contemplated thereunder whether new or existing. Therefore, local tribunals ought to be under the Judiciary.
2. Article 169(2) of the Constitution did not prescribe timelines within which legislation contemplated thereunder had to be enacted. However, the fact that the Constitution itself enjoined Parliament to enact legislation conferring jurisdiction, functions and powers on subordinate courts established under Article 169(1), was a clear manifestation of the seriousness with which the drafters of the Constitution treated such legislation. For the realisation of the constitutional right to access justice under Article 48 of the Constitution, it was imperative that the enactment of an instrument conferring jurisdiction, functions and powers on subordinate courts be treated with urgency.
3. In the absence of prescribed timelines for enacting legislation pursuant to Article 169(2) of the Constitution, Article 259(8) of the Constitution came into play to compel the enactment of the contemplated legislation to be undertaken within a reasonable timeline. More than 10 years delay in enacting legislation geared towards the realisation of a constitutional right, in the instant case, the right of access to justice, was unreasonable.
4. The High Court had the jurisdiction to ensure that its decision was implemented by way of structural interdicts.

Appeal dismissed with no order as to costs.

3.1.3. High Court

The High Court continued to serve as the engine of constitutional enforcement and the protection of fundamental rights. The Court's decisions addressed far-reaching questions on socio-economic rights, administrative justice, fair trial, and governance, including judgments on the constitutionality of national legislation such as the Affordable Housing Act, the decriminalisation of attempted suicide, and the protection of judicial independence.

Guidelines to be Followed Where Counsel for Victims Wish to Cross-Examine Prosecution Witnesses



Republic v Hassan (Criminal Case E070 of 2023) [2024] KEHC 11684 (KLR) (3 October 2024)

Brief facts

The victim's advocates sought to cross-examine the prosecution witness. This was objected to by the counsel for the accused arguing that only the defence should cross-examine prosecution witnesses and further, that the victims' counsel right of participation was limited to re-examination of witnesses.

That view was shared by the Director of Public Prosecution (DPP) who also argued that the Supreme Court had settled the law on the victims' participation in proceedings and that the role was restricted. Counsel for the victim stated that nothing in the law prevented him from cross-examining a state witness since the Evidence Act provided for only two modes of examination; examination in chief and cross-examination, and therefore, the state having led evidence in chief, the victims' counsel could only cross-examine the witness.

Issues

i. What were the guidelines to be followed where counsel for victims wished to cross-examine prosecution witnesses.
ii. Whether allowing counsel for victims to cross-examine prosecution witnesses without any limitation violated the accused person's right to a fair trial.
iii. What were the guidelines governing a trial court on the participation of a victim in criminal proceedings.

Holding

1. The participation of victims in criminal proceedings must be laid down during the pre-trial conference as a crime was not only an injury against the affected individual(s) but also against society.

2. The guidelines to be followed where counsel for victims wished to cross-examine prosecution witnesses are as follows:
    i. Counsel for the victims must make an application before or during the pre-trial conference indicating the desire to examine witnesses.
    ii. The application shall disclose the specific areas that counsel would like to pursue with the witnesses.
    iii. The application shall state how the intended questions were relevant.
    iv. If allowed by the court, the questions shall be shared with the other parties before examining the witnesses.
    v. If there were any objections, parties shall raise the objections before the witness testified.
    vi. Counsel shall limit the examination to the identified areas.

Application partly allowed.

Constitutionality of the Affordable Housing Act

Benjamin & 4 others v The Cabinet Secretary Lands, Public Works, Housing and Urban Development & 4 others; National Land Commission & 16 others (Interested Parties) (Petition E154, E173, E176, E181, E191 & 11 of 2024 (Consolidated)) [2024] KEHC 13060 (KLR) (Constitutional and Human Rights)

Brief Facts

The consolidated petitions challenged the constitutionality of the Affordable Housing Act that sought to create a framework for affordable and institutional housing. Petitioners argued that several provisions of the Act, including the 1.5% income levy, the delegation of fund management, and the public participation process, violated constitutional rights. The petitioners took issue with the fact that public participation for an Act that was intended to affect all Kenyans was only conducted in 19 counties and not in all the 47 counties. They sought declarations of unconstitutionality, judicial review orders, and the refund of collected levies.

Issues

i. Whether an opportunity was afforded to the public to air their views and adequately participate on the implementation of the

Affordable Housing Act.

ii. Whether in passing national legislation, the National Assembly and Senate were required to conduct public participation in all 47 counties.

Holding

1. Public participation did not necessarily mean that everyone had to express their opinions. Instead, there should be tangible evidence of a purposeful initiative to incorporate a variety of perspectives in the participation programme.
2. The National Assembly and Senate had provided evidence to support their argument that they invited members of the public to take part in the exercise. Although the National Assembly and Senate focused on very targeted and specific stakeholders, it had also given an opportunity to the general public to submit memoranda and attend public stakeholder meetings.
3. There was no requirement in the law that public participation be conducted in all 47 counties.
4. The legislative process, including public participation, had been adequately conducted and the petitioners had failed to demonstrate violations of constitutional rights. Consequently, the court upheld the Act, allowing its full implementation.

The court dismissed the petition.

Criminalising Attempted Suicide is Unconstitutional

Kenya National Commission on Human Rights & 2 others v Attorney General; Director of Public Prosecutions & 3 others (Interested Parties); Law Society of Kenya (Amicus Curiae) (Constitutional Petition E045 of 2022) [2025] KEHC 6 (KLR)

Brief facts

The petitioners contended that section 226 as read with section 36 of the Penal Code, that criminalised attempted suicide, is unconstitutional. The petitioners' case was that section 226 revictimised victims of mental illness which was manifested through attempted suicide. They alleged that the section violated the principle of non-discrimination on the basis of health and disability, the right to human dignity, the right of persons with disabilities, and the rights of the child.

The petitioners asserted further that the provision impeded the right to the highest attainable standard of health as the stigmatisation associated with crime hindered the victims from seeking help hence was an obstacle to the right to equality before the law. The petitioners also contended that individuals who attempted suicide were persons with disabilities arising from mental health issues.

The respondents contended that there had been various attempts to amend the Penal Code. As such, they argued that the High Court lacked jurisdiction over a policy/legislative issue that was before Parliament. The respondent and the 5th and 6th interested parties also argued that the impugned section was crucial to prevent self-harm especially by criminals.

Issues

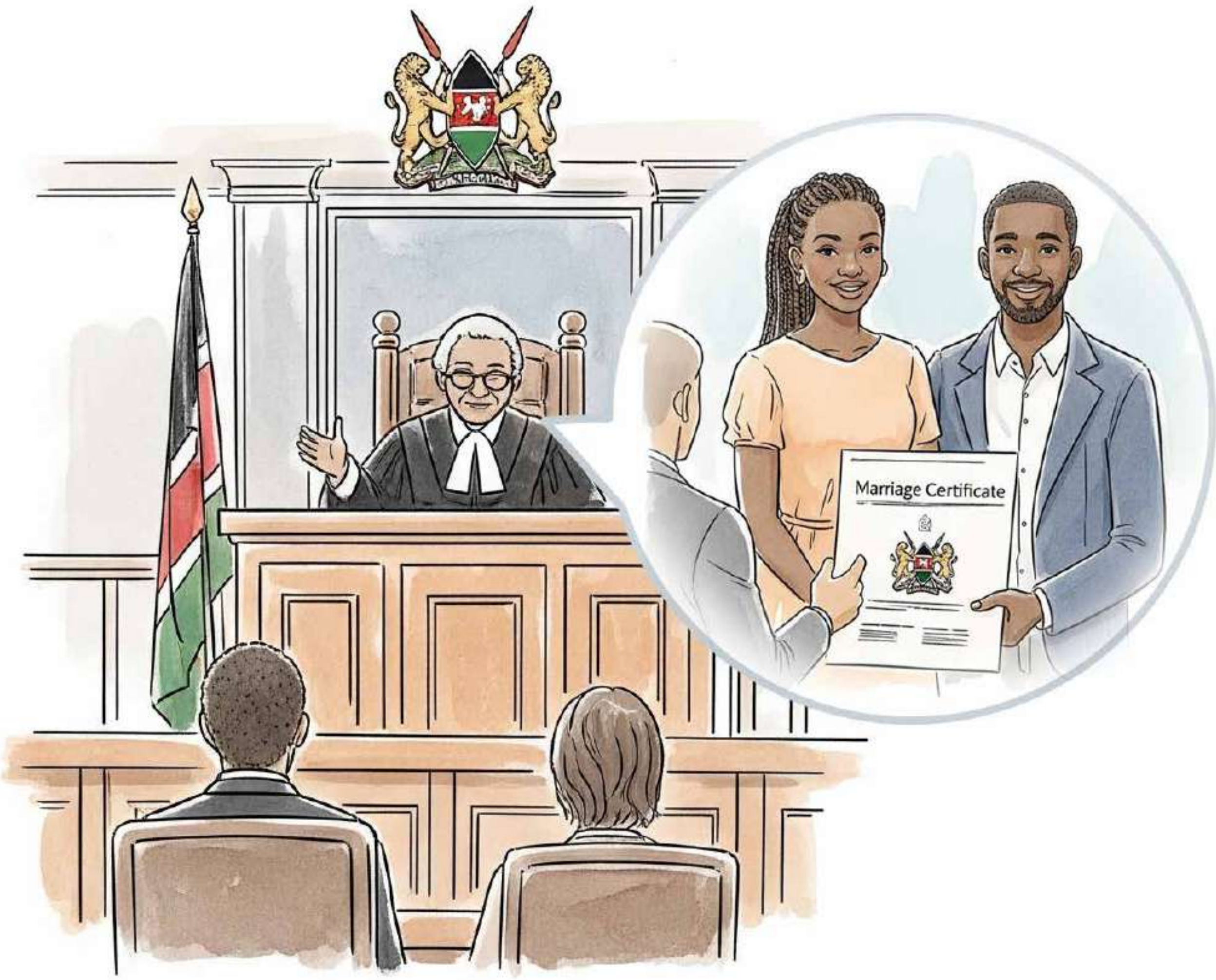
i. Whether section 226 as read with section 36 of the Penal Code that criminalised attempted suicide was unconstitutional for violating the rights to dignity, equality, and freedom from discrimination on the basis of health and disability.
ii. Whether the crime of attempted suicide was unconstitutional for denying the survivors the highest attainable standards of health as the stigmatisation associated with crime hindered the victims from seeking help.
iii. Whether persons who attempted suicide could be deemed to be suffering from a mental illness and thus lacking the intention (*mens rea*) to commit the crime of attempted suicide.

Holding

1. The Mental Health Act together with the Kenya Mental Health Policy 2015-2030 recognised persons with mental illness as persons living with disabilities and defined a person with mental illness as a person diagnosed by a qualified mental health practitioner to be suffering from mental illness, and included a person with suicidal ideation or behaviour. Persons subject to section 226 of the Penal Code were persons suffering from mental illness.
2. Section 226 of the Penal Code existed notwithstanding the above definition of mental illness which included suicide ideation thereby making it a health issue.
3. Persons who attempted suicide were victims of mental illness and not criminals who possessed the requisite *mens rea* (intention) to commit the offence. The 5th and 6th interested parties had the power to amend or repeal the law to reflect the reality but had failed to do so.
4. Section 226 of the Penal Code was unconstitutional for violating articles 27, 28 and 43 of the Constitution.

Petition Allowed.

A Marriage Based on Cohabitation Can Only Be Ripe for Registration After Declaration of its Existence by Courts



MNN v SMM (Appeal E080 of 2022) [2024] KEHC 11757 (KLR)

Brief facts

The parties cohabited between 2007 to 2017 and had been blessed with children. In the pleadings, both parties referred to their relationship as a marriage. At the trial court the appellant sought, amongst others, an order that the marriage between her and the respondent be dissolved. The respondent filed an answer to petition and a cross-petition in which he prayed for, among other orders, a declaration that there was cohabitation between the parties leading to a presumption of marriage.

The trial court dismissed the petition by stating that the presumption of marriage was a question of fact, subject to the requisite proof and that it had not been proved on a balance of probabilities. The trial court directed, amongst other orders, that either party should apply for registration as under section 3 of the Marriage Act before a petition for divorce could be filed and with respect to the issue of the union and that *status quo* be maintained for 90 days on physical and legal custody pending a suit before the children court. Aggrieved, the appellant filed the instant appeal.

The appeal challenged the judgment and decree of the trial court.

Issues

i. What were the ingredients for proof of presumption of marriage by cohabitation.

ii. When did a marriage which was implied by cohabitation become ripe for registration.

Holding

1. Marriage which was implied by cohabitation could only be ripe for registration after declaration of its existence and that only the courts could do so.
2. Marriages through long period of cohabitation could not be termed as customary marriage as there was no inconsistency between the doctrine of presumption of marriage and the Marriage Act.
3. From the evidence on record, the custodial issue of the children had not been raised. It was not pleaded and was not addressed by the parties during their testimony or submissions before the trial court. A court of law could only grant that which was prayed for.
4. The trial court had no jurisdiction to determine issues of custody of the minors as the same was by law vested in a children court, a fact the trial court seemed to have acknowledged when it held that the status *quo* would remain for 90 days pending a suit in the children court.
5. The mention of the children's matter was information whose disclosure was a requirement of the law. Parties were required to disclose any other proceedings pending before another court. Even if the trial court had been asked to make decision on the custody of the children, the trial court did not have powers to make orders in respect of a suit pending before a court of concurrent jurisdiction.
6. The trial court had no supervisory powers over the children court. In that regard, the trial court erred when it delved into the issues of the children of the marriage.

Appeal allowed

Failure to Appoint Judges Recommended by the Judicial Service Commission is a Breach of the Judges' Right to Fair Administrative Action

Muchelule & 5 others v Attorney General; Judicial Service Commission (Interested Party) (Petition E311 of 2023) [2024] KEHC 12116 (KLR)

Brief Facts

The petitioners were recommended by the Judicial Service Commission for appointment as Judges of the Court of Appeal and Environment and Land Court on July 22, 2019. The President did not appoint the persons recommended and did not give written reasons for not doing so. The President later appointed seven of the 11 recommended judges of the Court of Appeal, leaving out the 1st to 4th petitioners. Aggrieved, they filed the instant petition contending their rights were violated.

Issues

i. Whether the President in failing or refusing to appoint the petitioners as judges of the Court of Appeal and the Environment and Land Court after they had been recommended for appointment by the JSC violated their rights to fair administrative action.
ii. Whether the President in failing or refusing to appoint the petitioners as judges violated their right to equal benefit of the law and the full and equal enjoyment of rights.

Holding

1. The Presidential inaction or omission violated the petitioners' right to fair administrative action guaranteed by Article 47(1) and (2) of the Constitution. Article 47(1) guaranteed every person the right to administrative action that was expeditious, efficient, lawful, reasonable and procedurally fair. The President was required to appoint the petitioners within a reasonable time but did not.

2. The delay in appointing the petitioners violated the requirement of expedition and efficiency. The action was not lawful either because the Constitution did not give the President discretion when it came to the appointment of judges following recommendations by the JSC. Article 47(2) of the Constitution required that if a person's right or fundamental freedom had been, or was likely to be adversely affected by an administrative action, the person had the right to be given written reasons for the action.

3. The President did not give any written reasons why he could not appoint the petitioners' despite being recommended by the JSC. That was a violation of Article 47(2) of the Constitution.

Petition allowed.

A Kenya Defence Forces Officer Can Be Tried Either in the Courts Martial or in the High Court for the Offence of Murder

Mugure v Attorney General & 3 others; Director of Military Prosecutions (Interested Party) (Petition E002 of 2023) [2024] KEHC 12449 (KLR)

Brief Facts

The petitioner, a Kenya Defence Forces (KDF) officer, challenged his arrest, detention and prosecution for murder in the High Court, asserting that jurisdiction lay with a Court Martial under the Kenya Defence Forces Act. He also contested a plea bargain between the Office of the Director of Public Prosecutions (ODPP) and his co-accused, resulting in the withdrawal of the co-accused's murder charges and their substitution with the lesser charge of being an accessory after the fact of murder. He also claimed that the plea agreement was prejudicial as the co accused became a prosecution witness against him.

The petition sought declarations on jurisdictional issues, the procedural validity of the plea bargain, and alleged violations of the petitioner's constitutional rights.

Issues

i. Whether the High Court had jurisdiction to try a serving military officer for the offence of murder or whether the trial should be conducted by a Court Martial.

ii. Whether a plea bargain agreement entered into by the Office of the Director of Public Prosecutions with one of two persons accused of murder, which resulted in the charges of murder being withdrawn and substituted with the lesser charge of being an accessory after the fact of murder, was prejudicial to the Petitioner as the other accused.

iii. Whether the Office of the Director of Public Prosecutions had the authority to prosecute military personnel for offences under the Penal Code, or if prosecution should only be undertaken by the Director of Military Prosecutions (DMP) before a Court Martial.

Holding

1. The petitioner was liable to be tried under either the Courts Martial or the High Court for the offence of murder. The only restriction was that he could not be tried in both court systems for the same offence. There was nothing to show, and neither had the petitioner alleged, that he had already been tried before a Court Martial in respect of the charge of murder he was facing.
2. Article 165(3)(a) of the Constitution bestowed upon the High Court unlimited original jurisdiction in criminal and civil matters. Section 213 of the Kenya Defence Forces Act made it clear that the DMP will only conduct prosecution before a Court Martial in respect of offences allegedly committed under Part VI. Murder is not one of the offences falling under Part VI. The DMP is not authorised to conduct prosecutions in civilian courts.
3. The Office of the Director of Public Prosecution was a creation of the Constitution. The Kenya Defence Forces Act which creates the Office of Director of Military Prosecutions could not supersede the Constitution. The ODPP was mandated to prosecute any person before any court (other than a Court Martial). By commencing prosecution of the petitioner under the Penal Code, the ODPP effectively blocked the prosecution of the petitioner for the same offence by a Court Martial.
4. The Victim Protection Act itself was silent on whether a person accused of a crime could also be considered a victim of the very crime of which he had been accused. It is an absurdity to claim that accused can also be a victim of the crime for which he/she is charged.
5. One could not claim to be a victim of the very crime he was charged with committing. The ODPP was perfectly entitled to consider and to enter into a plea agreement with the co-accused of the petitioner notwithstanding the fact that the persons alleged to have been killed were family members of the petitioner. There was nothing illegal and/or unprocedural in the ODPP securing plea agreements with one or more accused persons where several persons had been charged with the same offence.

Petition dismissed.

The Grandparents and the Surviving Parent of a Minor Can Be Granted Joint and Legal Custody Over the Minor if it is in the Minor's Best Interests

DMO v TKT & another (Civil Appeal E059 of 2023) [2025] KEHC 3109 (KLR)

Brief facts

The appellant was the biological father of the minor while the respondents were the minor's maternal grandparents. The appellant sued the respondents at the trial court seeking full custody of the minor. It was the appellant's case that after the minor's mother passed on, the respondents had taken the minor under their custody and had since denied him access to her. The appellant contended that he was in gainful employment and therefore capable of taking care of the minor.

The respondents, on their part, asserted that they had been the sole caregivers of the minor following her mother's death. They claimed that their daughter's death was the subject of police investigations which indicated that she had died from poisoning. They contended that the appellant willingly handed over the minor to them following the death of her mother and that custody was not an absolute right as the circumstances of each case must be considered. Through a consent, parties agreed that the appellant be allowed access/visitation rights to the minor.

The appellant was not successful at the trial court which, among other orders, granted legal and actual custody of the subject minor to the respondents. Aggrieved, the appellant filed the instant appeal.

Issue

Whether the grandparents of a child could be granted the custody of a child upon the demise of the child's mother where the child's father was still alive.

Holding

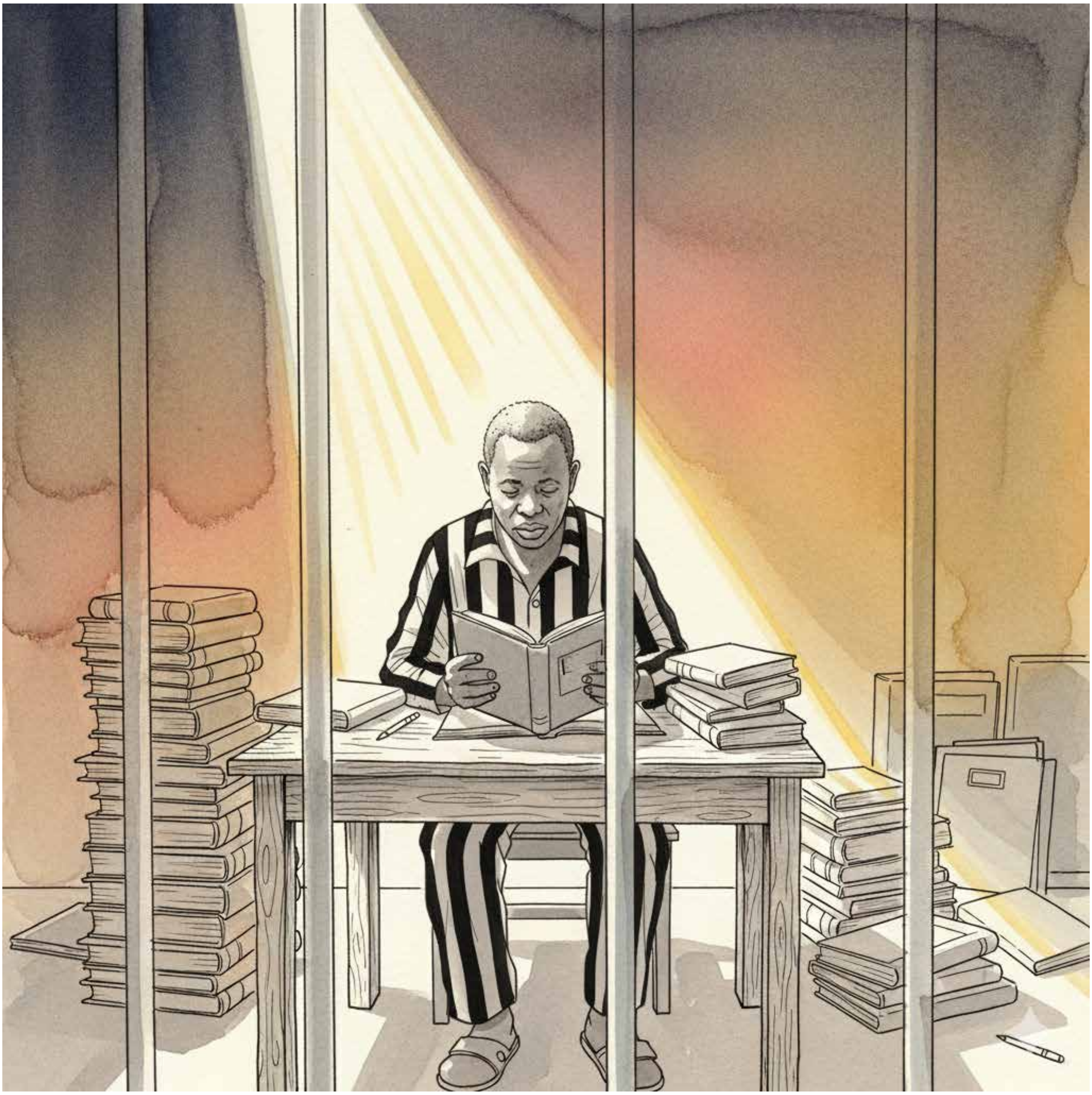
1. The overriding principle in children matters was the best interests of the child. The child's interest was paramount when considering any issue involving children. That principle was embedded in Article 53(2) of the Constitution. Section 8 of the Children Act expounded on what the best interests of the child entailed.
2. The appellant was the biological father of the minor whose biological mother was deceased. The Children Act did not make provision for the granting of custody to grandparents in the event of the death of a parent. Stemming from section 123 of the Children Act, the appellant was the rightful person to be granted custody of the minor unless there existed valid reasons for making a different order.
3. A child of tender years, such as the minor in the instant case, required constant care and attention as she continued to grow and develop. That meant that such a child must be afforded an opportunity to enjoy the best care and be raised in a secure environment where she could be nurtured. The respondents had been living with the minor and taking care of her even before the death of her mother. No material was placed before the court to show that the respondents were incapable of taking care of the child or that the child was facing any challenges while under their care.
4. The appellant did not impress the court as a responsible father as he did not present any material to show that he had been providing for the minor while she was in her grandparents' custody. On the contrary, it was DW2, the minor's aunt who demonstrated that not only was she sending monthly support to

the respondents to cater for the minor, but that she had also taken out an insurance cover for the minor.

5. The court took cognisance of the law on the right of the surviving biological parent to have first priority on custody and access to the child unless there were compelling reasons to hold otherwise. Alienating the minor from the care of her father would not be in her best interests. However, while the appellant demonstrated that he had what it took to take care for his daughter and provide for her financial needs, he did not actualise such capability by providing proof that he took care of the child while she was in the custody of her grandparents.
6. The evidence from the appellant was that he would leave the minor under the care of his sister who resided in Githurai in Nairobi/ Kiambu County while he worked in Nyamira County. In essence, the appellant intended to cede actual custody of the minor to his sister while he was in a far-flung county where he worked. The appellant conceded that he had not visited the minor even after the parties filed a consent on visitation rights.
7. The court could not ignore or wish away the respondents' apprehension over the safety of the minor if given to the custody of the respondent considering that the minor's own mother died while in the appellant's house under unclear circumstances that had not been resolved. The appellant had two other children with different women but did not tender evidence to show that he catered for the children's needs. Indeed, the appellant had another children's case before another court involving one of children. The appellant did not strike the court as a person who had a stable home environment where he could raise the minor.
8. The appellant's confirmation that he intended to leave the minor in the custody of his sister did not bode well for the interests of the minor who had all along been under the constant loving care of her grandparents from the time of her mother's death. Removing the minor from a stable home environment that had so far been provided for her by her maternal grandparents and taking her to a totally new place would not serve her best interests considering that she was only about four years as at the time of delivery of the judgment. Section 103 of the Children Act outlined principles that must be considered by the court when making custody orders.
9. The respondents demonstrated their capability to take care of the minor by offering her a stable environment to grow and thrive. It would not be in the minor's best interest to remove her from the loving care of her grandparents and hand her over to the care of the appellant's sister. It would be appropriate to grant the parties joint legal custody of the minor since the appellant was her only surviving parent. The respondents were appointed as the minor's guardians in accordance with the provisions of section 123(2) of the Children Act.

Appeal partly allowed.

Prisoner's Right to Access Education and Right to Access Study Materials



Odhiambo v Officer in Charge, Kamiti Medium Prison & another (Judicial Review E006 of 2024) [2024] KEHC 14379 (KLR) (Judicial Review)

Brief facts

The applicant was convicted of murder and sentenced to 20 years in prison, beginning in 2018, at Kamiti Main Prison. While incarcerated, he pursued higher education, obtaining a Master's in Business Administration from Mount Kenya University in 2022 and later enrolling in a Master of Science in Project Management. Prison authorities at Kamiti Main Prison facilitated his studies by granting access to study materials, a laptop, and an internet connection.

On February 9, 2023, he was transferred to Kamiti Medium Prison, where he was denied similar academic support. His requests for access to study tools were met with disciplinary action. He alleged that the authorities sought to intimidate him into abandoning his studies. The applicant filed for judicial review, arguing that the denial of study facilities violated his constitutional rights, the Persons Deprived of Liberty Act, and international conventions. The respondents did not contest the application, leading the court to rule in the applicant's favour.

Issues

i. Whether the decision to deny a prisoner access to the infrastructure, study materials and such tools as were necessary for the applicant to continue and pursue a post-graduate Masters programme was a violation of the prisoner's right to education, rights to freedom and security of the person and the rights of detained persons.
ii. Whether a prisoner's loss of access of study materials to pursue a post graduate Masters programme due to being transferred from one prison to another violated the prisoner's legitimate expectation that he would be provided with the materials till completion of the programme.
iii. Whether the transfer of a prisoner who had filed a suit against the prison while the suit was pending was in itself proof of intimidation of the prisoner by the authorities.

Holding

1. The right to education was a constitutional right to which every person, including the applicant, was entitled. Article 20(5) of the Constitution empowered a court presiding over a dispute on the State's failure in its responsibility to effectuate a socio-economic right, to demand evidence that would exonerate the State from liability. Socio-economic rights required the State to take legislative, policy and other measures to achieve them.
2. The applicant could not be denied the right to education, or any other right in the Bill of Rights, for that matter, merely because he was imprisoned, since article 51(1) provided that persons who were imprisoned under the law, retained all the rights and fundamental freedoms in the Bill of Rights unless it could be demonstrated the applicant's right to education was incompatible with the fact that he was imprisoned. There was no such suggestion that the applicant's right to education was incompatible with his current disposition. If anything, the applicant had demonstrated that he had, in the past, obtained a degree, in a course which he enrolled while serving his prison sentence.
3. Section 18 of the Persons Deprived of Liberty Act enjoined institutions such as Kamiti Main Prison to take all practical and reasonable measures to facilitate enjoyment of the right to education.
4. When Kamiti Main Prison administration approved the applicant's enrolment onto educational courses and provided him with such infrastructure and tools as were necessary for him to pursue the courses he registered for, it was not doing anything out of the ordinary; neither was it extending to the applicant unwarranted favour. The prison authority was simply complying with the law to which it was bound and from which it could not resile.
5. The existence of a legitimate expectation may give standing to seek permission to apply for judicial review; it may also mean that the authority ought not to act so as to defeat the consequence of the expectation without some overriding reason of public policy to justify it doing so. Legitimate expectation may also mean that, if the authority proposed to

act contrary to the legitimate expectation, it must afford the person either an opportunity to make representations on the matter, or the benefit of some other requirement of procedural fairness. A legitimate expectation may, however, cease to exist either because its significance has come to a natural end or because of action on the part of the decision-maker.

6. The applicant's expectation that Kamiti Medium Prison would emulate Kamiti Main Prison and continue to provide him with the space, facilities and the necessary tools to pursue his education was not remote. The previous approvals by the prison authorities of the applicant's requests and their facilitation of his education was enough representation to the applicant that having been treated in a certain way, he would be treated the same way for as long as he was pursuing his education in prison.
7. Assuming there was no other legal basis upon which the applicant could claim such treatment, the applicant would still have been expectant to be treated the same way on the strength of the representation or promise made by the prison authorities and from consistent past practice. The past conduct of the prison authorities counted. But over and above the factual basis upon which the legitimate expectation could be inferred, it had been demonstrated that there was a solid legal basis upon which the applicant legitimately expected to be provided with the necessary space and resources for the pursuit of his post-graduate degree course.
8. It had been demonstrated that there was not only an express, clear and unambiguous promise given by the prison authorities but also that, prior to his transfer to Kamiti Medium Prison, prison authorities had consistently approved the applicant's quest of education and facilitated him to the extent that was necessary. The representation by the respondents was not merely one that they were competent to make or could lawfully make, but it was a legal obligation they were enjoined to discharge being an expectation that had a constitutional and statutory underpinning.

Application allowed.

The Impact of Section 76 of the Law of Succession Act

In re Estate of Natha Kimaiyo Tarus (Probate & Administration 68 of 2006) [2024] KEHC 16401 (KLR)

Brief facts

The dispute arose between the petitioner and the objector over the confirmation and distribution of the deceased's estate. On July 26, 2024, the court issued a Certificate of Confirmation of Grant to the Petitioner. However, the objector challenged the confirmation, arguing that some properties and 2000 shares in Chipokaa House Limited had been omitted. The objector subsequently filed an application that sought a stay of execution of the grant's confirmation pending appeal.

Issue

i. What were the conditions upon which a court could issue a stay of execution for a certificate of confirmation of grant?
ii. Whether section 76 of the Law of Succession Act which allowed revocation or annulment of a grant under specific grounds such as fraud, concealment, or procedural defects, should be amended to stop abuse by applicants who filed endless applications, thus ensuring that succession cases did not drag on indefinitely.

Holding

1. In examining an application for stay of execution of the certificate of confirmation of grant, the court must consider several interconnected aspects that form the foundation of any stay application in succession matters. The court must first determine whether the mere filing of a Notice of Appeal provided sufficient basis for granting a stay, particularly given the special nature of succession proceedings. That analysis naturally led to the question of whether the applicant had demonstrated the substantial loss that would result without the stay. Those considerations ultimately guided the court in determining whether the threshold for preserving the subject matter pending appeal had been met, bearing in mind the delicate balance between protecting appellate rights and ensuring the orderly administration of estates.
2. Parties tended to exploit the provisions of section 76 of the Succession Act on revocation or annulment of the already issued instrument to govern distribution of the estate contrary to the letter or spirit of the statute. It was never the letter or spirit of the law to create a provision which defeated the entire objective of identifying the free property of the deceased together with the legitimate beneficiaries and have it distributed within a period of six months. In essence these proceedings filed intergenerationally and ad-infinitum to annul or revoke the Certificate of Confirmation without adherence to the provisions of the Act, were an abuse of the court process.
3. The time limit for the making of the grant of representation and subsequent confirmation of grant was strict. The Court stated that the time had come for the Legislature to revisit and legislate an amendment touching on the ambiguity in the language under section 76 of the Succession Act, that a grant issued could be revoked or annulled at any time.

Unauthorised Loan Through a Registered Number by a Telecommunications Service Provider Does Not Automatically Establish Liability on the Part of the Service Provider

Wachira v Safaricom Company Limited (Civil Suit E005 of 2022) [2024] KEHC 16425 (KLR)

Brief facts

The plaintiff's grievance stemmed from the alleged unauthorised registration of a mobile phone number under his national identity card, which he claimed led to unauthorised borrowing and subsequent adverse credit listing. The plaintiff sought for, among other orders, a declaration that the registration of the mobile number was unlawfully and illegally done; a declaration that the defendant was under obligation to pay any loans that may have been taken by the mobile number; a declaration that the defendant was obliged to clear the plaintiff from any adverse credit listing arising from any transaction involving the mobile number; and general damages for personal data breach, mental anguish and damage to the plaintiff's reputation as a credit worthy citizen.

The defendant denied the plaintiff's allegations in their entirety and stated that the plaintiff's national identity card was verified by the defendant during registration of the mobile number and that the defendant does not issue any loans nor list or forward anyone's name for listing at a credit reference bureau (CRB). The defendant also claimed that it did not have control over the use of mobile numbers once registered by subscribers and thus sought the dismissal of the suit with costs.

Issues

i. Whether a telecommunications service provider was automatically liable for unauthorised lending through a mobile number alleged to have been illegally registered.
ii. Whether telecommunications service providers were liable for the actions of third parties using their platform.
iii. Under what circumstances could a telecommunications service provider be liable for information shared by a third party to credit reference bureaus?
iv. What were the requirements for one to succeed in a defamation suit?

Holding

1. Mobile money services in Kenya operated through a complex interplay of telecommunications infrastructure, financial services platforms, and third-party applications. The telecommunications provider's role was primarily to provide the communication infrastructure and maintain the integrity of subscriber identification. When a subscriber registered a SIM card, that created a basic telecommunications service relationship. Any subsequent financial services, including mobile loans, operated as distinct services provided by separate entities through the telecommunications platform. The platform provider could not reasonably monitor or control all transactions conducted through third-party applications, just as a road builder could not control the conduct of those who used the road.
2. The defendant's role was primarily that of a telecommunications service provider and platform facilitator. While the defendant facilitated various services through its platforms, it maintained distinct boundaries in its operations and responsibilities. The defendant operated as an independent entity with its own security and verification processes, and while it provided platforms that third parties may use for mobile money services, it did not bear responsibility for those services' security, credit risk, or CRB listing decisions.
3. When examining the chain of events from SIM card registration to credit listing, there were multiple independent actors making autonomous decisions. The lending institutions made their own decisions about extending credit, borrowers chose to take loans, and CRBs made independent listing decisions. Each of those actions occurred without the defendant's direct involvement or control.
4. Causation must be both factual and legal. The mere fact that unauthorised lending occurred through a mobile number did not automatically establish liability on the part of the telecommunications provider.
5. The clear delineation of services and responsibilities made it problematic to hold the defendant liable for subsequent lending decisions and credit listings by independent third parties. To hold the defendant liable in the circumstances would set a concerning

precedent that could fundamentally alter the landscape of telecommunications services in Kenya. Such a finding would effectively require telecommunications providers to monitor and assume responsibility for all subsequent uses of their services by third parties. That would not only be impractical but would likely impede the development of digital financial services that had proved crucial to Kenya's economic growth.

6. The defendant, like other telecommunications providers, operated within a carefully regulated framework. Their primary obligation was to ensure proper SIM card registration and maintain reliable telecommunications services. The witness statement demonstrated that they fulfilled those obligations through their verification processes. Extending their liability beyond those core responsibilities to encompass the independent actions of third-party financial services would blur important regulatory distinctions and potentially create overlapping and conflicting obligations.
7. While it might be foreseeable that mobile numbers could be used for financial services, it stretched the bounds of reasonable foreseeability to suggest that a telecommunications provider should anticipate and prevent all potential misuse of their services by third parties. The defendant's witness had clearly articulated that once a SIM card was properly registered, they could not control its subsequent use. That limitation was not a disclaimer of responsibility but rather recognition of practical and technological realities.
8. The defendant had demonstrated compliance with its regulatory obligations in the registration process, and had established that it operated within clear boundaries that did not extend to financial lending or credit reporting. To hold them liable for the independent actions of third parties who utilised their platforms would extend liability far beyond established legal principles and practical business realities.
9. The plaintiff had not established a sufficient causal link between the defendant's actions and his alleged damages. While the plaintiff suffered inconvenience and potential damage to his credit standing, those injuries could not be legally attributed to the defendant's actions or omissions in the SIM card registration process.

Claim dismissed.

Access to Information as Provided for Under Article 35 of the Constitution; Requests Need Not Be Justified

Kenya Human Rights Commission & another v Attorney General & another; Law Society of Kenya & another (Interested Parties) (Petition E179 of 2022) [2024] KEHC 15702 (KLR))

Brief Facts

The petitioners alleged that the respondents had failed to provide information regarding international and bilateral loans procured by Kenya, contrary to Article 35 of the Constitution, which guaranteed the right to access information. The petitioners requested specific details from the National Treasury, including sovereign bond agreements, a list of bond holders, and the utilisation of bond proceeds. The National Treasury received the request but failed to respond within the statutory 21-day period under the Access to Information Act. The Commission on Administrative Justice intervened, but the information was still not provided. A response from the National Treasury was eventually issued stating that some information was publicly available while other details, such as individual bondholder identities, were protected under data protection laws. The petitioners contended that the National Treasury's refusal violated transparency and accountability principles under Articles 10 and 201 of the Constitution.

Issues

i. What was the procedure for applying for information from a state organ under the Access to Information Act?
ii. Whether the failure to provide the Treaties/Agreements/Contracts signed between Kenya and any other person, organ or institution was unconstitutional and a violation of the right to access information.
iii. Whether persons seeking to obtain information from governmental institutions under the Access to Information Act had an obligation to justify why they needed the information.
iv. Whether state organs were obliged to justify not granting access to information requests?

Holding

1. Article 35 of the Constitution provided for the right to access information. The Access to Information Act (The Act) was enacted to give effect to Article 35. Section 4 of the Act provided the process to be followed in order to obtain information held by the State or another person. It gave exemptions under section 6(1).
2. A person seeking to access information held by the State or private body was in the first instance required to address the request to the designated officer under section 7 of the Act and the request was made on an application under section 8(1) which provided details and sufficient particulars for the public officer to understand extent and nature of the information requested.
3. The public officer would under section 9 of the Act process the application and make a decision on the application as soon as possible. Where the applicant did not receive a response to an application within the period stated in subsection (1), the application was deemed to have been rejected as provided under section 9(6) of the Act.
4. The 2nd respondent had not provided a proper justification for the denial of information sought by the petitioners. The 2nd respondent asserted that the information was readily available in budget policy statements,

however the court noted that what was contained in the budget policy statements were proposals for borrowing and not records of what had actually been borrowed. The information the petitioners sought were records of what had actually been borrowed, not proposals that may or may not have been actualised.

5. According section 4 (2) of the Access to Information Act the right to the information was not affected by the reason the petitioner might have given in requesting for information held by the State. The petitioner need not to have justified the request since the State was under duty to provide the information on request by a citizen unless the State could validly justify its refusal to supply the information under section 6 of the Act. The State had not justified the non-supply except in a very limited way alleging that revealing the names of companies, institutions or names of persons that hold Kenya's sovereign bond could breach privacy laws of investors in some countries. The court was careful not to gamble with a possibility that had potential of exposing Kenya to legal liability.
6. The refusal to supply the information requested by the 2nd respondent violated the right of access to information under Article 35(1) of the Constitution, the principle of openness and accountability in financial matters as provided for in Article 201(a) of the Constitution, and generally, the principles of transparency and accountability provided for under Article 10(2)(c) of the Constitution.

Petition allowed.

The Right to Property Does Not Extend to Any Property that has Been Found to have Been Unlawfully Acquired

Assets Recovery Agency v Quorandum Limited (Anti-Corruption and Economic Crimes Civil Suit E021 of 2023) [2025] KEHC 4870 (KLR) (Anti-Corruption and Economic Crimes)

Brief Facts

In an application for forfeiture where the applicants alleged that the Former Acting Chief Executive Officer of Youth Enterprise Development Fund fraudulently transferred funds after unlawfully entered into two contracts with the respondent to provide two consultancies on design of ERP (Enterprise Resource Planning) and ICT Strategy design but no services were rendered. The Applicant stated that the the Former Acting Chief Executive Officer and another official the late Bruce Odhiambo unlawfully authorised the change of signatories of the Youth Enterprise Development Fund account, and that the the Former Acting Chief Executive Officer unlawfully authorised payment of a total of Ksh 180,894,946 from YEDF account to that of the Respondent.

Issues

Whether the issuance of forfeiture order will violate the Respondent's right to property.

Holding

1. The Applicant is a body corporate with the mandate of identifying, tracing, freezing and recovering proceeds of Crime established under Section 53 of the Proceeds of Crime and Anti- Money Laundering Act.
2. The applicant under Part VIII of the POCAMLA has the authority to institute civil proceedings for the recovery of proceeds of crime and seek orders for forfeiture of such assets to the

State where there are reasonable grounds to believe that such assets are proceeds of crime.

3. Article 40 of the Constitution provides that the right to property under that article does not extend to any property found to have been unlawfully acquired.
4. The Applicant proved that, on a balance of probabilities, the funds held in the Respondent's account had been fraudulently obtained and were proceeds of crime and thus liable for forfeiture.

Forfeiture Orders Granted

3.1.4. Employment and Labour Relations Court

The Employment and Labour Relations Court (ELRC) continued to consolidate its jurisprudence on fairness, equality, and dignity in the workplace. Its decisions addressed issues such as violation of fair administrative action in the work place, protection of employee privacy, employer obligations in cases of dismissal of employee on account of mental incapacity, and the mandate of the Salaries and Remuneration Commission in determining stipends for interns.

Violation of Objector's Right to Fair Administrative Action

Wasilwa v Judicial Service Commission; Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers & 3 others (Interested Parties) (Petition E237 of 2023) [2025] KEELRC 281 (KLR)

Brief facts

The petitioner filed a constitutional petition challenging the Judicial Service Commission's (JSC) handling of a complaint against her. The complaint stemmed from her ruling in Kericho which nullified a land transfer linked to workers' dues. The JSC initiated proceedings despite her objection that JSC lacked jurisdiction to consider the petition for removal from office given that it concerned issues relating to the independent exercise of judicial authority. The JSC failed to consider her objection. The petitioner alleged that failure to consider her objection was a violation of the right to fair administrative action, violations of her right to judicial independence, and fair trial.

Issue

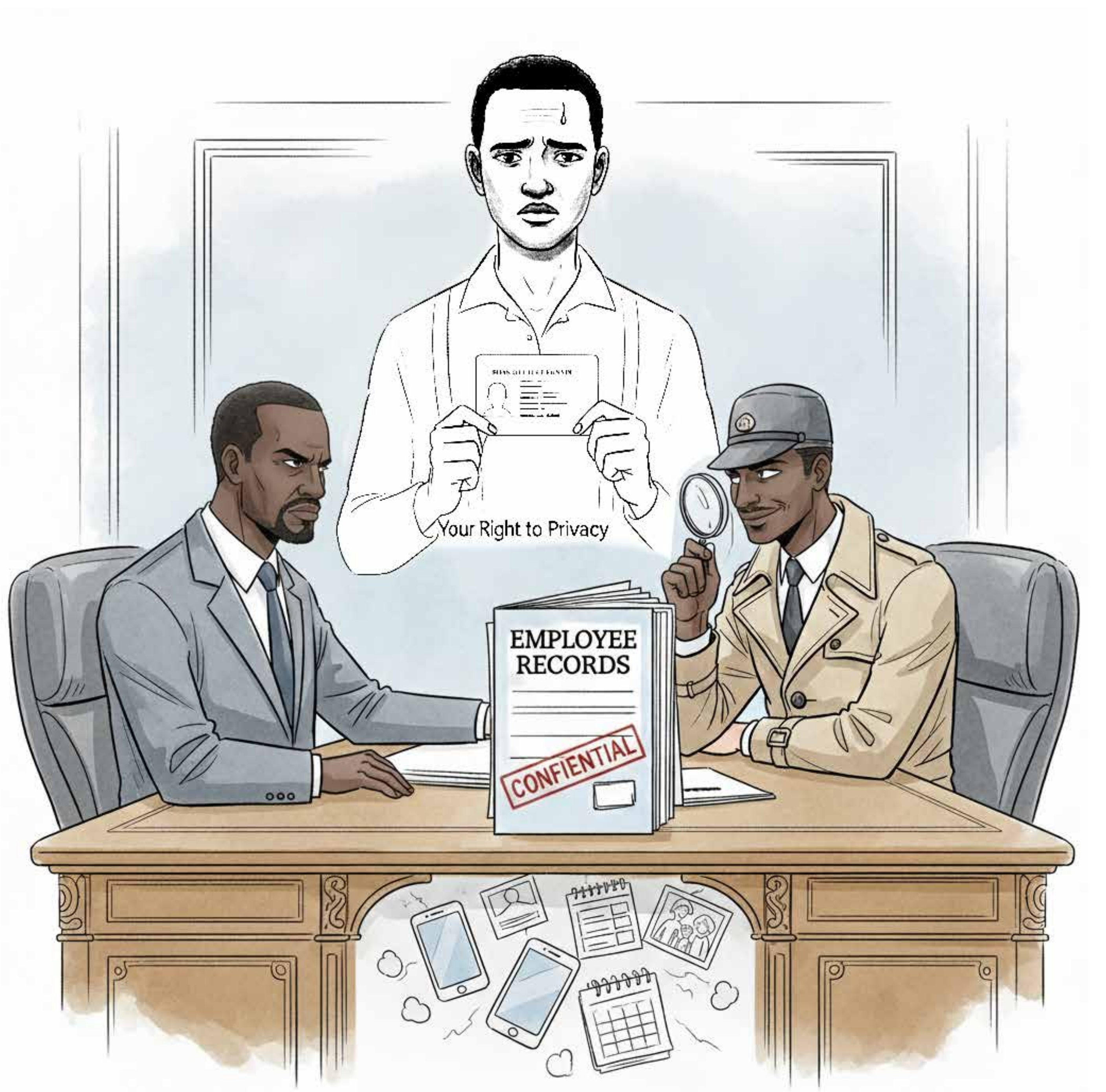
Whether failure by the JSC to consider an objection on its jurisdiction to entertain a petition which challenged the validity of a decision of a judge in exercise of their judicial authority was a violation of the objector's right to fair administrative action.

Holding

1. The resolution to entertain the complaint was an administrative decision amenable to review under Article 47 of the Constitution as read with the Fair Administrative Action Act. A Judge was immune as long as his or her conduct did not deliberately prevent parties in litigation from enjoying their rights as guaranteed by law.
2. The petitioner questioned the respondent's jurisdiction to entertain a petition which challenged the validity of a decision of a judge exercising their judicial authority. The record did not indicate how the respondent addressed the threshold jurisdictional, competence or foundational questions posed by the petitioner.
3. The respondent proceeded as if no threshold objections had been raised. The objections went to the question of whether the respondent had the jurisdiction to entertain the complaints. The respondent ought to have determined the threshold objection raised by the petitioner before proceeding to consider the substantive complaint.
4. It was incumbent upon the respondent to address these questions at the first opportunity. The objections were in the nature of a preliminary objection going to the element of jurisdiction.
5. The failure by the respondent to consider and decide on (or disclose the reasons thereof) on the threshold challenges raised by the petitioner constituted a fundamental legal misstep not in tandem with the right to fair administrative action as contemplated by Article 47 of the Constitution and the Fair Administrative Action Act.

Petition allowed.

Violation of an Employees' Right to Privacy



Mwangi v ABSA Bank Kenya PLC (Cause E065 of 2023) [2024] KEELRC 2399 (KLR)

Brief Facts

The respondent bank employed the claimant as a branch manager and then promoted him to a senior branch manager. On March 17, 2023, the claimant was issued with a notice of suspension. The claimant was alleged to have been involved in irregular unauthorised overdraft facilities advanced to some customers. Disciplinary proceedings commenced and upon conclusion, the claimant was issued with a letter of termination.

The claimant was allowed a right of appeal. The claimant alleged that before the appeal could proceed for hearing, the respondent advertised for his position. He asserted that this meant that there was a premeditated position that his appeal would not be successful. The claimant further asserted that his employment was terminated on grounds of nepotism and a witch hunt against him for raising questions touching on three senior employees who castigated and victimised him. The claimant further alleged that, during his suspension, the respondent engaged a private investigator into his personal and private conduct who followed him in public, restaurants and pubs and also demanded to be supplied by different establishments with information in violation of his rights. The claimant alleged that the termination of employment was without due process and that the respondent had refused to pay his terminal dues.

Issues

i. Whether the termination process undertaken by the employer was flawed amounting to an unlawful termination.
ii. Whether the Employment and Labour Relations Court had jurisdiction to determine a claim for defamation, arising in a suit on wrongful termination.
iii. Whether an employer could hire a private investigator to look into the private life of an employee.
iv. Whether an employee was entitled to bonus that accrued and could have been awarded to him, for good performance, before the disciplinary proceedings were initiated.
v. Whether an employee undergoing disciplinary proceedings was entitled to a salary increment awarded to all employees as part of implementation of the employer's policy.

Holding

1. Termination of employment was allowed under the provisions of sections 35, 41, 43 and 45 of the Employment Act where the employer issued notice upon the employee noting misconduct on the grounds of poor work performance, incapacity or capability. Upon the notice, the employee must be allowed time to respond and to make his representations.
2. The banking sector was sensitive and highly regulated through its policies and the Central Bank of Kenya. Breach of fiduciary duty extended to third party and the conduct of the claimant justified the sanction taken and termination of employment. Similarly, certain positions such as a branch manager of a bank, attract a high calling of integrity and financial probity. As branch manager, the claimant had greater accountability beyond that of his junior staff.
3. In Employment Law, defamation took place when the Employer publicises or causes to be publicised, statements which stigmatise the employee. The manner of dismissal and the negative publicity attached to the claimant had the potential to damage his employability. In employment-related matters, defamation was based on the old tort of defamation but with a new spin; the employee's injured or damaged employability and not merely the personal stigmatisation must be compensated.
4. Even in an employment context, protection of the employee privacy was imperative. Protecting privacy was critical for an individual to lead an autonomous, independent life, enjoy mental happiness, develop a variety of diverse interpersonal relationships, formulate unique ideas, opinions, beliefs and ways of living and participate in a democratic, pluralistic society.
5. The conduct of the respondent, leading investigations into the claimant's private life in the context of matters ongoing at the

workplace, was not justified. No basis was given for such conduct. Engaging in private investigations and then failing to bring such matters to the claimant to address as an employee was not justified. His constitutional rights under Article 31 were breached by the respondent.

6. In employment and labour relations, damages could be awarded to an employee under the provisions of Section 12 of the Employment and Labour Relations Court Act. The demands of social justice must be weighed carefully, against the needs of economic development. Ultimately, the purpose of compensatory awards was not to punish errant employers, however egregious their decisions against their employees might have been. The objective was to ensure economic injury suffered by the employee was adequately redressed.
7. The court noted that the bonus accruing to the claimant for good performance related to the year 2022, before disciplinary proceedings were brought to the claimant's attention. The court held that the announced bonus could not be negated after the fact of its communication. Going back to sanction him and deny him a benefit previously accrued was to engage in unfair labour practices.

Claim allowed.

An Employer's Duty Before Dismissal on Grounds of Mental Incapacity

Waweru (Suing as Next Friend and Mother of Grace Wambui Waweru) v Central Bank of Kenya (Cause E888 of 2022) [2024] KEELRC 13585 (KLR)

Brief facts

The claimant instituted the suit on behalf of her daughter who was employed by the Central Bank of Kenya as subordinate staff from 2009. In 2018, the claimant's daughter was diagnosed with bipolar mood disorder and schizoaffective disorder, conditions that impaired her executive functions. Despite the respondent's knowledge of her mental health challenges, she was subjected to disciplinary proceedings, culminating in her termination in 2020. The claimant contended that the respondent failed to provide reasonable accommodations or adequate medical support, as required under the law. The respondent, in its defense, maintained that the employee was afforded medical care and due process during disciplinary proceedings related to absenteeism.

Issues

i. Whether an employer that dismissed an employee due to mental incapacity/injury had the burden to investigate the extent of the incapacity/injury and all the possible alternatives short of dismissal.
ii. Whether the failure of an employer to accommodate an employee with a declining mental state was indirect discrimination.
iii. Whether dismissal from employment due to mental incapacity where the mental state was not investigated by the employer and where the employer did not take measures to accommodate the employee due to the mental state was unfair.
iv. Whether subjecting a mentally incapacitated employee to disciplinary proceedings without accommodating their mental condition was inconsiderate and would result in an unfair hearing.

Holding

1. The claimant was an employee of the respondent and had mental health related issues which were known to the respondent. They supported the claimant and accorded her medical help. She had lucid moments at the time they issued her with notice to show cause and also subjected her to a disciplinary hearing.
2. The claimant had lucid moments at the time of hearing but there was no medical evidence to show that indeed she was in a fine state of mind to enable her defend herself. The hearing envisaged was such that the employee had an opportunity to defend herself and their state of mind must be healthy in order to comprehend what was happening.
3. The respondents knew the claimant was unwell but they still asked her to appear for a hearing which was inconsiderate in view of the claimant's mental state. Other than the claimant not being accorded a proper hearing, the claimant being mentally unwell deserved some preferential treatment; what is referred to as reasonable accommodation.
4. The onus was on the respondent to investigate the extent of the incapacity or the injury and all the possible alternatives short of dismissal. There was no evidence that investigations were conducted on all other employees during that period and hence he was subjected to different treatment which emanated from his disability.
5. The respondent also failed to demonstrate that they tried to accommodate the appellant in her current state. The actions by the respondent amounted to indirect discrimination due to differential treatment. Whereas the respondents accommodated the claimant by allowing her attend medical treatment which was indeed part of the medical scheme, there was no indication that they made adequate reasonable effort to accommodate her.
6. The respondent proceeded to hear the claimant casually and failed to help her alleviate her problem. Indded, the report from the doctor indicted that her work made her mental situation worse. The respondents treated the claimant in a discriminatory manner due to her mental capacity and should therefore compensate her accordingly. The dismissal of the claimant was unfair and unjustified.

Claim allowed.

Salaries and Remuneration Commission Mandate to Review Interns' Stipend

Mike & 7 others v Salaries and Remuneration Commission & 41 others; Kenya Medical Practitioners, Pharmacists and Dentists' Union & 77 others (Interested Parties) (Petition E003, E005, E042 (NRB) & E051 of 2024 & Cause E244 (NRB) of 2024 (Consolidated)) [2024] KEELRC 2506 (KLR)

Brief facts

This consolidated petition arose from a decision by the **Salaries and Remuneration Commission (SRC)** contained in a letter dated **13 March 2024**, advising that stipends for interns in the **Healthcare Internship Programme** be capped at between **Ksh 35,000 and Ksh 70,000**, citing **fiscal constraints**. The petitioners—comprising medical interns, their unions (notably KMPDU), and professional associations—challenged the decision, arguing that it **violated rights to equality, non-discrimination, fair labour practices, fair administrative action**, and **collective bargaining**. They pointed out that interns under the **2023 cohort had received up to Ksh 206,000** under existing **Collective Bargaining Agreements (CBAs)**, and the unilateral reduction undermined legitimate expectations and professional dignity.

The SRC and the Ministry of Health defended the reduction, stating that the advice was constitutionally grounded in **Article 230**, was issued in response to the Ministry's request, and was necessary due to **insufficient budgetary allocations**. They argued that the advice aimed to balance the interests of fiscal sustainability and universal internship placement.

Issues

i. Whether the disparity in stipends between the 2023 cohort of interns and the 2024 cohort amounted to discrimination.
ii. Whether decision to reduce the stipends of medical interns was a violation of the intern's right to fair administrative action.
iii. Whether the SRC's advice was inconsistent with existing Collective Bargaining Agreements (CBAs) and undermined the rights to fair labour practices and collective bargaining.
iv. Whether the SRC and the Ministry of Health failed in their obligation to engage stakeholders, including unions and professional associations, before arriving at the decision to lower the stipends of medical interns.
v. Whether the reduction in stipends was justified as a necessary fiscal measure under the Public Finance Management Act and aligned with constitutional principles of public finance management.
vi. Whether the SRC exceeded its constitutional mandate by determining remuneration for healthcare interns without involving the Public Service Commission (PSC), which had the mandate to oversee the terms of service for public officers.
vii. Whether section 61 of the Labour Relations Act, which empowered the Cabinet Secretary to make regulations on terms of employment for public sector employees, infringed on the constitutional mandates of the PSC and the SRC.
viii. Whether medical interns in public service qualified as public officers under Article 260 of the Constitution.

Holding

1. The Court reaffirmed that **SRC's mandate** under **Article 230(4)** and the **SRC Act** includes setting and reviewing remuneration for state officers and

advising on public officer benefits.

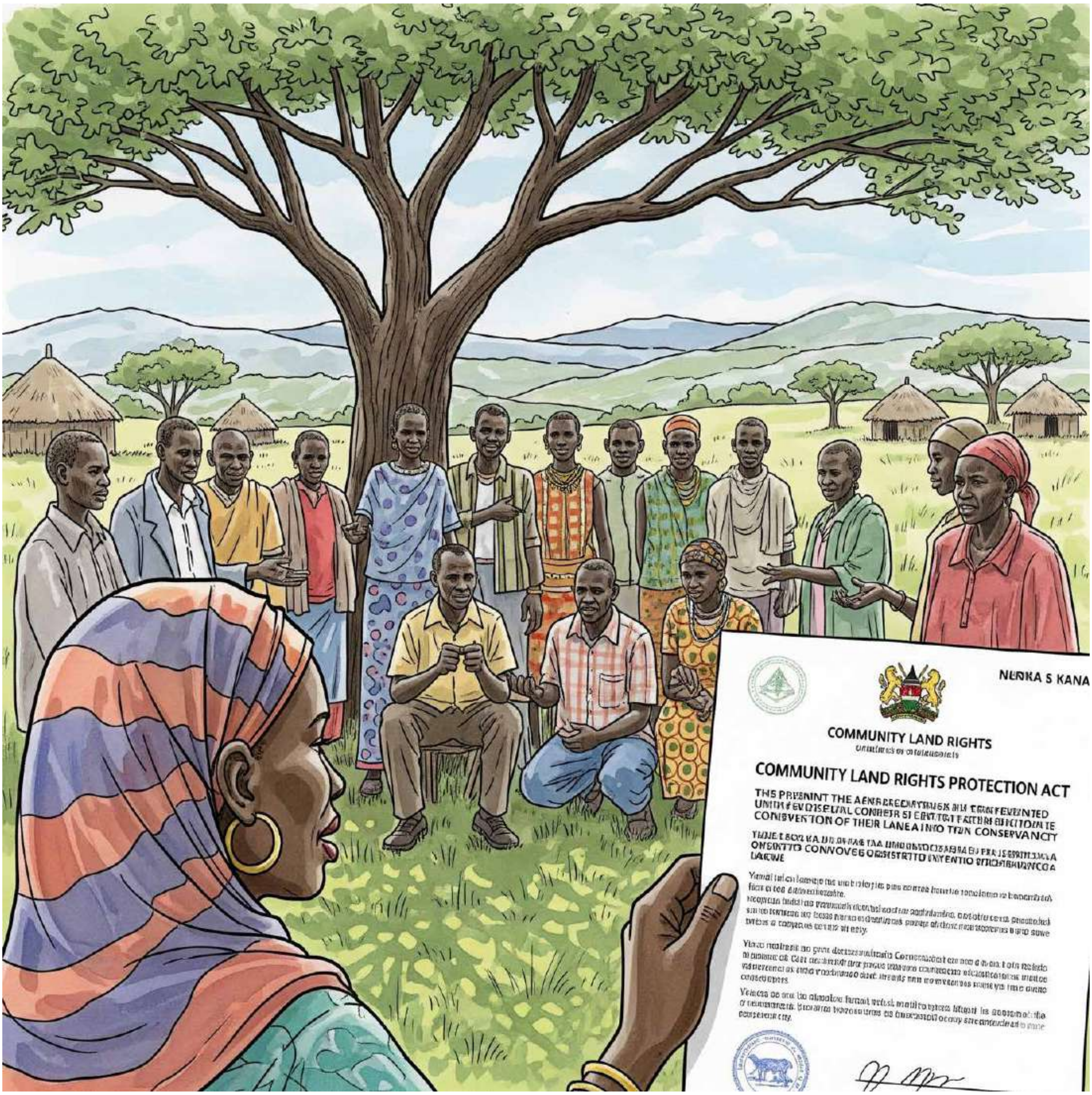
2. The SRC's stipend advice was **lawfully issued** in response to a request from the Cabinet Secretary due to **budget shortfalls**. The advice was consistent with the **SRC Regulations** and did **not require mandatory consultation** under the relevant provisions of the Regulations.
3. The Court clarified that while **CBAs remain binding**, the Ministry, not the SRC, bears the responsibility for **initiating remuneration review discussions** when budget limitations arise.
4. The **Public Finance Management Act** prohibits incurring expenditure beyond approved allocations. The 2024 cohort of interns could not be paid the prior stipend rates due to **budgetary constraints**.
5. Although the 2023 and 2024 cohorts received different stipend levels, the **distinction was justified** and did **not amount to prohibited discrimination** under **Article 27 of the Constitution**.
6. The Court emphasised that **not all differential treatment was discriminatory** and a **legitimate budgetary objective** can justify deviation from prior practice.
7. The **CBA provisions** that placed interns in **Job Group L** created a **legitimate expectation**, but this could be lawfully modified due to **changes in the Scheme of Service** and budgetary realities.
8. **Article 41 rights** (including the right to unionise and bargain collectively) were **not violated**, as no evidence showed interns were barred from union participation or representation.
9. The interpretation of **section 61 of the Labour Relations Act** by the petitioners was **misplaced**. The section does **not conflict** with PSC's or SRC's roles, as it applies only where no CBA exists.
10. Medical interns, while serving in public facilities, are considered **public officers** for the limited purpose of remuneration advice under **Article 260 of the Constitution.**

Petitions dismissed.

3.1.5. Environment and Land Court

The Environment and Land Court (ELC) deepened its role in safeguarding environmental integrity and sustainable land use. The Court clarified procedures for converting community and public land into conservancies, addressed the excision and de-gazettement of forest land, and reaffirmed the state's fiduciary duty in managing public resources.

Procedure to Convert Public/Community Land into Conservancy



Osman & 164 others (Suing on Their Behalf and Behalf of Residents of Merti Sub-County, Chari, and Cherab Wards in Isiolo County) v Northern Rangelands Trust & 8 others (Petition E006 of 2021) [2025] KEELC 99 (KLR)

Brief Facts

The petitioners, representing residents of Chari and Cherab Wards in Merti Sub-County, Isiolo County, challenged the Northern Rangelands Trust (NRT) and other respondents, including the County Government of Isiolo, Kenya Wildlife Service (KWS), and individual conservancy leaders, over the establishment of Cherab and Bulesa Biliqo community conservancies. These conservancies were initiated on unregistered community land, allegedly to support wildlife conservation and carbon offset projects, which had gained traction in Kenya as a means to combat climate change and generate revenue through carbon credits.

However, the petitioners alleged that the conservancies were established without their consent or public participation, violating their constitutional rights to property, cultural heritage, and a clean and healthy environment. They claimed that the NRT, in collaboration with local leaders, deployed armed rangers, leading to tension, violence, and displacement, while also restricting access to grazing and cultural sites like the Kura Disan Owwo graveyard. The petitioners further argued that the County Government and the Ministry of Lands failed to facilitate the registration of community land under the Community Land Act, Cap 287 Laws of Kenya, leaving the land vulnerable to exploitation. It was alleged that this action disenfranchised marginalised groups, including women, youth, and persons with disabilities, and threatened their pastoralist livelihoods.

Issues:

i. Whether the establishment of the conservancies adhered to constitutional requirements for public participation under Articles 10 and 69 of the Constitution.
ii. Whether the respondents violated the petitioners' rights to unregistered community land, as protected under Article 63 of the Constitution and the Community Land Act, 2016.
iii. Whether the Cherab and Bulesa Biliqo conservancies were operating legally, given the lack of registration and compliance with the Wildlife Conservation and Management Act, 2013.
iv. Whether the deployment of armed rangers by the NRT was lawful and compliant with the National Police Service Act and the Wildlife Conservation and Management Act.
v. Whether the conservancies infringed on the petitioners' social, economic, and cultural rights, including equitable access to benefits from conservation projects.

Holding

1. The establishment of the conservancies lacked meaningful public participation, violating Articles 10 and 69 of the Constitution. The court noted that the NRT's evidence of community engagement, including an Environmental Impact Assessment and NEMA license, was prepared after the petition was filed and did not demonstrate prior consultation.
2. The Cherab and Bulesa Biliqo conservancies were deemed to be operating illegally due to non-compliance with the Wildlife Conservation and Management Act and the Community Land Act. The court emphasised that community conservancies must adhere to statutory registration and governance requirements.
3. The County Government of Isiolo and the Ministry of Lands breached their statutory duties under the Community Land Act by failing to facilitate the registration of community land in Chari and Cherab Wards,

leaving it susceptible to unauthorised use.

4. The NRT's deployment of armed rangers was declared unconstitutional and illegal, as no evidence of their registration, vetting, or compliance with the National Police Service Act was provided. This raised concerns about public safety in a region prone to firearm proliferation.
5. The respondents' actions infringed on the petitioners' rights to property, livelihood, and cultural heritage, particularly by alienating grazing and cultural sites without community consent.

Petition allowed.

Excision and De-Gazettement of Forest Land and Settler's Legitimate Expectations

Tonui v Kenya Forest Service & 3 others; Law Society of Kenya & Others & 12 others (Interested Parties) (Constitutional Petition 11 of 2020) [2024] KEELC 6320 (KLR))

Brief facts

This case arose from consolidated constitutional petitions challenging forced evictions from the Eastern Mau Forest Complex. The petitioners were residents and allottees in government-established settlement schemes (e.g. Nessuit, Mariashoni, Sururu, Likia, Terit, Sigotik) and held title deeds issued by the Government following the purported excision of 35,301 hectares of forest land in 2001.

The petitioners claimed that the state had reversed its position and treated them as illegal settlers despite prior approvals and title issuance. Meanwhile, the Ogiek community, an indigenous group, challenged the issuance of titles on grounds of ancestral and customary land rights, relying on a decision by the African Court on Human and Peoples' Rights (ACHPR).

The Government and Kenya Forest Service (KFS) argued that the excision was not lawfully completed, that titles were irregularly issued, and that evictions were justified for environmental protection and to safeguard the Mau Forest as a vital water tower.

Issues

i. Whether the 2001 excision and degazettement of 35,301 hectares of the Mau East Forest Complex was lawfully done under the Forest Act.
ii. Whether persons allocated land and issued title deeds in settlement schemes had a legitimate expectation of tenure and protection.
iii. Whether evictions of such persons without resettlement plans violated Article 43 on socio-economic rights.
iv. Whether there was clarity on forest boundaries and distinction between forest land and settlement areas.
v. Whether the Ogiek community had a constitutional and legal claim to indigenous land rights in the Mau Forest.
vi. Whether the High Court had jurisdiction to enforce decisions of the African Commission on Human and Peoples' Rights.
vii. Whether the activities of a non-gazetted multi-agency task force established to implement the ACHPR decision were valid in law.

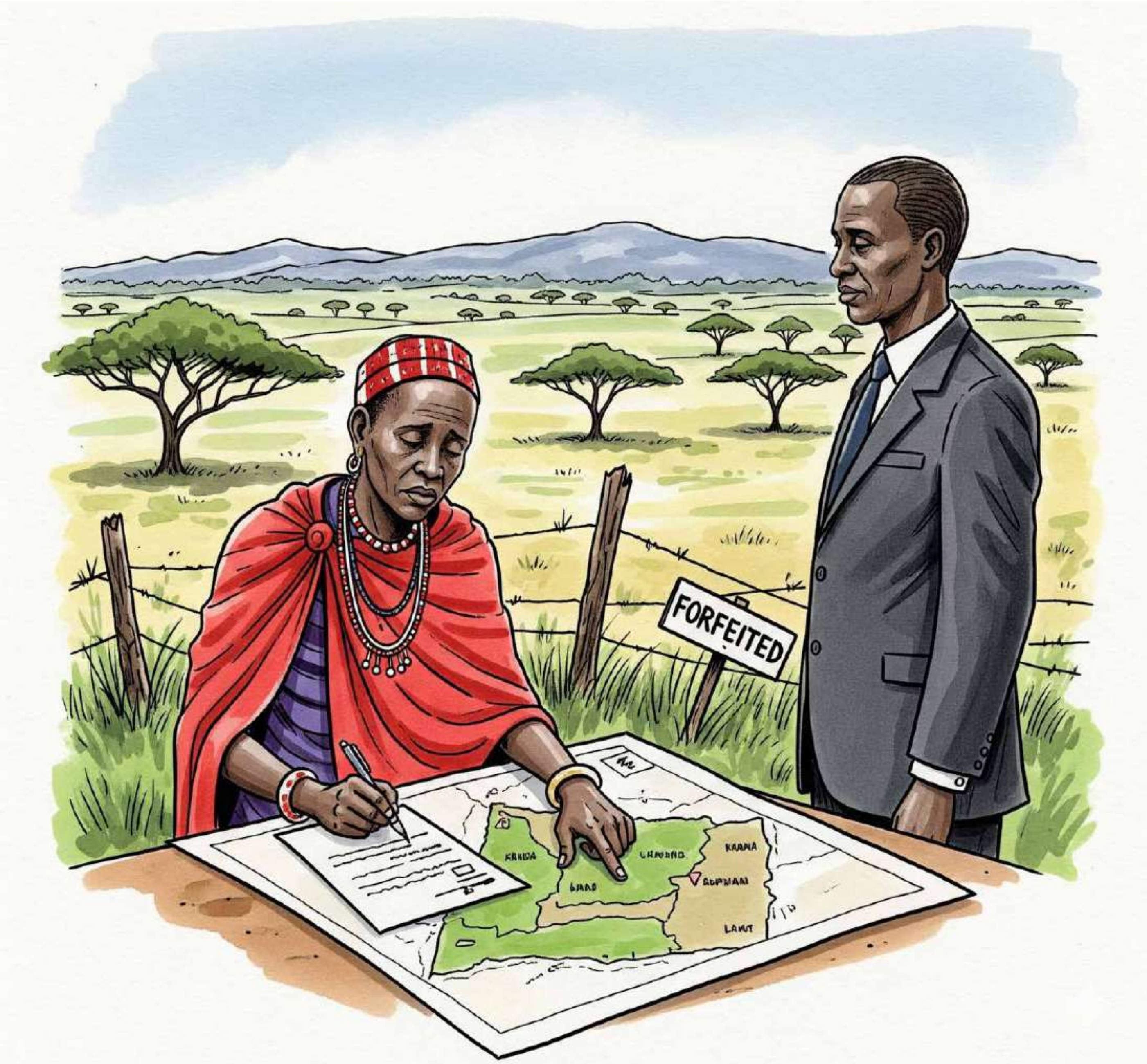
Holding

1. The Court held that the 2001 excision and degazettement of 35,301.01 hectares of Eastern Mau Forest was **lawful**. Gazette Notice No. 889 (Notice of intention to alter the boundary) and Gazette Notice No. 142 (formal degazettement) were valid and had **not been revoked**. Settlement schemes created on this excised land were thus **legitimate**, and **title deeds issued were valid**.
2. The Court found that the Government's actions – allocating land, issuing titles, and establishing infrastructure – created a **legitimate expectation** of tenure among settlers. Evictions carried out without resettlement plans were inconsistent with **Article 43** rights to housing and dignified livelihood. The state's attempt to reverse the settlement policy amounted to **a breach of property rights and legitimate expectation**.
3. The Ogiek community was recognised as an indigenous group with historical presence in the Mau Forest. However, while the Court acknowledged the ACHPR's decision, it held that the **High Court lacked jurisdiction to enforce regional court decisions**. The Ogiek must pursue **implementation of reparations** through the ACHPR enforcement framework. Nevertheless, the Ogiek had a **right to be consulted and included** in any implementation task forces or processes.

4. The Multi-Agency Task Force established to implement the ACHPR judgment **lacked legal foundation**, was **not gazetted**, and **excluded Ogiek participation**. Its activities were declared a **nullity**.
5. While affirming the importance of forest conservation, the Court warned against actions that could trigger a **humanitarian crisis** by displacing thousands of lawful settlers without alternatives. It ordered that any **encroachers beyond excised boundaries** be **evicted**, but protected those within the gazetted settlement area.

Petition allowed.

A Party Who Surrenders Land to the State Could Not Lawfully Reclaim or Transfer Any Interest in the Land to Third Parties.



Giraffe View Estate Limited v Jemeau & 5 others; Ethics & Anti-Corruption Commission (Interested Party) (Environment & Land Case E129 of 2022) [2025] KEELC 1341 (KLR))

Brief facts

The dispute concerned LR No. 2250/71, a parcel of land situated along Mukoma Road in Karen, Nairobi. Originally part of LR No. 2250/8, the land was privately owned by the 3rd defendant, Taylor Adforce EA Ltd. In 1994, following a subdivision scheme, the 3rd defendant surrendered LR No. 2250/71 to the Government as a public utility plot—a condition precedent for the approval of the subdivision. The plaintiff, Giraffe View Estate Ltd, represented sub-lessees of the adjacent LR No. 2250/70 and claimed a community interest in ensuring the reserved public land was protected. Despite the surrender, a certificate of lease for LR No. 2250/71 was issued in 2021 to the 1st and 2nd defendants, who claimed the land had reverted to the 3rd defendant and had been allocated to them in settlement of outstanding debts. The plaintiff, supported by the Nairobi County Government and the Ethics and Anti-Corruption Commission, filed suit seeking cancellation of the title, restitution of the land to the County Government, and injunctive relief.

Issues

i. Whether land initially held privately and later surrendered to the State for public utility purposes can be lawfully reallocated to a private party.
ii. Whether the party who surrendered the land to the State could lawfully reclaim or transfer any interest in the land to third parties.
iii. Whether issuance of a title deed to such land was fraudulent, illegal and un-procedural.

Holding

1. The definition of public land under Article 62(1) of the Constitution included un-alienated government land and land which no individual or community ownership could be established by any legal process. Article 62(2) stipulated that public land shall vest in and be held by a county government in trust for the people resident in the county and shall be administered on their behalf by the National Land Commission. Article 62 (4) provides that public land shall not be disposed of or otherwise used except in terms of an Act of Parliament specifying the nature and terms of that disposal.
2. The suit land was public land, the same having been surrendered by the 3rd defendant during the subdivision of its mother parcel 2250/8. The suit land did not fall under the category of un-alienated government land, the same having been alienated and so registered to the government on December 16, 1993.
3. The suit land was not available for alienation to private use as the same had been reserved for public utility. The land could not revert back to the 3rd defendant.
4. The letter from the Ministry of Land that stated that a title deed had not been issued for plot no. 2250/17 and that the plot was unclaimed did not indicate under which law the 3rd defendant was given a go ahead to commence the titling process. There was no evidence tendered by the 1st and the 2nd defendants to demonstrate how the process culminating in the issuance of title to them was conducted.
5. There was no evidence of the suit land reverting back to the 3rd defendant or to his allegedly donee of a Power of Attorney. The issuance of a title to the 1st and 2nd defendants was unlawful, illegal and un-procedural.
6. The Certificate of Title issued by the Registrar upon registration shall be taken by all courts as *prima facie* evidence that the person named as proprietor of the land was the absolute and indefeasible owner and the title of that proprietor shall not be subject to challenge except on the ground of fraud or misrepresentation to which the person was proved to be a party or where the certificate of title had been acquired illegally, un-procedurally or through a corrupt scheme. Article 40(6) of the Constitution stipulated that the rights under Article 40 did not extend to any property that had been found to have been unlawfully acquired.

Suit allowed.

3.2. NOTABLE CASES FROM SUBORDINATE COURTS

3.2.6. Magistrates' Courts

As the first point of contact for most Kenyans seeking justice, the Magistrates' Courts continued to make significant contributions to enhance access to justice. In the reporting year, the courts rendered noteworthy decisions on emerging issues such as the protection of children born through surrogacy and the criminalisation of wildlife trafficking, including the legal recognition of non-traditional species under the Wildlife Conservation and Management Act.

State's Duty to Protect Children Born Out of Surrogacy Arrangements by Providing a Legal Framework to Govern Such Arrangements

In re KMM (Minor) (Children's Case E239 of 2024) [2024] KEMC 80 (KLR)

Brief facts

It was the applicants' case that they were the commissioning parents of the minor and that the surrogate mother had granted consent for transfer of parental rights. The applicants sought for the following orders: parental rights, legal and actual custody of the minor, and liberty to leave the jurisdiction.

Issues

i. Whether the State had a duty to provide a legal framework governing surrogacy to protect the rights of children born through such arrangements.

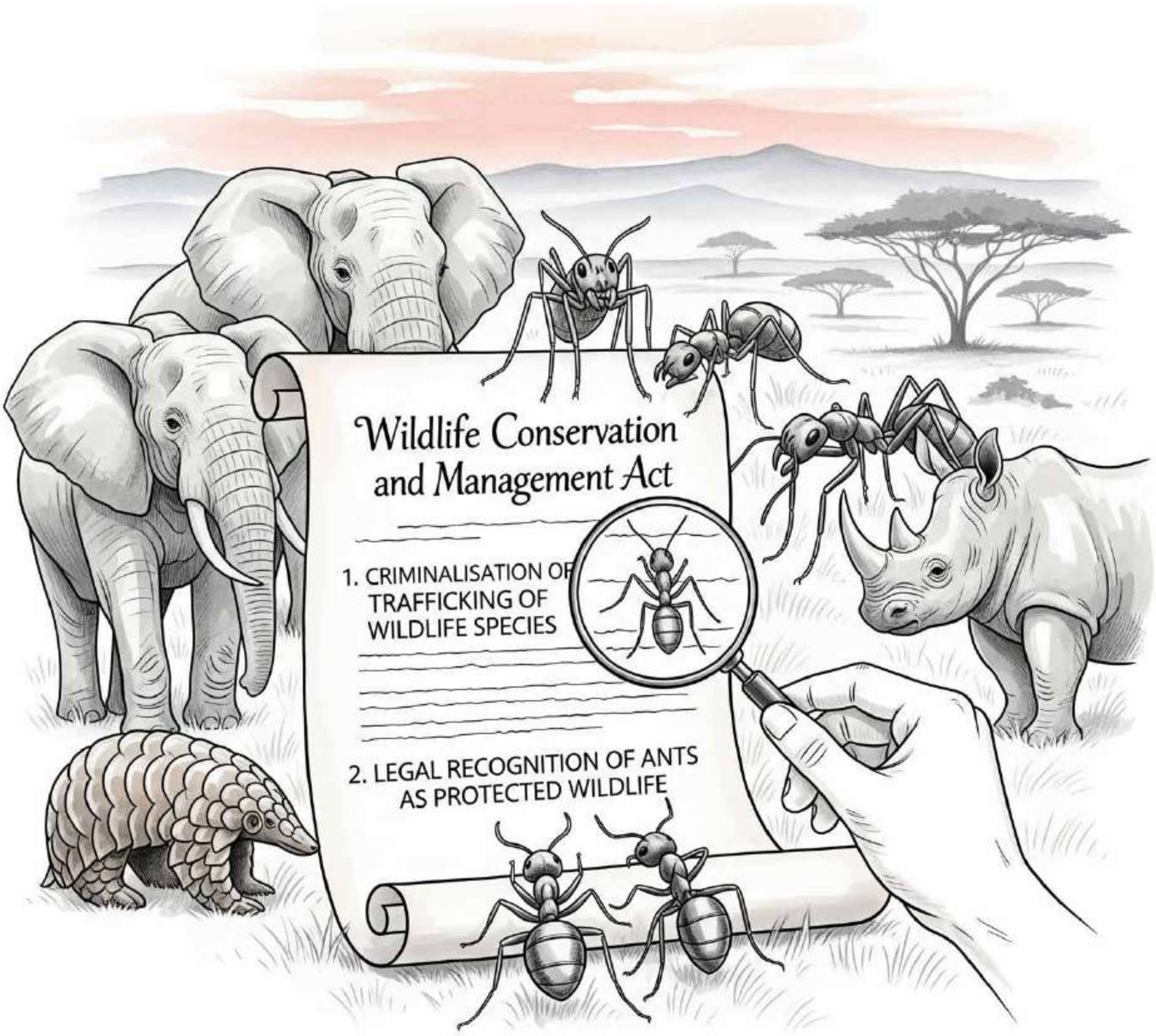
ii. Whether children born through surrogacy arrangements were entitled to equal rights and protections under the Constitution and the Children Act.

Holding

1. Article 53(1)(e) of the Constitution provided that every child had the right to parental care and protection, which included equal responsibility of the mother and father to provide for the child, whether they were married to each other or not. The Children Act interpreted "parent" to mean the mother or father or any person who was conferred parental rights by law. There was no law in Kenya to support surrogacy.
2. Even where there was no legal regime, the court or any persons dealing with the matter must, in accordance with Article 53 of the Constitution, decide the matter on the basis of the best interests of the child. A child born out of a surrogacy arrangement was no different from any other child. Under Article 53 of the Constitution and section 11 of the Children Act every child had the right to certainty of their parentage, a right to family, a right to a name acquired through issuance of a birth certificate, a right to access health services and a right not to subjected to discrimination of any form arising from their surrogate birth.
3. Surrogacy was not a hypothetical issue any more. It was real and many Kenyans were resorting to surrogacy especially those who could not for medical reasons have their own children. In such circumstances, it was the duty of the State to protect the children born out of such arrangements by providing a legal framework to govern such arrangements. In absence of legislation, the court reverted to Article 53 of the Constitution (paramountcy principle).

Application allowed.

The Criminalisation of Trafficking of Wildlife Species and the Legal Recognition of Ants as Protected Wildlife Under The Wildlife Conservation and Management Act



Republic v Duh Hung Nguyen & Dennis Nganga, JKIA Law Courts Criminal Case No. E074 of 2025

Brief facts

The two accused persons - a Vietnamese national, and a Kenyan—were arrested at Jomo Kenyatta International Airport in possession of over 400 live ants of the species *Messor Cephalotes*, a native African species protected under Kenyan law. They were charged with dealing in wildlife species without a permit, contrary to Section 95(c) of the Wildlife Conservation and Management Act, 2013. Both accused persons pleaded guilty.

Issues

i. Whether trafficking in lesser-known wildlife species such as ants constitutes an offence under Kenyan wildlife law.
ii. What constitutes an appropriate sentence for wildlife crimes involving non-charismatic species.
iii. Whether Kenya's courts should factor in environmental, ecological, and global wildlife trafficking concerns in sentencing.

Holding

1. The court confirmed that *Messor Cephalotes* is a species protected under the Wildlife Conservation and Management Act, and that dealing in such wildlife without a permit constitutes an offence under Section 95(c) of the Act.
2. The court described the offence as part of a growing global trend of bio-piracy and transnational environmental crime. It observed that lesser-known species such as ants play an important ecological role and must be accorded equal legal protection.
3. The court accepted a victim impact statement from the Kenya Wildlife Service, highlighting the crucial ecological function of ants in pest control, seed dispersal, soil regeneration, and biodiversity conservation. Scientific analysis by the National Museums of Kenya confirmed the negative environmental implications of such trafficking including extinction of local species.
4. Each accused was sentenced to a fine of KSh 1,000,000, or 12 months' imprisonment in default, the mandatory minimum under Section 95(c) of the Wildlife Conservation and Management Act. The court ordered the repatriation of the foreign national upon completion of the sentence or payment of the fine. The court also directed the destruction or lawful disposition of the wildlife specimens in consultation with the National Museums of Kenya.
5. The court noted that existing wildlife laws and sentencing guidelines were primarily geared toward charismatic megafauna and inadequately addressed crimes involving invertebrates and lesser-known species. In addition, the court called for the development of sentencing guidelines for invertebrate-related wildlife crimes, the harmonisation of biodiversity laws, and creation of legal frameworks for benefit-sharing in accordance with the Nagoya Protocol.

3.2.7. Kadhis' Courts

The Kadhis' Courts continued to provide clarity in the interpretation and application of Muslim law in matters of marriage, divorce, and inheritance. In the year under review, they pronounced decisions affirming procedural safeguards in the registration of marriages and restated the objectives of marriage under Islamic law.

Registration Proceedings of Marriage as Provided for in Muslim Law

SMA & JMH (Miscellaneous Case E105 of 2024) [2024] KEKC 22 (KLR)

Brief facts

In an *ex-parte* application for the formal registration of marriage solemnised on 2nd February 2021 in accordance with Muslim law, the Applicants sought for issuance of a marriage certificate under the provisions of the Kadhis' Courts Act and the applicable Kenyan and Islamic law.

Issues

The issues for determination by the court are as follows:

i. Whether the marriage between the 1st and 2nd Applicants was validly solemnised under Islamic Sharia law.
ii. Whether the Applicants are entitled to formal registration of their marriage under Kenyan law.

Holding

1. The Kadhis' Court Act grants the Kadhis' Court jurisdiction to determine questions of Muslim personal law, including matters related to marriage, divorce, and inheritance where all parties profess the Muslim faith.

2. Article 45(4) of the Constitution of Kenya, 2010, recognises the right of individuals to marry under systems of personal law, including Muslim law. The Marriage Act of 2014 also provides for the formal registration of marriages solemnised under different religious and customary systems.
3. The Applicants' marriage was validly solemnised under Muslim law pursuant to the essential elements of marriage under Muslim law, including mutual consent, the presence of witnesses, and an agreement on dowry. The non-payment of dowry did not invalidate the marriage but remained a debt owed by the 1st Applicant to the 2nd Applicant.
4. The applicants were entitled to the formal registration of their marriage under both Islamic and statutory law. The Marriage Act of 2014 allows for the registration of marriages conducted under religious rites, and the Kadhis' Courts Act empowered the court to register marriages conducted under Muslim law.

Application allowed

The Objectives of Marriage Under Muslim Law

FZS v OAM (Divorce Cause E006 of 2024) [2024] KEKC 25 (KLR) (11 December 2024)

Brief facts

The petitioner applied for an order against the respondent that the marriage between the parties be terminated. The grounds were that the respondent failed to fulfil his duties and responsibilities as a husband and father and that since the petitioner left her matrimonial home and went to reside with her parents, the respondent has never showed any interest in their marriage.

Issues

i. What are the objectives of marriage under Islamic Law?
ii. What are the consequences when all or some objectives of marriage are not achieved?

Holding

1. The objectives of marriage as mentioned by the Qur'aan are comfort, compassion and love between married couples as it states: "And among His signs is that He has created for you, from your selves, mates, that you may incline towards them and find rest in them, and He has engendered love and tenderness between you. Surely in this are signs for people who reflect." 30:21
2. When all or some of the objectives of marriage are not being achieved, then one or both parties in a marriage might be finding harm in the relationship and as a result, as stipulated by one of the major Islamic jurisprudential principles: "Harm/Evil must be removed".
3. The Court held that in getting rid of harm/evil, parties may utilise several methods like arbitration, mediation, conciliation and lastly termination of the marriage.

Petition allowed

3.2.8. Small Claims Courts

The Small Claims Courts consolidated their transformative role in delivering quick, affordable, and accessible justice. During the year, the courts rendered decisions that clarified due process in auctioning property for third-party debts and made determination on the enforceability of oral contracts alleged to be tainted by illegality.

The Legality of Auctioning Property for a Third-Party Debt and the Requirement of Due Process in Recovery Proceedings

David Edmond Buyala v Lufree Auctioneers & Busia Bidii Yangu Credit & Savings, Small Claims Court at Malaba Case No. SCCC/E006/2025

Brief facts

The claimant filed a claim for KSh 350,000 against the 1st respondent and 2nd respondent after his livestock—one bull, one milking cow, and a calf—were seized and auctioned to recover a loan of KShs. 27,200 owed by one Hilda Wafula. The Claimant denied knowing Hilda Wafula or owing the debt. The respondents defended the seizure, alleging that Hilda Wafula was the claimant's wife and that she had listed the animals as security for the loan. The seizure was conducted in the presence of armed police officers, and the livestock were taken from the claimant's homestead.

Issues

i. Whether the Respondents lawfully seized and auctioned the claimant's property to recover a debt owed by a third party.
ii. Whether due process was followed in executing the auction.
iii. Whether the Claimant was entitled to damages for unlawful conversion and trespass to goods.

Holding

1. The Court held that under the Marriage Act, a marriage must be proved by a marriage certificate; a chief's letter was insufficient proof. Even if Hilda Wafula was the claimant's wife, she was a distinct legal entity, and her debts could not be enforced against her spouse's property without consent. There was no evidence the claimant had consented to the use of his property as loan security. Since the animals were taken from his homestead and no other claimants emerged, the Court concluded the livestock belonged to the claimant.
2. The Court found that the Movable Property Security Rights Act, 2017 applied and required that security interests in movable property be registered and enforced through the court process. The lender should have sued the borrower and pursued lawful execution. The auction was therefore unlawful. The 1st respondent failed to produce evidence of auction compliance (e.g., advertisement, list of bidders), which rendered the sale irregular and non-binding.
3. The Court held both respondents liable for conversion and trespass to goods, which are torts actionable *per se*. It found that despite the absence of a valuation report, general damages could be awarded based on the court's discretion and circumstances of the case. The sum of KShs. 350,000 claimed by the claimant was deemed reasonable and judgment to that effect was entered in favour of the claimant.

Claim allowed

The Enforceability of Oral Contracts Allegedly Tainted by Illegality and the Test for Illegal Performance in Contract Law

First Dawahub Limited v Yussuf Abdi Hussein, Small Claims Court at Nairobi, Case No. E7614 of 2024

Brief facts

The claimant, a hospital, filed suit seeking KSh 150,000 from the respondent. The claimant alleged that it had paid the respondent KSh 150,000 based on his representation that he could facilitate the hospital's empanelment with the National Hospital Insurance Fund (NHIF). After receiving the funds, the respondent failed to deliver on the promise and went into hiding. In response, the respondent alleged that the money was paid as a bribe to help the claimant resolve NHIF issues and that no action could lie in court from such an illegal transaction.

Issues

i. Whether the oral contract between the parties was illegal and therefore unenforceable.
ii. Whether the Claimant had proven the claim on a balance of probabilities.
iii. Whether any relief could be granted in respect of the transaction.

Holding

1. The court reaffirmed that in civil cases, the burden of proof lies on the claimant, who must prove the claim on a balance of probabilities. The claimant provided evidence that the money was sent to facilitate empanelment, while the Respondent did not rebut the transaction but instead claimed it was a bribe. The court found no evidence supporting the bribery allegation.
2. The court distinguished between contracts that are void due to inherent illegality and those that are only potentially illegal by performance. The court found that empanelment into an insurance hospital list is not illegal *per se*, and there was no evidence of fixed intention to perform the agreement through unlawful means. Consequently, the contract was deemed enforceable, especially as the Respondent later expressed willingness to refund the money.
3. The court concluded that the Respondent held the KSh 150,000 unlawfully and was therefore liable to refund the sum.

Claim allowed.

3.2.9. Tribunals

Tribunals continued to enhance administrative justice and sectoral regulation by addressing disputes in specialised domains such as sports, land acquisition, governance of cooperative societies, and legal education. The reported decisions clarified principles on exhaustion of internal remedies, fair administrative action in compulsory acquisition of land, and the legal validity of admission criteria to professional training programmes.

Whether Internal Dispute Resolution Mechanisms Must Be Exhausted Before Approaching the Sports Disputes Tribunal

Alexander Kiplagat Mutai v The Board of Directors - Kenya Rugby Union, Sports Disputes Tribunal Case No. E013 of 2025

Brief facts

The claimant was the elected Chairperson of the Kenya Rugby Union (KRU). He was suspended from his position by a resolution passed at a Special Board Meeting held on 6th March 2025, pending a vote of no confidence at the upcoming Annual General Meeting. The claimant challenged this suspension at the Sports Disputes Tribunal, arguing that the meeting that led to his suspension was convened irregularly, lacked due process, and violated both the KRU Constitution and Board Charter. He further asserted that the internal dispute resolution mechanisms were inadequate and could not offer him an impartial remedy.

Issues

i. Whether the Sports Disputes Tribunal had jurisdiction to hear the matter in light of internal dispute resolution mechanisms.
ii. Whether there was procedural fairness in the suspension of the claimant.
iii. What remedies, if any, should the Tribunal grant.

Holding

1. The Tribunal found that while internal dispute mechanisms are generally to be exhausted before escalating disputes, the KRU's internal mechanism was inherently flawed and incapable of offering an impartial or effective remedy—especially since it required the claimant to seek recourse from the same Board that suspended him. Citing the principles of access to justice under Article 48 of the Constitution, the Tribunal held that it had jurisdiction to hear the dispute and that the claim was not premature.
2. The Tribunal held that the Special Board Meeting of 6th March 2025 did not comply with the process outlined in the KRU Constitution. The notice convening the meeting was issued by the Secretary without sufficient justification and with less than 24 hours' notice to the Chairperson, contrary to the required 14-day period. The claimant was not informed of specific charges, was not given adequate time to prepare a defence, and no disciplinary sub-committee was constituted. This breached his rights under Articles 47 and 50 of the Constitution, which guarantee fair administrative action and the right to be heard.
3. The Tribunal emphasised that convening a meeting outside the procedures laid out in the KRU's Constitution and Board Charter rendered its outcome null and void. It found no persuasive reason to justify the failure to observe the 14-day notice requirement, and held that the process violated principles of natural justice, including the right to be heard.

4. The Tribunal declared the 6th March 2025 meeting and resolutions passed therein—including the Claimant's suspension—illegal, null, and void. In addition, the claimant was reinstated as the duly recognised Chairperson of the Kenya Rugby Union with all attendant privileges.
5. The Tribunal made a recommendation to the Kenya Rugby Union to consider reviewing and amending its governance documents to clear the grey areas and the potential points of conflict within its governance processes. In addition, it recommended that the Sports Registrar to inspect KRU's governance practices, citing allegations of impropriety and institutional dysfunction.

Compulsory Acquisition and the Requirements to be Met Before the State Can Acquire Private Land

Giciri Thuo & 151 Others v National Land Commission & 5 Others, Land Acquisition Petition No. 3 of 2024 [2024] KELAT 1142 (KLR)

Brief facts

On 27th September 2021, the National Land Commission (NLC) issued Gazette Notice No. 10278 stating its intention to compulsorily acquire parcels of land in Mutomo Village for the expansion of Mama Ngina University College, a constituent college of Kenyatta University. The petitioners, residents and landowners of Mutomo Village, challenged the intended acquisition on grounds that it lacked public participation and that the acquisition was not for a genuine public purpose or in the public interest. They further alleged that no compensation funds had been deposited with the NLC as is required in law, and that the NLC failed to meet the constitutional and statutory threshold for compulsory acquisition.

Issues

i. Whether the intended acquisition of the petitioners' land was for a public purpose or in the public interest.
ii. Whether the process of compulsory acquisition complied with constitutional and statutory requirements.
iii. What remedies, if any, the Tribunal should grant.

Holding

1. Although expansion of a public university generally qualifies as a public purpose under Section 2 of the Land Act, the Tribunal found that the intended acquisition did not meet the necessary constitutional and statutory threshold. The 2nd and 3rd Respondents

failed to demonstrate that the expansion was necessary or that alternative sites were fully considered and exhausted. The revised plan, which abandoned the original multi-site campus approach, disproportionately disrupted long-settled residents and ancestral landowners without compelling justification.

2. The Tribunal held that under Section 107(2) and (3A) of the Land Act, the NLC is required to develop and apply a transparent, objective set of criteria to assess whether a proposed acquisition meets the constitutional test of public purpose or public interest. No such criteria were presented, rendering the NLC's decision procedurally deficient and constitutionally infirm.
3. Section 111(1A) of the Land Act mandates that compensation funds must be deposited with the NLC before any acquisition proceeds. In this case, no such funds had been deposited, and witnesses for the 2nd and 3rd Respondents admitted they could not confirm when compensation would be paid. This omission violated Article 40(3) of the Constitution, which guarantees prompt and just compensation for land compulsorily acquired.
4. The Tribunal found that the NLC and the acquiring authorities failed to ensure meaningful and inclusive public participation, especially among affected communities. Article 10 of the Constitution and Section 115 of the County Governments Act require transparency and engagement with stakeholders in land use decisions affecting them.
5. The Tribunal emphasised that compulsory acquisition should be a measure of last resort and must satisfy the test of necessity. The acquisition must cause the least disruption possible to affected persons. In this case, the university's deviation from its original "willing buyer–willing seller" model and its encroachment on ancestral lands with graves and long-established homes was held to be unjustified and excessively disruptive.
6. The NLC failed to exercise its mandate responsibly by approving the acquisition without ensuring compliance with essential legal safeguards. It acted more as a conveyor belt than an independent constitutional watchdog thereby abdicating its statutory responsibility.
7. A **declaration** was issued that the NLC's Notice of Intention to acquire land published in Gazette Notice No. 10278 of 27th September 2021 violated Article 40(3) of the Constitution and Sections 107, 110(1), and 111(1A) of the Land Act and was therefore **null and void**. In addition, an **order of** quashing the decision to acquire land from the petitioners and residents of Mutomo Village for the university's expansion.

Admission Criteria to the Advocates Training Programme and the Effect of the Nullification of Section 16 of the Kenya School Of Law Act

Caroline Kathure Kiruki v Kenya School of Law & Council of Legal Education, Legal Education Appeals Tribunal, Appeal No. 3 of 2025

Brief facts

The appellant applied for admission to the Advocates Training Programme (ATP) at the Kenya School of Law (KSL) for the 2025/2026 academic year. Her application was rejected on the basis that she did not meet the minimum entry requirements under Section 16 and the Second Schedule of the Kenya School of Law Act, which require a mean grade of C+ in KCSE and a B plain in English or Kiswahili. The Appellant, who had attained a C plain in KCSE, B- in English, and had completed both a Diploma in Law and an LL.B degree, challenged this decision. She argued that her prior legal training and the Legal Education (Accreditation and Quality Assurance) Regulations, 2009 entitled her to admission. She also relied on the doctrine of crystallised rights and academic progression.

Issues

i. Whether the Tribunal had jurisdiction to hear and determine the appeal.
ii. Whether the applicable law governing admission to the ATP was Section 16 and the Second Schedule of the KSL Act or the earlier 2009 Regulations.
iii. Whether the nullification of Section 16 and the Second Schedule by the Court of Appeal in *Otinga v Cabinet Secretary, Ministry of Education & Others* applied to the Appellant's case.
iv. What remedies, if any, the Tribunal should grant.

Holding

1. The Tribunal held that it had jurisdiction to determine the matter under Section 31(1) of the Legal Education Act, 2012, since the dispute involved admission criteria regulated by both the Kenya School of Law Act and the Legal Education Act.
2. The Tribunal found that at the time the appellant's application was rejected, Section 16 and the Second Schedule of the Kenya School of Law Act were in force, and the appellant did not meet the KCSE minimum requirements prescribed there. However, the Tribunal noted that the admission rules under the 2009 Regulations remained relevant after the invalidation of the 2016 Regulations, especially for candidates who had pursued academic progression.
3. The Tribunal held that the nullification of Section 16 and the Second Schedule of the Kenya School of Law Act in *Otinga v Cabinet Secretary, Ministry of Education & Others* [2025] KECA 460 (KLR) applied to all pending matters, including the present appeal. Since Section 16 and the Second Schedule were now void, the appellant's eligibility had to be considered under Regulation 5(c) of the 2009 Regulations, which she satisfied.
4. The Tribunal quashed the decision of the Kenya School of Law denying the Appellant admission. It declared that the appellant is eligible for admission to the ATP under the 2009 Regulations. In the end, the Tribunal directed KSL to admit the appellant forthwith.

Vetting of Electoral Candidates Based on Unratified Policy Documents in Cooperative Societies

Jane Wanjiru Mugo v Bingwa Sacco Society Ltd, Cooperative Tribunal Case No. E001 of 2025

Brief facts

The claimant applied to contest as a director for the Mutira Electoral Zone in Bingwa Sacco's elections scheduled for 14th January 2025. Her candidacy was rejected by the Sacco's nomination committee on the basis that she had been an employee of the Sacco within the last 10 years, allegedly disqualifying her under Clause 9.1(f)(xx) of the Sacco's Electoral Policy. She challenged the rejection, arguing that the Electoral Policy had no legal effect as it had not been validly adopted or integrated into the Sacco's by-laws. She further contended that the policy contradicted the provisions of the Cooperative Societies Act, the Cooperative Societies Rules, and Bingwa Sacco's registered by-laws.

Issues

i. Whether the respondent's electoral policy was valid and binding on members.
ii. Whether the claimant was eligible to vie for election as director.
iii. Whether the Sacco's conduct of elections could proceed based on the contested policy.

Holding

1. The Tribunal found that the electoral policy had not been subjected to member participation or properly ratified in accordance with the procedural requirements for amending by-laws under Section 8 of the Cooperative Societies Act and Rule 8 of the Cooperative Societies Rules. It noted that while the policy was discussed under "matters arising" in a board meeting held on 19th September 2023, there was no evidence of member deliberation or education on the document. The Tribunal proceeded to hold that the electoral policy was effectively an "unknown or alien" document to the Sacco's membership and could not be used to vet or disqualify candidates.
2. The Tribunal found that the claimant, who had retired in May 2024 and met the eligibility criteria under the Sacco's registered by-laws, had been unfairly barred from contesting. It rejected the respondent's submission that the claimant's employment history disqualified her, reiterating that only duly ratified and communicated rules could lawfully limit candidacy.
3. The Tribunal faulted the respondent for attempting to proceed with elections before resolving the eligibility question, finding this prejudicial and indicative of bad faith. It directed that the elections for Mutira Electoral Zone be held before the society's AGM, and that the claimant be allowed to contest.

3.2.10. Alternative Justice System (AJS) Demosprudence

Article 159(2)(c) of the Constitution mandates the Judiciary to promote alternative forms of dispute resolution. In line with this directive, the Judiciary has continued to adopt a multi-door approach to dispute resolution, encouraging the use of alternative dispute mechanisms. The Alternative Justice Systems (AJS) Framework Policy is central to this effort, fostering cooperation and harmony between traditional AJS processes and the formal court system. This interaction aims to enhance access to justice for all Kenyans.

Pursuant to the multi-door approach to dispute resolution, this section of the chapter tracks the evolving relationship between AJS demosprudence and the formal courts during the reporting period, highlighting emerging patterns in how courts are increasingly adopting decisions made by AJS mechanisms.

Use of AJS to Resolve Protracted Leadership Wrangles in a Church

Eld. Amos Nyaiga Ogada & 3 Others v Rev. Abraham Mulwa & 2 Others, Court of Appeal, Kisumu Civil Application E006 of 2025

This case involved leadership of the religious leaders of AIC Church in Kisumu that resulted in 12 cases being filed by different parties including land disputes. The matter was at the Court of Appeal level while other matters were pending in different subordinate courts and the High Court. The parties were referred to AJS to be led by the Chair of Council of Elders, Hon Major Seii.

During the one-day AJS session, the parties agreed to withdraw all the twelve cases filed in Court (the parties had been in court for ten years) and have all the officials reinstated as they demarcate the boundaries of some of the parcels of land that were disputed. This case brought peace and unity in the church.

Whether AJS Panel has the Authority to Order Cancellation of a Validly Issued Title Deed to Land

Estate of Kiplagat Sawe (Represented by Stephen Kiplimo Tai) v Chepkwony (Environment & Land Case E048 of 2024) [2025] KEELC 4933 (KLR) (30 June 2025) (Judgment)

Brief Facts

The plaintiff approached the court asking it to adopt a verdict of an AJS process conducted by the Kiminini Lands Disputes AJS panel in Trans Nzoia County as a judgment of the court. The report of the AJS proceedings attached a title deed and official search certificate dated 13/11/2024. It emerged from the search certificate that land was still held in the name of Elijah Kimutai Chepkwony (deceased).

The defendant did not participate in the AJS proceedings. However, through a letter to the AJS Panel, the defendant, through her advocates indicated that she is not the legal administrator of the estate of the late Elijah Kimutai Chepkwony, hence lacked legal capacity to participate in the proceedings.

Issues

i. Whether a person lacking legal capacity is proper party in an AJS process.
ii. Whether an AJS panel has the authority to order the cancellation of a validly issued deed.

Holding

The defendant, not being the legal administrator of the estate of the late Elijah Kimutai Chepkwony, lacked legal capacity to be sued on behalf of the deceased's estate.

The plaintiff, not being in possession of letters of administration for the estate of the late Kiplagat Sawe, lacked legal capacity to pursue the claim.

The Alternative Justice System panel overstepped its mandate to purport to usurp the power of both the Land Registrar and the court to cancel a validly issued title deed on account of fraud, misrepresentation and illegality.

The court directed the plaintiff to seek and obtain a Limited Grant to represent the estate of Kiplagat Sawe and also cite Mary Chemngeno Chepkwony to represent the estate of the late Elijah Chepkwony to be in a position to pursue his claim over the suit land.

Suit Struck out

3.3. STATUTORY PROVISIONS DECLARED UNCONSTITUTIONAL

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
1.	Senate & 3 others v Speaker of the National Assembly & 10 Others, Petition No. 19 (E027) of 2021[2025] KESC 11 (KLR)	Scope of Senate's participation in law making	The Senate ought to have been involved in considering and enacting the listed statutes.	a. The Equalization Fund Appropriation Act, No. 3 of 2018; b. The Sacco Societies (Amendment) Act, No. 16 of 2018; and, c. The amendments to Sections 3 and 4 of the Kenya Medical Supplies Authority Act introduced by the Health Laws (Amendment) Act, No. 5 of 2019. 7. The Sacco Societies (Amendment) Act, 2018 for a period of 18 months from the date of the judgment to allow for its proper re-enactment in accordance with the Constitution.	Parliament to enact new legislation with Senate's participation.

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
2.	Ndegwa v Attorney General & another (Petition 121 of 2019) [2024] KEHC 9991 (KLR) (Constitutional and Human Rights) (12 August 2024) (Judgment)	Whether the punishment imposed by section 8 (4) for non-disclosure of dual citizenship was a disproportionate and unjustifiable limitation of Kenyan-born dual citizen's rights and fundamental freedoms, hence unconstitutional.	The punishment imposed by Section 8(4) of the Citizen and Immigration Act for non-disclosure of dual citizenship is an unreasonable and unjustifiable on the right of dual citizenship and by extension an unnecessary fetter to the freedom and the security of the person and freedom of movement hence unconstitutional.	Kenya Citizenship and Immigration Act, section 8 (4)	Unconstitutional provision.
3.	Aura v Cabinet Secretary, Ministry of Health & 11 others; Kenya Medical Practitioners & Dentist Council & another (Interested Parties) (Constitutional Petition E473 of 2023) [2024] KEHC 8255 (KLR) (Constitutional and Human Rights) (12 July 2024) (Judgment)	Whether the process of enactment of SHIA, DHA, and PHA was flawed and rendered the Acts unconstitutional	"Let Parliament undertake sensitization, adequate, reasonable, sufficient and inclusive public participation in accordance with the Constitution before enacting the said Acts and amend the unconstitutional provisions in terms of this judgment. b. Compliance with (a) above be undertaken within 120 days of the date of this judgment. c. Within that period, the Acts shall remain suspended. d. In default of a and b above, on 10/11/2024, the following relief shall take effect forthwith:- A declaration is hereby issued that the entire Social Health Insurance Fund Act, 2023; the entire Digital Health Act, 2023 and the entire Primary Health Act, 2023 are all unconstitutional for the reasons set out in this Judgment and therefore invalid, null and void.	Social Health Insurance Fund Act, 2023 Digital Health Act, 2023 Primary Healthcare Act, 2023	Unconstitutional Legislation

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
4.	Kenya National Commission on Human Rights & 2 others v Attorney General; Director of Public Prosecutions & 3 others (Interested Parties); Law Society of Kenya (Amicus Curiae) (Constitutional Petition E045 of 2022) [2025] KEHC 6 (KLR) (Constitutional and Human Rights) (9 January 2025) (Judgment)	Whether section 226 as read with section 36 of the Penal Code that criminalised attempted suicide was unconstitutional for violating the rights to dignity, equality, and freedom from discrimination on the basis of health and disability. Whether the crime of attempted suicide was unconstitutional for denying the survivors the highest attainable standards of health as the stigmatisation associated with crime hindered the victims from seeking help.	declaration that Section 226 of the Penal Code is unconstitutional for violating Articles 27, 28 and 43 of the Constitution	Section 226 as read with Section 36 of the Penal Code	Unconstitutional provision

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
5.	Gikonyo & another v National Assembly of Kenya & 4 others; Council of Governors & 3 others (Interested Parties) (Constitutional Petition 178 of 2016) [2024] KEHC 10886 (KLR) (Constitutional and Human Rights) (20 September 2024) (Judgment)	Whether the NGCD Fund Act, 2015 undermined the constitutional principles of devolution by encroaching on the functional and financial autonomy of county governments. Whether NGCD Fund Act, 2015 infringed on the basic structure of the Constitution by effectively creating a third level of government. Whether the NGCD Fund Act, 2015 encroached on the functions reserved for county governments, leading to duplication and inefficiency. Whether the involvement of Members of Parliament in the implementation and oversight of the Fund under the NGCD Fund Act, 2015 contravened the doctrine of separation of powers by blurring the distinction between legislative and executive functions. Whether the allocation of funds under the NGCD Fund Act, 2015 complied with the constitutional principles of prudent and responsible financial management particularly in ensuring transparency, accountability, and avoidance of duplication of funding structures. Whether the enactment of the NGCD Fund Act, 2015 adhered to constitutional procedures, including consultation with the Senate and the Commission on Revenue Allocation, given its impact on county governments and revenue allocation.	"The NGCD Fund Act, 2015 as amended in 2022 and 2023 is unconstitutional. The NGCD Fund Act, 2015and all its programmes, projects and activities shall cease to operate at the stroke of midnight on June 30, 2026."	The National Government Constituencies Development Fund Act of 2015 as amended in 2022 and 2023	Unconstitutional provision

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
6.	Okoiti v Attorney General & 3 others; Sugut & 6 others (Interested Parties) (Petition E104 of 2023) [2024] KEHC 15701 (KLR) (Constitutional and Human Rights) (13 December 2024) (Judgment)	Whether the withdrawal of the Senate's Standing Committee on Justice, Legal Affairs and Human Rights Committee's amendments to the IEBC (Amendment Bill, 2022) without, allowing debate on it and eventual passing of legislation, negated the public participation exercise.	"A declaration that the Independent Electoral and Boundaries Commission (Amendment) Act No. 1 of 2023 is unconstitutional and, therefore, invalid, null and void."	Independent Electoral and Boundaries Commission (Amendment) Act No. 1 of 2023	Unconstitutional Legislation
7.	Council of Legal Education v Tusasirwe & 13 others (Civil Appeal 242 of 2017) [2025] KECA 459 (KLR) (7 March 2025) (Judgment)	Whether sections 4 and 16 of the Kenya School of Law Act was in conflict with section 12 and 13 of the Advocates Act as regards the qualification for admission to the Advocates Training Program and the admission into the Roll of Advocates.	"... there is a disconnect between sections 12 and 13 of the Advocates Act and section 16 and the Second Schedule to the Kenya School of Law Act, both of which are enactments of the Parliament of Kenya. Urgent legislative intervention is necessary to make the two statutes consistent, and if need be, to require in precise and clear terms that East African Community nationals seeking admission to the roll of advocates of the High Court of Kenya should meet tabulated or specified qualifications required of Kenya nationals or their equivalent. In doing so, account must be taken of the Country's obligations under the Treaty and the relevant Protocols thereunder."	Sections 4 and 16 of the Kenya School of Law Act and sections 12 and 13 of the Advocates Act	Inconsistent Provision

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
8.	Kenya Union of Journalists v Communications Authority of Kenya & another; Media Council of Kenya (Interested Party) (Petition 501 of 2019) [2024] KEHC 13677 (KLR) (Constitutional and Human Rights) (7 November 2024) (Judgment)	Whether section 46A(i) and (j) of the Kenya Information and Communications Act was unconstitutional for giving the Communications Authority of Kenya a similar role to that given to the Media Council of Kenya under article 34(5) of the Constitution. ii. Whether governmental control or censorship through giving of directions to media content and as to how and when content should be aired was adversative to the independence and freedom of media.	The court held that section 46A i & j and 46H(1) of the Kenya Information and Communications Act is unconstitutional. The court further issued a declaration that the Broadcasting Code for broadcast media as prescribed by Communications Authority of Kenya is unconstitutional and therefore null and void	Kenya Information and Communications Act (Section 46Ai & j and 46H (1)) Broadcasting Code for broadcast media as prescribed by Communications Authority of Kenya	Unconstitutional provisions
9.	I&M Bank Limited v Mitini Scapes Development Limited (Insolvency Cause E107 of 2024) [2025] KEHC 5491 (KLR) (Commercial and Tax) (30 April 2025) (Ruling)	Whether Sections 520 and 534 of the Insolvency Act, by defining an administrator as a person appointed "under this Part," precluded holders of debentures made under the Companies Act (repealed) that predates the Insolvency Act from making direct appointments under the Insolvency Act. Whether an interpretation of the Insolvency Act that precluded holders of debentures predating the Act from making direct appointments of administrators aligned with the Act's overall objective of providing a comprehensive and efficient framework for company rescue.	Sections 520 and 534 of the Insolvency Act, that precludes holders of debentures predating the Act from making direct appointments of administrators, does not align with the Act's overall objective of providing a comprehensive and efficient framework for company rescue.	Sections 520 and 534 of the Insolvency Act	Inconsistent Provision

No.	Case Citation	Elaboration of the issue of law	Judge(s)' Remarks	Legislations/Statute referenced (including the section of the law)	Nature of Law Reform issue
10.	Gichuki v County Government of Nairobi & 6 others (Petition E222 of 2023) [2025] KEHC 2364 (KLR) (Constitutional and Human Rights) (6 March 2025) (Judgment)	Whether section 43 of Nairobi County Alcoholic Drinks Control and Licensing Act that established the Nairobi County Alcoholic Drinks Control Fund is unconstitutional?	A declaration is hereby issued that the entire Section 43 of Nairobi County Alcoholic Drinks Control and Licensing Act that establishes the Nairobi County Alcoholic Drinks Control Fund is unconstitutional, null and void.	Section 43 of Nairobi County Alcoholic Drinks Control and Licensing Act	Unconstitutional Provision
11.	Gichuhi & 2 others v Data Protection Commissioner; Waigwa & another (Interested Parties) (Application E202 of 2023) [2024] KEHC 15107 (KLR) (Judicial Review) (2 December 2024) (Judgment)	Constitutionality of section 8 of the Fair Administrative Action Act.	"164.I should not be mistaken to be saying that no particular category of cases can be resolved within a specific timeline. Indeed they can and, as matter of fact, some have been resolved within a shorter period than that prescribed by statute. All I am saying is that, it would be an act of discrimination against a section of litigants to delay the hearing and determination of their cases merely because judicial review applications have to be prioritised. And to the extent that section 8 of the Fair Administrative Action Act purports to promote this sort discrimination, it is inconsistent with and contrary to the provisions of the Constitution to which reference has been made."	Fair Administrative Action Act. Section 8	


THE SUPREME COURT OF KENYA

Chapter 4

Accountability in the Judiciary

INTRODUCTION

Judges, judicial officers, and judicial staff are held to the highest ethical standards, with a responsibility to ensure justice is delivered fairly, efficiently, and without undue delay. Accountability in the Judiciary extends beyond case resolution to the quality of services, prudent management of resources, and structured mechanisms for receiving and addressing public feedback. The Constitution demands these obligations, particularly Article 10(2)(c), which enshrines good governance, integrity, transparency, and accountability as guiding principles for all State organs and public officers.

This chapter highlights the measures undertaken by the Judiciary during the reporting period to strengthen accountability and transparency. It focuses on reforms, policies, institutional mechanisms, disciplinary control processes, performance management, and financial oversight, all aimed at fostering public trust and safeguarding institutional integrity.

4.1. POLICIES, PROGRAMMES, AND INITIATIVES

In an effort to reinforce institutional integrity and enhance public confidence, the Judiciary adopted a range of targeted interventions. These included:

4.1.1. Policy Frameworks

The Judiciary adopted a number of policy instruments to promote integrity and accountability. In 2021, the Judicial Service Commission (JSC) approved the Sexual Harassment, Gender Mainstreaming, Affirmative Action, and Diversity Policies, leading to the establishment of the Employee Protection Unit (EPU) and Employee Protection and Inclusivity Committee (EPIC) in July 2024 to provide safe reporting channels and to safeguard members of staff and court users against workplace misconduct

Other frameworks include the Incentives and Rewards Policy, which recognises exemplary performance while addressing underperformance through structured interventions such as peer review and performance improvement programmes. In addition, the Judiciary Human Resource Policies and Procedures Manual, which guides discipline and human capital management, was reviewed. At the sectoral level, the Anti-Corruption Strategic Guiding Framework for Kenya's Justice Sector (ASGF), developed under the National Council on the Administration of Justice (NCAJ), was adopted to provide a justice sector approach to accountability among other objectives.

4.1.2. Institutional Mechanisms

The Judiciary has established various public feedback mechanisms that give court users and members of the public a chance to submit complaints, compliments, or concerns, and suggest ways to improve services. To operationalise openness, accountability, and responsiveness to the citizens, the Judiciary has provided for the following mechanisms:

OJO was established under the Office of the Chief Justice in fulfilment of the Commission on Administrative Justice Act 2013 Section 8(e), which requires each public entity to establish and build the capacity of a complaint-handling system. It is mandated to receive complaints, monitor and evaluate the integrity of staff, monitor complaints on court processes, as well as propose improvements for effective judicial services and ease of access to justice. It thus provides an additional avenue for accountability by addressing public complaints related to service delivery and the conduct of the Judiciary officers and staff. It also handles internal grievances raised by Judiciary employees, ensuring a comprehensive and impartial complaints resolution framework.

The Office of the Judiciary Ombudsman

The Office of the Judiciary Ombudsman (OJO) was established under the Office of the Chief Justice in fulfilment of the Commission on Administrative Justice Act which requires each public entity to establish and build the capacity of a complaint-handling system. It is mandated to receive complaints, monitor and evaluate the integrity of staff, monitor complaints on court processes, as well as propose improvements for effective judicial services and ease of access to justice. It thus provides an additional avenue for accountability by addressing public complaints related to service delivery and the conduct of Judicial officers and staff. It also handles internal grievances raised by Judiciary employees, ensuring a comprehensive and impartial complaints resolution framework.

During the reporting period, OJO intensified its oversight role through the deployment of spot-checks across court stations. These unannounced, targeted assessments served as a proactive mechanism to evaluate compliance, uphold integrity, and evaluate operational performance across court stations.

Employee Protection Unit

In 2021, the Judicial Service Commission approved a suite of policies on Sexual Harassment, Gender Mainstreaming, Affirmative Action, and Diversity, designed to foster a safe workplace, promote equality, and eliminate all forms of gender-based discrimination in judicial administration and service delivery. A key recommendation from these policies was the creation of the Employee Protection Unit (EPU) and EPIC.

The EPU, established within the Office of the Chief Justice and operationalised in July 2024, was mandated to strengthen reporting mechanisms for victims of sexual harassment in the Judiciary. It provides effective, confidential procedures for handling complaints involving both staff and court users, while promoting proper standards of conduct across all Judiciary workplaces.

During the reporting period, the EPU received six matters referred by the Office of the Judiciary Ombudsman. Of these, four were escalated to the JSC for disciplinary hearing, one was closed, and one remains pending.

Court Integrity Committees

To reinforce public trust and respond to concerns about corruption, the Chief Justice established the National Judiciary Integrity Committee that brings together representatives from the Judiciary, the Ethics and Anti-Corruption Commission, the Office of the Director of Public Prosecutions, the Law Society of Kenya, and other regional stakeholders. The Committee is an inclusive approach that ensures credibility, broad oversight, and effective collaboration, mandated to guide and oversee the creation of Integrity Committees at the court station level.

In January 2025, during the Judiciary Dialogue Day, Integrity Committees were rolled out in all court stations. These committees provide institutional mechanisms for promoting transparency, accountability, and ethical conduct. Their responsibilities include:

a) Appointing and supporting Integrity Assurance Officers (IAOs).
b) Implementing Judiciary-wide integrity policies.
c) Promoting ethical conduct among judicial officers and staff.
d) Monitoring compliance and investigating allegations of misconduct.
e) Enforcing accountability and supporting continuous institutional improvement.

As part of the Judiciary's broader accountability and anti-corruption agenda, field-level interventions have demonstrated tangible impact in promoting ethical conduct, enhancing transparency, and safeguarding public trust. Two notable initiatives—at Kitale Court and the Milimani Anti-Corruption Court—serve as exemplary models of localized integrity enforcement. At the Milimani Anti-Corruption Court, a Corruption Risk Assessment and Mitigation Plan (CRAMP) was pioneered to proactively identify corruption risks and apply targeted solutions. At Kitale Court, the Integrity Committee, comprising a Judge, two advocates, and an EACC official, meets regularly.

Judiciary Discipline Management Advisory Committee

The Judicial Service Commission approved a revised disciplinary process under the Third Schedule of the Judicial Service Act in November 2024. The new framework provides a formal structure for managing disciplinary cases, ensuring fairness, consistency, and adherence to due process. It also seeks to enhance institutional accountability by addressing disciplinary matters with efficiency and transparency.

To operationalise the new framework, the Chief Justice appointed the Judiciary Discipline Management Advisory Committee (JDMAC) in April 2025. The Committee is mandated to oversee disciplinary cases involving judicial staff.

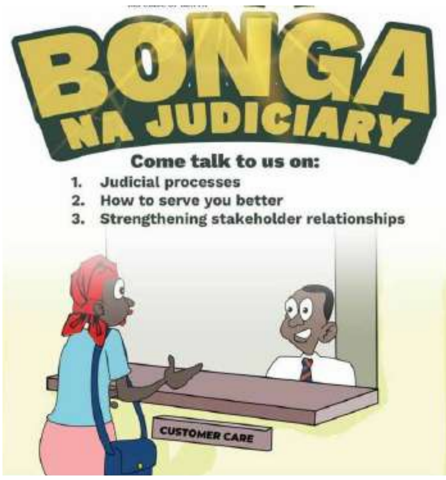
The Committee evaluates and recommends appropriate disciplinary recourse, monitors the handling of concluded cases, and works to ensure that disciplinary proceedings are finalized within reasonable timelines.

4.1.3. Initiatives for Accountability and Transparency

Several initiatives have reinforced public trust and accountability:

Judiciary Dialogue Day

On January 31, 2025, the Judiciary convened a Dialogue Day across all court stations, reaffirming its commitment to transparency, accountability, and citizen-centered justice. This nationwide initiative provided a structured platform for engagement between judicial officers, stakeholders, and the public, with a focus on service delivery, judicial processes, and collaborative reform. The forum provided feedback and self-evaluation mechanisms to ensure responsiveness to evolving needs and adoption of new technologies.

January 31, 2025: Court Assistants Laura Apondi Atieno and Susan Atito with a court user during the Judiciary Dialogue Day at Kisumu Law Courts. During the dialogue day held countrywide, members of the public and various stakeholders had the opportunity to engage directly with Judges and Judicial Officers, sharing their concerns and offering suggestions aimed at enhancing the efficiency and effectiveness of the judiciary's service delivery. The open forum provided a platform for strengthening communication between the judiciary and the community it serves.

Implementation of EACC System Audit Recommendations

To strengthen accountability and curb corruption risks, the Judiciary invited the Ethics and Anti-Corruption Commission to conduct a systems audit between November 2021 and March 2022. The audit identified gaps in registry operations and project management. In the quest to implement recommendations from the systems audit, the Judiciary has initiated various reforms.

Under registry operations, the Judiciary rolled out e-filing nationwide in March 2024, thereby enhancing efficiency and reducing reliance on manual processes. To improve user engagement, an SMS feedback system linked to the Case Tracking System was piloted at the Milimani Commercial Court. Further measures included the digitization of records and disposal of obsolete files in line with statutory requirements, the introduction of staff and visitor identifiers, and the enforcement of human resource, procurement, and ICT policies. Standard Operating Procedures (SOPs) were also adopted to ensure uniformity in registry operations across all court stations.

On governance and anti-corruption, the Judiciary formulated policies aligned to national anti-corruption frameworks and established multiple reporting channels such as hotlines, suggestion boxes, and whistle-blower protection mechanisms. Corruption prevention committees were operationalized at the court level, while corruption indicators were integrated into performance targets, making corruption a standing agenda item in Court Users Committees (CUCs).

In the area of customer service and complaints management, several initiatives were introduced to enhance transparency and responsiveness. These included the enhancement of customer care desks, queue management systems, and structured complaints-handling processes. Dedicated officers were designated to handle both physical and electronic filings, while staff were sensitized on customer service and the use of digital tools. To facilitate real-time feedback, QR codes and feedback boxes were deployed, complemented by greater use of the Judiciary's website and social media platforms while courts maintained up-to-date complaints registers to ensure systematic tracking and resolution of issues raised by court users.

Operationalization of the Judiciary Call Centre

The Judiciary has conceptualized a Call Centre to enhance accountability, transparency and user-centric service delivery. This initiative represents a strategic shift toward proactive engagement and operational efficiency, offering court users timely and accurate support across key judicial services such as E-filing processes, CTS support, access to virtual court sessions and registry-related guidance.

Stakeholder and Media Engagements

The judiciary conducted outreach programmes aimed at enhancing public awareness, promoting transparency, and fostering civic responsibility in judicial processes. Public awareness activities were conducted at Kithimani and Garissa Law Courts, where Information, Education, and Communication (IEC) materials were distributed to court users and community members.

The Judiciary held an engagement with the Kenya Leadership Integrity Forum (KLIF) where it was considered that a proposal be drafted for the Working Committees of the National Coordinating Committee (NCC) to effectively discharge its mandate. There was a proposal for resource mobilization for implementation of the Kenya Integrity Plan 2023 -2024.

The Judiciary also engaged with the United Nations Office on Drugs and Crime on countering corruption and promoting integrity. The forum identified areas that were to be implemented during the third year of PLEAD II, which included upgrading the Judiciary Complaints Management System and training of liaison persons and Judiciary Integrity Assurance Officers.

4.1.4. Complaints Management and Resolution

The Judiciary has deployed a Complaints Management System (JCMS), a digital platform designed to enhance efficiency, transparency, accountability, and accessibility in complaints handling. This internal system enables the Office of the Judiciary Ombudsman to register, track and communicate with complainants on the status of their complaints, reducing delays and minimizing opportunities for complaints to go unattended.

Continuous monitoring and system upgrades have improved reliability and responsiveness, with ongoing enhancements addressing technical challenges and user experience. Notably, the introduction of anonymous reporting and whistle-blower mechanisms has strengthened public confidence by guaranteeing confidentiality in sensitive disclosures.

Overall, JCMS has contributed to more efficient complaints management, streamlined institutional accountability, and reinforced trust in the Judiciary's commitment to responsive service delivery.

During the FY 2024/25, the Judiciary handled a total of 1,206 complaints, comprising 1,107 new complaints received during the year and 99 carried forward from the previous financial year. This reflects a slight decline compared to the 1,115 complaints received in the previous year.

Out of the total complaints, 1,086 were concluded while 120 remained pending at the end of the reporting period. This translates to a resolution rate of 90 per cent, demonstrating strong institutional responsiveness. Nonetheless, the pending caseload underscores the need for continuous monitoring and timely closure of complaints to maintain service efficiency.

Gender Dynamics of Complaints

Of the total complaints, 928 (84 per cent) were lodged by males, while 179 (16 per cent) were lodged by females. This trend reflects a significant gender disparity in the utilization of the OJO complaints mechanism, underscoring the need for enhanced awareness and targeted outreach to encourage more women to engage with available redress platforms.

Modes of Lodging Complaints

Complaints were lodged through multiple channels, providing the public with various avenues to engage with the Judiciary. Overall, email (44 per cent) and letters (38 per cent) accounted for the most frequently used channels, underscoring the public's preference for formal, documentable communication. Walk-ins (11 per cent) reflected the importance of direct interaction, while calls (6 per cent) and social media (1 per cent) remained marginal.

The bulk of complaints were on court services (1,036 cases, 93%), followed by complaints regarding Judicial Administration (59 cases, 5%) and Directorates (12 cases, 1%). This concentration highlights that grievances largely arise at the court-user level.

An analysis of the mode of complaint preferences by queue category provides deeper insight into complaint mode preferences.

Table 4.1.1: Number and mode of lodging complaints

SUBJECT OF COMPLAINT	MODE OF LODGING COMPLAINT					OVERALL
	EMAIL	LETTER	WALK-IN	CALL	SOCIAL MEDIA	
Courts	461	391	117	58	9	1,036
Directorates	2	9	1	-	-	12
Judicial Administration	27	23	5	3	1	59
Overall	490	423	123	61	10	1,107
Overall (%)	**44%**	**38%**	**11%**	**6%**	**1%**	**100%**

Complaint Trends Across Court levels

Complaints were most concentrated in the Magistrates' Courts (651 cases), followed by the High Court (278). The Court of Appeal (52), ELC (28), and Tribunals (24) recorded fewer complaint cases, while specialized courts like the Kadhi's Court (2) and ELRC (1) had minimal complaints. This highlights the Magistrates' Courts as the primary interface for public interaction.

An analysis of complaints by court level reveals unique patterns that reflect the operational realities and user experiences within each tier of the Judiciary:

- Court of Appeal

  The majority of complaints in the Court of Appeal centered around date allocation (34.6%), followed by adjournments (19.2%) and issues related to the exercise of judicial discretion (13.5%). These trends point to user concerns around case scheduling and predictability of hearings.

- High Court

  Complaints were most frequently lodged regarding judicial discretion (28.1%), adjournments and delayed trials (18%), and lost files (15.5%). This highlight both procedural delays and case management challenges at this level.

- Magistrates' Courts

  The Magistracy recorded the highest number of complaints overall, primarily relating to judicial discretion (29.1%), lost files (13.2%), and adjournments (12.3%). Additionally, this level registered notable concerns regarding integrity issues involving magistrates and judicial staff, underscoring the need for strengthened ethical oversight and support.

- Kadhis' Courts and Tribunals

  These forums received comparatively fewer complaints. In the Kadhis' Courts, issues were mainly around judicial discretion and typing of proceedings, while in Tribunals, concerns focused on delayed orders and judgment delivery.

This disaggregated view of complaints highlights court-specific service gaps, reinforcing the need for tailored interventions to enhance accountability and user satisfaction across all levels of the Judiciary.

Category of Complaints and Resolution Rate

The majority of complaints related to merits/exercise of judicial discretion (326 cases, 27.0%), adjournments and delayed trials (153 cases, 12.7%), and lost files (144 cases, 11.9%), together accounting for more than half of all complaints. Service-related issues such as delayed orders (63 cases), delayed judgments/rulings (67 cases), and date allocation (57 cases) also featured prominently.

Resolution rates of complaints were generally high across most categories, with adjournments (93.7%), abuse of court process (94.3%), and date allocation (94.7%) recording strong performance. Several categories achieved full resolution (100%), including tampered files, referrals to stakeholders, employee negligence, human resource complaints, integrity issues against judges, and lost exhibits.

However, challenges remain in more sensitive categories. Integrity of judicial staff (76.7%), intimidation (58.3%), and sexual harassment (75%) recorded comparatively lower resolution rates, highlighting areas that require sustained institutional focus. Overall, the data reflect effective complaint-handling capacity, but point to the need for targeted interventions in addressing integrity-related complaints and interpersonal conduct within the Judiciary.

Table 4. 1.2: Category of Complaints and Resolution Rate

NATURE OF COMPLAINT	CARRIED FORWARD FY23/24	REGISTERED FY24/25	TOTAL COMPLAINTS HANDLED	RESOLVED	PENDING	% RESOLUTION
Merits/ Judicial Discretion	22	304	326	302	24	92.60%
Adjournments & Delayed Trials	11	142	153	144	9	93.70%
Lost Files	14	130	144	130	14	90.30%
Delayed Orders	2	61	63	57	6	90.50%
Delayed Judgments/Rulings	7	60	67	60	7	89.60%
Integrity – Judicial Officers	1	57	58	45	13	77.60%
Date Allocation	6	51	57	54	3	94.70%
Abuse of Court Process	5	48	53	50	3	94.30%
Cash Bail/Deposits/Securities Refund	6	50	56	49	7	87.50%
Slow Service	3	45	48	43	5	89.60%
Integrity – Judicial Staff	9	51	60	46	14	76.70%
Information Requests	0	30	30	26	4	86.70%
Typing of Proceedings	2	22	24	21	3	87.50%
Tampered Files	2	14	16	16	0	100%
Poor Public Relations	1	9	10	9	1	90%
Intimidation	1	11	12	7	5	58.30%
Referral to Stakeholders	0	6	6	6	0	100%
Departmental Service Delivery	1	5	6	5	1	83.30%
Employee Negligence	0	3	3	3	0	100%
Human Resource	1	2	3	3	0	100%
Integrity – Judges	0	2	2	2	0	100%
Sexual Harassment	1	3	4	3	1	75%
Damaged/Lost Exhibit	0	1	1	1	0	100%
TOTAL	**99**	**1,107**	**1,206**	**1,086**	**120**	**90.00%**

During the period, a total of 110 integrity-related complaints were recorded, comprising 57 against magistrates, 51 against judicial staff, and 2 against judges. These figures underscore the Judiciary's continued vulnerability to ethical lapses at different levels. They also highlight the need for ongoing ethics training, stronger oversight mechanisms, and the promotion of a culture of integrity to safeguard the credibility of judicial processes and maintain public confidence.

A large proportion of complaints received relate to merit or judicial discretion, which fall outside the mandate of the Office of the Judiciary Ombudsman. Court decisions cannot be subjected to administrative review and may only be challenged through the appellate process. A merit-based complaint arises when a litigant is dissatisfied with a judicial ruling, order, or judgment, often concerning substantive legal or evidentiary issues that are properly addressed through appeal.

Judicial discretion refers to the authority of a judicial officer to make decisions within the confines of the law, applying legal standards, precedent, and procedural fairness to the specific circumstances of a case. This discretion is central to judicial independence.

Accordingly, the Chief Justice, the Judicial Service Commission, and the OJO cannot review, overturn, or influence judicial decisions without undermining that independence.

Emerging Trends

a) Tampered files (14 cases) and intimidation (11 cases) raise red flags about the integrity of case records and professional conduct within the Judiciary. These incidents point to the need for enhanced file management systems, surveillance controls, and clear accountability protocols.

b) Although sexual harassment (3 cases) and employee negligence (3 cases) accounted for a minimal share of complaints, the judiciary has a zero-tolerance policy on such issues and has established safe reporting channels, staff sensitization, and strict enforcement of disciplinary measures. Sexual Harassment cases are handled through the Employee Protection Unit (EPU).

4.1.5. Employee Values and Conduct

Petitions against Judges

Under Article 168 of the Constitution, the Judicial Service Commission is empowered and mandated to receive petitions against judges, investigate concerns, and, where necessary, recommend removal from office. In the Financial Year 2024/25, the JSC recorded a significant rise in petitions filed against judges, reflecting increased public awareness of the Commission's complaints processes and procedures. A total of 143 petitions were received during the period compared to 100 in 2023/24, representing an increase of 43 per cent. These were in addition to 71 that had been carried forward from the previous financial year. The Commission concluded 82 petitions, with 132 pending at the close of the year.

Table 4.1.3: Number of Petitions against Judges

DETAILS	2023/24	2024/25
Petitions brought forward	41	71
Petitions received during the year	100	143
Total Petitions handled	141	214
Petitions concluded	70	82
Petitions carried forward	71	132

The increase in petitions reflects growing public awareness and confidence in the Commission's complaints processes. While this is a positive sign of institutional credibility, it also highlights the need to strengthen the Commission's investigative and adjudicative capacity to manage rising caseloads efficiently and avoid backlog escalation. Further, the inflow is outpacing resolution, which calls for policy measures to streamline petition handling.

Disciplinary Cases against Judicial Officers

During the period, the Commission handled ten disciplinary cases against Judicial officers. Out of the ten cases, two were concluded, five were admitted for hearing and proceeding before various panels of the Commission while three are in various stages of processing.

Table 4.1.4: Disciplinary matters against Judicial officers

ITEM	DESCRIPTION	NUMBER
1.	Matters concluded	2
2.	Matters awaiting final decision	3
3.	Matters admitted for hearing(ongoing)	4
4.	Matters referred for further inquiry	1
	TOTAL MATTERS HANDLED	**10**

Disciplinary Cases against Judicial Staff

A total of 47 disciplinary cases were registered during the year and 68 brought forward from previous financial years. There were also 16 cases pending in court.

Nature of Offences in Disciplinary Cases against Judicial Staff
The most prevalent charges / offences amongst judicial staff were desertion of duty and absence from duty. Soliciting and receiving bribes, audit queries, and financial malpractices were also notable categories. The total number of disciplinary cases has reduced by one from the previous reporting period.

Table 4.1.5: Nature of Offences in Disciplinary Cases against Judicial Staff

DISCIPLINARY OFFENCE	NUMBER OF STAFF
Desertion of duty	32
Absence from duty without leave/ permission	27
Soliciting and receiving a bribe	17
Court Cases/Criminal Charge	16
Audit Query	8
Financial Malpractices	6
Negligence of duty	6
Sexual Harassment	3
TOTAL	**115**

Disciplinary Matters Registered Per Cadre for Judicial Staff

Court Assistants continued to constitute the majority of staff facing disciplinary action, making up more than half of all cases. Office Assistants, court administrators, and drivers followed.

Table 4.1.6: Disciplinary Matters per Cadre for Judicial Staff

CADRE	NUMBER OF STAFF			PERCENTAGE
	MALE	FEMALE	TOTAL	
Court Assistants	59	7	66	57
Accounts Assistants	18	-	18	16
Office Assistants	8	4	12	10
Court Administrators	5	2	7	6
Drivers	5	-	5	4
Security Wardens	2	-	2	2
Accountants	-	2	2	2
ICT Officers	2	-	2	2
Office Administrators	-	1	1	1
TOTAL	**99**	**16**	**115**	**100**

Disciplinary Outcomes for Judicial Staff

A total of 41 disciplinary cases were finalized. Ten staff members were reprimanded. Several cases were terminated, some due to resignations. Other outcomes included lifting of interdiction, therapy and support referrals, and one case of severe reprimand. The outcomes of the disciplinary processes are summarized below.

Table 4.1.7: Disciplinary Outcomes for Judicial Staff

DISCIPLINARY OUTCOMES	NUMBER OF STAFF
Reprimand	10
Case Terminated	17
Lifting of interdiction	4
Severe reprimand	1
Others (Therapy, reinstatement, peer review, etc.)	9
TOTAL	**41**

4.2. PERFORMANCE MANAGEMENT

Since its formal adoption in FY 2015/2016, the Judiciary's performance management framework has marked a pivotal shift toward enhanced transparency, accountability, and service delivery. Anchored on tools such as Performance Management and Measurement Understandings (PMMUs), the Performance Appraisal System (PAS), annual work plans, and service delivery charters, the system provides a structured approach to planning, monitoring, and evaluating performance across courts, administrative units, and individual employees.

4.2.1. Overall Performance of Courts and Administrative Units

In financial year 2023/24, the Judiciary conducted the 9th cycle of PMMU evaluations, encompassing a total of 337 units across courts and administrative units. These comprised the Supreme Court (one unit), six Court of Appeal stations, 50 High Court stations and divisions, eight ELRC stations, and 35 ELC stations.

The largest share of assessments was in the Magistrates' Courts, which accounted for 136 units, followed by 42 Kadhis' Courts and 24 Small Claims Courts. The evaluation further extended to 14 tribunals, seven registrars' offices, 11 directorates, and three additional administrative units, underscoring the Judiciary's commitment to comprehensive performance monitoring at all levels.

The performance evaluation is guided by a structured grading scale that reflects the extent to which the unit achieves set targets using the scale below:

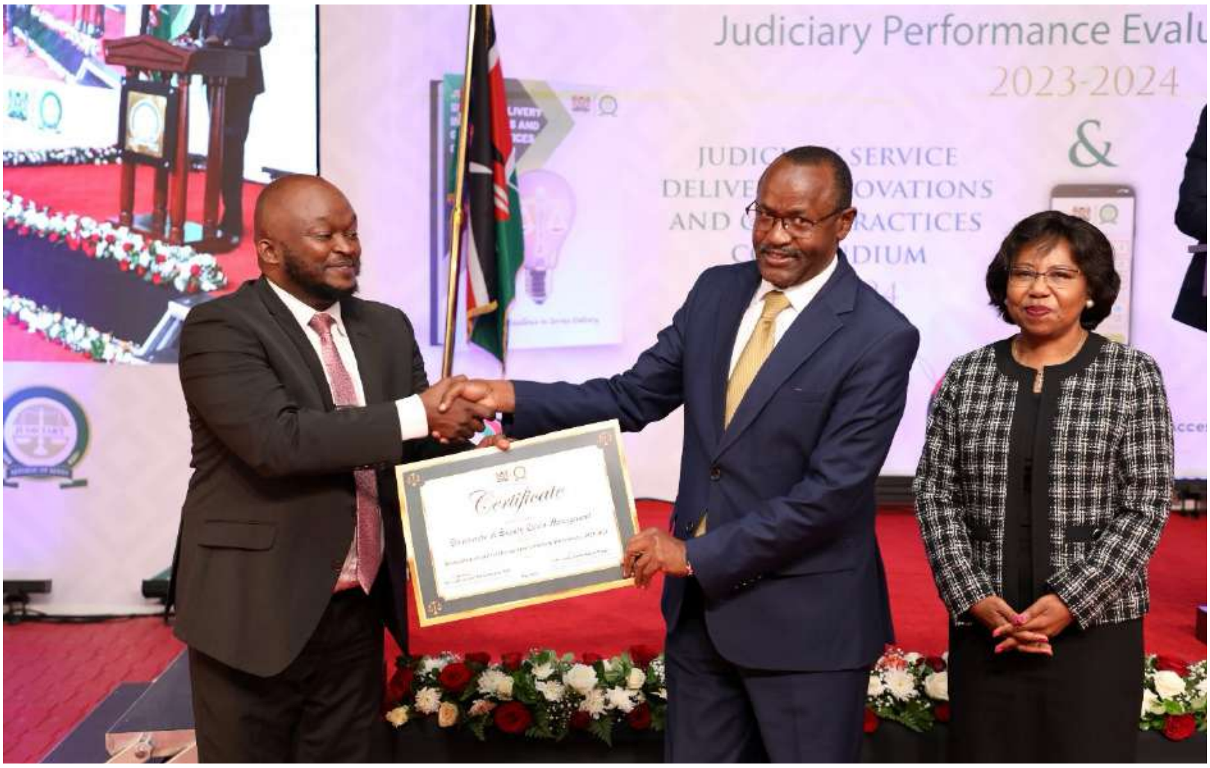
LEVEL OF SET TARGETS MET		SCORE
Exceeding set targets	Above 120%	Outstanding
	101–119%	Excellent
Meeting all set targets	100%	Very Good
Meeting Most set targets	75–99%	Good
Meeting some set targets	50-74%	Fair
	Below 50%	Poor

This scale provides a clear benchmark for assessing performance, distinguishing exceptional achievements while identifying areas that require improvement.

In the FY 2023/24 PMMU assessments, the Judiciary recorded an overall performance score of 95.29% out of a possible 120%, a slight decline from 97.67% in the previous year. Notably, no implementing unit was rated as Outstanding, Excellent, or Poor. Instead, the majority of units fell within the mid-performance bands: 120 units attained a "Very Good" grade, 199 were rated "Good," and 18 were assessed as "Fair." The detailed distribution of performance outcomes is presented in Table 4.2.1

Table 4. 2.1: Distribution of PMMU Performance Ratings by Implementing Units, FY 2022/23

IMPLEMENTING UNITS	OUTSTANDING	EXCELLENT	VERY GOOD	GOOD	FAIR	POOR	TOTAL
Supreme Court	0	0	0	1	0	0	1
Court of Appeal	0	0	2	4	0	0	6
High Court	0	0	25	21	4	0	50
ELRC	0	0	6	2	0	0	8
ELC	0	0	11	23	1	0	35
Magistrates' Courts	0	0	24	109	3	0	136
Small Claims Court	0	0	0	16	8	0	24
Kadhis' Courts	0	0	33	8	1	0	42
Tribunals	0	0	4	9	1	0	14
Registrars	0	0	7	0	0	0	7
Directorates	0	0	5	6	0	0	11
Other Implementing Units	0	0	3	0	0	0	3
TOTAL	**0**	**0**	**120**	**199**	**18**	**0**	**337**



May 16, 2025: Mr Jeremiah Nthusi, Director of Supply Chain Management Services, receives a certificate awarded to the Directorate from LSK Vice President Mwaura Kabata, during the launch of the PMMU Report for FY 2023/2024 at the Supreme Court Building. Looking on is AJPMC Chairperson, Hon Lady Justice Agnes Murgor.

4.2.2. Performance of Judicial Staff

Performance targets are cascaded to individual staff through the Performance Appraisal System (PAS). As the Judiciary continues to pursue greater efficiency, transparency, and accountability, evolving job roles necessitate a review of the PAS tool to ensure it reflects current performance expectations, streamlines appraisals, and supports data-driven decision-making. The revised tool was approved by the JSC in August 2024 and uploaded into the Jumuika ERP system for implementation.

Through the ERP-enabled PAS, 5,612 staff (96.4% of 5,821) set individual performance targets, while 209 staff (3.6%) did not, mainly due to leave of absence or ongoing disciplinary processes.

The performance of 5,876 staff was reviewed. Of these, 5,570 staff (95%) were appraised, while 306 staff (5%) were not appraised due to retirement, resignation, dismissal, leave of absence, or disciplinary action. This marked an improvement in compliance, rising from 92% in FY 2022/23 to 95% in FY 2023/24.

4.3. FINANCIAL ACCOUNTABILITY

To uphold transparency, integrity, and prudent use of public resources, the Judiciary has instituted robust financial compliance and reporting mechanisms. These include regular financial reporting, internal and external audits, and proactive risk management practices. Collectively, they strengthen institutional accountability, safeguard public funds, and ensure operations align with legal and ethical standards.

4.3.1.Internal Audit and Risk Management

The Judiciary, through the Audit and Risk Management Directorate, strengthened institutional accountability by undertaking a wide scope of internal audit assignments. These audits assured the proper management of public resources, compliance with laws and regulations, and the integrity of financial and operational systems.

Key Audit Activities

The Judiciary conducted audits in critical areas, including financial statements (expenditure, revenue, deposits, mortgage and car loan schemes), payroll, supply chain, budget execution, revenue management, imprests management, leases, and ICT systems such as the Jumuika ERP. The MADIP Programme and deposit management processes were also reviewed.

In line with enhancing accountability across the country, internal audits were extended to 22 court stations and six tribunals listed below.

- Nakuru Law Courts
- Kisumu Law Courts
- Kajiado Law Courts
- Mutomo Law Courts
- Kabarnet Law Courts
- Small Claims Courts - Milimani
- Ukwala Law Courts
- Rongo Law Courts
- Moyale Law Courts
- Garissa Law Courts
- Lodwar Law Courts
- Makindu law courts
- Marsabit Law Courts
- Bomet Law Courts
- Tononoka children's court
- Siakago Law Courts
- Nkubu Law Courts
- Embu Law Courts
- City court
- Kadhi's Court-Upper Hill
- Garbatula Kadhis Court

- Milimani Children's Court
- Rent Restriction Tribunal
- Cooperative Tribunal
- HIV and AIDS Tribunal
- Tax Appeals Tribunal
- Capital Markets Tribunal
- Business Premises Rent Trib unals

In addition, 30 prior internal audit reports were followed up on to assess the status of implementation of recommendations. The Directorate also monitored the implementation of the Public Accounts Committee (PAC) Report for FY 2021/2022, ensuring oversight findings were addressed.

Risk-Based Audit Planning

A three-year Internal Audit Strategy (2025/2026 – 2027/2028) was developed based on comprehensive risk assessments. This informed the Annual Internal Audit Work Plan for 2025/2026, which prioritises high-risk areas in line with the Judiciary's governance and accountability framework.

Contribution to Accountability

Internal audits highlighted key governance gaps and made actionable recommendations to improve registry operations, revenue and deposits management, supply chain practices, asset management, expenditure control, and ICT systems integration. Emphasis was placed on:

- Timely reconciliation of revenue and deposits.
- Automation of registry processes such as securities and exhibits.
- Stronger fraud prevention, investigation, and recovery measures.
- Full compliance with procurement and asset management regulations.
- Settlement of pending bills and improved bank reconciliations.
- Integration and strengthening of financial and case management systems.

Advisory and Governance Support

Beyond audits, the institution provided secretarial services to the Audit, Governance, and Risk Management Committee of the JSC, supporting oversight and decision-making on risk and governance matters.

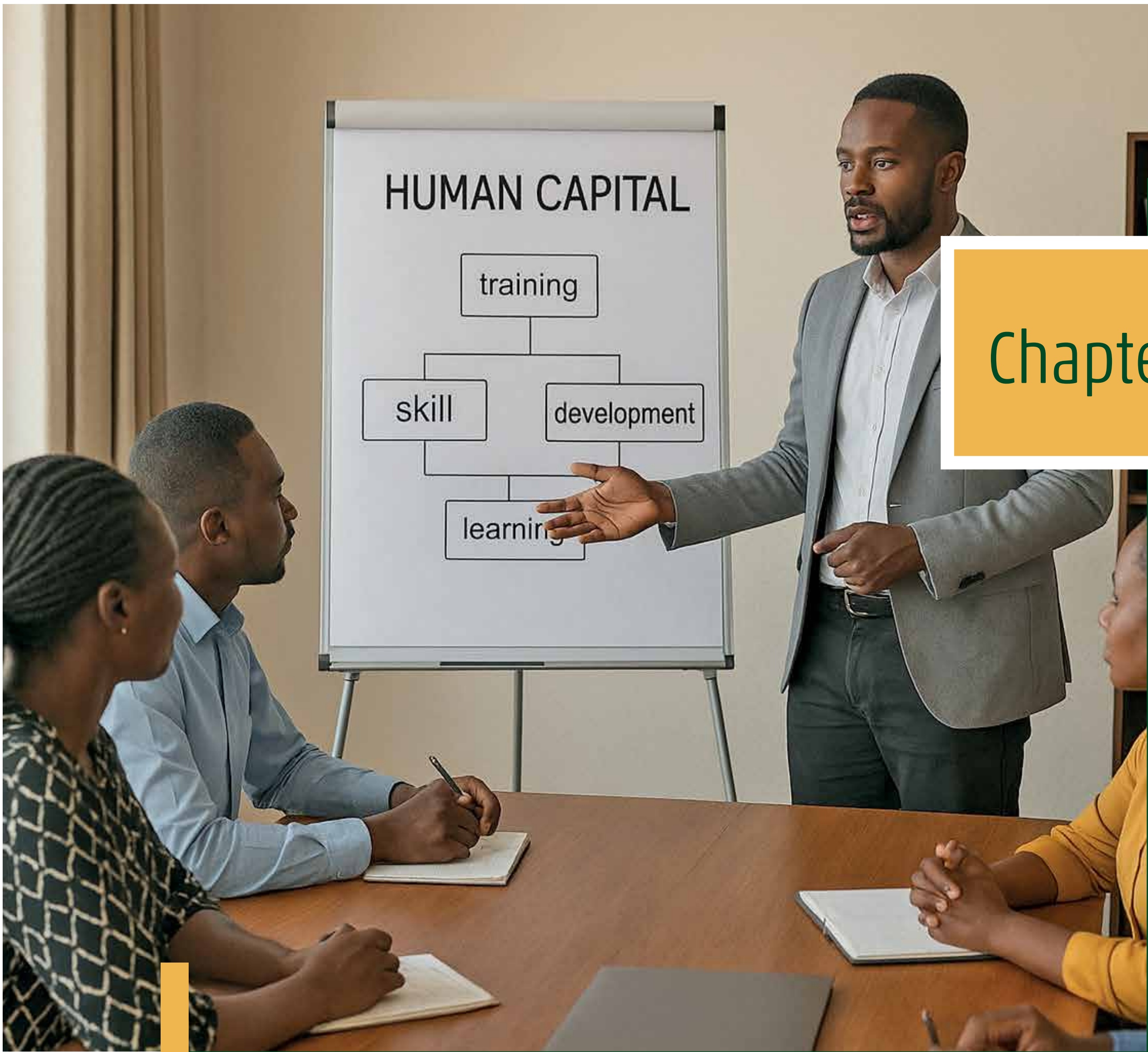
Through these activities, the Internal Audit function continues to serve as a cornerstone of accountability within the Judiciary by promoting prudent use of resources, safeguarding assets, and ensuring transparency. Its oversight role enhances public trust in the Judiciary's administration of justice while reinforcing the principle that accountability is central to good governance.

4.3.2. External Audit

As required by law, the Judiciary submits its annual financial statements to the Auditor General for review. These include the Expenditure Statements, Deposit Accountability Statements, Receiver of Revenue Statements, and Mortgage and Car Loan Scheme Statements.

The Auditor General's reports provided an independent assessment of the Judiciary's financial stewardship. The Judiciary's Financial statements for FY2023/2024 received a qualified opinion while the financial statements for FY2024/2025 were under audit by the time the report was published.

The findings of the Auditor General were reported to the National Assembly through the Public Accounts Committee (PAC) and made available to the public, offering transparency and a basis for holding the Judiciary accountable. The audits thus serve as a key tool for ensuring that public funds are used for the intended purposes.



Chapter 5

Human Capital Management and Development

INTRODUCTION

The Judiciary's commitment to building a skilled, inclusive, and resilient workforce is reflected in its human capital management and development initiatives undertaken during the 2024/25 financial year. These initiatives encompassed staffing, promotion, talent management, performance management, policy enhancement, training, professional development, employee well-being, and infrastructure improvements, each contributing to the institution's mandate.

5.1. EMPLOYEE ESTABLISHMENT

5.1.1. Talent Growth

The Judiciary implemented targeted strategies to recruit, develop and retain talent, ensuring a competent and motivated workforce capable of meeting evolving judicial demands.

A total of 25 recruitments and appointments were made across various cadres, as detailed in Table 5.1.1. The Assistant Deputy Registrar cadre recorded the highest number of appointments at 19, while the remaining cadres each had a single appointment. Of the 25 appointees, 15 were female and 10 male, with 23 of the appointments being drawn from serving staff.

Table 5.1.1: Recruitments & Appointments

DESIGNATION	GRADE	NUMBER
Legal Advisor	RM	1
Assistant Deputy Registrar	ADR	19
Legal Counsel	JSG 3	1
Senior Office Administrator	JSG 4	1
Publicity and Media Facilitator	JSG 6	1
Court Assistant II	JSG 9	1
Driver III	JSG 10	1
GRAND TOTAL		**25**

November 29, 2024: Newly appointed Assistant Deputy Registrars (L-R: Hon Alfa Musumba, Hon Caroline Muthoni, Hon Mary Shanyula, Hon Nehemiah Nanyokie, Hon Benson Letiktik and Hon Lydia Anyango Juma) take their Oath of Office before Chief Justice Martha Koome at the Supreme Court Building.

5.1.2. Employee Complement

The Judiciary's human capital comprises judges, magistrates, Kadhis, tribunal members, registrars, law clerks, legal researchers and judiciary staff. As at June 30, 2025, the Judiciary's staffing level stood at 6,979, representing 64 per cent of the approved establishment of 10,870 positions.

The increased establishment resulted from the creation of 20 new court stations, and review of administrative offices structure. Tribunal Members had the highest staffing level at 82 per cent of the approved establishment, followed by Kadhis at 71 per cent. In contrast, Registrars and Law Clerks/ Legal Researchers had the least staffing levels at 11 and 23 per cent respectively. Table 5.1.2 below highlights the overall Judiciary employee establishment.

Table 5.1.2: Overall Establishment

DESIGNATION	APPROVED ESTABLISHMENT	IN POST	STAFFING LEVEL
Judges	388	202	52%
Magistrates	1,200	566	47%
Kadhis	65	46	71%
Tribunal Members	175	143	82%
Registrars	428	48	11%
Law Clerks & Legal Researchers	666	150	23%
Judicial Staff	7,948	5,824	73%
TOTAL	**10,870**	**6,979**	**64%**

Judges Establishment

As at June 30, 2025, there were 202 judges compared to 207 in the last review period. Three judges retired while two passed on. Only the Supreme Court, with 7 Judges, was operating at its approved establishment. The ELC followed at 81 per cent of its approved numbers. The remaining superior courts were functioning at less than half of their approved establishment, with the High Court at 48 per cent, the ELRC at 44 per cent, and the Court of Appeal at 40 per cent as summarized in Table 5.1.3.

Table 5.1.3: Judges Establishment

DESIGNATION	APPROVED ESTABLISHMENT	IN POST	STAFFING LEVEL
Supreme Court Judges	7	7	100%
Court of Appeal Judges	70	28	40%
High Court Judges	200	95	48%
ELRC Judges	48	21	44%
ELC Judges	63	51	81%
TOTAL	**388**	**202**	**52%**

Magistrates Establishment

As at June 30, 2025, the Magistrates cadre had 566 officers in post, representing 47 per cent of the approved establishment of 1,200 positions. The Chief Magistrate and Principal Magistrate cadres had the highest staffing levels, with 91 per cent and 76 per cent of their respective establishments filled. The Senior Resident Magistrate and Resident Magistrate cadres were operating with less than half of their approved positions filled at 23 per cent and 41 per cent, respectively. Table 5.1.4 below provides a detailed breakdown of the Magistrates cadre establishment and staffing levels.

Table 5.1.4: Magistrates Establishment

DESIGNATION	APPROVED ESTABLISHMENT	IN POST	STAFFING LEVEL
Chief Magistrate	80	73	91%
Senior Principal Magistrate	160	87	54%
Principal Magistrate	240	182	76%
Senior Resident Magistrate	400	93	23%
Resident Magistrate	320	131	41%
TOTAL	**1,200**	**566**	**47%**

Kadhis Establishment

As at June 30, 2025, there were 46 Kadhis in post against an approved establishment of 65, representing 71 per cent of the required staffing. The staffing levels for the Senior Resident Kadhi cadre was at 111 per cent of its approved establishment, while the Resident Kadhi position had no officers in post. The remaining cadres were staffed at varying levels relative to their approved establishments, as presented in Table 5.1.5 below.

Table 5.1.5: Kadhis Establishment

DESIGNATION	APPROVED	IN POST	STAFFING LEVEL
Chief Kadhi	1	1	100%
Senior Principal Kadhi	8	6	75%
Principal Kadhi	22	18	82%
Senior Resident Kadhi	19	21	111%
Resident Kadhi	15	0	0%
Total	**65**	**46**	**71%**

Tribunal Members Establishment

There were 26 active tribunals within the Judiciary. However, the Education Appeals Tribunal and the Water Tribunal were not operational as there were no members appointed as at the report period, as shown in Table 5.1.6. Most tribunals operated with 3 to 8 members. The Tax Appeals Tribunal had a significantly higher number of members (18), due to the volume and complexity of its caseload.

Table 5.1.6: Tribunal Members Establishment

TRIBUNAL	APPROVED ESTABLISHMENT (JSC/STATUTE)	IN POST	PER CENTAGE
Business Premises Rent	10	10	100%
Capital Markets	5	5	100%
Communication and Multi Media	7	7	100%
Competition	5	5	100%
Co-operative	7	7	100%
Copyright	5	5	100%
HIV and AIDS	7	7	100%
Industrial Property	5	5	100%
Land Acquisition	3	3	100%
National Environment	5	5	100%
National Examination Appeals	5	5	100%
Rent Restriction	9	9	100%
Retired Benefits Appeal	5	5	100%
Standards	5	5	100%
Financial Centre	5	5	100%
Transport Licensing Appeals Board	5	5	100%
Sports Disputes	9	8	89%
Political Parties Disputes	7	6	86%
Tax Appeals	21	18	86%
Legal Education Appeals	6	5	83%
National Civil Aviation Administration	6	5	83%
Energy and Petroleum	7	3	43%
Micro and Small Enterprise	7	3	43%
Public Private Partnership Petition Committee	7	2	29%
Education Appeals	7	0	0%
Water	5	0	0%
TOTAL	**175**	**143**	**82%**

Registrars Establishment

There were 48 Registrars in service against an optimal establishment of 428, representing 11 per cent of the required staffing level. Within the cadre, the Registrar position had 9 officers in post, translating to 64 per cent of its establishment. The Assistant Deputy Registrar cadre followed at 24 per cent, while the Senior Principal Deputy Registrar stood at 13 per cent. The other registrar cadres remained vacant as shown in the table 5.1.7 below. To supplement the vacant positions of Deputy Registrars, 150 magistrates were deployed to provide administrative support to courts and administrative units.

Table 5.1.7: Registrars Establishment

DESIGNATION	APPROVED POSTS	IN POST	STAFFING LEVEL
Chief Registrar	1	1	100%
Deputy Chief Registrar	1	1	100%
Registrar	14	9	64%
Senior Principal Deputy Registrar	8	1	13%
Principal Deputy Registrar	17	0	0%
Senior Deputy Registrar	96	0	0%
Deputy Registrar	141	0	0%
Assistant Deputy Registrar	150	36	24%
TOTAL	**428**	**48**	**11%**

Law Clerks and Legal Researchers Establishment

A total of 150 Law Clerks and Legal Researchers were in service, representing 23 per cent of the optimal establishment, as shown in Table 5.1.8. The Assistant Legal Researcher cadre was not staffed, while the other categories had varying levels of staffing.

Table 5.1.8: Law Clerks and Legal Researchers Establishment

DESIGNATION	APPROVED	IN POST	STAFFING LEVEL
Senior Law Clerk	2	2	100%
Law Clerk	14	4	29%
Senior Legal Researcher	40	28	70%
Legal Researcher	310	116	37%
Assistant Legal Researchers	300	0	0%
TOTAL	**666**	**150**	**23%**

Judicial Staff Establishment

The Judiciary had 5,824 staff, representing 73 per cent of the approved establishment of 7,949. Significant disparities were noted across cadres, including several key functions remaining critically understaffed. For example, Human Resources operated at only 58 out of 265 positions, Strategy and Planning at 7 out of 84, Audit and Risk Management at 21 out of 100, and Building Services at 27 out of 134 as indicated in Table 5.1.9:

Table 5.1.9: Judicial Staff Establishment

JOB CADRE	APPROVED STAFF ESTABLISHMENT	IN POST	STAFFING LEVEL
Advisory Services/ Facilitative Staff	22	12	55%
Audit and Risk Management	100	21	21%
Building Services	134	27	20%
Court Administration	365	321	88%
Court Assistant	3,270	2,826	86%
Driver	213	179	84%
Finance and Accounts	421	371	88%
Human Resource	265	58	22%
Information, Communication and Technology	260	182	70%
National Council on Administration of Justice	36	2	6%
Office Administration	754	415	55%
Office Assistant	452	478	106%
Process Server/ Court Bailiff	212	168	79%
Protocol	4	0	0%
Public Affairs	461	338	73%
Records Management	247	118	48%
Security Services	365	126	35%
Strategy and Planning	84	7	8%
Supply Chain Management	271	168	62%
Administration	14	7	50%
GRAND TOTAL	**7,950**	**5,824**	**73%**

Supplementary Personnel

There were 1,000 Digital Agents contracted under the Mahakama Digital Programme (MADIP) to assist with the scanning and uploading of court files. These personnel were engaged on a contract basis to facilitate the digitization of court records.

5.1.3. Diversity and Inclusivity

The Judiciary's workforce reflects a commitment to inclusivity, with representation across age groups, genders and persons living with disabilities, aligning with national diversity goals.

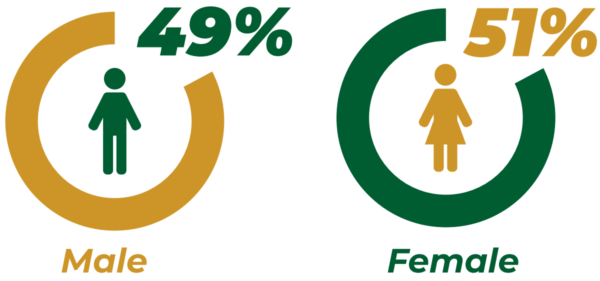
Overall, Gender Diversity

The Judiciary's workforce consisted of 6,979 staff members, with 3,450 males and 3,520 females as illustrated in Table 5.1.10. The male-to-female ratio was 49:51, which was the same as the previous year.

Table 5.1.10: Overall Gender Diversity

DESIGNATION	MALE		FEMALE		TOTAL
	NUMBER	%	NUMBER	%	
Supreme Court Judges	4	57%	3	43%	7
Court of Appeal Judges	19	68%	9	32%	28
High Court Judges	51	54%	44	46%	95
ELRC Judges	13	62%	8	38%	21
ELC Judges	30	59%	21	41%	51
Total	117	58%	85	42%	202
Chief Magistrate	46	63%	27	37%	73
Senior Principal Magistrate	56	64%	31	36%	87
Principal Magistrate	73	40%	109	60%	182
Senior Resident Magistrate	28	30%	65	70%	93
Resident Magistrate	39	30%	92	70%	131
Total	242	43%	324	57%	566
Kadhis	46	100%	0	0%	46
Tribunal Members	88	62%	55	38%	143
Registrars	15	31%	33	69%	48
Law Clerks and Legal Researchers	29	19%	121	81%	150
Judicial Staff	2,923	50%	2,901	50%	5,824
OVERALL	**3,460**	**49%**	**3,519**	**51%**	**6,979**

The Judiciary's workforce consisted of **6,979**



Judges Diversity

This report presents an overview of gender, age and disability representation among judges across the courts. The data reveals a consistent male majority across all categories, though the gender gap varies by court.

Judges Distribution by Gender

The Judiciary had a total of 202 judges, comprising 115 men (56.9 per cent) and 87 women (43.1 per cent). The High Court, the largest with 95 judges, reflected near gender parity with 50 men (52.6 per cent) and 45 women (47.4 per cent). The Supreme Court had seven judges, with four men (57.1 per cent) and three women (42.9 per cent). In the specialized courts, the ELRC recorded 13 men (61.9 per cent) and 8 women (38.1 per cent) while the ELC had 29 men (56.9 per cent) and 22 women (43.1 per cent. The Court of Appeal presented the widest gender gap, with 19 men (67.9 per cent) compared to 9 women (32.1 per cent).

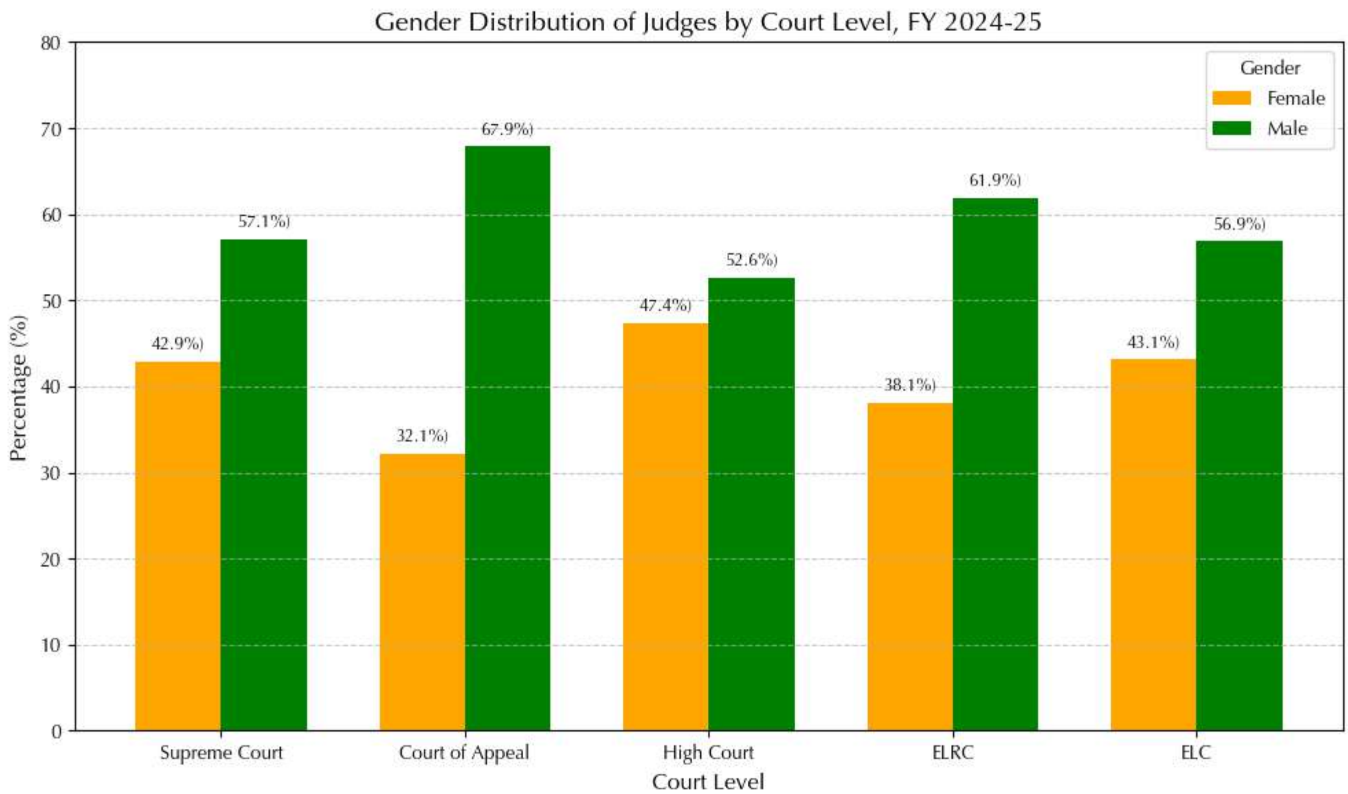


Figure 5.1.1: Gender Distribution of Judges by Court level

Judges Distribution by Age

The age profile of judges shows a concentration in the upper age brackets, with the majority aged between 56-60 years (34.2 per cent) and 61-65 years (22.8 per cent). Judges aged 51-55 years accounted for 20.8 per cent, while those aged 46-50 years made up 8.4 per cent. The youngest cohort, aged 41-45 years, constituted 5.0 per cent, whereas judges above 65 years represented 8.9 per cent of the total.

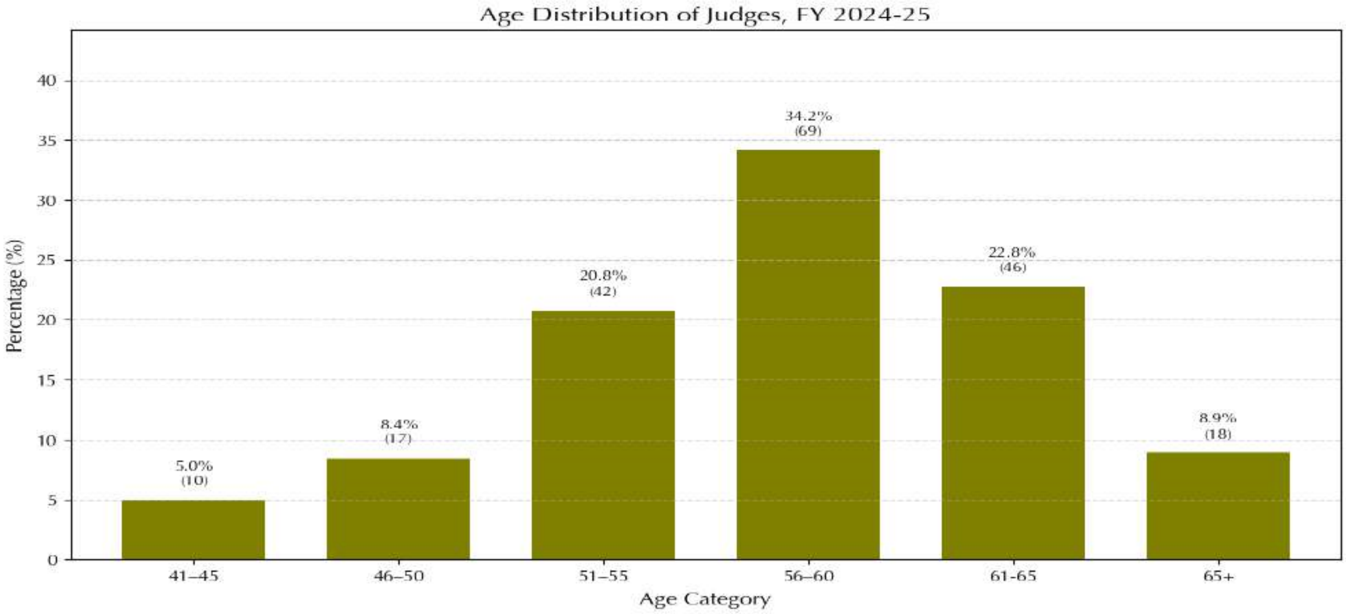


Figure 5.1.2: Age Distribution of Judges

Gender distribution within age categories showed varying patterns. Women were slightly more than men among judges aged 56-60 years (55.1 per cent female, 44.9 per cent male), while men were higher the 51-55 years category (76.2 per cent male, 23.8 per cent female) and remained the majority among those aged 61-65 years (58.7 per cent male, 41.3 per cent female). Younger cohorts showed parity, with women making up 40.0 per cent in the 41-45 years group and 47.1 per cent in the 46-50 years group. At 65 years and above, representation was fairly even, with 44.4 per cent women and 55.6 per cent men. This is illustrated in Figure 5.1.3.

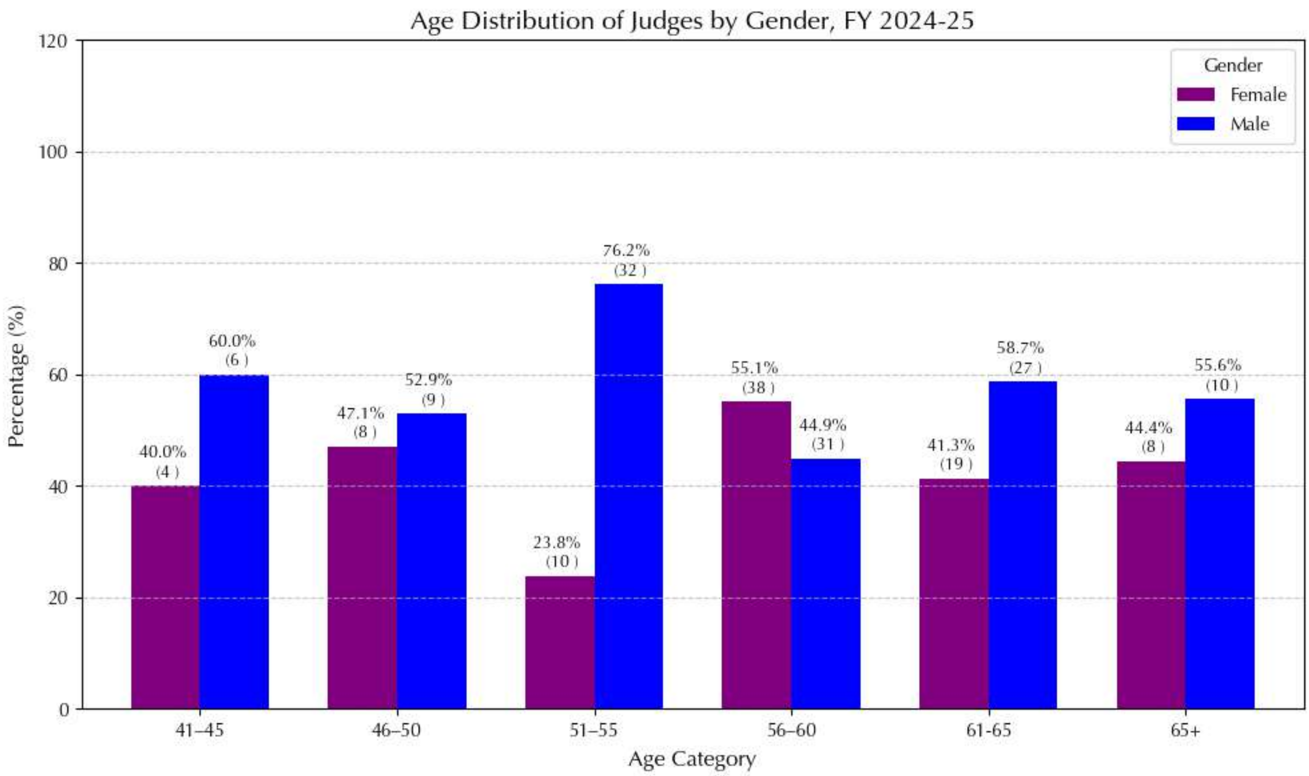


Figure 5.1.3: Age Distribution of Judges by Gender

Retirement Timeline of Judges

Nearly 75 per cent of serving judges are expected to retire within the next 15 years. This signals a major generational transition in the judiciary. With 30 judges retiring in just 5 years, the Judicial Service Commission (JSC) need to proactively recruit, train, and mentor replacements to avoid leadership gaps.

Table 5.1.11: Retirement Timeline of Judges

Age Range	Retirement Timeline	Number of Judges	% of Total (202)
Under 65	Within 5 Years	30	15%
60-64	Within 10 Years	53	26%
54-59	Within 15 Years	68	34%
50-54	Within 20 Years	29	14%
Under 50	After 20 Years	22	11%
Total		**202**	**100%**

Representation of Persons Living with Disability among Judges

Seven Judges out of the 202 were persons with disabilities, representing 3.5 per cent, which is below the 5 per cent statutory threshold. In terms of gender, only one judge was female while the rest were male. This modest representation reflects both progress and ongoing challenges in achieving full inclusion of persons with disabilities in the judicial system.

Magistrates Diversity

This section highlights the gender, age and disability diversities across the five ranks of magistrates.

Magistrates' Distribution by Gender

The gender distribution across the magistracy indicates that, overall, female magistrates constituted 324 (57 per cent), while male magistrates were 242 (43 per cent). At the rank of Chief Magistrate, 37 per cent were female and 63 per cent were male. Among Senior Principal Magistrates, 36 per cent were female and 64 per cent were male. Senior Resident Magistrates comprised 70 per cent female and 30 per cent male, while Resident Magistrates were 70 per cent female and 30 per cent male.

Table 5.1.12: Magistrates Distribution by Gender

Designation	Male		Female		Total
	Number	%	Number	%	
Chief Magistrate	46	63%	27	37%	73
Senior Principal Magistrate	56	64%	31	36%	87
Principal Magistrate	73	40%	109	60%	182
Senior Resident Magistrate	28	30%	65	70%	93
Resident Magistrate	39	30%	92	70%	131
Total	**242**	**43%**	**324**	**57%**	**566**

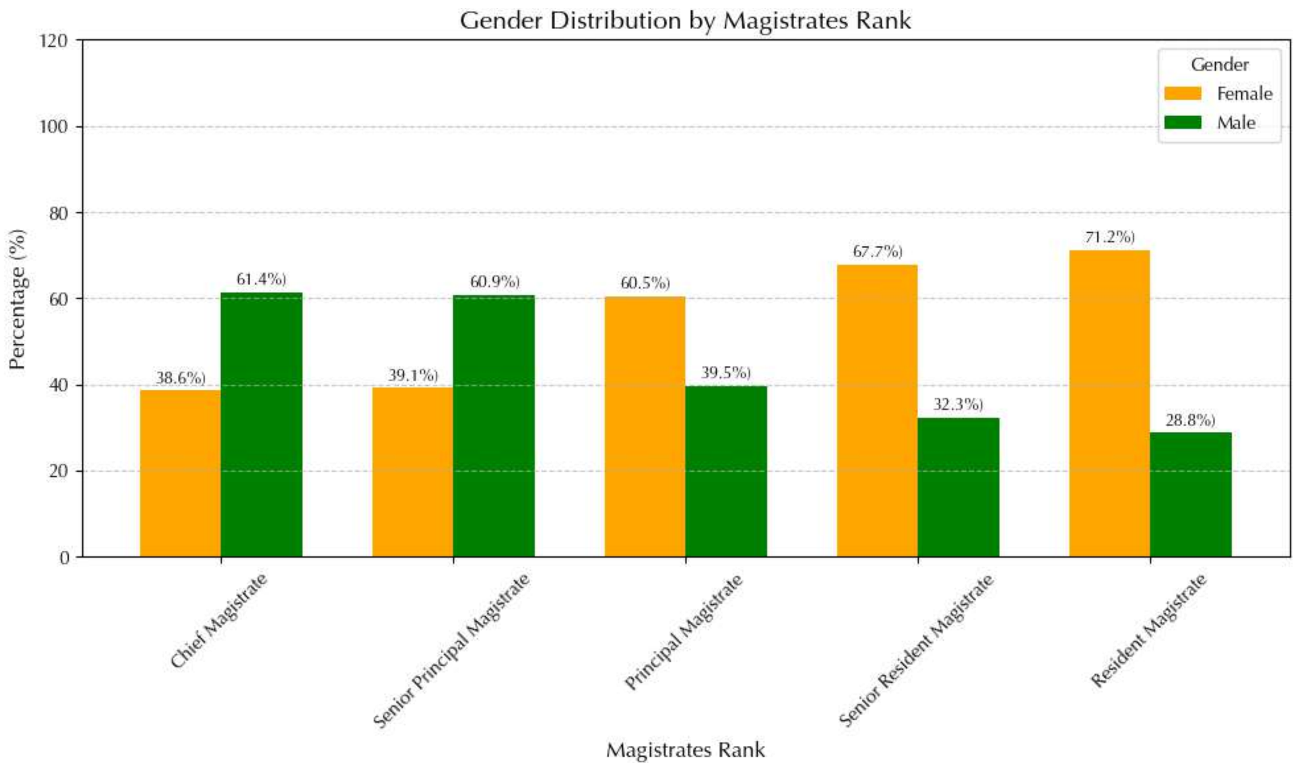


Figure 5.1.4: Gender Distribution by Magistrates Rank

Magistrates' Distribution by Age

The age profile of magistrates reveals a relatively young workforce. Over one-third (35.1 per cent) were below 40 years, while another 30.1 per cent fell within the 41-45 years bracket. Those aged 46-50 years accounted for 18.3 per cent, followed by 12.4 per cent in the 51-55 years range. Only 4.1 per cent were between 56-60 years. Overall, the data shows that more than two-thirds of magistrates were below the age of 45, as illustrated in Figure 5.1.5.

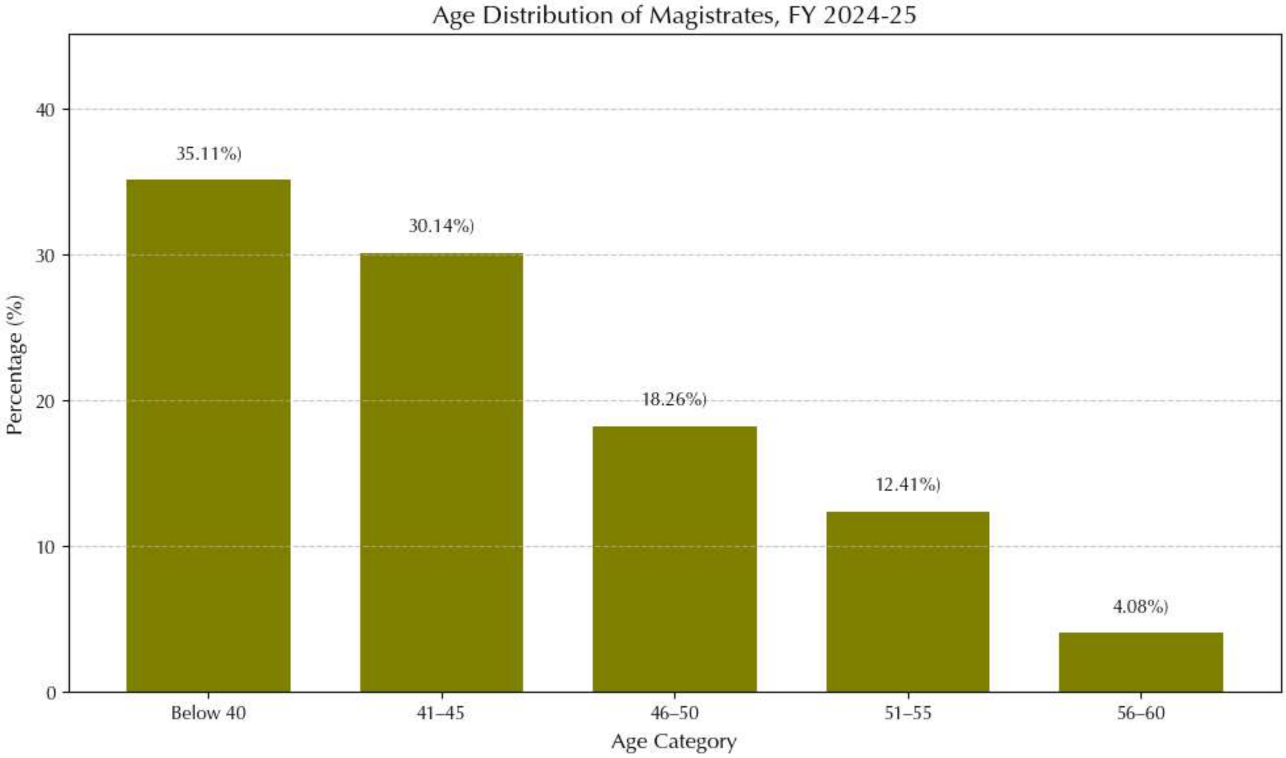


Figure 5.1.5: Age Distribution of Magistrates

Among magistrates below 40 years, women constituted 72.2 per cent while men accounted for 27.8 per cent. In the 41-45 years group, women represented 69.4 per cent compared to 30.6 per cent men. The distribution shifted in the older age brackets, with men comprising 61.2 per cent and women 38.8 per cent in the 46-50 years category. Among magistrates aged 56-60 years, men constituted 65.2 per cent and women 34.8 per cent.

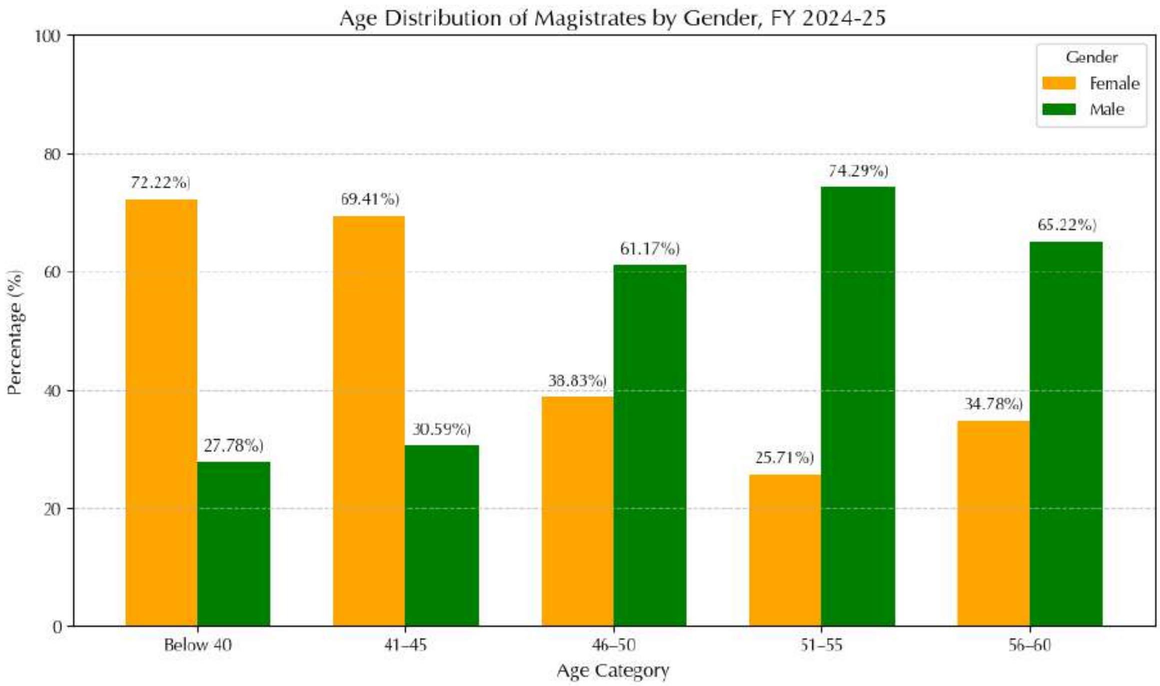


Figure 5.1.6: Age Distribution of Magistrates by Gender

Representation of Persons with Disabilities among Magistrates

Out of the 564 magistrates, 10 (1.8 per cent) were persons with disabilities. The representation was evenly split by gender, with five male and five female magistrates.

Judicial Staff Diversity

This section discusses judicial staff diversity in term of gender, age and disability status.

Staff Distribution by Gender

The Judiciary workforce was almost evenly balanced by gender, with 2,907 males (50.2 per cent) and 2,886 females (49.8 per cent). However, distribution varied across job grades. At the senior-most levels, men were dominant, constituting 77.8 per cent at JSG 1 and 84.6 per cent at JSG 2, underscoring the underrepresentation of women in top leadership. In the middle ranks (JSG 3-7), women formed the majority, averaging 55-57 per cent, reflecting stronger female participation at operational levels.

At JSG 9 and 10, men again held the majority at 54.9 per cent and 75.9 per cent respectively. At the entry level (JSG 11), women slightly outnumbered men at 53.0 per cent. Figure 5.1.7 shows the gender distribution across various staff grades.

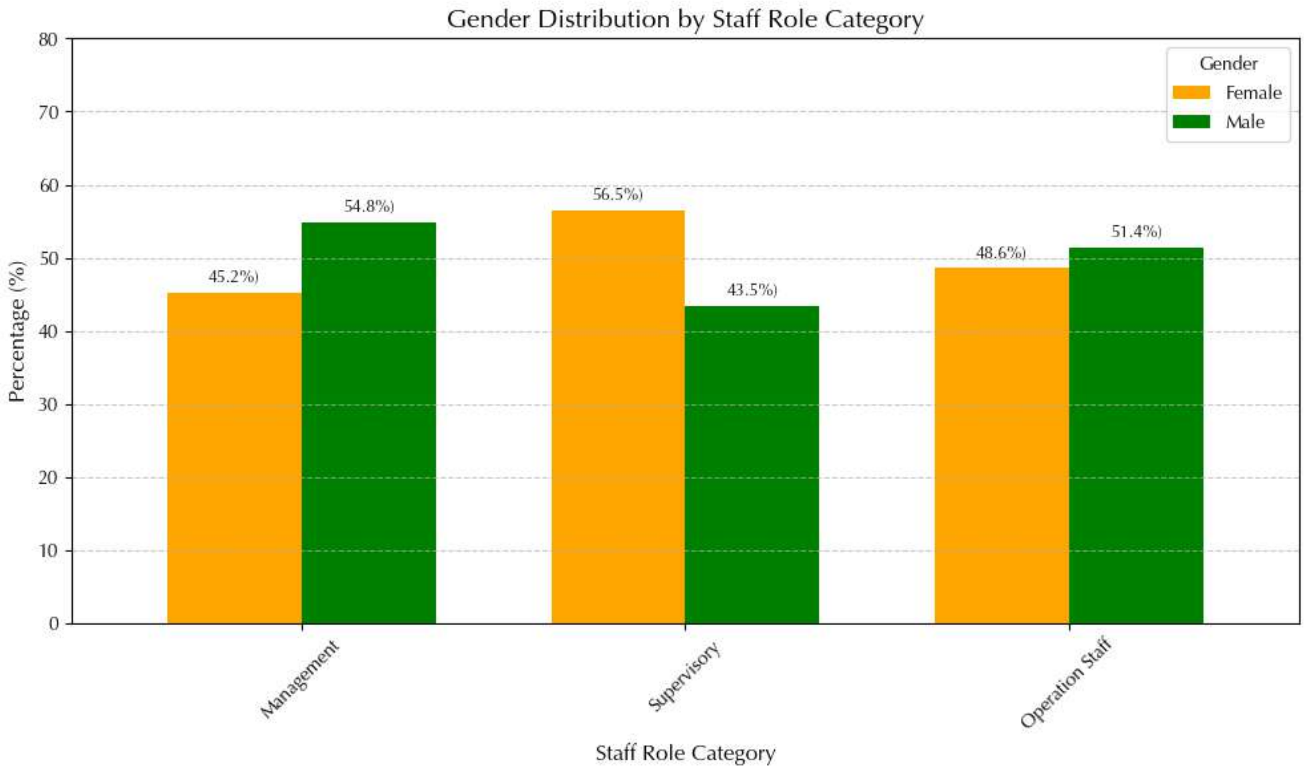


Figure 5.1.7: Gender Distribution by Staff Grade

Staff Distribution by Age

The age profile of Judiciary staff indicates a predominantly young workforce, with over 55 per cent falling between 26 and 40 years. Specifically, 17.4 per cent are aged 26-30, 18.5 per cent are 31-35 and 19.7 per cent are 36-40. A smaller proportion, 5.9 per cent, are below 25 years, while only 5.0 per cent fall within the 56-60 age bracket, as illustrated in Figure 5.1.8, Figure 5.1.9 and Figure 5.1.10.

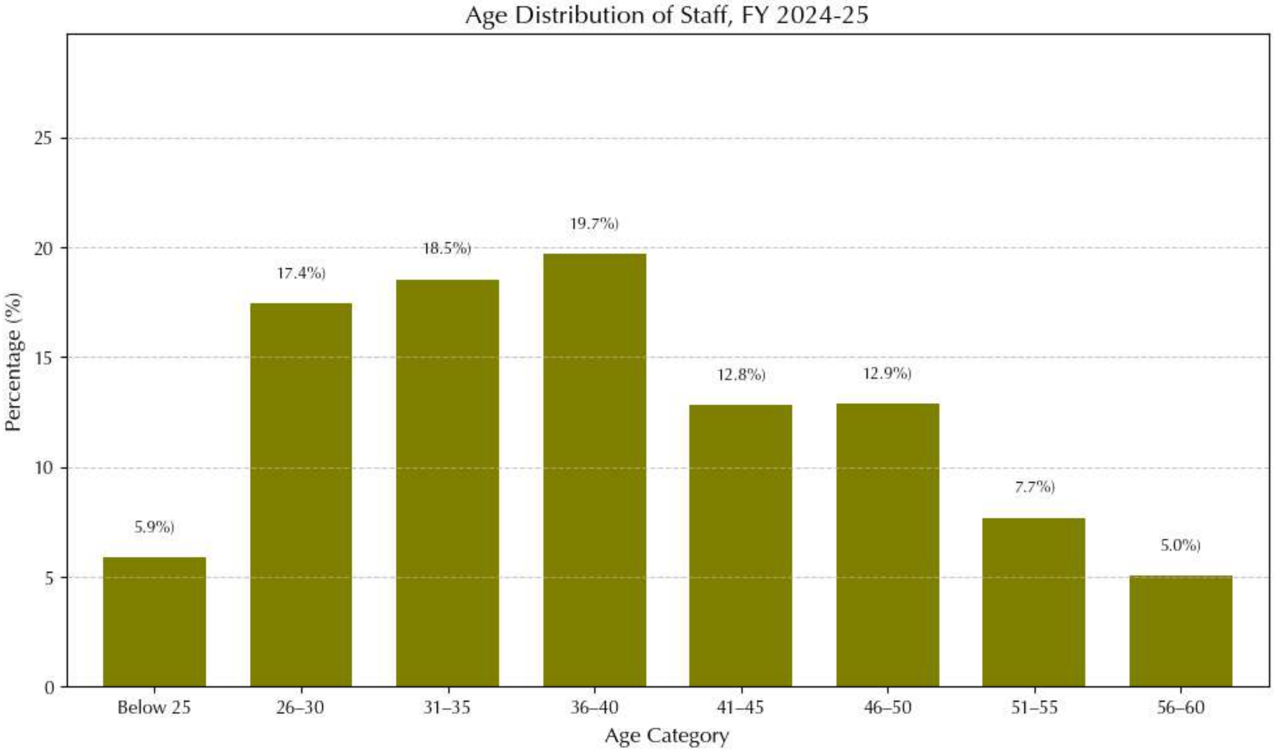


Figure 5.1.8: Age Distribution of Judicial Staff

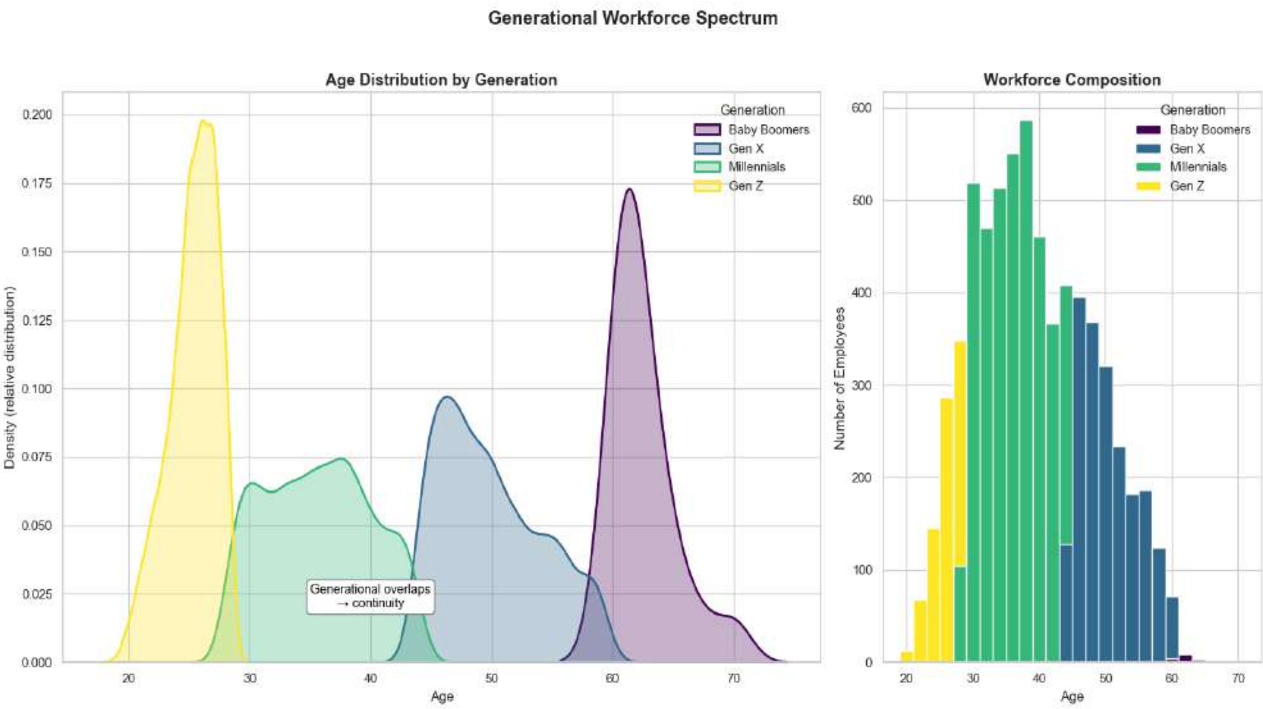


Figure 5.1.9: Employee Inter-generational mix Age Distribution of Judicial Staff

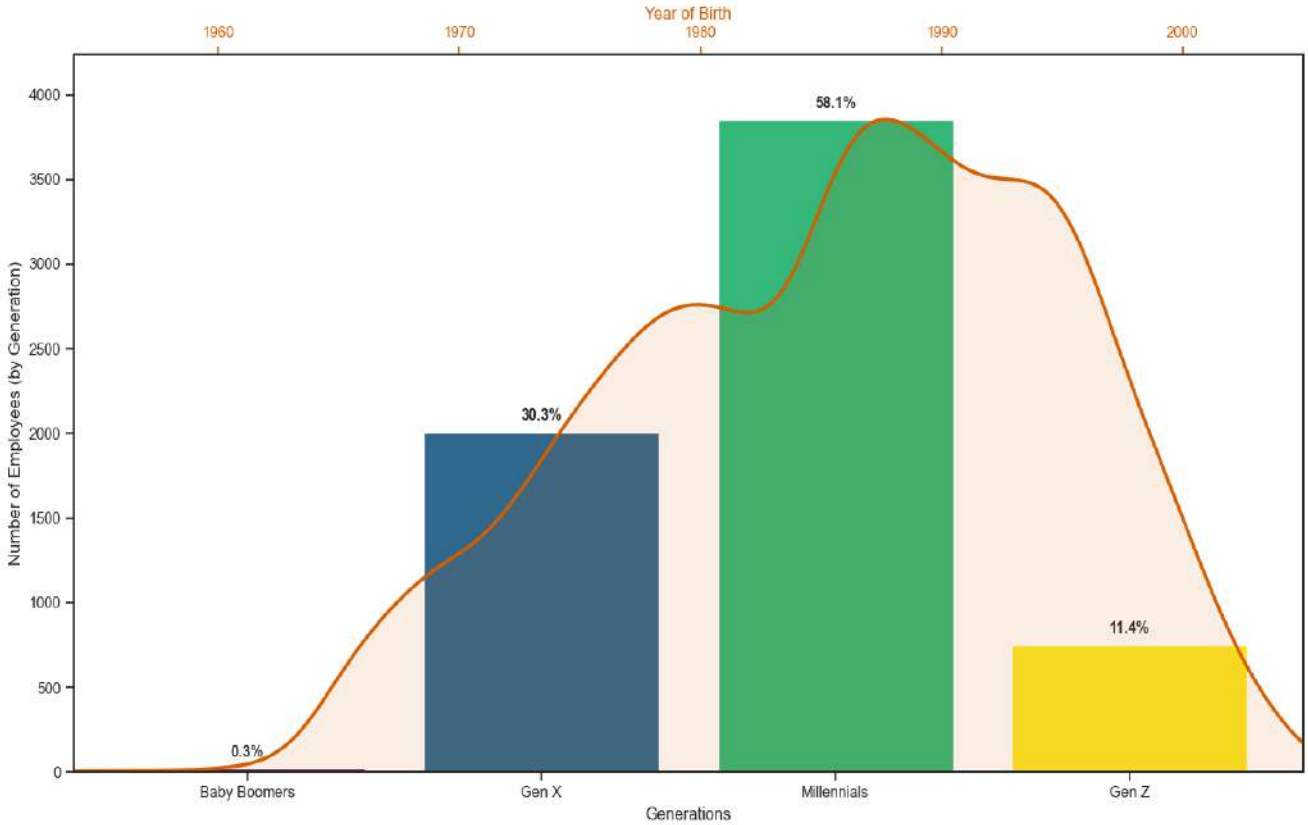


Figure 5.1.10: Employee Inter-generational mix

Kenya's Judiciary reflects a generational shift, with increasing representation of younger professionals, particularly Millennials and Gen Z, entering the legal and judicial workforce. While Gen X still holds a significant portion of leadership roles, Baby Boomers are gradually phasing out due to retirement and age limits.

The Judiciary's workforce reflects a diverse generational mix. Millennials (born 1981–1996) now make up the majority of judicial staff and legal professionals, contributing tech-savvy approaches and reformist energy that are reshaping institutional practices. Generation X (1965–1980) occupies many senior roles, including judgeships and administrative leadership, providing stability and experience in decision-making. Generation Z (1997–2012) is beginning to enter the Judiciary in entry-level positions, particularly in legal research, court assistance, and administrative support, bringing fresh perspectives and digital fluency. Meanwhile, Baby Boomers represent only a small fraction of the workforce, mainly serving in advisory or transitional roles as the institution continues to evolve.

This generational mix is reshaping institutional culture, with younger cohorts pushing for digital transformation, transparency, and inclusivity. STAJ emphasizes shared leadership across age groups, ensuring that both seasoned professionals and younger voices contribute to institutional growth and Leveraging technology to improve access, especially for youth and marginalized communities.

Representation of Persons with Disabilities among Judicial Staff

Out of the 5,824 staff, 148 (2.6 per cent) identified as persons with disabilities. Of these, 89 (60 per cent) were male and 59 (40 per cent) were female.

5.1.4. Employee Exits

During the 2024/25 financial year, the Judiciary recorded a total of 117 employee exits, comprising 19 resignations, 19 deaths, and 79 retirements. These transitions underscore the importance of robust talent management strategies, including succession planning, retention initiatives, and employee wellness programs, to maintain institutional continuity and operational resilience. The summary of exits is presented in Figure 5.1.11.

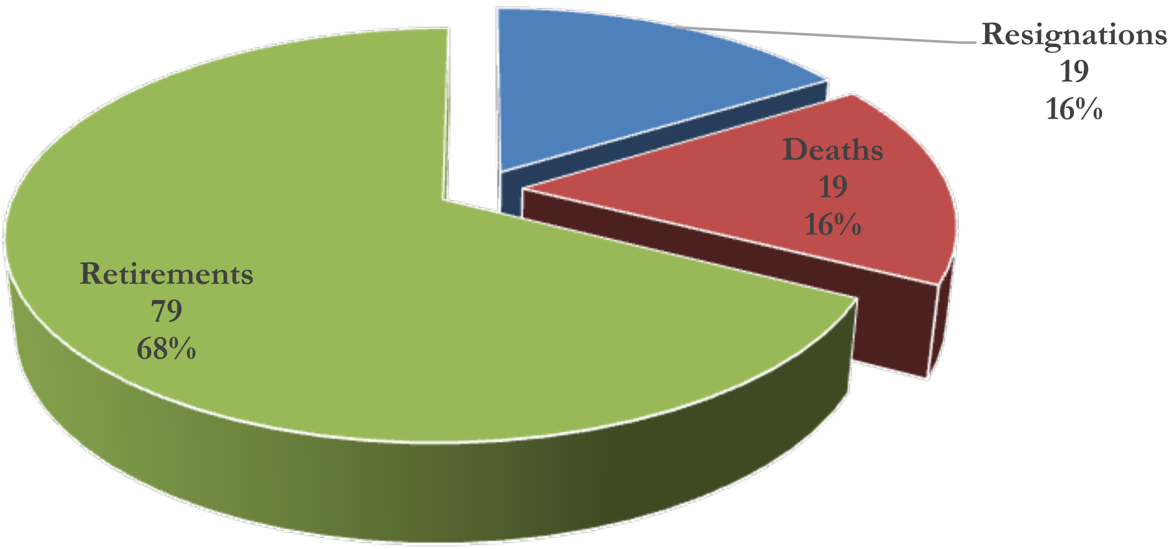


Figure 5.1.11: Employee Inter-generational mix

Table 5.1.13: Reasons Resignations

REASON FOR RESIGNATION	NUMBER
Personal Reasons	6
Career Progression	3
To Pursue different career path	6
To Pursue Further Studies	1
No Reason Indicated	3
GRAND TOTAL	**19**

Resignations

with younger cohorts pushing for digital transformation, transparency, and inclusivity. STAJ emphasizes shared leadership across age groups, ensuring that both seasoned professionals and younger voices contribute to institutional growth and Leveraging technology to improve access, especially for youth and marginalized communities.

November 13, 2024: High Court Judge George Dulu who retires from the judicial service in a ceremonial handover to Lady Justice Asenath Ongeri, the incoming Judge Voi High Court.

In Memoriam

Hon. Justice
David Amilcar Shikomera Majanja
High Court Judge, Milimani

Hon. Justice
Daniel Ogembo Ogola
High Court Judge, Siaya

Nyanaro Kevin
Court Administrator, Oyugis

Adelaide
Muhele Shilaho
Office Administrator,
Court of Appeal Nairobi

Mundia
Teresah Wanjiru
Senior Office Administrator,
Kakamega

Ntungani David Oyiare
Records Management Officer,
Milimani

Faith Nation Lemeria
Records Management Officer,
Thika

Malio Jibbo Lesley
Court Assistant,
Garsen

In Memoriam

Elizabeth Auma Osumba
Customer Service Assistant, Milimani

Joseph Mwaniki Muguta
HRMD Officer, HR Directorate

Ochome John Odhiambo
Senior Support Staff, Siaya

Rugut Bernard Kipyegon
Principle Magistrate, Molo

Stephen Oyule Misolo
Driver, Ukwala

David Kengere Barongo
Driver, Mbita

John Tito Kunyuk
Kadhi, Nakuru

Agneta Tabot Chepoghon
Court Assistant, Eldoret

Robert Esekon Loteng
Court Assistant, Kakuma

Peter Kemboi Tuitoek
Records Management Officer, Milimani

Zena Atetwe Rashid
Resident Magistrate, Milimani

Exits by Death

The Judiciary mourned the loss of 19 employees across various designations including 2 Judges, 3 Judicial Officers and 14 Judicial Staff. These unfortunate events reinforce the criticality of comprehensive health and wellness programs, including psychosocial support, to mitigate risks and support affected families and colleagues.

The Chief Justice presided over the closing of file proceedings in tribute to the late Judges, Hon Justice David Majanja and Hon Justice Daniel Ogembo, in an event attended by judges, judicial officers, judicial staff, members of the bar and family. This Special Sitting, though marked by grief, was also a celebration of their outstanding contributions to the law and society.

They exemplified the highest standards of judicial practice–integrity, diligence, humility, and a steadfast dedication to justice. The tradition of the Special Court Tribute Proceedings serves as a poignant reminder of the Judiciary's role as stewards of justice and also calls upon the institution to uphold the values these jurists lived by: integrity, fidelity to the rule of law, and service excellence.

Their legacy served as a profound inspiration for the Judiciary family, motivating us to advocate for fairness, dignity, and the relentless pursuit of justice for all.

4 April 2025: Special Tribute / Closing of File proceedings in honor of the late Mr Justice David Majanja and the late Mr Justice Daniel Ogembo, presided over by Chief Justice Martha Koome, Appeal Judge Lydia Achode, High Court Principal Judge Eric Ogola, ELC Principal Judge Oscar Angote and ELRC Judge Hellen Wasilwa

5.2. HUMAN CAPITAL DEVELOPMENT

The Judiciary remains steadfast in its commitment to fostering a skilled, innovative, and adaptable workforce to address the dynamic demands of justice delivery in Kenya. Despite significant financial constraints that limited the scope and frequency of training programs for Judges, Judicial Officers, and Judiciary staff in the 2024/25 financial year, the institution implemented strategic measures to enhance professional competencies.

5.2.1. Career Progression

Re-designations of Staff

During the period under review, 98 staff members were re-designated to new roles, primarily within the Supply Chain and ICT functions, as shown in Table 5.2.1.

Table 5.2.1: Re-designations of Staff

AGE RANGE	RETIREMENT TIMELINE	TOTAL
Supply Chain Management Officer II	JSG 6	2
Senior ICT Assistant	JSG 7	1
Senior Supply Chain Management Assistant	JSG 7	3
Senior Human Resource Management and Development Assistant	JSG 7	2
ICT Assistant	JSG 8	33
Supply Chain Management	JSG 8	57
GRAND TOTAL		**98**

Staff Promotion

A total of 1,538 staff members were promoted during the reporting period, as detailed in Table 5.2.3. The majority of these promotions were among general support staff and junior officers within the Judiciary.

Table 5.2.1: Re-designations of Staff

GRADE	DESCRIPTION	NUMBER OF STAFF PROGRESSED
JSG 6	Supervisory Level 2	115
JSG 7	Supervisory Level 3	91
JSG 8	Entry Supervisory	189
JSG 9	Support Services	1,143
TOTAL		**1,538**

5.2.2. Training and Development

Training and Development for Judges and Judicial Officers

In FY 2024/25, the Kenya Judiciary Academy (KJA) delivered 11 Continuous Judicial Education (CJE) programs, training 317 participants comprising: 98 Judges; 126 Judicial Officers; 11 Legal Researchers and 82 Justice Actors. The Magistrates' and Kadhis' Colloquium, themed "Digital Transformation, Technology and the Law-Tech Justice," engaged 542 participants, after a two-year hiatus due to budget limitations. These initiatives enhanced judicial competencies to deliver efficient and transformative justice despite financial constraints.

The initiatives undertaken achieved 67.3 per cent coverage of the 1,153 in-post Judges, Magistrates, Kadhis, Tribunal members; Registrars; Law Clerks and Legal Researchers. Table 5.2.3 indicates the training conducted for judges and judicial officers.

Table 5.2.3: Number of Judges, Judicial Officers & Justice Actors Trained

GRADE	DESCRIPTION
Judges	98
Judicial officers	126
Legal Researchers	11
Justice Actors	82
TOTAL	**317**

5.2.2. Training and Development

Continuous Judicial Education

Eleven Continuous Judicial Education (CJE) programs were undertaken to address critical judicial competencies. The 11 CJEs were attended by 235 participants representing a 20 per cent coverage. This indicates a training gap in view of the need for comprehensive training requirements for Judges, Magistrates, Kadhis, Tribunal Members, Registrars, Legal Researchers, and Law Clerks. Further, to provide adequate training, specific CJE programs for specialized courts, Tribunal Members, Registrars and Legal Researchers should be implemented.

Colloquia, Conferences and Symposiums

These forums fostered dialogue among judges, judicial officers and stakeholders, promoted learning on emerging legal issues, evaluated court performance and enhanced judicial wellness.

i. Magistrates' and Kadhis' Colloquium: The five-day colloquium, themed "Digital Transformation, Technology and the Law-Tech Justice", brought together magistrates, kadhis, legal practitioners and technology experts to explore the integration of technology into judicial processes. A total of 542 Magistrates and Kadhis participated in the forum. During the event, KJA launched the Inaugural Magisterial Oration, a pioneering platform for intellectual exchange among magistrates, judges and legal scholars.

ii. Employee and Labour Relations Court Judges Conference: The annual ELRC Judges Conference, themed "Insolvency, Labour Rights, and Technology," provided a platform for judges to deepen their understanding of insolvency law, share best practices and enhance judicial service delivery for employees and employers and the economy.

iii. All Africa Judges and Jurists Forum Conference: This landmark event convened distinguished judges and jurists from across Africa to discuss critical issues of governance, democracy, human rights and the rule of law. The summit, themed "Pivoting Judiciaries for the Transformation of Africa into the Global Powerhouse of the Future," provided a platform for knowledge exchange and strategic dialogue.

iv. Judicial Multi-Stakeholder Colloquium on Access to Justice for Key Populations, People Living with HIV, and Those Affected by Tuberculosis, which convened 15 Judicial Officers and 9 Justice Sector Actors including the Office of the Director of Public Prosecutions and the National Police Service to address barriers to justice for vulnerable groups. The colloquium featured facilitated presentations, panel discussions, and group sessions involving representatives from key populations, people living with HIV and affected by TB, law enforcement officers, judicial officers, and prosecutors.

The colloquium aimed to; review existing laws and policies affecting access to justice for key populations namely people living with HIV, and those affected by tuberculosis, identify gaps in the legal and policy framework and propose reforms to address them, enhance understanding of the intersection between public health and human rights within the justice system and strengthen judicial responses to human rights violations faced by these groups through capacity building and multi-stakeholder collaboration.

The event discussed Legal and Policy Framework on HIV, TB, and Key Populations, Jurisprudence on Human Rights Violations, Role of Justice Actors in Addressing Human Rights Violations, Community Perspectives and Personal Experiences and Rethinking Criminal Law Approaches to Public Health.

The colloquium resulted in key recommendations including: MoU to implement deliberations and sustain collaboration, pursue Legal Reforms for amendments to the Public Health Act, HIV and AIDS Prevention and Control Act (HAPCA), Penal Code, and Sexual Offences Act to eliminate discriminatory provisions, Legal Aid and Pro Bono Services for cases involving key populations, PLHIV, and TB-affected individuals in legal aid services, Specialized Courts; Establishment of courts to protect privacy and status of vulnerable groups, Annual Training and Sensitization: Hold the colloquium annually and conduct sensitization forums for judiciary staff, including webinars on emerging issues, Bench Book: Compilation of a bench book on jurisprudence related to HIV, TB, bio-ethics, and epidemics, Capacity Building, Ongoing training for judicial officers and stakeholders on human rights and public health intersections, Alternative Justice Systems, Promotion of ADR and non-custodial sentences for issues affecting these groups and Regional Dialogue: Advocate for a regional dialogue on access to justice for key populations.

These outcomes aim to foster a more inclusive and rights-based justice system, reducing stigma and improving access to services. By engaging diverse stakeholders, the event highlighted systemic challenges and proposed actionable reforms to enhance judicial responses for key populations, people living with HIV, and those affected by tuberculosis. Continued collaboration among the Judiciary, ODPP, NPS, and partner organizations is essential to implement these recommendations.

v. 11th National Dialogue on Wildlife and Environmental Crime: In collaboration with the Africa Network for Animal Welfare, Animal Welfare Institute and the Society for the Protection of Animals Abroad, KJA hosted the 11th National Dialogue on Wildlife and Environmental Crimes.

The annual event underscores the Judiciary's commitment to addressing pressing environmental challenges through collaborative, multi-agency efforts. By bringing together judicial officers and justice actors, the event reinforced Kenya's progress in combating wildlife and environmental crimes while identifying areas for further improvement.

The dialogue engaged 36 Judicial Officers and 26 Justice Actors drawn from Attorney General's Office, Asset Recovery Agency, Directorate of Criminal Investigations, Ethics and Anti-Corruption Commission, Kenya Airports Authority, Kenya Forest Service, Kenya Revenue Authority, Kenya Wildlife Service, National Environment Management Authority, National Water Harvesting and Storage Authority, Office of the Director of Public Prosecutions, Witness Protection Agency and Water Resources Authority.

The event aimed to; Foster inter-agency collaboration to strengthen the enforcement of wildlife and environmental laws, discuss emerging trends, challenges, and successes in addressing wildlife and environmental crimes and enhance judicial and prosecutorial capacity to handle complex cases involving wildlife trafficking, environmental degradation, and related offenses.

The dialogue contributed to: strengthened partnerships among judicial and justice sector stakeholders; recommendations for improving prosecution strategies and evidence handling in wildlife and environmental cases and increased awareness of the role of collaborative efforts in achieving sustainable environmental justice.

Training and Development of Judicial Staff

The Judiciary trained 151 staff representing, only 2.60% of the 5,817 in-post staff indicating a substantial training gap. To optimize resources customized group training initiatives were prioritized and implemented in collaboration with the Kenya School of Government.

Further, 41 staff were taken through a pre-retirement course in line with the institution's commitment to support its employees' post-employment. 90 staff who are members of various professional bodies were facilitated to pursue various Continuous Professional Development (CPD) programs. The CPD programs are critical for practicing professionals, to equip them with emerging knowledge and skills in their areas of work.

Additionally, online sensitization programs and awareness sessions, including webinars for induction upon re-designation for 676 staff, were undertaken to enhance skills and ensure seamless transitions during career progression. 89 court administrators were taken through re-induction to build their capacity in management of courts and promote peer learning.

These efforts reflect the Judiciary's resilience in building a competent workforce, ensuring continued progress in delivering efficient and transformative justice despite financial challenges.

Table 5.2.4: Number of Staff Trained through Various Programs

PROGRAMME	NO TRAINED
Strategic Leadership Development Program	6
Senior Management Course	6
Management Skills Course	15
Customized training for Information & Records Management Officers	25
Pre-Retirement Training	41
Customised Protocol & Etiquette Training	20
Customized Group training on Public Finance Management Training	20
ICT Security Training Certification Course	18
TOTAL	**151**

Judicial Attachments and Pupillage

The Judiciary received and processed a total of 3,565 requests for placements, comprising Industrial Attachments, Pupillage and Judicial Attachments. Of these, 1,801 were for Industrial Attachment, 53 for Pupillage and 1,711 for Judicial Attachment.

5.3. CONDUCIVE WORK ENVIRONMENT

The Judiciary advanced its commitment to a safe, sustainable, and efficient workplace during the 2024/25 financial year through targeted improvements in facilities management, security, and occupational safety across court stations. These initiatives bolstered institutional resilience, promoted environmental sustainability, and supported the well-being of staff and court users, fostering a conducive environment to effective judicial operations hence enabling the judiciary meet its set objective.

5.3.1. Health, Wellbeing and Employee Assistance Programs

The Judiciary prioritized the health and wellbeing of its employees through comprehensive support programs, including health schemes, wellness initiatives, and psychosocial services. These measures sustained a healthy and productive workforce throughout the year.

Medical Insurance Cover

The Judiciary's Outpatient and Inpatient medical schemes were enhanced to address key areas of concern previously raised by employees. These medical schemes were further supported by the Group Personal Accident Cover and Group Life Assurance Cover, which were renewed effective February 1, 2025, and October 1, 2024, respectively.

During the reporting period, the Judiciary processed benefits for 17 employees and their dependents who passed away and provided compensation for 42 employees involved in accidents. KSh 20 million was allocated for ex-gratia assistance to support employees facing critical medical challenges, with 32 employees benefiting from this fund. The Judiciary also processed 42 Group Personal Accident claims and 17 Group Life Assurance claims. A total of KSh 1.3 billion was expended on medical expenses.

Car and Mortgage Facilities

A total of 129 employees benefited from the Judiciary Mortgage Facility, with KSh 1.025 billion disbursed for mortgage financing. Additionally, KSh 116 million was allocated under the Car Loan Scheme to support employees in acquiring personal vehicles.

Wellness and Employee Assistance Programs

The Judiciary conducted an Employee Satisfaction and Work Environment Survey in March 2025, to assess the experiences, perceptions, and satisfaction levels of its workforce. The survey targeted Judges, Judicial Officers, and Judiciary staff across all court levels and administrative units. The survey findings revealed an overall employee satisfaction index of 60.6 per cent, pointing to a fairly positive workplace environment with clear opportunities for improvement.

The key highlights of the survey are as follows:

i. Job Satisfaction and Workload scored the highest at 72.5 per cent, with most employees feeling accomplished and aligned with the Judiciary's mission.
ii. Remuneration and Benefits had a satisfaction level of 63 per cent, though some concerns remain over the competitiveness and fairness of compensation.
iii. Employee Wellness and Work-Life Balance was rated at 65.6 per cent, reflecting strong leave practices but a need for more structured wellness activities.
iv. Training and Professional Development (rated at 52.7 per cent) and Promotion and Career Progression (52.6 per cent) emerged as areas of concern, with many employees citing limited access to training and delayed promotion processes.
v. Communication received a satisfaction level of 58.5 per cent, indicating decent information flow but inadequate platforms for staff feedback.
vi. Work Environment scored 54 per cent, with mixed views on safety and inclusivity for persons with disabilities.
vii. Psychosocial Support 53.5 per cent and Sexual Harassment Policy Implementation 67.7 per cent showed that while services and awareness exist, gaps remain in access and consistent support.

The Judiciary will continue to implement the survey findings to enhance employee satisfaction and improve the work environment.

The Employee Assistance Program Unit, formerly known as the Psycho-social Unit, provided emotional first aid and therapeutic interventions to staff affected by various forms of trauma, burnout, arson and terror attacks, sudden deaths, critical incidents, stress, sexual and Gender-Based Violence. The Unit also delivered therapeutic support to employees facing personal and professional loss events.

The Unit conducted 113 work-life balance programmes, with a focus on stress management and emotional resilience. Additionally, 100 employees dealing with substance-related disorders received support and follow-up aftercare to sustain recovery and reintegration.

To raise awareness and promote mental wellness, the Unit organized sensitization webinars and court outreach visits, contributing to 71 per cent awareness and 57 per cent perceived usefulness of its services among employees, according to the 2025 Employee Satisfaction Survey. The overall satisfaction rate with Psycho Social Support Unit services stood at 53.5 per cent.

Team building has also been institutionalized within the Judiciary as a core component of its human capital strategy. During the 2024/25 financial year, staff retreats and team-building events were conducted across various regions, with a strong emphasis on wellness, peer support, and psychological resilience. These initiatives foster a healthy work culture, enhance staff morale, and promote collaboration among judges, judicial officers, and staff. Benefits include improved interpersonal relationships, reduced burnout, enhanced decision-making capabilities, and increased overall productivity, which are essential for maintaining an efficient and resilient judicial workforce.

5.3.2. Court Buildings and Space Management

The Judiciary secured or renewed a total of 15 leases for office spaces in various parts of the country to accommodate judicial officers and staff. Among the notable locations were Kenya Re Plaza, which now houses administrative offices; Kenya Re in Upper Hill, designated for both administrative offices and tribunals; and the Kenya National Library Services and NHIF Building, which were secured for general storage purposes.

Three new lease agreements were initiated for Lamu Law Courts, the Employment and Labour Relations Court in Mombasa and Meru Law Courts. Additionally, the Judiciary, in collaboration with County Governments, successfully regularized leases for Marimanti and Mukurweini Law Courts.

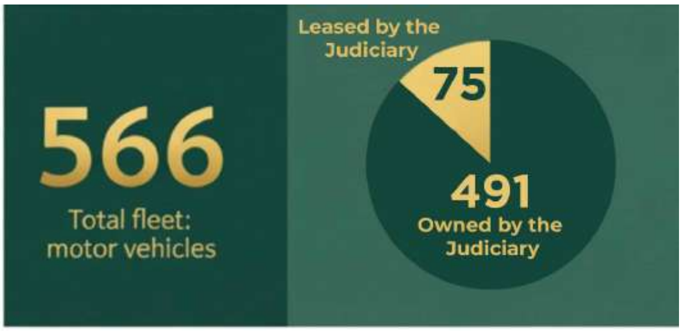
As part of ongoing efforts to optimize the use of space, several court stations were assessed and identified as having surplus space. These areas are being considered for reallocation to support administrative functions, the establishment of digitization hubs or the creation of witness support rooms. A comprehensive space utilization audit is planned for the next financial year.

Green Infrastructure and Environmental Sustainability

As part of the Judiciary's ongoing commitment to green infrastructure and environmental sustainability, two additional court stations were equipped with solar energy systems during the reporting period. Further, 18 more stations were approved for upcoming solar installations. With these additions, the total number of solar-powered court stations rose to 59, representing a cumulative investment of KSh 225,178,743.00.

5.3.3. Fleet Management

Fleet management within the Judiciary is designed to support efficient mobility, timely service delivery, and access to justice across Kenya's decentralized court system. Vehicles are deployed to facilitate judicial officers' movement, mobile court sessions, and administrative logistics. The Judiciary's fleet in the report consisted of 566 motor vehicles, comprising 491 owned by the Judiciary and 75 leased units. Despite these efforts, the judiciary had serious challenges of old fleet, and new stations lacking vehicles.




THE SUPREME COURT OF KENYA

Chapter 6

Resource Mobilisation and Utilisation

6. CHAPTER SIX: RESOURCE MOBILISATION AND UTILISATION

INTRODUCTION

The timely delivery of justice is linked to the availability of sufficient and predictable funding, an imperative that is articulated in the STAJ blueprint, which emphasizes the need for strengthened financial mechanisms that support the independence and integrity of the Judiciary.

This chapter provides a comprehensive overview of the Judiciary's financial position during Financial Year 2024/25, including resource requirements, budgetary allocations, and the strategies employed for the management and utilization of available funds. It examines critical areas such as system automation, revenue and court deposit management, and the operations of the Judiciary Fund. Further, it highlights key thematic priorities that received support through strategic partnerships.

6.1. AUTOMATION OF FINANCIAL MANAGEMENT

The Judiciary commenced the automation and transition of all administrative processes to an Enterprise Resource Planning (ERP) system known as *Jumuika*, a customized platform designed to support end to end automation of Judiciary operations, including financial management. The system supported strategic financial management by facilitating work planning, costing, procurement planning, budget consolidation and adjustments, thereby strengthening budget management and expenditure control. Furthermore, the *Jumuika* ERP system is also integrated with the Case Tracking System allowing for online case registration, including automated fee assessments, imposition of court fines, and management of cash bail deposits.

The ERP system enhanced internal controls by embedding approval hierarchies, audit trails, and alerts into the financial management process while also strengthening compliance with the Public Finance Management Act and other regulatory frameworks.

6.2. BUDGET PREPARATION AND ALLOCATION

In accordance with Article 173(3) of the Constitution, the Chief Registrar of the Judiciary prepared annual estimates of expenditure for the Judiciary. Public hearing and consultative forums were conducted to ensure budget formulation process incorporates input from a wide range of stakeholders, including members of the public. The engagement covered five regions: South Nyanza (held in Kisii), Upper Eastern (held in Isiolo), Central Rift Valley (held in Narok), Lower Eastern (held in Kitui), and Nairobi (held at the Kenyatta International Convention Centre).

The insights gathered during these forums were instrumental in shaping a more inclusive and needs driven budget. They reinforced the Judiciary's commitment to participatory governance and strengthened public confidence in the institution's financial accountability and strategic planning processes.

Table 6.2.1: Feedback from the previous financial year that was implemented during the reporting period

Key feedback	Intervention
Failure to establish High Courts to all the Counties across the country given the constitution was promulgated in the year 2010	Establishing a High Court in every county had taken time to be achieved due to limited funding. However, a High Court Sub-Registry was established in Wajir in FY2024/25 thereby extending the High Court's presence to all counties. Further, a High Court was also operationalized in Makadara Law Courts.
Judiciary to support affirmative action especially offering opportunities to the youth	The Ajira/MADIP programme was implemented during the reporting period. 1,000 youth were engaged in various court stations to assist in digitisation of court records. In addition, access to Government Procurement Opportunities (AGPO) for the youth was maintained at 30%.
Decentralize Judiciary Services through Huduma Mashinani for wider access to justice	Judiciary service desks were operational in six Huduma Centres—Nairobi G.P.O, City Square, Kibera, Eastleigh, Thika, and Makadara. The extension of the services to other Huduma Centers was put on hold pending consultations with key stakeholders.
Judiciary to collaborate with Civil society groups which have networks across the country to sensitize communities on ADR mechanisms such as mediation and Small Claims Court	The Judiciary, through the multi-stakeholder committee, advanced the Alternative Justice Systems (AJS) Policy by focusing on training, public awareness, and county-level action plans. AJS action plans were launched in six counties, while training and capacity building was offered to 600 AJS stakeholders. 14 new Court Annex Mediation registries were established bringing the number to 82, across 42 counties while Small Claims Courts numbering 40 across the country.

May 12, 2025: Hon Gitonga Murugara, Chairperson of the Justice & Legal Affairs Committee of the National Assembly, consults with the Committee's Fiscal Analyst Omar Abdirahim during a meeting with the Chief Registrar of the Judiciary to deliberate on the Judiciary and the JSC's FY 2024/25 budget performance and annual budget estimates for FY 2025/2026 at the Pride Inn Hotel, Mombasa.

6.2.1. Budget Requirements and Allocation

The Judiciary has operated under persistent budget constraints, with allocations falling short of the total resource requirements. Budgetary needs have consistently been inadequate, with funding gaps of 47%, 48% and 49% in the previous three financials year as demonstrated in figure 6.2.1.

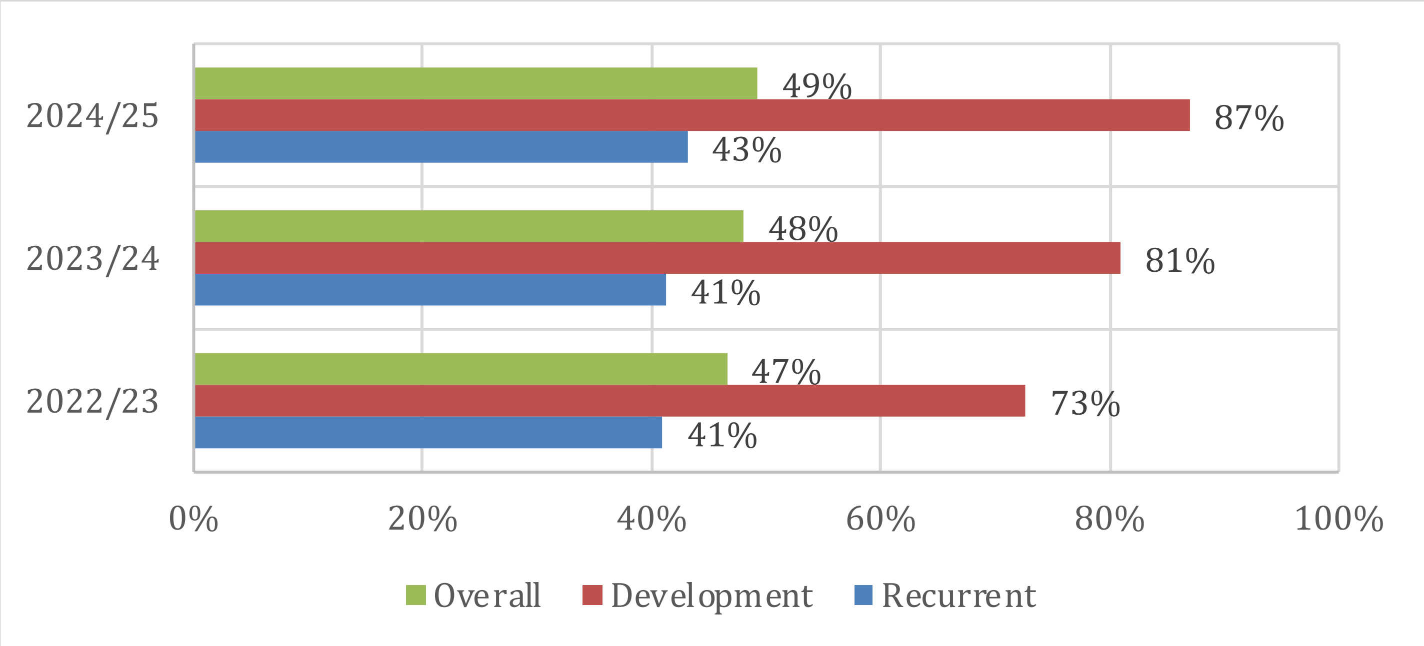


Figure 6.2.1: Funding gap in the previous three financial years

In the FY 2024/25, the Judiciary required KSh 44.90 billion but was allocated KSh 22.78 billion, leading to a funding gap of KSh 22.12 billion, a 49 per cent shortfall. In FY 2023/24, the resource requirement was KSh 43.17 billion against an allocation of KSh 22.42 billion, leaving a gap of KSh 20.75 billion, an overall shortfall of 48 per cent. During FY 2022/23, the Judiciary required KSh 39.55 billion but received an allocation of KSh 21.13 billion, resulting in a funding gap of KSh18.42 billion. This represented an overall shortfall of 47 per cent as demonstrated in table 6.2.2.

Table 6.2.2: Resource Requirements Vs Allocation over the last three fiscal years

Financial Year	2022/23			2023/24			2024/25		
	Requirements	Allocation	Funding Gap	Requirements	Allocation	Funding Gap	Requirements	Allocation	Funding Gap
Recurrent (KSh Billion)	32.59	19.23	13.36	35.81	21.02	14.79	38.62	21.96	16.66
Development (KSh Billion)	6.96	1.90	5.06	7.36	1.40	5.96	6.28	0.82	5.46
Overall	**39.55**	**21.13**	**18.42**	**43.17**	**22.42**	**20.75**	**44.90**	**22.78**	**22.12**

6.2.2. Resource Allocation Trend

The Judiciary had an overall allocation of KSh 22.78 billion in the Financial Year 2024/25, reflecting an increase of 1.6 per cent from the KSh 22.42 billion in FY 2023/24 and 6.1 per cent increase from the allocation of KSh 21.13 billion in FY2022/23.

Recurrent allocation for FY 2024/25 was KSh 21.96 billion indicating an increase of 4.5 per cent from the KSh 21.02 billion in FY 2023/24 and increase of 9.3 per cent compared to KSh 19.23 billion in FY 2022/23. Development allocation was KSh 0.82 billion indicating a decrease of 41.7 per cent from the KSh 1.4 billion in FY 2023/24 and reduction of 26.3 per cent from KSh 1.9 billion in FY 2022/23.

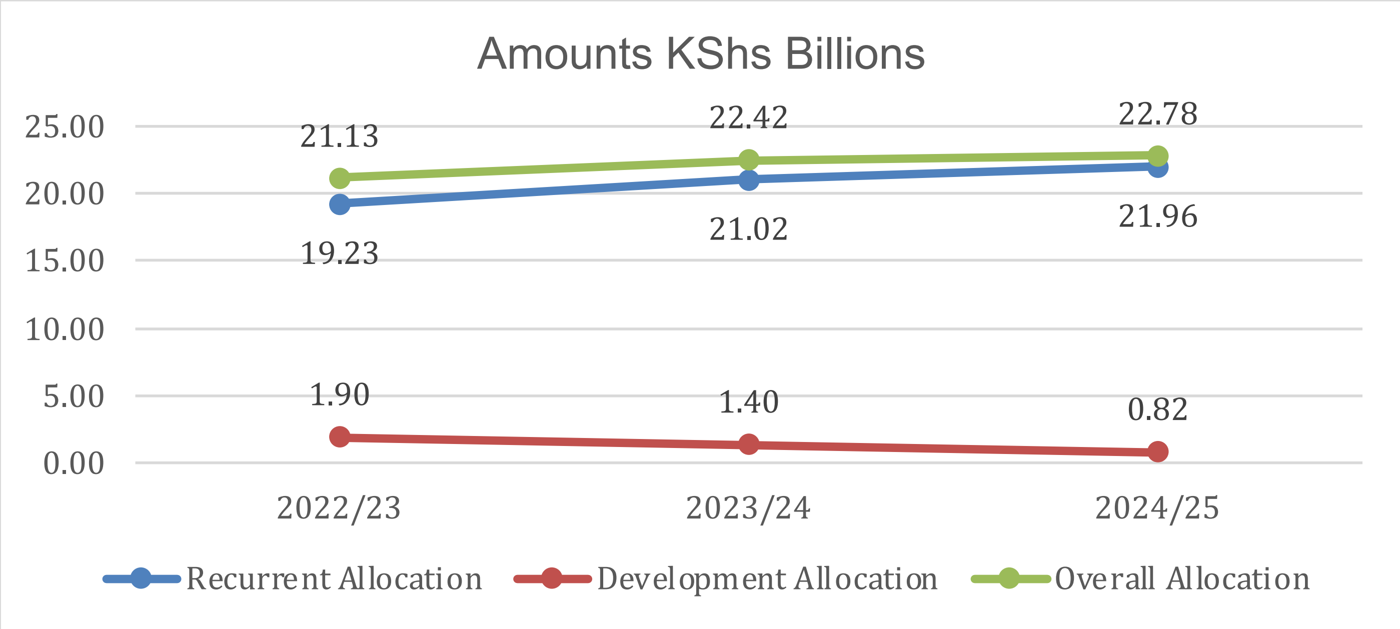


Figure 6.2.2: Resource Allocation trend for the three financial years

6.2.3. Underfunded Areas

The funding deficits of KSh 22.12 billion had a far-reaching implication on the Judiciary's ability to deliver on its constitutional mandate. Underfunding of recurrent expenditure, which covered critical operational needs such as salaries, contractual obligations and other operational expenses, undermined efficiency and contributed to the growing backlog of cases.

Equally, the underfunding of the development budget affected infrastructure expansion, court construction, modernisation of courtrooms, and investment in ICT systems. As a result, efforts to enhance access to justice, digitise court operations and decentralise judicial services were significantly hampered. In particular, recruitment of Judicial Officers and staff had a gap of KSh 10.67 billion, capital projects KSh 5.46 billion, digital strategy and automation KSh 1.89 billion, operationalisation of new courts KSh 1.49 and rapid results initiatives like services weeks, circuits, special benches etc had deficit of 0.62 billion as illustrated in Figure 6.2.3.

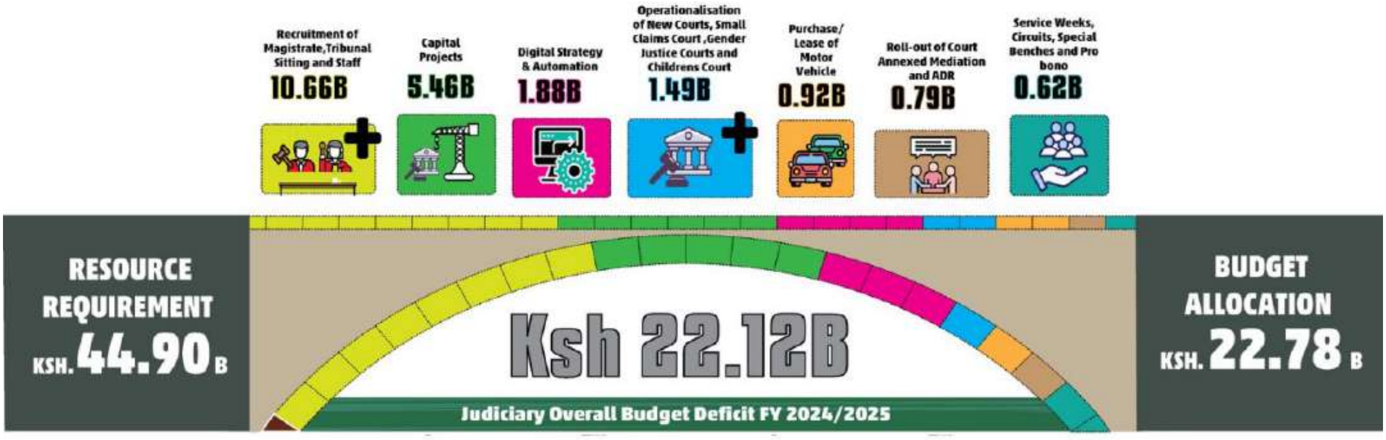


Figure 6.2.3: Funding gap on critical areas

6.2.4. Judiciary Budget as a percentage of the National Government Budget

For the past three financial years, the Judiciary has consistently received less than 1 percent of the National Government Budget—significantly below the recommended 3 percent of the annual national budget. Figure 6.7 shows that the Judiciary received the least amount of funding compared to the executive and legislative arms. The Executive had an allocation of KSh 2,050.15 billion in FY 2022/23, KSh 2,374.80 billion in the FY 2023/24 and KSh 2,237.16 in the FY 2024/25. Parliament had KSh 50.22 billion, KSh 41.39 billion and KSh40.87 billion for FY 2022/23, FY 2023/24 and FY2024/25 respectively. While for the Judiciary had budget allocation of KSh 21.13 billion for the FY 2022/23, KSh 22.42 billion FY2023/24 and KSh 22.78 billion in the FY 2024/25

Whilst disparity in budgetary allocation to the respective arms of government is to be expected, the extent of the disparity is not proportionate. The Judiciary will continue to engage with Parliament and the stakeholders for an increase in the budgetary allocation to the institution, and to have this allocation anchored in the law as envisioned in the Social Transformation through Access to Justice Blueprint.

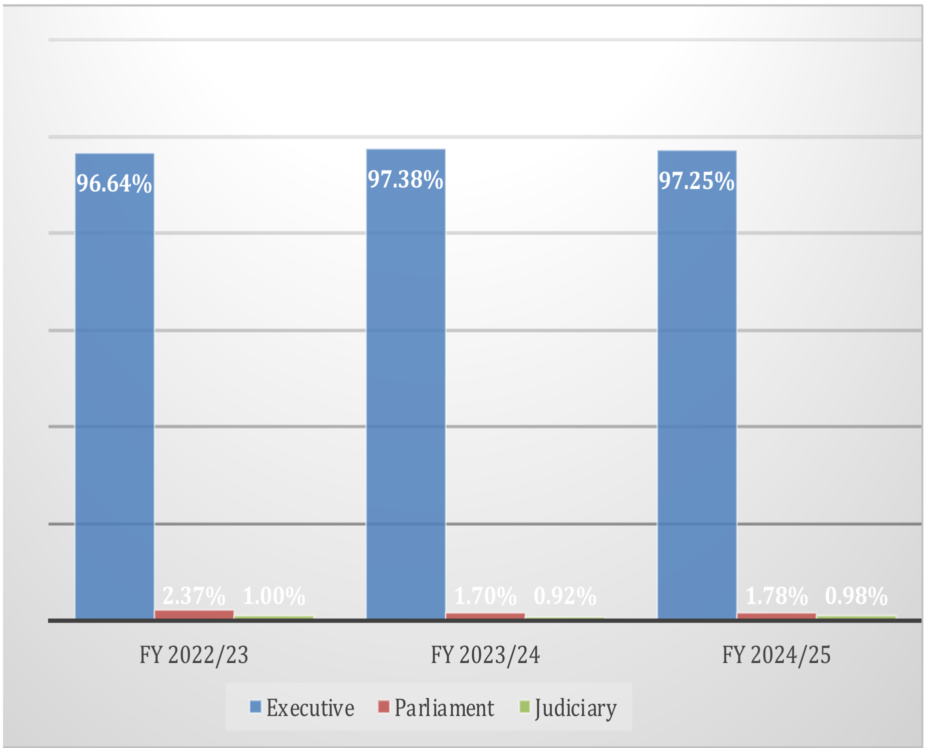


Figure 6.2.4: Proportion of Budget Allocation within the Three Arms of Government for the past three years

6.3. INTERNAL RESOURCE SHARING

The Judiciary's internal allocation of funds follows a priority based and equitable resource sharing criteria, aimed at supporting both its core judicial functions and administrative operations. As a service-oriented institution, the Judiciary relies heavily on human capital to dispense justice. Personnel emoluments classified under Compensation of Employees received the highest allocation in FY 2024/25, accounting for KSh 15.28 billion, or 69.6 per cent of the total budget, giving priority to non-discretionary expenditures.

The remaining 30.4 per cent of the total budget was allocated to Operations and Maintenance (O&M), supporting both administrative and court-related functions. This includes KSh 6.51 billion (29.6 per cent) for the use of goods and services such as security, cleaning services, utilities, insurance (including medical and life assurance), and contractual obligations as well as KSh 0.17 billion (0.8 per cent) for the acquisition of non-financial assets (furniture and fittings, purchase of motor vehicle among others).

On the development side, capital expenditure amounted to KSh 0.82 billion, of which 92.2 per cent was directed to asset acquisition, and the remainder to operations. This structured allocation ensures that while human resource needs are prioritized, the Judiciary continues to invest in essential infrastructure and services that sustain efficient and accessible justice delivery. Table 6.3.1 shows budget allocation among various classes of expenditure.

Table 6.3.1: Resource Sharing per Economic Classification

Expenditure Classification	Allocation (B)	Proportion of Allocated Resource Sharing (%)
Compensation of Employees	15.28	69.6%
Use of Goods and Services	6.51	29.6%
Non-Financial Assets	0.17	0.8%
Current Expenditure	**21.96**	**100%**
Use of Goods and Services	0.06	7.8%
Non-Financial Assets	0.76	92.2%
Capital Expenditure	**0.82**	**100%**
TOTAL	**22.78**	

6.3.1. Budget share per Court for Operations and Maintenance

In the Financial Year 2024/25, a total of KSh2 .5 billion was allocated for Operations and Maintenance across various courts and Tribunals. This allocation, excluding personnel emoluments, was intended to support the day-to-day running of court operations, including utilities, contractual obligations, minor repairs, and general maintenance.

In line with its broad geographical footprint and higher caseloads, Magistrates' Courts received the largest share, accounting for 61 per cent of the total O&M allocation. The Small Claims Court's O&M budgets were merged with those of the Magistrates' Courts to ensure budget efficiency.

The High Court followed with 14 per cent, while Tribunals received nine per cent. The distribution is as illustrated in Figure 6.3.1.

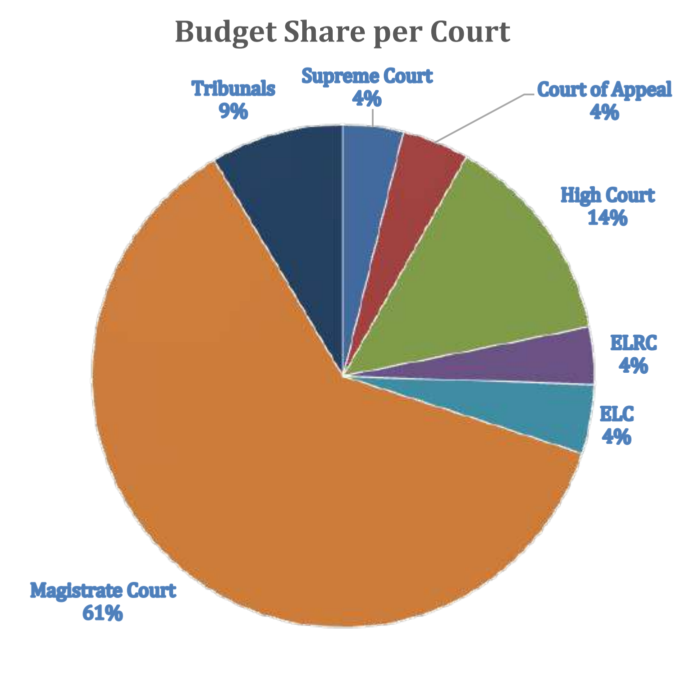


Figure 6.3.1: Allocation of budget per court level

6.3.2. Absorption and Utilisation of Judiciary Budget

The Judiciary recorded an overall budget absorption rate of 98 per cent in the FY 2024/25, marking an improvement from 96 per cent in FY 2023/24. The recurrent budget absorption increased slightly from 98 per cent to 99 per cent, indicating sustained consistency in managing operational and personnel related expenditures. On the other hand, the development vote recorded a significant improvement in absorption, rising from 66 per cent in FY 2023/24 to 78 per cent in FY 2024/25, a 12 per cent increase as illustrated in Figure 6.3.2.

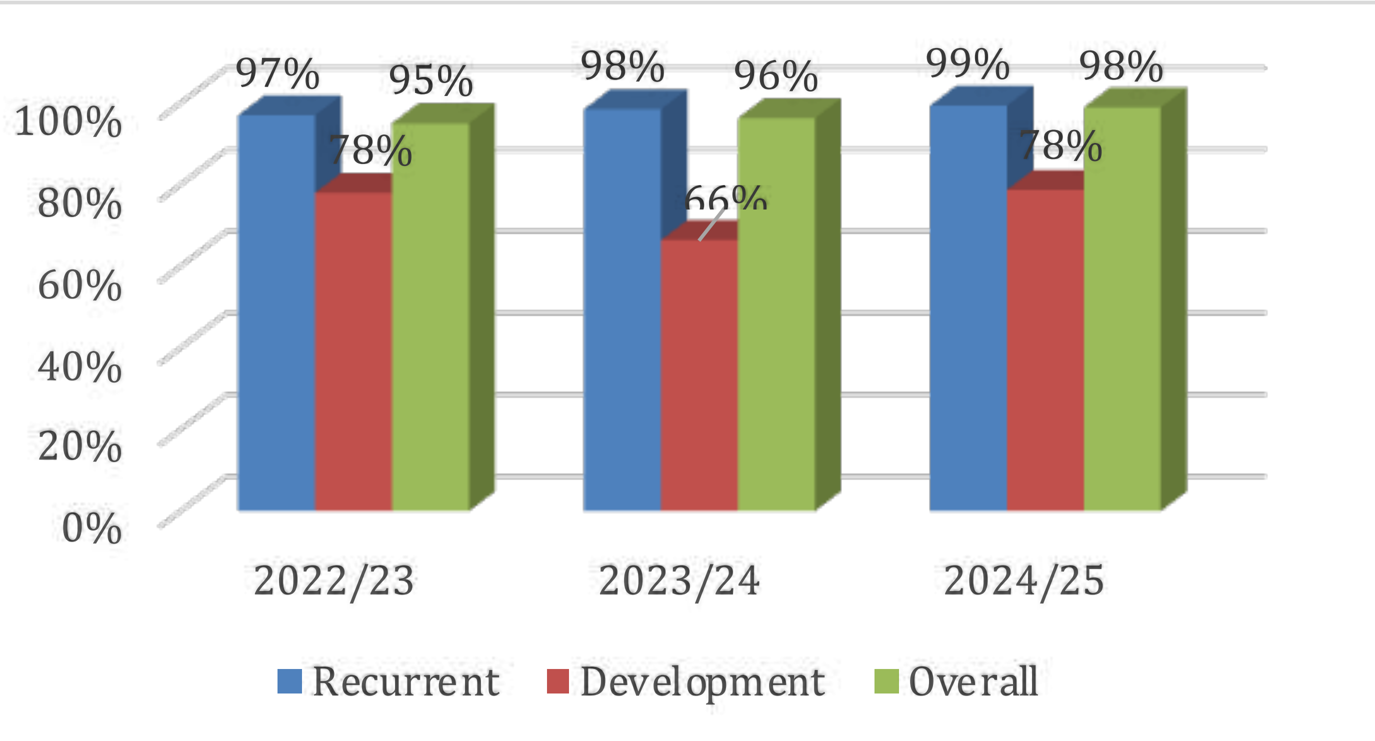


Figure 6.3.2: Budget Absorption for FY 2022/23 – FY 2024/25

6.3.3. Analysis of Recurrent and Development Expenditure

A total of KSh 21.81 billion was absorbed out of the KSh 21.96 billion allocated under the recurrent vote as demonstrated in Table 6.3.2.

On the other hand, the development vote declined from KSh1.40 billion in FY 2023/24 to KSh 0.82 billion in FY 2024/25, a reduction by 42 per cent. The development expenditure focused primarily on investment in ICT infrastructure and equipment and refurbishment of court buildings

Table 6.3.2: Analysis of Recurrent and Development Budget Expenditure

Economic Classification	2022/23		2023/24		2024/25	
	Approved Allocation	Actual Expenditure	Approved Allocation	Actual Expenditure	Approved Allocation	Actual Expenditure
Recurrent Expenditure						
Compensation to Employees	12.44	12.36	14.06	13.91	15.28	15.27
Other Recurrent	6.79	6.31	6.96	6.80	6.69	6.54
Sub-Total	**19.23**	**18.66**	**21.02**	**20.70**	**21.96**	**21.81**
Development Expenditure						
GOK	1.90	1.49	1.40	0.93	0.82	0.64
Loans	-	-	-	-	-	-
Sub-Total	**1.90**	**1.49**	**1.40**	**0.93**	**0.82**	**0.64**
Total	**21.13**	**20.15**	**22.42**	**21.63**	**22.78**	**22.45**

6.3.4. Analysis of Programme Expenditure

The Judiciary implements one national program, the Dispensation of Justice Program, delivered through two sub-programs: Access to Justice and Administration and Support Services.

The Access to Justice sub-program encompasses initiatives to enhance case clearance rates, recruit judges, judicial officers and staff, establish and operationalize courts, and improve court operations through innovations such as e-filing, virtual courts, Electronic Document Review (EDR), and Alternative Justice Systems (AJS). The Administration and Support Services sub-program covers expenditure on goods and services as well as the acquisition of non-financial assets.

Of the total approved budget of KSh 22.78 billion in the FY 2024/25, KSh 15.72 billion (70%) was allocated to Access to Justice, while KSh 6.74 billion (30%) was directed to Administration and Support Services. as presented in Table 6.3.3.

Table 6.3.3: Analysis of Sub-Program Expenditure

	Approved Budget (KSh B)			Actual Expenditure (KSh B)		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Sub-Prog. I: Access to Justice	14.79	15.69	15.94	14.11	15.14	15.72
Sub-Prog. II: Administration and Support Services	6.34	6.73	6.83	6.05	6.49	6.74
Total Vote	**21.13**	**22.42**	**22.78**	**20.15**	**21.63**	**22.45**

6.4. PENDING BILLS (ACCOUNTS PAYABLES)

During FY2024/2025, the Government transitioned to accrual accounting, which altered the recognition of pending bills. Under this framework, pending bills are recorded as accounts payable once commitments are entered in the system.

All duly submitted payment requests were honoured, with unpaid balances reported as accounts payable. Notably, liabilities from Court and Arbitral Awards declined from KSh 69.24 million to KSh 49.84 million compared to the previous year, following the settlement of KSh 19.4 million. Pending bills, however, remained a major challenge, particularly within the development budget, caused by delays in the delivery of works, goods, and services hence not being recognised in the system by end of the financial year. The analysis is presented in Table 6.4.1.

Table 6.4.1: Pending Bills at Close of FY 2022/23 – FY 2024/25

	FY2022/23 (KSh Million)	FY2023/24 (KSh Million)	FY2024/25 (KSh Million)
Development Pending Bills	76.23	410.01	-
Recurrent Pending Bills	259.11	331.92	14.30
Court & Arbitration- Awards	272.73	69.24	49.84
Total	**608.07**	**811.17**	**64.14**

The settlement of accrued liabilities continued to take priority in budget execution, often requiring the re-prioritization and reallocation of already limited resources.

In compliance with the National Treasury Circular on verification of historical pending bills, claims amounting to KSh 576.59 million relating to goods and services supplied between June 1, 2005 and June 30, 2022 were submitted to the Pending Bills Verification Committee for authentication and were awaiting determination.

6.5. COURT REVENUE

Court revenues are drawn from multiple sources, including fees, fines, penalties, forfeitures, statutory charges, proceeds from disposals, rental income from government property, and interest earned on court deposits. During the reporting period, collections comprised both estimated and un-estimated revenue. Estimated revenue included fines, penalties, forfeitures, court service fees, sales, and miscellaneous receipts, while un-estimated revenue mainly arose from rent income and interest on court deposit balances.

6.5.1. Revenue Collections

Each financial year, the Cabinet Secretary for the National Treasury sets an official revenue target for the Judiciary, to be received by the Chief Registrar of the Judiciary. The target was raised from KSh 2.7 billion in FY 2023/24 to KSh 2.83 billion in FY 2024/25 reflecting a modest but strategic increase in expected collections.

The Judiciary recorded a total revenue collection of KSh 2.88 billion, surpassing the target of KSh 2.83 billion. This represented a performance rate of 101.74 per cent, exceeding projected revenue expectations. The revenue was derived from four main streams namely; fines, fees, interest on court deposits, and rental income. Among these, court fees emerged as the leading source, contributing KSh 1.36 billion, which translates to 47.35 per cent of total revenue. This collection exceeded the projected target of KSh 1.25 billion, achieving a realization rate of 109.10 per cent. The strong performance in this category can be attributed to increased utilization of court services and automation.

Fines contributed KSh 1.22 billion, accounting for 42.34 per cent of the total revenue. However, this fell short of the target of KSh 1.58 billion, reflecting a realization rate of 77.14 per cent. The underperformance in fines may be attributed to a reduction in the volume or nature of penal cases concluded during the period, enhanced compliance with court orders reducing forfeitures, or administrative bottlenecks in enforcing fine payments.

Interest earned on court deposits amounted to KSh 291 million, representing 10.12 per cent of total revenue. Although this stream was not part of the initial revenue projections, its substantial contribution underscores the significance of financial management practices concerning court held funds. Similarly, rental income contributed KSh 5 million, representing 0.18 per cent of total revenue. Like interest income, this category had no prior estimates but still added to the overall performance. Table 6.5.1 presents a summary of revenue collected during FY2024/25.

Table 6.5.1: Revenue collection verses Targets

Details	Targets (KSh Million)	Actual (KSh Million)	Realization %
Fines	**1,580**	**1,219**	**77.14%**
Fees	**1,249**	**1,363**	**109.10%**
Interest on deposits	**-**	**291**	**-**
Rent Income	**-**	**5**	**-**
Total	**2,829**	**2,878**	**101.74%**

Fees constituted the major portion of the revenue component for the Judiciary at 47.35 per cent whereas rent from property and miscellaneous income made up 0.18 per cent of the total revenue as illustrated on Figure 6.5.1.

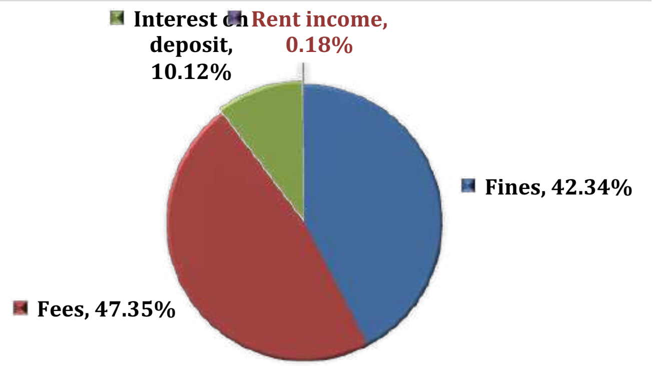


Figure 6.5.1: Revenue composition for the period ended 30 June, 2025

6.5.2. Revenue Trends

In FY 2024/25, revenue recorded a collection of KSh 2.88 billion, indicating a two percent decrease compared to the previous financial year. A drop is primarily attributed to a reduction in the number of criminal cases filed. However, there was a consistent upward trajectory in Judiciary revenue collection over the past financial years. Total annual revenue rose from KSh2.66 billion in FY2022/23 to KSh2.94 billion in FY2023/24 representing an 11 per cent increase. This is as presented in Table 6.5.2.

Several strategic initiatives contributed to the increase in revenue collection: these included Case Tracking System and the full roll-out of electronic filing to all court stations which enhanced operational efficiency and reduced revenue leakage; adoption of cashless payment platforms which minimized cash handling risks; automated electronic fee assessment which improved transparency, accuracy, and collection efficiency.

Table 6.5.2: Revenue Trends for same period in the last three Financial Years

	FY2022/2023	FY2023/202024	FY2024/2025
	KSh Million	KSh Million	KSh Million
Fines, Penalties and Forfeitures & Utilisations	1,419	1,464	1,219
Fees on use of Goods/Services	1,041	1,208	1,363
Interest on Deposit	197	268	291
Rent Income	3	3	5
Total	**2,661**	**2,943**	**2,878**

An analysis of specific revenue streams over the three financial year period reveals mixed performance across categories:

- Fines saw a modest increase of 3.2 per cent in FY2023/24, but experienced a notable decline of 16.8 per cent in FY2024/25. This drop is primarily attributed to a reduction in the number of criminal cases filed from 292,138 cases in FY2023/24 to 267,425 in FY2024/25, a decline of 24,713 cases (8.45 per cent). In addition, enhanced public awareness of court procedures led to increased compliance and a corresponding reduction in forfeitures. Forfeiture revenue decreased from KSh 247 million in FY2023/24 to KSh 185 million in FY2024/25. The growing adoption of Small Claims Courts, which typically involve civil matters and offer limited scope for fines, also contributed to the decline.

- Court fees demonstrated robust and consistent growth over the review period. Revenues rose by 16 per cent from FY2022/23 to FY2023/24, and by a further 12.9 per cent in FY2024/25. This trend reflects increased access to and utilization of judicial services, particularly through the Small Claims Courts. Notably, the number of cases filed in Small Claims Courts surged from 41,524 in FY2023/24 to 158,357 in FY2024/25, a 281 per cent increase. The uptake of the e-filing system further facilitated timely registration and processing of cases, boosting revenue generation.

- Interest on deposits also exhibited strong performance, increasing by 36.1 per cent in FY2023/24 and by 8.5 per cent in FY2024/25. This growth was attributed to rising interest rates, which increased from an average of six per cent to 12 per cent during the period. Interest revenue was earned on balances held in Kenya Commercial Bank.

- Rental income, while the smallest revenue source, recorded a 12.5 per cent decline in FY2023/24 due to amounts remaining uncollected at the end the financial year. These arrears were subsequently recovered in FY2024/25, resulting in a 100.5 per cent increase compared to the previous year.

6.5.3. Trends in Revenue Proportions

Court fines constituted the major portion of revenue over the past two financial years at 53.33 per cent in FY2022/23, 49.80 per cent in FY2023/24 but reduced to 42.34 per cent in FY2024/25. Court fees increased steadily from 39.14 per cent in FY2022/23 to 41.0 per cent in FY2023/24 to 47.4 per cent in reporting period becoming the major portion. Figure 6.5.2 shows an overall steady rise in revenue collections from the different categories from FY2022/2023 to FY 2024/2025.

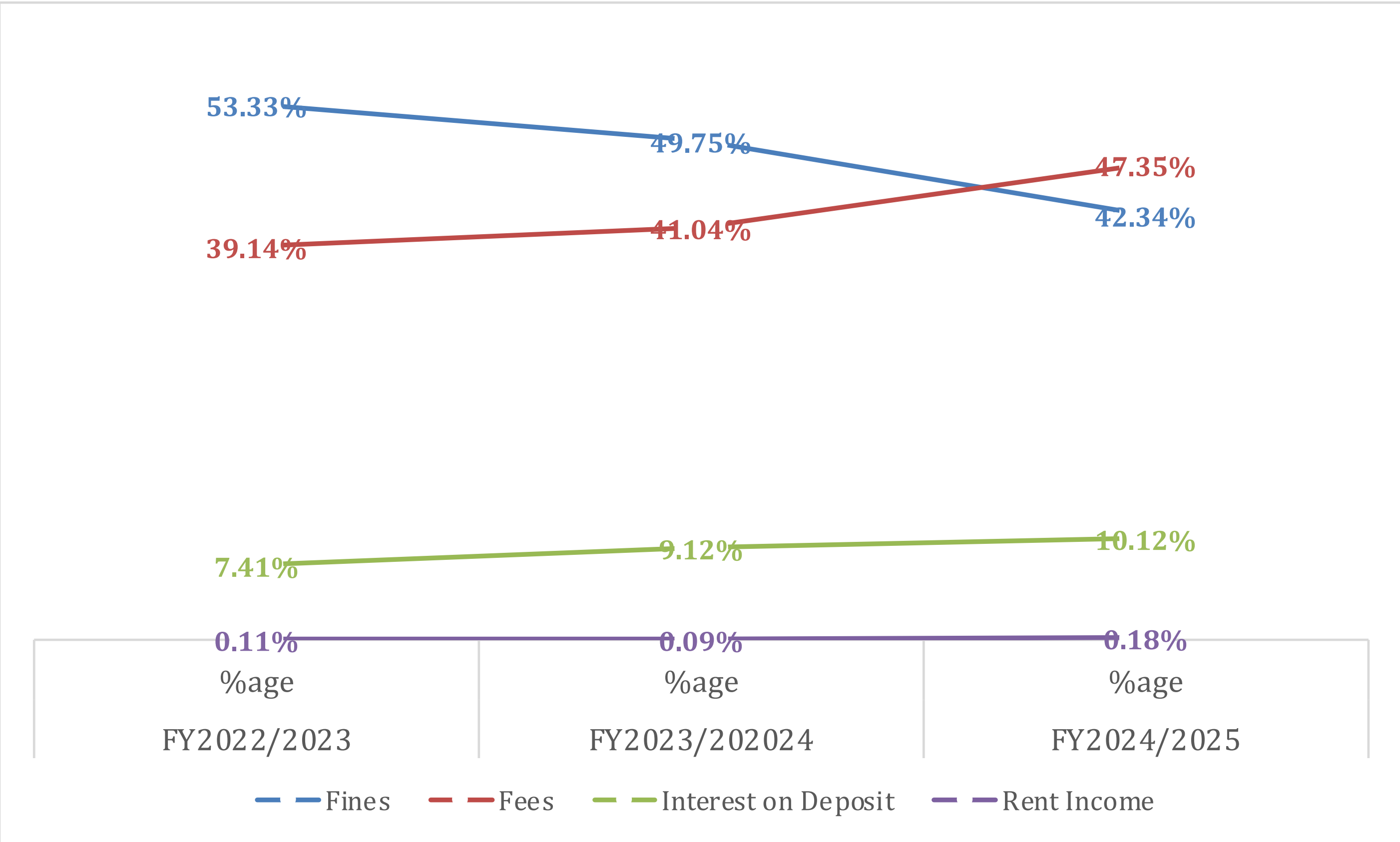


Figure 6.5.2: Revenue proportions for FY2022/2023 - FY2024/25

The interest on deposit income proportion rose from 7.41 per cent in FY2022/23 to 9.12 per cent in FY2023/24 to 10.12 per cent in FY2024/25. This upward trend was due to higher interest rates and larger deposit balances eligible to attract interest held by the Judiciary.

The proportion by rent income remained minimal, fluctuating slightly between 0.11 per cent (FY2022/2023), 0.09 per cent (FY2023/24) and 0.18 per cent (FY2024/2025).

6.6. COURT DEPOSITS

Court deposits refer to funds held in trust by the Judiciary as a safeguard while a court case is ongoing. By the close of FY2024/2025, the total value of court deposits stood at **KSh 8.25 billion**, reflecting a decrease of **KSh 0.18 billion** compared to the previous financial year.

The outstanding deposit balance as at the end of FY2024/2025 had been **KSh 8.25 billion**, as illustrated in **Figure 6.6.1.**

It is important to note that court deposits paid in cash such as bail or bond do **not constitute revenue** for the Judiciary or the Government. In certain circumstances, the deposits may be applied towards the payment of fines or forfeited to the State if the accused fails to adhere to bail or bond conditions. A detailed breakdown of cash bail deposits held across court stations is provided in **Appendix 6.5.**

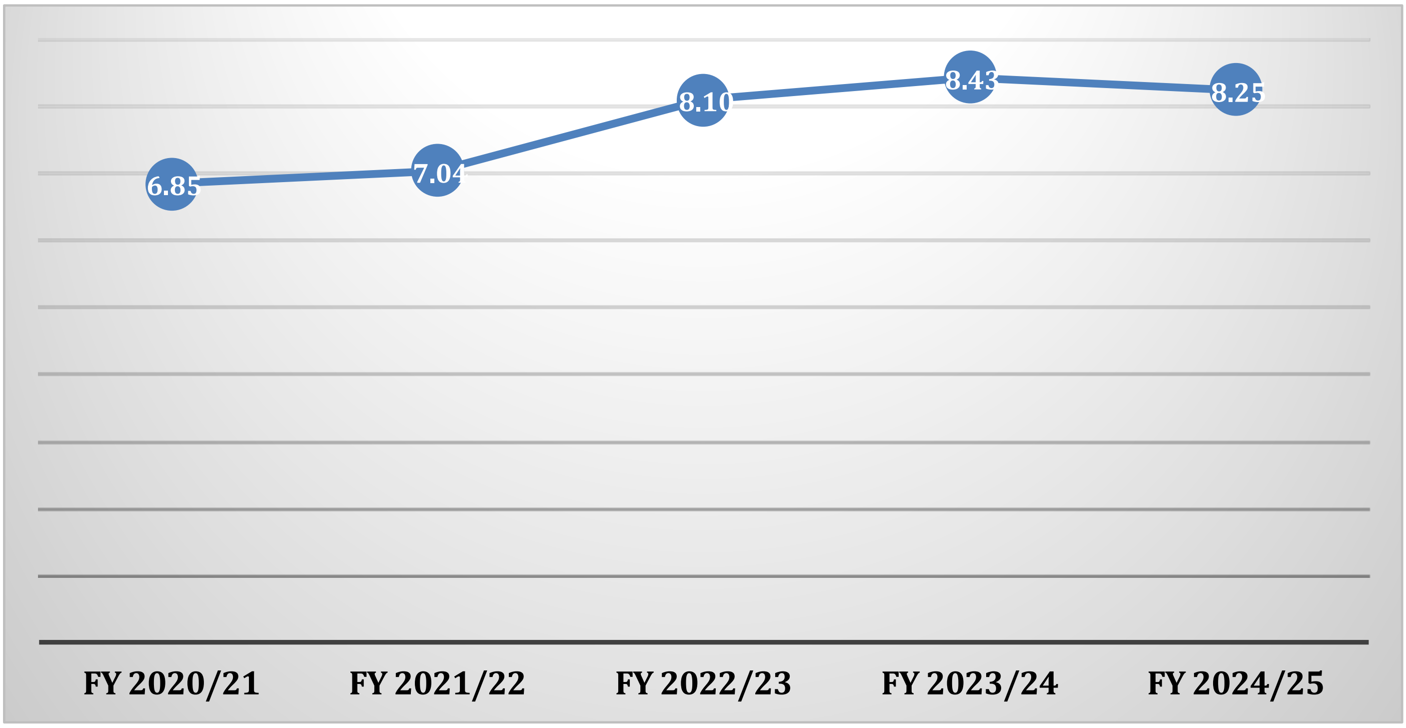


Figure 6.6.1: Trend on deposits balances, KSh Billion

Unclaimed Court Deposits

Unclaimed court deposits refer to funds held by the Judiciary that have not been collected by the rightful owners or beneficiaries, despite the conclusion of legal proceedings and the issuance of appropriate refund orders. These funds typically remain unclaimed due to various reasons, including lack of awareness, the death of the depositor, or unresolved disputes regarding rightful ownership.

To support the identification and recovery process, the Judiciary took multiple public outreach initiatives. These included the issuance of public notices, media and radio campaigns which targeted outreach to potential claimants. Through these efforts, the Judiciary aimed at enhancing transparency, encourage rightful claims, and ensure accountability in the management of court held funds.

Following the recommendations of a joint task force of the Judiciary and the Unclaimed Financial Assets Authority (UFAA), court stations commenced systematic reviews of unclaimed deposits linked to closed case files. These reviews focused on identifying funds that qualify as unclaimed under the UFA Act and ensured they are processed in accordance with legal requirements. The overarching goal of this initiative was to ensure that such funds are either refunded to the rightful parties or appropriately transferred to the UFAA, thereby safeguarding public trust and promoting lawful financial stewardship.

6.7. COLLABORATION WITH DEVELOPMENT PARTNERS AND OTHER STAKEHOLDERS

In line with its commitment to enhance access to justice under the STAJ blueprint, the Judiciary strengthened strategic partnerships with key development partners and stakeholders. These collaborations provided both financial and technical support, enabling the Judiciary to improve its operations, foster innovation, and expand access to justice across the country. The support was through the following thematic areas:

1. Capacity building

This was undertaken through various activities, including conferences, training sessions, colloquia, and the provision of equipment as follows;

Provision of Equipment to Support Digital Operation: To enhance the Judiciary's digital capacity, 47 laptops were provided to facilitate improved court operations and service delivery. This equipment support was made possible through the European Union, under the Programme for Legal Empowerment and Aid Delivery (PLEAD II), which is implemented by the United Nations Office on Drugs and Crime. Additionally, the International Development Law Organization supported the launch of the end-to-end automation at Eldoret Small Claims Court together with ICT equipment. IDLO further supported roll-out of the Small Claims Court in Voi and Garissa Law Courts.

Judicial exchange on SGBV convened by ICJ Global, KELIN, and CHR Capetown deepened understanding of gender-based violence jurisprudence. Judicial Dialogue on Tax Adjudication, supported by KRA, KBA, ICPAK, and LSK, enhanced competence in complex tax matters. Similarly, Reprieve UK contributed to judicial consistency through providing support on post-Muruatetu resentencing. Other vital trainings included the adjudication of counter-terrorism cases (supported by USDOJ/OPDAT, the British High Commission, FRC, ODPP, NCTC, and NCTAC), and continuous judicial education on arbitration with the help of NICA, AFGAC, CIArb Kenya, and Women in ADR.

Training Sessions for Labour-related Adjudication: A series of training sessions on International Labour Standards (ILS) were organized for Judges, Magistrates, Registrars, and Judges of the Employment and Labour Relations Court. These capacity-building trainings were facilitated by the International Labour Organization (ILO).

Judicial Officers and Kadhis Colloquium: The Judicial Officers and Kadhis Colloquium, a platform for legal knowledge exchange and peer engagement, received financial and logistical support from Safaricom, KPLC, KETRACO, and KCB. Their collaboration enabled a robust discussion on judicial practices and professional development among Kadhis and Judicial Officers.

The Supreme Court @ 12 Jurisprudential Conference: The Judiciary hosted The Supreme Court @ 12 Jurisprudential Conference as a key knowledge-sharing and legal development event. This major conference was co-sponsored by KCB, and further supported by Konrad-Adenauer-Stiftung, the Centre for Reproductive Rights (CRR), the International Commission of Jurists (ICJ), the International Justice Mission (IJM), and Safaricom. These partners provided both financial and technical support to ensure the success of the conference.

High Court Human Rights Summit: This Summit, which brought together judges and legal experts to deliberate on judicial reforms and access to justice, was supported by a wide array of institutions. These included the KCB Foundation, ICJ (Kenya), Centre for Rights Education and Awareness (CREAW), Kenya Legal & Ethical Issues Network on HIV & AIDS (KELIN), the Institute for Strategic Litigation in Africa (ISLA), the Kenya Human Rights Commission, ZanaAfrica Foundation, and the United States Department of Justice (USDoJ). Their involvement ensured a comprehensive engagement on emerging legal themes.

Employment and Labour Relations Annual Symposium and Exhibition (ELRASE): ELRASE served as a significant forum for capacity building in the field of labour law. The ILO took a lead role in supporting the event, alongside several other partners including the Federation of Women Lawyers (FIDA), Central Organization of Trade Unions (COTU), Kenya Tea Growers (KTG), Federation of Kenya Employers (FKE), Kituo Cha Sheria, and the Teachers Service Commission (TSC). These organizations contributed to the success of the symposium by offering both content and sponsorship support.

The ELRC Judges Conference, organized with support from KDIC, ICJ Kenya, and Transparency International, further explored labour-related jurisprudence. Regional and international knowledge-sharing opportunities were also facilitated by Equality Now and the Council of Europe.

Environment and Land Court (ELC) Climate Change Conference: The ELC Climate Change Conference served as a strategic capacity-building event focused on climate justice, land governance, and the legal dimensions of environmental sustainability. This important conference was supported by FLLoCA, IMPACT, GIZ, OXFAM, and CPF, all of whom contributed technical expertise and financial resources, enabling the Judiciary to develop a framework for climate litigation and environmental rights adjudication.

2. Green Justice

Installation of Solar Power Systems in Law Courts: In line with the Judiciary's green transition agenda, installation of solar power systems was underway in six law courts: Butere, Tigania, Webuye, Marsabit, Kehancha, and Ogembo. This initiative is aimed to reduce the Judiciary's carbon footprint, promote energy efficiency, and ensure uninterrupted court operations in remote areas. This green infrastructure initiative was made possible through the support of the European Union, under the Programme for Legal Empowerment and Aid Delivery (PLEAD II), implemented by the United Nations Office on Drugs and Crime (UNODC).

Environmental justice featured prominently in the Judiciary's programming, with critical support from partners committed to combating environmental and wildlife-related crimes. The Judiciary, in partnership with the Africa Network for Animal Welfare (ANAW), Kenya Wildlife Service (KWS), and the Kenya Airports Authority, participated in the 11th National Dialogue on Wildlife and Environmental Crime, which focused on strengthening enforcement mechanisms and judicial approaches to wildlife protection.

To further bolster judicial responses to environmental offenses, UNODC supported the development of a Bench-book on Wildlife, Forestry, and Fisheries Crimes. This resource serves as a practical reference for judicial officers handling complex cases in this growing area of law. These initiatives signify the Judiciary's proactive stand in addressing environmental threats through law and the promotion of sustainability via informed adjudication.

3. ICT Infrastructure Support

The Judiciary received valuable support in ICT development. The Africa Law Tech Festival, organized by Lawyers Hub, brought together legal and tech professionals to explore innovations in digital justice. Complementing this was the CJE on Tech Justice, supported by Safaricom PLC, Airtel Kenya, the Communication Authority of Kenya, and Lawyers Hub, which provided judicial officers with insight into emerging technologies and their impact on justice delivery.

In addition, a judicial conversation on data protection was organized with the support of GIZ and the Office of the Data Protection Commissioner (ODPC). These engagements emphasized the need for data privacy, cybersecurity, and digital literacy within judicial operations. Together, these interventions advanced the Judiciary's digital transformation efforts, improved institutional responsiveness to tech-related legal issues, and enhanced infrastructure preparedness.

4. Inclusivity

With support from the Ford Foundation, the Judiciary is implementing a series of initiatives aimed at advancing inclusivity and equitable access to justice, especially for persons with disabilities (PWDs) and marginalized communities. Key interventions include the translation of Judiciary policies into Braille and audio formats, a nationwide mapping of court infrastructure to assess accessibility, and the annual Inclusivity Forum, which brings together individuals with disabilities and special needs for dialogue and policy input. Additional activities such as community social justice dialogues, victimcentric training, and trauma-sensitive capacity building will ensure that the justice system is more responsive to the needs of vulnerable groups.

These efforts are grounded in the Judiciary's long-term goal of ensuring that every Kenyan regardless of socio-economic status, geographical location, or personal vulnerability experiences justice as a daily reality.

To support this vision, Ford Foundation will support Judiciary to the tune of one million US Dollars (about KSh130 million) for the next five years. The Judiciary received KSh 44.5 million in the FY2024/25 to implement some of the outlined initiatives. Through these actions, the Judiciary is making tangible progress toward building a justice system that is not only professional and efficient but also inclusive, people-centered, and accessible to all.

The Judiciary's focus on inclusivity was strengthened through targeted programs addressing the needs of marginalized and vulnerable groups. A key highlight was the Judicial Multi stakeholder forum on Access to Justice for Key Populations, People Living with HIV, and those affected by Tuberculosis, supported by ICJ Global, KELIN, and the NSDCC. Another major initiative was the training on Technology-Facilitated Gender-Based Violence (TFGBV), delivered by COVAW and IREX, which enhanced the Judiciary's capacity to respond to digital and gender-based violence.

UNODC's support for a national ToT on adjudicating Trafficking in Persons and Smuggling of Migrants (TiP & SoM) contributed to the Judiciary's understanding of transnational human rights violations. Additionally, the Judiciary's participation in the AJJF Conference promoted regional dialogue on justice access and fairness. These inclusive initiatives reflect the Judiciary's dedication to ensuring that vulnerable populations are not left behind in the pursuit of justice.

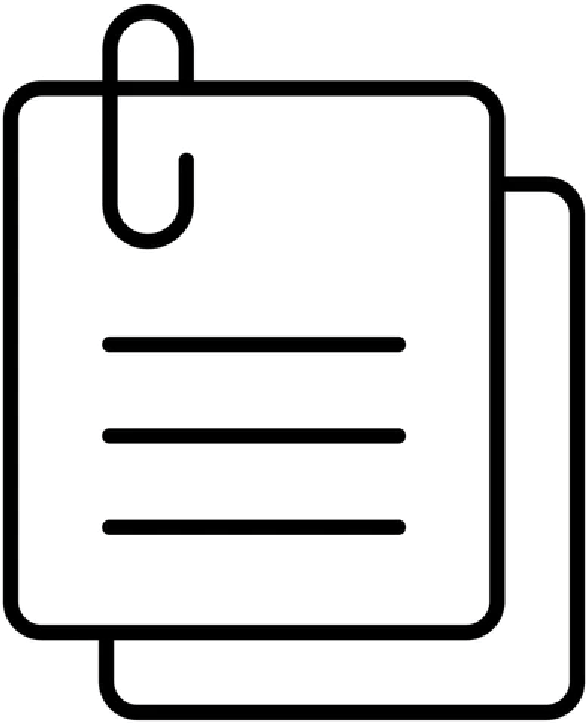
Chapter 7

Emerging Issues & Key Policy Recommendation

THEME	EMERGING ISSUE	KEY POLICY RECOMMENDATION	ACTOR
1. Governance & Strategy Implementation	Dialogue Days and Integrity Committees not fully institutionalised.	Conduct Annual Dialogue Days and operationalise Integrity Committees in all stations to entrench a culture of accountability.	Judiciary NCAJ
	Security gaps with makeshift courts still in operation	Operationalise the Directorate of Security Services, install surveillance systems, and phase out makeshift courts in favour of permanent, secure facilities. Allocate adequate funding to support infrastructural development	Judiciary The National Assembly Judicial Service Commission
	Need to review the Judiciary Organisational Structure to address emerging needs in courts and administrative offices	Review the Judiciary Organisational Structure to secure organisational efficiency, enhance employee satisfaction and meet organisational access to justice goals.	Judiciary
	Lack of a clear Risk Management Policy Framework for the Judiciary	To establish an integrated Judiciary Risk Management Policy Framework (JRMPF) that provides a structured approach for identifying, assessing, mitigating, monitoring, and reporting institutional risks across all levels of the Judiciary.	Judiciary Judicial Service Commission
3. Access to Justice	Access gaps in underserved areas.	Operationalise all gazetted court stations and establish at least 20 additional stations in priority underserved counties.	Judiciary Judicial Service Commission The National Treasury The National Assembly
	Inadequate funding of the pro bono services scheme	Transition the pro bono scheme to the National Legal Aid Services (NLAS) and allocate adequate funding for its full operations.	Judiciary Office of the Attorney General NLAS The National Treasury The National Assembly
	Maximising the potential of alternative forms of dispute resolution.	Increase CAM/AJS uptake with enabling policies, enhanced funding, and continuous sensitisation.	Judiciary Judicial Service Commission NaSCI-AJS
	Rising caseload in Small Claims Courts and burnout among Adjudicators.	Recruitment of Adjudicators fully dedicated to the Small Claims Court to meet the rising caseload. Separate SCC from Magistrates Courts and appoint a Registrar of the SCC.	Judicial Service Commission Judiciary
	Bail and bond policy guidelines	Update the Bail and Bond policy	Judiciary NCAJ
		Enact Bail and Bond Legislation	The National Assembly
	Delay in enactment of the Tribunals Bill	Expedite enactment of a legal framework for the transitioning of Tribunals to the Judiciary and their management within the institution	Judiciary The National Assembly

THEME	EMERGING ISSUE	KEY POLICY RECOMMENDATION	ACTOR
	Enhancing Tribunals' effectiveness	Improve the effectiveness of Tribunals by establishing a dedicated appellate court process through legal and administrative reforms.	Judiciary The National Assembly
	Aligning Judiciary Case Tracking System (CTS)	Align the Judiciary Case Tracking System with court needs for usability, involving system upgrades, optimization, and training efforts within the Judiciary.	Judiciary
	Securing the Judiciary cyber space	Establish a secure, resilient, and trusted Judiciary digital ecosystem through a comprehensive cybersecurity governance framework aligned with national security standards and global best practices.	Judiciary
	Strengthening the Children Courts' administrative structures	Appoint and fully facilitate the office of Registrar, Children Courts in line with the Children Act	Judicial Service Commission Judiciary
	Safeguard and sustain the gains of the specialised courts	Continue to invest financial resources and capacity into Gender Justice Courts.	Judiciary Judicial Service Commission
	Lack of interoperability and integration of information systems of actors across the justice chain	Revitalize discussions by actors in the justice chain to ensure the interoperability and integration of the various information systems tun by the different actors Prioritise automation of justice sector agencies Develop policy and legal framework for e-justice	NCAJ Actors
3. Jurisprudence & Demosprudence	Limited awareness and weak infrastructure for dissemination of decisions.	Establish a comprehensive decisions portal as a repository for all court decisions.	Judiciary Judicial Service Commission
	Lack of a statutory framework to govern public participation	Establish a legislative framework to standardise and regulate the process of public participation	The National Assembly
	AJS jurisprudence not mainstreamed.	Strengthen AJS Committees to integrate community practices into formal jurisprudence with trackable data and outcomes.	Judiciary Judicial Service Commission NaSCI-AJS
		Institutionalise cross-court jurisprudential dialogue forums for harmonisation	Judiciary

THEME	EMERGING ISSUE	KEY POLICY RECOMMENDATION	ACTOR
4. Accountability	Complaints management system underutilised.	Scale up Judiciary Complaints Management System to cover all courts and tribunals.	Judiciary
	Integrity committees not fully operationalised.	Fully operationalise Integrity Committees in all stations, backed by a National Judiciary Integrity Committee.	Judiciary NCAJ
	Public dialogue	Institutionalise Judiciary Dialogue Days to reinforce public accountability.	Judiciary
5. Human Capital Management and Development	Shortage of Judges, Judicial Officers and Judicial Staff	· Allocate resources to support the recruitment of additional judges, judicial officers and judicial staff · Recruit additional judges, judicial officers and judicial staff in accordance with the approved staff establishment	The National Assembly Judicial Service Commission
	Under-representation of persons with Disabilities in the workforce	Implement recruitment policies and procedures to ensure the Judiciary's workforce complies with the statutory minimum threshold (5%) of Persons with Disabilities	Judicial Service Commission
	Security exposure in courts operating from makeshift facilities	Replace or refurbish makeshift facilities, prioritising high-volume and high-risk stations Allocate funds for infrastructural development	Judiciary National Assembly
	Unclear succession planning	Implement succession mechanisms for leadership roles to ensure continuity and effective transitions.	JSC Judiciary
	Limited wellness programs.	Expand wellness, occupational safety, and mentorship programmes. Institutionalise Judicial Wellbeing Day as an annual event to enhance staff resilience.	Judiciary
6. Resource Mobilisation and Utilization	Budget shortfalls.	Enhance Judiciary's allocation to at least 3 percent of the national budget and anchor it in law.	National Assembly
	Limited fiscal autonomy	Amend the Public Finance Management Act, Judiciary Fund Act, JF Regulations, and Judicial Service Act to strengthen fiscal autonomy and smooth operations of the Judiciary Fund.	National Assembly
	Pending Bills.	Develop strategies to clear pending bills and strengthen resource mobilisation through partnerships.	Judiciary



Appendices

Chapter 2 Appendices

Appendix 2. 1: High Court Summary Statistics

Station	Pending as at 30th June 2024			Filed			Resolved			CCR	Pending as at 30th June 2025			Backlog as at 30th June 25			Change in backlog	Average time to disposition (Days)		
	Criminal	Civil	All Pending	Criminal	Civil	Total	Criminal	Civil	Total		Criminal	Civil	Total	1-3 Years	Over 3 years	Total		Civil	Criminal	All
Bomet	432	671	1,103	208	208	416	204	449	653	157%	436	430	866	153	267	420	-48%	1,877	549	1,213
Bungoma	533	694	1,227	580	475	1,055	659	694	1,353	128%	454	475	929	160	3	163	-47%	1,249	272	760
Busia	224	187	411	226	262	488	186	313	499	102%	264	136	400	23	46	69	-14%	1,074	404	739
Chuka	114	110	224	309	124	433	206	153	359	83%	224	85	309	7	20	27	-29%	900	185	543
Eldama Ravine	18	7	25	104	24	128	118	22	140	109%	4	9	13	3	0	3		354	162	258
Eldoret	1,089	4,037	5,126	517	1,002	1,519	548	3,462	4,010	264%	1,058	1,577	2,635	336	958	1,294	-38%	4,870	543	2,707
Embu	171	244	415	737	373	1,110	577	491	1,068	96%	331	126	457	29	151	180	463%	1,828	162	995
Garissa	160	63	223	248	77	325	326	107	433	133%	82	33	115	24	3	27	-56%	563	241	402
Garsen	239	154	393	183	162	345	195	87	282	82%	227	229	456	22	72	94	-34%	568	348	458
Homabay	98	314	412	288	203	491	141	258	399	81%	245	259	504	46	76	122	5%	709	225	467
Iten	0	0	0	172	195	367	110	70	180	49%	62	125	187	0	0	0		131	79	105
Kilgoris	1	27	28	296	66	362	238	77	315	87%	59	16	75	33	0	33		437	181	309
Kabarnet	141	78	219	186	62	248	185	123	308	124%	121	20	141	2	13	15	-67%	736	228	482
Kajiado	473	930	1,403	230	519	749	178	443	621	83%	525	1,006	1,531	381	206	587	-2%	701	475	588
Kakamega	722	1,204	1,926	649	527	1,176	549	1,215	1,764	150%	822	516	1,338	204	93	297	-70%	3,008	577	1,792
Kapenguria	114	69	183	131	37	168	186	46	232	138%	53	65	118	13	14	27	-61%	471	294	383
Kapsabet	535	276	811	305	181	486	296	132	428	88%	544	325	869	263	139	402	3%	719	307	513
Kericho	483	569	1,052	332	300	632	347	566	913	144%	468	303	771	132	142	274	-24%	3,529	309	1,919
Kerugoya	551	887	1,438	356	343	699	460	588	1,048	150%	447	642	1,089	209	238	447	-41%	1,566	335	950
Kiambu	914	1,911	2,825	551	1,036	1,587	494	1,216	1,710	108%	971	1,731	2,702	517	338	855	-32%	740	408	574
Kibera	345	6	351	896	43	939	1,001	33	1,034	110%	240	16	256	22	1	23		90	141	116
Kilgoris	31	12	43	137	70	207	159	66	225	109%	9	16	25	33	1	34		457	301	379
Kisii	376	650	1,026	388	493	881	263	579	842	96%	501	564	1,065	70	52	122	-50%	1,103	202	653
Kisumu	271	689	960	796	1,238	2,034	645	1,685	2,330	115%	422	242	664	148	71	219	31%	715	131	423
Kitale	799	593	1,392	446	346	792	396	346	742	94%	849	593	1,442	198	7	205	-54%	1,598	463	1,031
Kitui	299	229	528	509	238	747	406	265	671	90%	402	202	604	93	56	149	-3%	689	173	431
Kwale	97	65	162	183	167	350	108	67	175	50%	172	165	337	43	1	44	780%	214	157	186
Lodwar	218	41	259	274	42	316	273	32	305	97%	219	51	270	4	6	10	-80%	408	264	336
Machakos	498	1,683	2,181	510	1,049	1,559	525	1,083	1,608	103%	483	1,649	2,132	417	263	680	-30%	1,434	341	888
Mandera	0	0	0	511	7	518	124	3	127	25%	387	4	391	198	108	306	0%	84	39	61
Makueni	456	484	940	300	320	620	167	389	556	90%	589	415	1,004	114	118	232	-3%	606	564	585
Malindi	402	481	883	499	585	1,084	474	732	1,206	111%	427	334	761	106	49	155		560	190	375
Mandera	1	3	4	18	1	19	15	4	19	100%	4	0	4	0	0	0		353	145	249
Maralal	8	8	16	66	11	77	74	14	88	114%	0	5	5	12	5	17		508	335	422
Marsabit	51	42	93	161	53	214	152	50	202	94%	60	45	105	4	0	4	-81%	366	140	253
Meru	890	905	1,795	540	780	1,320	492	627	1,119	85%	938	1,058	1,996	464	328	792	-17%	1,857	372	1,115
Migori	389	598	987	516	336	852	438	618	1,056	124%	441	316	757	37	9	46	-86%	857	168	512
Mil ACEC	21	124	145	31	101	132	32	109	141	107%	10	40	50	3	110	113	-7%	340	113	227
Mil Civil	0	5,716	5,716	0	1,823	1,823	0	1,900	1,900	104%	0	5,639	5,639	1,018	1,942	2,960	-6%	848	0	424
Mil Civil Appellate	0	546	546	0	1,425	1,425		1,971	1,971	138%	0	0	0	396	255	651		820	0	410
Mil Com& Tax	0	5,386	5,386	0	3,288	3,288	0	4,032	4,032	123%	0	4,642	4,642	531	1,701	2,232	-32%	929	0	465
Mil Const & HR	0	1,225	1,225	0	821	821	0	769	769	94%	0	1,277	1,277	301	287	588	-10%	717	0	359
Mil Criminal	2,932	0	2,932	1,220	0	1,220	1,183	0	1,183	97%	2,969	0	2,969	471	408	879	2%	2	312	157
Mil Family	0	7,186	7,186	0	2,101	2,101	0	4,199	4,199	200%	0	5,088	5,088	183	3,435	3,618	-34%	2,649	0	1,325
Milimani JR	0	426	426	0	479	479	0	694	694	145%	0	211	211	92	119	211	-1%	515	0	258
Mombasa	671	1,927	2,598	716	1,578	2,294	673	1,592	2,265	99%	714	1,913	2,627	131	528	659	-40%	994	363	679
Muranga	873	975	1,848	770	396	1,166	648	525	1,173	101%	995	846	1,841	451	441	892	-14%	1,457	457	957
Naivasha	151	367	518	209	443	652	164	544	708	109%	196	266	462	9	28	37	-54%	589	267	428
Nakuru	1,280	2,524	3,804	616	1,224	1,840	476	1,355	1,831	100%	1,420	2,393	3,813	627	455	1,082	-36%	2,139	571	1,355
Nanyuki	312	166	478	278	125	403	307	175	482	120%	283	116	399	74	19	93	-53%	1,025	341	683
Narok	177	198	375	244	176	420	183	191	374	89%	238	183	421	62	48	110	-35%	575	264	419
Nyahururu	216	162	378	374	215	589	248	137	385	65%	342	240	582	26	92	118	-4%	606	152	379
Nyamira	568	199	767	230	219	449	232	210	442	98%	566	208	774	63	118	181	-17%	464	192	328
Nyandarua	343	244	587	199	252	451	342	257	599	133%	200	239	439	86	2	88	450%	298	288	293
Nyeri	356	890	1,246	410	332	742	466	945	1,411	190%	300	277	577	56	253	309	-22%	2,350	321	1,336
Siaya	290	120	410	365	208	573	495	221	716	125%	160	107	267	80	5	85	18%	394	252	323
Thika	272	745	1,017	313	907	1,220	344	835	1,179	97%	241	817	1,058	49	1	50	1150%	283	236	260
Vihiga	322	234	556	197	201	398	278	215	493	124%	241	220	461	44	11	55	-66%	552	368	460
Voi	84	172	256	226	187	413	275	294	569	138%	35	65	100	63	21	84	91%	419	246	333
Overall	**21,011**	**48,453**	**69,464**	**19,756**	**28,456**	**48,212**	**18,261**	**38,275**	**56,536**	**117%**	**22,450**	**38,570**	**61,020**	**9,336**	**14,133**	**23,469**	**-25%**	**964**	**257**	**611**

Appendix 2. 2: Filed Cases per Case Type per Station, High Court

Station	Murder	Criminal Appeal	Criminal Application	Criminal Revision	Total Criminal	Civil Suit	Civil Appeal	Misc Application	Constitution Petition	Judicial Review	Bankruptcy and Insolvency	Tax Appeal	Adoption	Probate Administration	Total Civil	Total
Bomet	26	26	46	110	**208**	5	49	41	19	4	1	0	0	89	**208**	416
Bungoma	46	127	181	226	**580**	14	188	215	20	7	3	0	1	27	**475**	1,055
Busia	24	61	61	80	**226**	11	94	125	6	11	0	0	0	15	**262**	488
Chuka	20	35	114	140	**309**	5	50	43	11	5	1	0	1	8	**124**	433
Eldama	13	10	8	73	**104**	0	8	6	1	0	0	0	0	9	**24**	128
Eldoret	24	66	173	254	**517**	61	284	373	44	24	10	0	15	191	**1,002**	1,519
Embu	35	85	254	363	**737**	29	133	134	30	11	0	0	12	24	**373**	1,110
Garissa	15	51	53	129	**248**	6	29	14	14	9	0	0	0	5	**77**	325
Garsen	11	60	53	59	**183**	2	79	34	14	28	2	0	0	3	**162**	345
Homabay	27	60	139	62	**288**	10	66	83	12	18	0	0	4	10	**203**	491
Isiolo	13	39	7	113	**172**	5	87	59	11	31	0	0	1	1	**195**	367
Iten	29	63	60	144	**296**	1	18	16	6	0	0	0	0	25	**66**	362
Kabarnet	17	12	39	118	**186**	3	15	14	12	5	0	0	1	12	**62**	248
Kajiado	19	85	65	61	**230**	51	156	127	25	21	2	0	6	131	**519**	749
Kakamega	87	94	190	278	**649**	18	215	210	33	8	1	0	9	33	**527**	1,176
Kapenguria	11	19	24	77	**131**	3	8	11	2	0	0	0	2	11	**37**	168
Kapsabet	32	21	81	171	**305**	10	52	65	5	6	0	0	4	39	**181**	486
Kericho	26	38	76	192	**332**	11	100	93	14	8	2	1	5	66	**300**	632
Kerugoya	21	64	41	230	**356**	18	139	128	19	11	0	0	5	23	**343**	699
Kiambu	23	91	134	303	**551**	104	243	373	79	28	0	0	23	186	**1,036**	1,587
Kibera	20	235	267	374	**896**	1	1	5	34	1	0	1	0	0	**43**	939
Kilgoris	15	32	32	58	**137**	3	30	21	1	7	0	0	1	7	**70**	207
Kisii	29	74	138	147	**388**	24	206	186	28	12	2	0	7	28	**493**	881
Kisumu	35	110	405	246	**796**	40	295	783	33	29	4	3	14	37	**1,238**	2,034
Kitale	85	59	187	115	**446**	18	92	106	28	29	2	0	3	68	**346**	792
Kitui	43	84	86	296	**509**	7	102	84	14	11	0	0	9	11	**238**	747
Kwale	25	44	52	62	**183**	18	32	95	9	2	0	0	0	11	**167**	350
Lodwar	19	41	25	189	**274**	8	7	8	9	6	0	0	0	4	**42**	316
Machakos	35	119	102	254	**510**	67	340	433	39	22	4	0	41	103	**1,049**	1,559
Makandara	39	186	128	158	**511**	0	0	0	7	0	0	0	0	0	**7**	518
Makueni	31	72	73	124	**300**	9	131	124	14	10	1	0	10	21	**320**	620
Malindi	17	147	152	183	**499**	44	148	253	42	25	14	0	7	52	**585**	1,084
Mandera	3	7	3	5	**18**	0	0	0	0	0	0	0	0	1	**1**	19
Maralal	1	12	13	40	**66**	3	3	3	0	0	0	0	1	1	**11**	77
Marsabit	6	50	31	74	**161**	7	10	17	9	5	0	0	0	5	**53**	214
Meru	91	95	55	299	**540**	38	468	178	40	25	6	0	6	19	**780**	1,320
Migori	38	118	138	222	**516**	10	199	81	12	17	2	1	7	7	**336**	852
Mil ACEC	0	20	0	11	**31**	42	0	49	6	4	0	0	0	0	**101**	132
Mil Civil	0	0	0	0	**0**	315	0	1,508	0	0	0	0	0	0	**1,823**	1,823
Mil Civil Appellate	0	0	0	0	**0**	0	1,425	0	0	0	0	0	0	0	**1,425**	1,425
Mil Com& Tax	0	0	0	0	**0**	839	401	1,310	0	0	342	396	0	0	**3,288**	3,288
Mil Const & HR	0	0	0	0	**0**	0	0	61	760	0	0	0	0	0	**821**	821
Mil Criminal	51	149	397	623	**1,220**	0	0	0	0	0	0	0	0	0	**0**	1,220
Mil Family	0	0	0	0	**0**	142	192	359	0	0	0	0	339	1,069	**2,101**	2,101
Milimani JR	0	0	0	0	**0**	0	0	162	0	317	0	0	0	0	**479**	479
Mombasa	21	131	213	351	**716**	190	504	620	66	37	29	4	25	103	**1,578**	2,294
Muranga	36	114	66	554	**770**	24	187	120	12	11	0	0	6	36	**396**	1,166
Naivasha	10	43	28	128	**209**	22	151	232	8	7	1	0	1	21	**443**	652
Nakuru	56	68	230	262	**616**	85	346	488	63	16	10	1	36	179	**1,224**	1,840
Nanyuki	9	58	26	185	**278**	14	37	36	7	9	3	0	6	13	**125**	403
Narok	19	28	57	140	**244**	19	48	66	11	7	0	0	1	24	**176**	420
Nyahururu	23	101	81	169	**374**	13	80	77	14	4	1	0	1	25	**215**	589
Nyamira	19	57	67	87	**230**	6	94	57	24	12	0	0	1	25	**219**	449
Nyandarua	23	59	45	72	**199**	9	56	71	8	6	1	0	0	101	**252**	451
Nyeri	22	84	113	191	**410**	25	121	95	24	9	0	0	11	47	**332**	742
Siaya	43	71	133	118	**365**	7	111	56	17	3	1	0	0	13	**208**	573
Thika	26	47	95	145	**313**	84	436	265	33	27	2	1	8	51	**907**	1,220
Vihiga	14	36	66	81	**197**	10	91	60	17	7	0	0	2	14	**201**	398
Voi	6	62	30	128	**226**	12	62	76	17	9	2	0	2	7	**187**	413
Total	**1,429**	**3,720**	**5,333**	**9,274**	**19,756**	**2,522**	**8,419**	**10,309**	**1,783**	**921**	**449**	**408**	**634**	**3,011**	**28,456**	**48,212**

Appendix 2. 3: Resolved Cases by Type Per Station, High Court

Station	Murder	Criminal Appeal	Criminal App	Criminal Revision	Total Criminal	Civil Suit	Civil Appeal	Misc App	Constitution Petition	Judicial Review	Bankruptcy & Insolvency	Tax Appeal	Adoption	Divorce	Probate Admin	Total Civil	Total
Bomet	39	44	36	85	**204**	2	80	39	11	1	0	0	1	0	315	**449**	**653**
Bungoma	61	114	161	323	**659**	19	213	313	21	7	13	0	4	0	104	**694**	**1,353**
Busia	18	60	28	80	**186**	8	86	151	16	4	1	0	2	0	45	**313**	**499**
Chuka	12	10	61	123	**206**	8	40	57	14	5	0	0	1	0	28	**153**	**359**
Eldama	26	6	11	75	**118**	0	15	4	0	0	0	0	0	0	3	**22**	**140**
Eldoret	55	56	130	307	**548**	98	354	619	139	17	4	0	20	2	2,209	**3,462**	**4,010**
Embu	49	99	174	255	**577**	9	148	160	15	11	1	0	10	1	136	**491**	**1,068**
Garissa	41	74	64	147	**326**	9	33	20	24	11	0	0	0	0	10	**107**	**433**
Garsen	6	66	63	60	**195**	0	36	24	15	4	1	0	0	0	7	**87**	**282**
Homabay	33	39	62	7	**141**	8	78	128	2	9	0	0	0	0	33	**258**	**399**
Isiolo	0	7	6	97	**110**	1	17	46	4	2	0	0	0	0	0	**70**	**180**
Iten	9	52	32	145	**238**	1	36	15	15	0	0	0	0	0	10	**77**	**315**
Kabarnet	23	18	35	109	**185**	3	46	32	9	4	0	0	1	0	28	**123**	**308**
Kajiado	18	41	65	54	**178**	42	65	151	15	16	1	0	4	0	149	**443**	**621**
Kakamega	106	73	110	260	**549**	27	289	339	41	7	5	0	10	2	495	**1,215**	**1,764**
Kapenguria	28	35	32	91	**186**	0	12	10	10	4	0	0	0	0	10	**46**	**232**
Kapsabet	3	32	86	175	**296**	13	21	42	3	3	0	0	2	0	48	**132**	**428**
Kericho	22	32	41	252	**347**	26	52	96	23	2	3	0	8	0	356	**566**	**913**
Kerugoya	39	59	46	316	**460**	22	191	224	30	10	0	0	8	0	103	**588**	**1,048**
Kiambu	36	87	128	243	**494**	86	323	529	57	26	1	0	18	0	176	**1,216**	**1,710**
Kibera	15	305	268	413	**1,001**	2	1	4	24	1	0	1	0	0	0	**33**	**1,034**
Kilgoris	9	29	51	70	**159**	4	22	25	5	0	0	0	0	0	10	**66**	**225**
Kisii	31	42	57	133	**263**	30	207	230	28	15	0	0	4	0	65	**579**	**842**
Kisumu	32	64	365	184	**645**	73	304	1,118	23	39	3	0	22	1	102	**1,685**	**2,330**
Kitale	32	75	171	118	**396**	23	69	77	24	5	0	0	1	0	147	**346**	**742**
Kitui	29	34	68	275	**406**	17	106	86	10	20	0	0	8	0	18	**265**	**671**
Kwale	2	20	25	61	**108**	7	20	36	1	0	0	0	0	0	3	**67**	**175**
Lodwar	23	52	52	146	**273**	2	8	9	4	7	0	0	0	0	2	**32**	**305**
Machakos	31	103	142	249	**525**	54	333	387	24	16	3	0	41	0	225	**1,083**	**1,608**
Makandara	3	29	35	57	**124**	0	0	0	3	0	0	0	0	0	0	**3**	**127**
Makueni	24	49	67	27	**167**	8	124	204	7	1	2	0	4	0	39	**389**	**556**
Malindi	14	85	171	204	**474**	58	184	332	48	18	30	0	6	1	55	**732**	**1,206**
Mandera	1	5	3	6	**15**	0	3	0	0	0	0	0	0	0	1	**4**	**19**
Maralal	3	16	14	41	**74**	0	9	2	2	0	0	0	0	0	1	**14**	**88**
Marsabit	11	33	31	77	**152**	5	21	13	7	2	0	0	0	0	2	**50**	**202**
Meru	48	130	42	272	**492**	20	222	159	48	11	1	0	3	0	163	**627**	**1,119**
Migori	19	69	158	192	**438**	7	208	298	19	27	1	0	5	0	53	**618**	**1,056**
Mil ACEC	0	22	0	10	**32**	38	0	58	7	6	0	0	0	0	0	**109**	**141**
Mil Civil	-	-	-	-	**-**	328	0	1,572	0	0	0	0	0	0	0	**1,900**	**1,900**
Mil Civil Appellate	-	-	-	-		0	1,971	0	0	0	0	0	0	0	0	**1,971**	**1,971**
Mil Com& Tax	-	-	-	-	**-**	1,209	423	1,686	29	0	331	354	0	0	0	**4,032**	**4,032**
Mil Const & HR	-	-	-	-	**-**	0	1	52	716	0	0	0	0	0	0	**769**	**769**
Mil Criminal	37	164	407	575	**1,183**	-	-	-	-	-	-	-	-	-	-	**0**	**1,183**
Mil Family	-	-	-	-	**-**	320	203	340	2	0	0	0	340	14	2,980	**4,199**	**4,199**
Milimani JR	-	-	-	-	**-**	0	0	225	0	469	0	0	0	0	0	**694**	**694**
Mombasa	89	97	149	338	**673**	239	336	648	69	62	34	1	27	0	176	**1,592**	**2,265**
Muranga	14	87	43	504	**648**	18	131	197	20	5	0	0	2	0	152	**525**	**1,173**
Naivasha	12	26	22	104	**164**	28	118	362	4	3	0	0	2	0	27	**544**	**708**
Nakuru	78	43	89	266	**476**	108	264	352	25	24	9	0	22	1	550	**1,355**	**1,831**
Nanyuki	7	99	29	172	**307**	7	58	48	14	6	2	0	4	0	36	**175**	**482**
Narok	6	14	27	136	**183**	13	53	74	20	9	0	0	2	1	19	**191**	**374**
Nyahururu	7	32	87	122	**248**	8	21	63	9	2	2	0	0	0	32	**137**	**385**
Nyamira	5	40	77	110	**232**	10	70	88	10	10	0	0	1	0	21	**210**	**442**
Nyandarua	36	109	66	131	**342**	15	91	103	19	9	1	0	1	0	18	**257**	**599**
Nyeri	8	117	141	200	**466**	54	275	256	41	20	0	0	15	0	284	**945**	**1,411**
Siaya	35	83	247	130	**495**	9	89	59	39	3	0	0	2	0	20	**221**	**716**
Thika	8	87	83	166	**344**	33	444	299	20	17	0	0	4	0	18	**835**	**1,179**
Vihiga	28	56	81	113	**278**	8	85	58	26	8	0	0	1	0	29	**215**	**493**
Voi	14	103	25	133	**275**	14	127	109	24	12	2	0	1	0	5	**294**	**569**
Total	**1,335**	**3,323**	**4,664**	**8,939**	**18,261**	**3,151**	**8,736**	**12,628**	**1,835**	**970**	**451**	**356**	**607**	**23**	**9,518**	**38,275**	**56,536**

Appendix 2. 4: Pending Cases Per Case Type Per High Court Station

Station	Murder	Criminal appeal	Criminal misc appl	Revision	Total Criminal	Civil suit	Civil appeal	Misc civil Appl	Petition	Judicial Review	Insolvency	Tax Appeal	Adoption	Divorce	Probate Admin	Total Civil	All Pending
Bomet	103	103	115	115	**436**	23	79	128	29	9	1	0	2	0	159	**430**	**866**
Bungoma	65	185	63	141	**454**	37	279	90	18	9	17	0	0	0	25	**475**	**929**
Busia	23	81	55	105	**264**	18	58	35	16	8	0	0	1	0	0	**136**	**400**
Chuka	64	57	66	37	**224**	13	44	0	19	6	1	0	1	1	0	**85**	**309**
Eldama	0	4	0	0	**4**	0	0	2	1	0	0	0	0	0	6	**9**	**13**
Eldoret	177	321	268	292	**1,058**	133	633	618	134	30	17	0	11	1	0	**1,577**	**2,635**
Embu	46	42	90	153	**331**	28	58	0	29	3	2	0	6	0	0	**126**	**457**
Garissa	6	31	17	28	**82**	2	15	0	10	1	0	0	0	0	5	**33**	**115**
Garsen	53	105	12	57	**227**	5	122	42	11	25	13	0	1	0	10	**229**	**456**
Homabay	39	49	101	56	**245**	10	99	70	22	29	1	0	6	0	22	**259**	**504**
Isiolo	13	32	1	16	**62**	4	70	13	7	29	0	0	1	0	1	**125**	**187**
Iten	20	11	28	0	**59**	0	0	1	0	0	0	0	0	0	15	**16**	**75**
Kabarnet	78	20	6	17	**121**	1	2	0	6	2	0	0	1	0	8	**20**	**141**
Kajiado	92	207	107	119	**525**	136	377	197	42	30	7	0	5	1	211	**1,006**	**1,531**
Kakamega	281	204	213	124	**822**	61	249	84	90	12	0	0	14	6	0	**516**	**1,338**
Kapenguria	27	17	9	0	**53**	7	11	4	8	3	0	1	1	0	30	**65**	**118**
Kapsabet	171	175	128	70	**544**	14	95	72	4	9	1	0	3	0	127	**325**	**869**
Kericho	120	95	157	96	**468**	9	152	78	43	7	3	1	9	1	0	**303**	**771**
Kerugoya	123	121	47	156	**447**	33	289	146	68	13	1	0	5	0	87	**642**	**1,089**
Kiambu	318	281	115	257	**971**	304	801	121	131	54	5	0	24	0	291	**1,731**	**2,702**
Kibera	90	81	40	29	**240**	0	1	3	12	0	0	0	0	0	0	**16**	**256**
Kilgoris	6	3	0	0	**9**	0	8	0	0	7	0	0	1	0	0	**16**	**25**
Kisii	118	144	138	101	**501**	29	201	243	25	18	2	0	15	0	31	**564**	**1,065**
Kisumu	117	124	93	88	**422**	21	176	0	32	0	6	7	0	0	0	**242**	**664**
Kitale	162	99	223	365	**849**	45	174	106	81	49	6	0	5	0	127	**593**	**1,442**
Kitui	177	117	55	53	**402**	0	137	47	7	0	0	0	11	0	0	**202**	**604**
Kwale	39	61	44	28	**172**	25	42	75	9	2	0	0	0	0	12	**165**	**337**
Lodwar	29	31	30	129	**219**	12	20	3	8	2	0	0	0	0	6	**51**	**270**
Machakos	228	160	41	54	**483**	147	663	449	64	49	6	1	23	1	246	**1,649**	**2,132**
Makadara	36	157	93	101	**387**	0	0	0	4	0	0	0	0	0	0	**4**	**391**
Makueni	118	154	86	231	**589**	29	251	31	31	11	0	0	9	0	53	**415**	**1,004**
Malindi	127	238	18	44	**427**	55	135	0	68	18	19	0	8	0	31	**334**	**761**
Mandera	2	2	0	0	**4**	0	0	0	0	0	0	0	0	0	0	**0**	**4**
Maralal	0	0	0	0	**0**	3	0	1	0	0	0	0	1	0	0	**5**	**5**
Marsabit	14	26	5	15	**60**	9	6	11	8	5	0	0	0	0	6	**45**	**105**
Meru	432	266	68	172	**938**	80	623	173	118	22	6	0	5	0	31	**1,058**	**1,996**
Migori	97	218	32	94	**441**	21	236	8	24	6	2	1	5	0	13	**316**	**757**
Mil ACEC	0	10	0	0	**10**	9	0	31	0	0	0	0	0	0	0	**40**	**50**
Mil Civil	0	0	0	0	**0**	1,544	2,906	1,189	0	0	0	0	0	0	0	**5,639**	**5,639**
Mil Civil Appellate	0	0	0	0	**0**	0	0	0	0	0	0	0	0	0	0	**0**	**0**
Mil Com& Tax	0	0	0	0	**0**	2,323	595	755	0	0	645	324	0	0	0	**4,642**	**4,642**
Mil Const & HR	0	0	0	0	**0**	0	0	59	1,218	0	0	0	0	0	0	**1,277**	**1,277**
Mil Criminal	492	568	442	1,467	**2,969**	0	0	0	0	0	0	0	0	0	0	**0**	**2,969**
Mil Family	0	0	0	0	**0**	601	357	349	0	0	0	0	492	52	3,237	**5,088**	**5,088**
Milimani JR	0	0	0	0	**0**	0	0	35	0	176	0	0	0	0	0	**211**	**211**
Mombasa	113	309	226	66	**714**	396	853	384	84	29	63	5	12	0	87	**1,913**	**2,627**
Muranga	256	331	79	329	**995**	65	411	121	32	24	0	0	5	1	187	**846**	**1,841**
Naivasha	85	63	14	34	**196**	13	211	0	10	5	2	0	2	0	23	**266**	**462**
Nakuru	236	238	557	389	**1,420**	203	843	1,134	131	26	27	1	28	0	0	**2,393**	**3,813**
Nanyuki	61	161	10	51	**283**	24	60	3	6	14	3	0	4	0	2	**116**	**399**
Narok	99	40	55	44	**238**	23	48	42	21	3	0	0	0	1	45	**183**	**421**
Nyahururu	56	134	43	109	**342**	26	149	27	18	11	3	0	1	0	5	**240**	**582**
Nyamira	117	171	137	141	**566**	10	88	0	15	6	2	0	1	0	86	**208**	**774**
Nyandarua	68	82	36	14	**200**	19	106	14	0	4	2	0	0	0	94	**239**	**439**
Nyeri	83	95	47	75	**300**	39	132	63	23	9	1	0	10	0	0	**277**	**577**
Siaya	77	76	0	7	**160**	2	74	0	11	3	1	0	0	0	16	**107**	**267**
Thika	42	90	46	63	**241**	98	543	61	29	23	2	1	6	0	54	**817**	**1,058**
Vihiga	79	54	66	42	**241**	16	101	37	24	6	0	0	2	0	34	**220**	**461**
Voi	10	9	9	7	**35**	5	10	0	44	0	2	0	1	0	3	**65**	**100**
Total	**5,485**	**6,453**	**4,331**	**6,181**	**22,450**	**6,730**	**13,593**	**7,155**	**2,845**	**807**	**869**	**342**	**738**	**65**	**5,426**	**38,570**	**61,020**

	Case Type	Bungoma	Eldoret	Kakamega	Kericho	Kisumu	Malindi	Mombasa	Nairobi Appeals	Nairobi Claims & LR	Nairobi JR & LR	Nakuru	Nyeri	All Stations	Kisii(Sub Reg)	Voi(Sub Reg)	Kitale(Sub Reg)	Garissa (Sub Reg)	Machakos(Sub Reg)	Meru (Sub Reg)	All Sub Reg	Total
Pending as at 30th June 2024	CBA	0	0	1	0	0	0	0		43		1	0	**45**	0		0	0	0	0	**0**	**45**
	Causes Disputes	6	220	29	27	179	4	36		3,317		143	3	**3,964**	0		0	0	34	6	**40**	**4,004**
	Petition	2	110	4	3	30	1	20			489	20	12	**691**	0		0	0	2	2	**4**	**695**
	Misc	2	26	5	13	87	11	134		754		38	19	**1,089**	0		0	0	56	2	**58**	**1,147**
	Appeal	11	36	15	8	34	16	82	535			98	0	**835**	0		0	0	35	3	**38**	**873**
	Review	0	13	1	5	3	0	18			81	18	10	**149**	0		0	0	2	5	**7**	**156**
	Total pending	**21**	**405**	**55**	**56**	**333**	**32**	**290**	**535**	**4,114**	**570**	**318**	**44**	**6,773**	**0**	**0**	**0**	**0**	**129**	**18**	**147**	**6,920**
Filed cases	CBA	0	0	0	0	0	0	0	0	305	0	0	0	**305**	0	0	0	0	0	0	**0**	**305**
	Causes Disputes	17	99	45	46	107	15	136	0	1,121	0	107	53	**1,746**	25	2	13	4	70	32	**146**	**1,892**
	Petition	4	15	17	22	35	4	30	0	0	242	17	15	**401**	11	0	12	10	11	13	**57**	**458**
	Misc	16	76	11	12	103	29	133	0	354	0	83	47	**864**	10	0	5	0	91	12	**118**	**982**
	Appeal	11	69	22	5	95	19	257	372	0	0	70	58	**978**	11	0	10	0	47	6	**74**	**1,052**
	Review	2	3	8	3	27	1	7	0	0	76	9	8	**144**	5	0	3	0	7	6	**21**	**165**
	Total Filed	**50**	**262**	**103**	**88**	**367**	**68**	**563**	**372**	**1,780**	**318**	**286**	**181**	**4,438**	**62**	**2**	**43**	**14**	**226**	**69**	**416**	**4,854**
Resolved cases	CBA	0	0	0	0	0	0	0	0	135	0	0	0	**135**	0	0	0	0	0	0	**0**	**135**
	Causes Disputes	16	99	45	42	202	13	253	0	2,215	0	166	82	**3,133**	10	0	19	0	66	41	**136**	**3,269**
	Petition	6	21	11	16	73	7	28	0	0	360	22	28	**572**	4	0	4	5	7	10	**30**	**602**
	Misc	14	16	13	8	165	23	150	0	486	0	89	42	**1,006**	2	0	1	0	78	16	**97**	**1,103**
	Appeal	9	43	30	8	98	30	260	429	0	0	83	49	**1,039**	8	0	6	0	18	13	**45**	**1,084**
	Review	3	1	3	4	49	1	6	0	0	90	16	12	**185**	2	0	2	0	1	6	**11**	**196**
	Total resolved	**48**	**180**	**102**	**78**	**587**	**74**	**697**	**429**	**2,836**	**450**	**376**	**213**	**6,070**	**26**	**0**	**32**	**5**	**170**	**86**	**319**	**6,389**
	CCR	**96%**	**69%**	**99%**	**89%**	**160%**	**109%**	**124%**	**115%**	**159%**	**142%**	**131%**	**118%**	**137%**	**42%**	**0%**	**74%**	**36%**	**75%**	**125%**	**77%**	**132%**
Pending as at 30th June 2025	CBA	0	0	1	0	0	0	0	0	213	0	1	0	**215**	0	0	0	0	0	0	**0**	**215**
	Causes Disputes	2	197	28	28	65	6	91	0	2,083	0	55	30	**2,585**	12	2	7	4	32	12	**69**	**2,654**
	Petition	0	104	9	9	11	2	21	0	0	364	12	5	**537**	7	0	8	5	5	5	**30**	**567**
	Misc	3	85	3	17	24	17	117	0	612	0	29	22	**929**	8	0	4	0	68	2	**82**	**1,011**
	Appeal	11	61	7	5	28	5	79	477	0	0	84	8	**765**	3	0	4	0	64	4	**75**	**840**
	Review	1	15	6	4	20	0	19	0	0	66	11	6	**148**	3	0	1	0	8	5	**17**	**165**
	Total pending	**17**	**462**	**54**	**63**	**148**	**30**	**327**	**477**	**2,908**	**430**	**192**	**71**	**5,179**	**33**	**2**	**24**	**9**	**177**	**28**	**273**	**5,452**
	Average time to disposition	269	903	294	420	306	354	264	592	1,170	411	524	436		48	0	352	20	452	283		**394**
Backlog as at 30th June 2024	1 - 3 yrs	17	219	16	5	83	17	172	309	2,814	408	42	14	4,116					6	3	9	4,125
	Over 3 years	0	172	0	2	40	0	20	0	0	0	0	7	241					1	3	4	245
	All	17	391	16	7	123	17	192	309	2,814	408	42	21	4,357	0		0	0	7	6	13	4,370
Backlog as at 30th June 2025	1 - 3 yrs	12	264	40	28	49	10	102	268	2,287	290	59	11	3,420		0	4	0	20	5	29	3,449
	Over 3 years	1	138	0	8	9	1	7	2	210	11	8	6	401		0	3	0	3	2	8	409
	All	13	402	40	36	58	11	109	270	2,497	301	67	17	3,821		0	7	0	23	7	37	3,858
Percentage change in Backlog		-24%	3%	150%	414%	-53%	-35%	-43%	-13%	-11%	-26%	60%	-19%	-12%					229%	17%	185%	172%

Appendix 2. 5: ELC Summary Statistics

	Pending as at 30th June 2024				Filed Cases				Resolved Cases				Pending as at 30 June 2025				Backlog as at 30 June 2025				
Station	**Suits**	**Misc**	**Appeals**	**Total**	**Suits**	**Misc**	**Appeals**	**Total Filed**	**Suits**	**Misc**	**Appeals**	**Total resolved**	**Suits**	**Misc**	**Appeals**	**All pending**	**Backlog 1 to 3 years**	**Backlog over 3 years**	**All Backlog**	**% Change**	**Average time to disposition (days)**
Bungoma	92	18	101	211	60	36	59	155	103	32	105	240	46	22	54	**122**	27	29	**56**	27%	1,519
Busia	226	57	41	324	106	15	34	155	128	13	28	169	176	59	47	**282**	99	49	**148**	-40%	1,705
Chuka	19	8	19	46	35	16	23	74	34	24	26	84	19	0	16	**35**	0	6	**6**	50%	613
Eldoret	910	39	100	1,049	130	46	82	258	147	38	36	221	801	44	142	**987**	234	357	**591**	-16%	1,787
Embu	323	23	98	444	58	35	80	173	114	34	45	193	249	22	131	**402**	78	96	**174**	-35%	1,508
Garissa	31	19	18	68	16	7	28	51	14	6	15	35	32	20	31	**83**	6	5	**11**	-31%	726
Homabay	91	9	98	198	82	38	72	192	56	24	87	167	116	23	83	**222**	31	25	**56**	24%	582
Isiolo	21	12	40	73	12	18	40	70	25	17	53	95	7	13	27	**47**	12	0	**12**	20%	616
Iten	1	58	34	93	29	10	24	63	21	7	29	57	4	60	27	**91**	9	1	**10**	-17%	556
Kabarnet	26	12	10	48	18	9	27	54	12	13	16	41	29	8	21	**58**	40	0	**40**	0%	338
Kajiado	514	98	122	734	205	64	90	359	353	168	105	626	341	0	106	**447**	157	92	**249**	-43%	1,500
Kakamega	37	9	84	130	85	65	139	289	119	19	75	213	-1	53	145	**197**	3	13	**16**	-82%	1,478
Kapsabet	82	11	21	114	38	26	24	88	57	17	17	91	62	20	28	**110**	19	0	**19**	-46%	617
Kericho	133	29	11	173	96	35	39	170	97	38	25	160	132	25	25	**182**	30	24	**54**	-18%	1,321
Kerugoya	82	9	125	216	82	35	83	200	124	46	98	268	36	-3	109	**142**	55	1	**56**	-65%	1,200
Kilgoris	26	10	7	43	48	16	59	123	51	15	53	119	18	11	11	**40**	24	3	**27**	-31%	485
Kisii	147	2	100	249	60	27	60	147	122	30	61	213	83	-1	99	**181**	33	29	**62**	-50%	1,949
Kisumu	197	31	103	331	141	95	128	364	209	101	127	437	126	23	103	**252**	16	156	**172**	153%	1,247
Kitale	39	11	12	62	78	24	43	145	144	28	35	207	0	7	19	**26**	1	44	**45**	-24%	1,797
Kitui	331	87	42	460	41	16	50	107	35	19	34	88	337	84	58	**479**	73	334	**407**	-4%	713
Kwale	348	22	47	417	141	22	34	197	76	11	25	112	408	33	55	**496**	107	1	**108**	-18%	664
Lamu	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**			**0**		0
Lodwar	0	0	2	2	2	0	3	5	0	0	0	0	1	0	5	**6**			**0**		0
Machakos	169	80	241	490	193	101	108	402	257	104	124	485	95	74	221	**390**	72	122	**194**	6%	1,576
Makueni	329	104	30	463	69	29	41	139	106	22	42	170	287	111	29	**427**	227	295	**522**	-14%	1,253
Malindi	666	241	107	1,014	206	50	134	390	316	74	149	539	484	217	92	**793**	232	148	**380**	-40%	1,344
Meru	8	41	44	93	83	50	103	236	149	58	153	360	0	32	0	**32**	27	60	**87**	10%	1,075
Migori	77	27	158	262	86	33	54	173	92	32	68	192	67	28	143	**238**	5	47	**52**	93%	1,147
Milimani	338	27	7	372	15	3	259	277	854	122	277	1,253	119	40	43	**202**	25	527	**552**	75%	2,332
Milimani EP	46	3	11	60	33	11	50	94	19	13	25	57	55	0	32	**87**	151	6	**157**	4%	255
Milimani LD	411	123	192	726	690	351	93	1,134	310	245	40	595	536	179	192	**907**	3	0	**3**	50%	214
Mombasa	646	117	300	1,063	187	138	112	437	351	122	157	630	409	133	251	**793**	306	6	**312**	-52%	1,773
Muranga	80	9	67	156	101	26	61	188	93	22	67	182	84	9	60	**153**	6	19	**25**	-4%	741
Naivasha	118	12	37	167	69	23	28	120	58	19	30	107	113	16	35	**164**	0	0	**0**		233
Nakuru	82	84	59	225	144	93	99	336	281	74	77	432	0	93	76	**169**	73	92	**165**	-28%	1,611
Nanyuki	55	11	40	106	38	19	28	85	29	19	32	80	58	10	36	**104**	3	1	**4**	-20%	538
Narok	156	19	27	202	54	11	33	98	66	45	26	137	133	0	32	**165**	5	8	**13**	-80%	1,064
Nyamira	35	11	7	53	30	21	41	92	49	11	26	86	10	17	20	**47**	28	1	**29**	-38%	1,229
Nyahururu	55	6	19	80	37	13	18	68	50	9	31	90	41	9	6	**56**	14	18	**32**	-59%	639
Nyandarua	20	3	14	37	51	12	23	86	61	10	32	103	7	5	5	**17**	66	1	**67**	6600%	374
Nyeri	235	108	66	409	65	49	49	163	111	28	41	180	187	128	73	**388**	137	250	**387**	34%	2,017
Siaya	72	6	42	120	82	33	69	184	51	23	40	114	103	15	70	**188**	35	3	**38**	3%	458
Thika	844	99	288	1,231	308	120	201	629	284	82	159	525	764	136	329	**1,229**	17	47	**64**	-62%	1,006
Vihiga	12	13	18	43	33	15	26	74	21	17	33	71	23	11	11	**45**	17	0	**17**	-11%	383
Voi	32	0	38	70	29	10	40	79	36	8	63	107	23	1	14	**38**	0	0	**0**		264
All courts	**8,162**	**1,718**	**3,047**	**12,927**	**4,166**	**1,866**	**2,891**	**8,923**	**5,685**	**1,859**	**2,787**	**10,331**	**8,757**	**1,986**	**3,652**	**11,519**	**2,503**	**2,916**	**5,419**	**-18%**	**988**

Appendix 2. 6: Filed Cases by Case Type per Magistrates' Court Stations FY 2024-25

Returns (%)

30% 28% 25% 25% 28% 25% 28% 20% 15% 30% 20% 30% 28% 30% 15% 30% 20% 20% 28% 23% 20% 28% 28% 25% 20% 28% 28% 28% 25% 30% 28% 18% 23% 30% 25% 8% 23% 23% 30% 25% 20% 30% 18% 25% 30% 20% 23% **24%**

Station	Criminal Cases						Civil Cases						
	Criminal	Sexual Offences	Anti Corr	Child Crim	Traffic	All Criminal	Civil	Probate	Divorce	Personal Injury	Child Civil	All Civil	All Filed
Baricho	1,119	50	0	14	93	**1,276**	160	312	5	148	71	**696**	**1,972**
Bomet	1,252	64	0	13	116	**1,445**	155	239	20	165	41	**620**	**2,065**
Bondo	499	35	0	2	60	**596**	116	383	6	68	13	**586**	**1,182**
Bungoma	2,240	118	100	98	571	**3,127**	904	567	33	357	68	**1,929**	**5,056**
Busia	1,128	75	0	0	881	**2,084**	400	977	22	192	39	**1,630**	**3,714**
Butali	1,374	83	0	9	266	**1,732**	254	271	11	145	50	**731**	**2,463**
Butere	839	54	0	8	278	**1,179**	95	395	6	38	10	**544**	**1,723**
Chuka	1,422	48	1	0	127	**1,598**	165	381	36	105	57	**744**	**2,342**
Dadaab	257	33	0	1	4	**295**	13	0	1	0	26	**40**	**335**
Dagorreti	828	38	1	0	797	**1,664**	42	16	7	30	5	**100**	**1,764**
Eldama Rav	649	27	0	8	226	**910**	91	163	5	218	34	**511**	**1,421**
Eldoret	4,443	118	33	0	676	**5,270**	1,072	764	208	597	405	**3,046**	**8,316**
Embu	1,194	45	0	0	96	**1,335**	369	408	51	50	90	**968**	**2,303**
Engineer	523	37	0	10	267	**837**	105	272	13	152	99	**641**	**1,478**
Etago	474	34	0	3	54	**565**	80	74	19	83	25	**281**	**846**
Garissa	883	27	125	5	285	**1,325**	64	13	1	37	60	**175**	**1,500**
Garsen	168	20	0	1	53	**242**	32	27	0	41	26	**126**	**368**
Gatundu	745	24	1	4	844	**1,618**	154	519	25	212	41	**951**	**2,569**
Gichugu	775	16	0	1	66	**858**	58	133	13	24	8	**236**	**1,094**
Githongo	514	11	0	9	85	**619**	55	197	6	18	38	**314**	**933**
Githunguri	926	37	3	10	54	**1,030**	97	374	16	90	16	**593**	**1,623**
Hamisi	1,012	73	0	3	237	**1,325**	68	336	3	52	37	**496**	**1,821**
Hola	155	15	0	8	40	**218**	50	12	1	40	11	**114**	**332**
Homabay	591	41	0	1	132	**765**	196	456	9	121	100	**882**	**1,647**
Isiolo	895	25	1	2	66	**989**	84	26	4	50	42	**206**	**1,195**
Iten	1,409	58	0	6	81	**1,554**	79	182	11	65	27	**364**	**1,918**
Jkia	476	2	0	1	14	**493**	0	0	0	0	0	**0**	**493**
Kabarnet	739	38	0	22	11	**810**	112	112	6	43	83	**356**	**1,166**
Kabiyet	666	21	0	4	0	**691**	47	119	10	135	20	**331**	**1,022**
Kahawa	774	0	0	8	0	**782**	0	0	0	0	0	**0**	**782**
Kajiado	1,354	51	0	0	583	**1,988**	494	192	46	188	118	**1,038**	**3,026**
Kakamega	2,934	123	2	0	631	**3,690**	910	1,298	61	0	135	**2,404**	**6,094**
Kakuma	616	33	0	2	54	**705**	10	13	5	12	37	**77**	**782**
Kaloleni	404	60	0	4	48	**516**	146	78	6	244	8	**482**	**998**
Kamwangi	235	2	0	6	25	**268**	17	44	4	24	17	**106**	**374**
Kandara	1,983	70	0	12	218	**2,283**	110	488	9	252	61	**920**	**3,203**
Kangema	670	37	0	6	147	**860**	60	319	7	29	21	**436**	**1,296**
Kangundo	1,403	72	0	5	111	**1,591**	121	228	17	241	41	**648**	**2,239**
Kapenguria	1,094	34	1	13	57	**1,199**	80	78	5	25	36	**224**	**1,423**
Kapsabet	1,823	98	1	8	134	**2,064**	237	497	29	176	104	**1,043**	**3,107**
Karatina	620	27	0	13	216	**876**	99	328	10	45	110	**592**	**1,468**
Kehancha	762	50	0	3	263	**1,078**	88	55	4	20	4	**171**	**1,249**
Kendu Bay	386	24	0	0	70	**480**	77	150	5	83	7	**322**	**802**
Kenol	2,085	71	0	16	198	**2,370**	153	264	12	289	36	**754**	**3,124**
Kericho	3,296	132	2	11	375	**3,816**	212	522	46	126	181	**1,087**	**4,903**
Keroka	757	41	0	0	255	**1,053**	96	131	18	183	32	**460**	**1,513**
Kerugoya	839	22	4	3	74	**942**	288	676	27	73	56	**1,120**	**2,062**
Kiambu	3,091	63	0	10	523	**3,687**	526	447	107	330	160	**1,570**	**5,257**
Kibera	2,968	106	0	6	1,526	**4,606**	0	0	0	0	101	**101**	**4,707**
Kigumo	560	12	0	3	55	**630**	63	227	20	29	26	**365**	**995**
Kikuyu	1,694	61	0	4	1,074	**2,833**	347	550	59	510	170	**1,636**	**4,469**
Kilgoris	1,082	54	0	13	144	**1,293**	158	158	9	19	69	**413**	**1,706**
Kilifi	1,268	127	0	0	436	**1,831**	455	278	25	315	66	**1,139**	**2,970**
Kilungu	634	46	0	5	637	**1,322**	128	157	7	234	49	**575**	**1,897**
Kimilili	733	54	0	1	370	**1,158**	177	275	14	137	93	**696**	**1,854**
Kisii	2,415	109	65	0	753	**3,342**	628	625	84	657	193	**2,187**	**5,529**
Kisumu	1,017	20	101	0	247	**1,385**	1,051	364	78	139	289	**1,921**	**3,306**
Kitale	3,235	158	0	1	467	**3,861**	453	392	56	232	448	**1,581**	**5,442**
Kithimani	1,629	83	0	19	705	**2,436**	145	321	8	320	60	**854**	**3,290**
Kitui	1,720	99	1	0	425	**2,245**	292	610	32	314	65	**1,313**	**3,558**
Kombewa	192	50	0	0	28	**270**	31	141	2	37	1	**212**	**482**
Kwale	733	64	1	5	746	**1,549**	200	120	8	137	46	**511**	**2,060**
Kyuso	349	22	0	6	6	**383**	42	11	4	17	13	**87**	**470**
Lamu	343	17	0	1	19	**380**	30	13	4	2	126	**175**	**555**
Limuru	1,158	47	1	3	325	**1,534**	368	395	24	368	108	**1,263**	**2,797**
Lodwar	934	21	1	1	60	**1,017**	29	17	2	25	44	**117**	**1,134**
Loitoktok	534	35	0	7	185	**761**	40	68	5	89	7	**209**	**970**
Machakos	1,867	68	0	0	308	**2,243**	457	590	59	368	108	**1,582**	**3,825**
Madiany	488	26	0	3	2	**519**	49	315	3	15	126	**508**	**1,027**
Makadara	11,115	341	3	10	5,851	**17,320**	1	0	0	0	34	**35**	**17,355**

Station	Criminal Cases						Civil Cases						
Makindu	1,026	88	1	1	817	**1,933**	188	195	18	331	48	**780**	**2,713**
Makueni	738	50	0	14	158	**960**	185	420	28	120	44	**797**	**1,757**
Malaba	782	68	1	7	301	**1,159**	70	105	4	30	27	**236**	**1,395**
Malindi	1,225	130	1	7	592	**1,955**	642	335	43	177	90	**1,287**	**3,242**
Mandera	544	17	0	0	101	**662**	14	1	0	8	52	**75**	**737**
Maralal	391	11	2	9	12	**425**	45	21	6	2	54	**128**	**553**
Mariakani	353	34	0	1	568	**956**	135	48	9	143	19	**354**	**1,310**
Marimanti	967	32	0	0	70	**1,069**	79	51	11	14	36	**191**	**1,260**
Marsabit	244	11	0	0	6	**261**	45	29	0	28	42	**144**	**405**
Maseno	635	56	0	9	488	**1,188**	77	881	3	62	24	**1,047**	**2,235**
Maua	1,757	62	0	5	104	**1,928**	591	388	12	0	83	**1,074**	**3,002**
Mavoko	2,640	70	1	3	1,560	**4,274**	847	146	57	1,064	109	**2,223**	**6,497**
Mbita	354	26	0	3	65	**448**	114	258	11	20	13	**416**	**864**
Meru	2,083	48	1	5	490	**2,627**	443	518	53	123	106	**1,243**	**3,870**
Migori	695	71	1	5	246	**1,018**	314	726	55	107	33	**1,235**	**2,253**
Mil. Anti-Corr	1,691	0	1,691	0	0	**3,382**	0	0	0	0	0	**0**	**3,382**
Mil. Childrens	169	46	0	168	0	**383**	0	0	0	0	3,287	**3,287**	**3,670**
Mil. Comm	0	0	0	0	0	**0**	11,685	6	0	4,693	14	**16,398**	**16,398**
Mil. Family	0	0	0	0	0	**0**	160	1,223	1,870	0	0	**3,253**	**3,253**
Mil. CM	5,947	6	0	0	10,578	**16,531**	0	0	0	0	0	**0**	**16,531**
Moiben	591	46	0	5	1	**643**	9	6	6	3	1	**25**	**668**
Molo	2,298	96	0	18	370	**2,782**	196	246	11	497	155	**1,105**	**3,887**
Mombasa	3,143	143	9	0	4,374	**7,669**	2,526	388	226	1,003	19	**4,162**	**11,831**
Moyale	546	14	0	0	40	**600**	20	6	0	4	18	**48**	**648**
Mpeketoni	262	31	0	2	8	**303**	22	43	6	16	25	**112**	**415**
Msambweni	380	62	0	0	58	**500**	131	39	14	118	25	**327**	**827**
Mukurwe-Ini	337	14	0	1	46	**398**	46	177	9	9	23	**264**	**662**
Mumias	1,297	57	1	13	250	**1,618**	218	443	2	158	76	**897**	**2,515**
Muranga	1,013	42	0	0	147	**1,202**	331	920	28	171	67	**1,517**	**2,719**
Mutomo	332	18	0	0	33	**383**	38	42	1	81	15	**177**	**560**
Mwingi	597	49	0	0	261	**907**	111	97	16	125	35	**384**	**1,291**
Nairobi City Court	3,545	1	5	9	13	**3,573**	0	0	0	0	0	**0**	**3,573**
Naivasha	1,627	70	0	0	735	**2,432**	415	336	29	428	226	**1,434**	**3,866**
Nakuru	4,373	164	157	202	2,374	**7,270**	1,540	1,063	178	767	760	**4,308**	**11,578**
Nanyuki	1,121	49	0	0	320	**1,490**	224	262	29	92	84	**691**	**2,181**
Narok	1,835	90	0	1	1,256	**3,182**	314	221	21	246	148	**950**	**4,132**
Ndhiwa	353	27	0	4	34	**418**	107	366	8	20	15	**516**	**934**
Ngong	2,318	82	1	0	1,017	**3,418**	321	218	70	180	375	**1,164**	**4,582**
Nkubu	1,650	42	0	7	200	**1,899**	138	305	9	99	59	**610**	**2,509**
Nyahururu	1,194	60	3	1	370	**1,628**	167	390	17	104	91	**769**	**2,397**
Nyamira	1,014	58	4	6	220	**1,302**	221	313	13	148	47	**742**	**2,044**
Nyando	1,101	74	0	2	556	**1,733**	154	630	11	154	45	**994**	**2,727**
Nyeri	1,760	81	1	0	251	**2,093**	397	674	32	120	144	**1,367**	**3,460**
Ogembo	1,971	111	0	6	248	**2,336**	140	216	16	151	151	**674**	**3,010**
Ol Kalou	908	69	0	13	51	**1,041**	134	203	11	121	74	**543**	**1,584**
Othaya	318	15	0	2	130	**465**	67	197	7	17	11	**299**	**764**
Oyugis	810	59	0	2	270	**1,141**	177	822	10	107	37	**1,153**	**2,294**
Port Victoria	534	43	0	1	39	**617**	58	174	1	63	6	**302**	**919**
Rongo	684	48	0	12	301	**1,045**	129	233	17	44	30	**453**	**1,498**
Ruiru	3,309	54	3	7	1,325	**4,698**	1,194	308	240	323	191	**2,256**	**6,954**
Rumuruti	381	26	0	7	31	**445**	82	103	4	25	28	**242**	**687**
Runyenjes	512	23	0	6	155	**696**	181	317	13	71	25	**607**	**1,303**
Shanzu	1,506	135	0	5	963	**2,609**	4	0	0	0	9	**13**	**2,622**
Siakago	910	51	1	4	74	**1,040**	186	371	9	38	16	**620**	**1,660**
Siaya	1,076	60	0	0	98	**1,234**	285	684	15	53	49	**1,086**	**2,320**
Sirisia	661	40	0	4	121	**826**	80	58	6	196	39	**379**	**1,205**
Sotik	1,227	90	0	14	175	**1,506**	103	246	23	101	73	**546**	**2,052**
Tamu	392	34	0	2	54	**482**	89	101	4	186	17	**397**	**879**
Taveta	539	33	0	6	13	**591**	45	21	3	12	45	**126**	**717**
Tawa	272	19	0	5	116	**412**	48	87	4	339	4	**482**	**894**
Thika	3,789	114	7	0	1,360	**5,270**	902	404	87	467	257	**2,117**	**7,387**
Tigania	1,471	47	0	3	100	**1,621**	357	234	6	45	34	**676**	**2,297**
Tinderet	434	20	0	0	0	**454**	23	52	2	30	9	**116**	**570**
Tononoka	254	58	0	236	0	**548**	1	0	0	0	869	**870**	**1,418**
Ukwala	310	12	0	3	86	**411**	204	422	4	45	12	**687**	**1,098**
Vihiga	1,031	59	0	0	465	**1,555**	193	690	11	235	116	**1,245**	**2,800**
Voi	718	39	0	7	511	**1,275**	117	71	22	145	93	**448**	**1,723**
Wajir	504	26	2	0	157	**689**	21	3	1	2	79	**106**	**795**
Wamunyu	372	33	0	0	53	**458**	1	0	0	0	22	**23**	**481**
Wanguru	686	24	0	7	164	**881**	238	182	13	114	71	**618**	**1,499**
Webuye	859	48	0	1	802	**1,710**	173	166	11	138	48	**536**	**2,246**
Winam	1,282	82	0	2	284	**1,650**	415	564	34	233	82	**1,328**	**2,978**
Wundanyi	454	51	0	4	43	**552**	25	76	3	26	22	**152**	**704**
All Mag Courts	**173,091**	**7,616**	**2,341**	**1,318**	**62,110**	**246,476**	**42,937**	**38,704**	**4,962**	**24,372**	**14,001**	**124,976**	**371,452**

Appen

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Malindi
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Total

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Total

Appendix 2. 7: Resolved Cases by Case Type and Magistrates' Court Stations FY 2024-25

Station	Criminal Cases						Civil Cases						All Resolved
	Criminal Cases	Sexual Offences	Anti Corruption	Child Crim	Traffic	All Crim	Civil Cases	Probate	Divorce	Personal Injury	Child Civil	All Cv	
Baricho	1,205	57	0	2	95	**1,359**	142	288	6	192	75	**703**	**2,062**
Bomet	1,214	51	0	7	111	**1,383**	67	211	15	135	54	**482**	**1,865**
Bondo	487	32	0	0	61	**580**	90	432	10	108	15	**655**	**1,235**
Bungoma	2,454	171	127	79	570	**3,401**	1,961	795	43	362	96	**3,257**	**6,658**
Busia	1,479	152	0	0	839	**2,470**	397	777	19	119	35	**1,347**	**3,817**
Butali	1,612	124	0	6	289	**2,031**	511	449	17	288	57	**1,322**	**3,353**
Butere	878	95	0	6	277	**1,256**	147	466	8	68	12	**701**	**1,957**
Chuka	1,501	59	2	0	121	**1,683**	254	538	46	264	83	**1,185**	**2,868**
Dadaab	179	11	0	0	4	**194**	12	0	0	0	27	**39**	**233**
Dagorreti	481	5	1	0	724	**1,211**	7	7	0	2	1	**17**	**1,228**
Eldama Rav	654	22	0	8	202	**886**	41	166	5	75	62	**349**	**1,235**
Eldoret	4,944	198	31	0	661	**5,834**	1,242	819	162	573	1,125	**3,921**	**9,755**
Embu	1,075	27	2	0	89	**1,193**	422	549	56	112	104	**1,243**	**2,436**
Engineer	592	44	0	7	265	**908**	134	324	16	138	133	**745**	**1,653**
Etago	499	46	0	1	52	**598**	53	66	15	144	27	**305**	**903**
Garissa	1,019	36	118	3	294	**1,470**	70	11	2	53	59	**195**	**1,665**
Garsen	198	36	0	3	47	**284**	15	22	2	42	31	**112**	**396**
Gatundu	749	28	1	10	796	**1,584**	172	631	27	368	47	**1,245**	**2,829**
Gichugu	900	41	0	1	63	**1,005**	84	314	17	35	8	**458**	**1,463**
Githongo	482	11	0	4	76	**573**	68	247	12	31	28	**386**	**959**
Githunguri	963	48	1	11	63	**1,086**	143	349	16	71	50	**629**	**1,715**
Hamisi	883	43	0	1	212	**1,139**	66	392	1	42	20	**521**	**1,660**
Hola	164	17	0	6	37	**224**	103	11	2	119	14	**249**	**473**
Homabay	594	45	0	1	123	**763**	268	530	18	131	90	**1,037**	**1,800**
Isiolo	1,005	39	2	4	72	**1,122**	188	32	9	124	34	**387**	**1,509**
Iten	1,478	72	0	4	81	**1,635**	98	156	9	76	30	**369**	**2,004**
JKIA	381	3	0	8	14	**406**	0	0	0	0	0	**0**	**406**
Kabarnet	751	34	1	33	13	**832**	117	135	5	28	84	**369**	**1,201**
Kabiyet	731	45	0	4	10	**790**	42	139	11	26	8	**226**	**1,016**
Kahawa	748	0	0	0	0	**748**	0	0	0	0	0	**0**	**748**
Kajiado	1,287	87	0	0	490	**1,864**	474	172	31	233	87	**997**	**2,861**
Kakamega	2,994	185	3	0	664	**3,846**	1,168	1,098	65	0	102	**2,433**	**6,279**
Kakuma	613	39	0	3	55	**710**	13	14	4	44	36	**111**	**821**
Kaloleni	402	57	0	2	47	**508**	218	77	5	252	7	**559**	**1,067**
Kamwangi	193	1	0	5	21	**220**	7	6	3	1	9	**26**	**246**
Kandara	1,858	60	0	2	224	**2,144**	107	543	16	395	53	**1,114**	**3,258**
Kangema	674	47	0	5	144	**870**	58	246	5	50	17	**376**	**1,246**
Kangundo	1,251	61	0	6	112	**1,430**	243	321	10	270	41	**885**	**2,315**
Kapenguria	1,052	37	1	6	51	**1,147**	64	95	15	12	67	**253**	**1,400**
Kapsabet	2,080	135	1	4	139	**2,359**	209	368	24	122	87	**810**	**3,169**
Karatina	638	34	0	8	213	**893**	176	514	29	96	91	**906**	**1,799**
Kehancha	815	48	0	0	259	**1,122**	106	108	4	22	13	**253**	**1,375**
Kendu Bay	380	23	0	5	69	**477**	4	17	0	8	4	**33**	**510**
Kenol	2,027	25	0	14	191	**2,257**	349	224	12	197	39	**821**	**3,078**
Kericho	2,839	88	2	5	310	**3,244**	207	313	38	248	135	**941**	**4,185**
Keroka	769	71	0	0	244	**1,084**	96	94	6	166	27	**389**	**1,473**
Kerugoya	811	21	0	1	77	**910**	464	871	30	48	57	**1,470**	**2,380**
Kiambu	3,262	65	0	2	547	**3,876**	388	738	104	521	117	**1,868**	**5,744**
Kibera	3,663	217	0	8	1,617	**5,505**	0	0	0	0	108	**108**	**5,613**
Kigumo	616	82	0	1	43	**742**	126	372	16	349	33	**896**	**1,638**
Kikuyu	1,508	47	0	3	1,000	**2,558**	376	586	54	569	105	**1,690**	**4,248**
Kilgoris	1,272	83	0	23	140	**1,518**	356	176	11	100	96	**739**	**2,257**
Kilifi	1,258	159	0	1	464	**1,882**	340	212	29	397	71	**1,049**	**2,931**
Kilungu	594	24	0	0	613	**1,231**	111	140	4	430	29	**714**	**1,945**
Kimilili	713	36	0	1	371	**1,121**	210	252	16	110	78	**666**	**1,787**
Kisii	2,221	98	33	0	672	**3,024**	731	537	64	954	166	**2,452**	**5,476**
Kisumu	1,103	24	87	0	243	**1,457**	1,729	1,406	89	275	347	**3,846**	**5,303**
Kitale	3,409	177	1	1	448	**4,036**	439	252	53	260	383	**1,387**	**5,423**
Kithimani	1,468	69	0	9	662	**2,208**	133	317	10	494	41	**995**	**3,203**
Kitui	1,649	139	3	0	440	**2,231**	357	553	32	364	49	**1,355**	**3,586**
Kombewa	26	0	0	0	23	**49**	0	2	0	0	1	**3**	**52**
Kwale	767	133	1	2	721	**1,624**	208	104	16	408	41	**777**	**2,401**
Kyuso	301	14	0	6	7	**328**	22	6	4	36	13	**81**	**409**
Lamu	360	23	0	0	19	**402**	53	7	3	6	122	**191**	**593**
Limuru	1,139	42	1	2	313	**1,497**	327	328	18	479	74	**1,226**	**2,723**
Lodwar	916	43	1	0	56	**1,016**	39	17	6	46	26	**134**	**1,150**
Loitoktok	504	28	0	4	185	**721**	25	69	6	77	15	**192**	**913**
Machakos	1,643	73	0	0	282	**1,998**	528	635	35	335	92	**1,625**	**3,623**
Madiany	502	26	0	2	2	**532**	43	342	2	20	127	**534**	**1,066**
Makadara	10,212	381	1	72	4,437	**15,103**	0	0	0	0	23	**23**	**15,126**

% of ELC Judicial reviews resolved within 360 days
100
80
67
38
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0
75
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33
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43
47
29
100
31
100
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100
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0
71
25
48

Station	Criminal Cases						Civil Cases						All Resolved
Makindu	983	87	0	4	735	**1,809**	206	136	22	459	35	**858**	**2,667**
Makueni	563	24	2	7	135	**731**	103	343	18	162	31	**657**	**1,388**
Malaba	749	71	0	1	284	**1,105**	56	66	2	26	26	**176**	**1,281**
Malindi	1,190	156	1	0	581	**1,928**	461	329	27	224	97	**1,138**	**3,066**
Mandera	571	19	0	0	103	**693**	16	1	0	0	65	**82**	**775**
Maralal	407	5	0	7	13	**432**	52	31	7	8	69	**167**	**599**
Mariakani	381	61	0	0	563	**1,005**	131	42	4	159	27	**363**	**1,368**
Marimanti	1,037	35	0	0	69	**1,141**	88	72	5	18	54	**237**	**1,378**
Marsabit	251	8	0	0	10	**269**	65	24	1	52	40	**182**	**451**
Maseno	690	63	0	6	494	**1,253**	78	285	7	117	20	**507**	**1,760**
Maua	1,517	41	0	5	82	**1,645**	449	300	5	0	39	**793**	**2,438**
Mavoko	2,561	44	0	3	1,555	**4,163**	877	163	58	1,924	156	**3,178**	**7,341**
Mbita	304	23	0	2	65	**394**	76	177	2	21	4	**280**	**674**
Meru	1,981	56	0	8	464	**2,509**	620	503	78	163	101	**1,465**	**3,974**
Migori	599	66	0	3	206	**874**	411	450	46	169	21	**1,097**	**1,971**
Mil. Anti-Corr	1,653	0	1,653	0	0	**3,306**	0	0	0	0	0	**0**	**3,306**
Mil. Childrens	131	34	0	129	0	**294**	0	0	0	0	3,811	**3,811**	**4,105**
Mil. Comm	0	0	0	0	0	**0**	12,379	6	0	6,885	127	**19,397**	**19,397**
Mil. Family	0	0	0	0	0	**0**	139	1,055	2,932	0	0	**4,126**	**4,126**
Mil. CM	6,050	10	0	0	10,462	**16,522**	0	0	0	0	0	**0**	**16,522**
Moiben	386	6	0	0	1	**393**	0	0	3	0	0	**3**	**396**
Molo	2,322	118	0	6	380	**2,826**	208	254	12	540	177	**1,191**	**4,017**
Mombasa	3,161	160	4	0	4,020	**7,345**	4,454	390	240	1,336	11	**6,431**	**13,776**
Moyale	532	20	0	0	41	**593**	23	5	0	0	25	**53**	**646**
Mpeketoni	252	25	0	14	8	**299**	52	48	6	18	20	**144**	**443**
Msambweni	317	53	0	0	56	**426**	64	37	6	113	90	**310**	**736**
Mukurwe-Ini	375	18	0	1	43	**437**	90	145	9	65	46	**355**	**792**
Mumias	1,232	61	1	5	246	**1,545**	234	425	8	160	89	**916**	**2,461**
Muranga	1,007	41	0	0	137	**1,185**	417	1,061	32	340	58	**1,908**	**3,093**
Mutomo	399	19	0	1	27	**446**	43	35	2	85	19	**184**	**630**
Mwingi	623	43	0	0	264	**930**	79	85	6	124	11	**305**	**1,235**
Nairobi City	3,199	0	3	6	15	**3,223**	0	0	0	0	0	**0**	**3,223**
Naivasha	1,791	110	0	0	745	**2,646**	292	377	16	1,191	209	**2,085**	**4,731**
Nakuru	4,497	225	155	243	2,353	**7,473**	1,674	1,279	247	954	1,247	**5,401**	**12,874**
Nanyuki	944	26	0	0	296	**1,266**	162	198	28	80	54	**522**	**1,788**
Narok	1,791	115	0	0	1,175	**3,081**	353	251	26	263	174	**1,067**	**4,148**
Ndhiwa	401	32	0	9	40	**482**	118	446	13	88	16	**681**	**1,163**
Ngong	2,381	92	0	1	1,025	**3,499**	408	232	97	334	195	**1,266**	**4,765**
Nkubu	1,550	35	0	3	197	**1,785**	225	267	19	106	78	**695**	**2,480**
Nyahururu	1,332	110	2	0	378	**1,822**	346	493	17	245	144	**1,245**	**3,067**
Nyamira	1,187	78	1	0	222	**1,488**	248	217	14	194	46	**719**	**2,207**
Nyando	1,036	44	0	0	549	**1,629**	109	313	10	188	37	**657**	**2,286**
Nyeri	1,785	77	4	0	262	**2,128**	702	821	62	307	207	**2,099**	**4,227**
Ogembo	2,049	153	0	2	397	**2,601**	96	199	8	269	76	**648**	**3,249**
Ol Kalou	1,109	84	0	12	66	**1,271**	120	160	10	111	68	**469**	**1,740**
Othaya	311	17	0	1	123	**452**	55	222	4	20	9	**310**	**762**
Oyugis	762	71	0	17	256	**1,106**	212	578	5	211	37	**1,043**	**2,149**
Port Victoria	533	36	0	5	43	**617**	26	237	2	81	5	**351**	**968**
Rongo	658	33	0	6	305	**1,002**	329	209	13	137	30	**718**	**1,720**
Ruiru	3,078	61	4	7	1,301	**4,451**	891	306	214	369	154	**1,934**	**6,385**
Rumuruti	444	28	0	5	37	**514**	58	68	4	39	30	**199**	**713**
Runyenjes	478	18	0	6	154	**656**	170	306	9	114	29	**628**	**1,284**
Shanzu	1,535	179	0	2	904	**2,620**	3	0	0	0	7	**10**	**2,630**
Siakago	1,069	63	0	3	83	**1,218**	248	392	8	143	15	**806**	**2,024**
Siaya	1,185	104	0	0	108	**1,397**	431	736	18	89	45	**1,319**	**2,716**
Sirisia	701	59	0	2	119	**881**	94	75	4	232	29	**434**	**1,315**
Sotik	1,143	64	0	6	178	**1,391**	70	172	17	52	82	**393**	**1,784**
Tamu	381	29	0	1	52	**463**	60	77	3	204	19	**363**	**826**
Taveta	546	15	0	6	16	**583**	68	13	5	18	40	**144**	**727**
Tawa	325	32	0	2	107	**466**	64	87	2	267	6	**426**	**892**
Thika	3,902	83	5	0	1,345	**5,335**	996	550	96	749	250	**2,641**	**7,976**
Tigania	1,289	28	0	0	93	**1,410**	246	199	5	41	35	**526**	**1,936**
Tinderet	456	34	0	0	0	**490**	38	51	2	54	9	**154**	**644**
Tononoka	182	41	0	166	0	**389**	1	0	0	0	1,166	**1,167**	**1,556**
Ukwala	373	37	0	1	93	**504**	197	500	6	139	27	**869**	**1,373**
Vihiga	1,165	96	0	2	469	**1,732**	334	831	17	445	133	**1,760**	**3,492**
Voi	621	24	0	5	505	**1,155**	170	56	17	263	88	**594**	**1,749**
Wajir	465	23	2	0	158	**648**	52	3	1	2	85	**143**	**791**
Wamunyu	416	28	0	0	49	**493**	0	0	0	0	18	**18**	**511**
Wanguru	721	23	0	3	150	**897**	293	207	7	142	80	**729**	**1,626**
Webuye	776	32	0	1	775	**1,584**	197	172	6	230	48	**653**	**2,237**
Winam	1,118	58	0	0	278	**1,454**	317	211	26	160	64	**778**	**2,232**
Wundanyi	424	31	0	1	41	**497**	23	99	9	71	44	**246**	**743**
All Mag Courts	**172,422**	**8,489**	**2,258**	**1,138**	**59,382**	**243,689**	**49,785**	**39,066**	**6,023**	**33,890**	**15,842**	**144,606**	**388,295**

Appendix 2. 8: Kadhis Courts Summary Statistics FY 2024-25

Station	Pending June 2024	Backlog June 2024	Filed Cases								Resolved Cases								Pending June 25	Backlog			Average Time to Disposition
			Divorce	Matrimonial Cause	Misc Application	Marriages	Successsion	Misc Succession	Personal Status	All Cases	Divorce	Matrimonial Cause	Misc Application	Marriages	Successsion	Misc Succession	Personal Status	All Cases		1 to 3 Years	Over 3 Years	Total	
Balambala	13	1	29	1	0	129	2	0	0	**161**	30	2	0	129	2	0	0	**163**	11	1	0	**1**	10
Bungoma	38	0	10	0	3	50	2	2	0	**67**	13	0	6	47	5	2	0	**73**	32	0	0	**0**	21
Bura Fafi	28	0	6	2	3	39	0	0	0	**50**	7	6	2	29	0	0	0	**44**	19	0	0	**0**	79
Busia	7	1	4	0	0	15	0	0	0	**19**	2	0	0	4	0	0	0	**6**	20	1	0	**1**	46
Bute	13	0	20	7	0	27	0	1	0	**55**	17	3	0	26	0	1	0	**47**	21	1	0	**1**	41
Dadaab	133	21	100	2	1	43	5	0	0	**151**	109	1	1	51	8	0	1	**171**	113	16	8	**24**	127
Eldas	37	1	22	2	3	26	0	1	0	**54**	28	1	3	30	0	1	0	**63**	28	0	0	**0**	212
Eldoret	82	0	14	0	4	30	8	2	0	**58**	5	0	3	2	5	1	0	**16**	124	0	0	**0**	66
Elwak	23	1	48	10	12	58	1	7	0	**136**	54	10	12	59	1	6	0	**142**	17	4	0	**4**	30
Garbatulla	107	1	16	36	23	72	7	10	0	**164**	17	46	26	59	7	8	0	**163**	42	5	0	**5**	96
Garissa	165	187	240	42	38	213	133	8	1	**675**	217	39	39	204	131	9	2	**641**	266	12	0	**12**	97
Garsen	65	0	59	20	0	96	1	0	0	**176**	55	19	0	102	1	0	0	**177**	64	8	0	**8**	36
Habaswein	34	1	38	20	1	47	0	1	0	**107**	36	15	1	37	0	1	0	**90**	51	3	0	**3**	52
Hola	20	5	117	12	14	256	3	12	0	**414**	131	15	13	251	3	13	1	**427**	7	4	0	**4**	4
Homabay	2	0	0	0	0	0	1	0	0	**1**	0	0	0	0	0	0	0	**0**	3	0	0	**0**	
Ijara	34	4	64	8	1	76	1	1	11	**162**	69	3	1	75	1	1	6	**156**	40	4	0	**4**	38
Isiolo	0	0	62	23	9	106	28	2	0	**230**	59	33	9	90	37	2	0	**230**	69	2	4	**6**	48
Kajiado	31	4	4	0	1	9	6	1	0	**21**	4	0	0	7	5	1	0	**17**	35	2	1	**3**	83
Kakamega	5	2	5	0	7	96	1	0	0	**109**	5	0	9	97	2	0	1	**114**	0	1	0	**1**	55
Kakuma	78	6	124	2	4	137	1	0	7	**275**	146	2	5	136	0	0	9	**298**	21	0	0	**0**	34
Kericho	3	1	5	1	2	14	4	2	2	**30**	5	2	3	13	14	2	2	**41**	1	1	0	**1**	155
Kibera	46	29	53	0	7	313	10	0	0	**383**	46	0	6	304	6	1	0	**363**	81	13	0	**13**	102
Kilifi	23	0	18	0	35	37	40	1	0	**131**	7	0	23	32	26	0	0	**88**	79	2	1	**3**	123
Kisumu	18	0	24	3	7	84	20	2	1	**141**	22	2	9	86	15	2	1	**137**	22	0	0	**0**	46
Kitui	8	0	2	0	0	26	8	3	0	**39**	2	3	0	26	15	2	0	**48**	6	1	0	**1**	175
Kwale	102	77	22	2	21	13	215	52	1	**326**	16	2	28	13	331	54	1	**445**	34	22	8	**30**	109
Lamu	76	1	75	2	40	389	32	24	2	**564**	74	4	41	383	38	26	4	**570**	43	0	0	**0**	29
Machakos	18	6	9	0	0	41	2	5	0	**57**	11	1	0	24	4	5	0	**45**	30	0	2	**2**	131
Malindi	24	40	26	29	7	41	39	1	0	**143**	22	37	7	45	35	1	0	**147**	20	24	4	**28**	43
Mandera	31	10	91	5	18	80	16	24	0	**234**	91	3	20	86	16	20	0	**236**	120	0	0	**0**	34
Mariakani	11	0	20	0	6	131	24	1	0	**182**	20	0	6	130	24	0	0	**180**	13	0	0	**0**	13
Marsabit	0	36	48	24	2	72	17	4	1	**168**	42	20	3	49	16	5	1	**136**	99	23	9	**32**	52
Merti	52	2	41	72	28	27	3	0	0	**171**	41	59	27	41	4	1	0	**173**	130	1	0	**1**	85
Meru	4	3	5	0	2	3	4	0	0	**14**	7	0	2	3	6	0	0	**18**	0	0	0	**0**	178
Modogashe	38	0	25	4	2	31	0	0	0	**62**	20	1	1	31	0	0	0	**53**	47	0	0	**0**	87
Mombasa	0	176	455	10	1,344	637	364	29	5	**2,844**	399	6	813	474	396	19	3	**2,110**	1,120	35	0	**35**	41
Moyale	57	15	60	23	7	98	25	6	0	**219**	68	24	7	88	38	6	0	**231**	45	7	0	**7**	58
Msambweni	99	29	31	4	15	187	515	2	0	**754**	24	2	14	187	483	1	0	**711**	142	9	15	**24**	37
Nairobi	204	1	419	14	1,881	794	103	38	12	**3,261**	410	14	1,625	770	125	38	11	**2,993**	508	12	0	**12**	42
Nakuru	18	2	14	2	0	25	6	0	1	**48**	21	0	0	24	7	0	1	**53**	13	0	1	**1**	104
Nyeri	21	8	3	1	0	1	7	1	1	**14**	3	2	0	1	14	2	1	**23**	12	2	1	**3**	290
Takaba	15	1	92	8	0	56	2	0	0	**158**	88	7	0	56	1	0	0	**152**	21	0	0	**0**	50
Thika	43	4	16	0	2	34	1	5	1	**59**	13	0	1	13	1	4	1	**33**	28	1	0	**1**	11
Vihiga	23	0	4	0	5	0	3	0	0	**12**	0	0	1	0	1	0	0	**2**	33	0	0	**0**	
Voi	6	1	11	0	2	31	4	3	0	**51**	14	1	2	31	3	3	0	**54**	3	1	0	**1**	30
Wajir	280	26	117	28	25	117	7	4	1	**299**	146	32	27	145	12	3	1	**366**	59	33	2	**35**	139
Witu	20	1	40	0	2	46	18	0	0	**106**	41	2	9	47	14	3	0	**116**	10	0	0	**0**	93
TOTAL	**2,155**	**704**	**2,708**	**419**	**3,584**	**4,853**	**1,689**	**255**	**47**	**13,555**	**2,657**	**419**	**2,805**	**4,537**	**1,853**	**244**	**47**	**12,562**	**3,702**	**251**	**56**	**307**	**76**

Appendix 2. 9: Summary Statistics for SCC FY 2024-25

Station	Filed Cases				Resolved				Pending Jun 25				CCR			Average Time to Disposition (Days)			Backlog (Over 60 Days)		
	Civil	Commercial	Applications	All Filed	Civil	Commercial	Applications	All Resolved	Civil	Commercial	Applications	All Pending	Civil	Commercial	Average	Civil	Commercial	Average	June 2024	Jun-25	% change
Busia	132	272	1	**405**	80	300	-	**380**	60	66	21	**147**	61%	110%	94%	98	102	98	34	42	24%
Chuka	135	101	1	**237**	116	90	2	**208**	24	23	-	**47**	86%	89%	88%	71	68	71	3	36	1100%
Dadaab	1	1	-	**2**	2	3	-	**5**	-	-	-	**0**	200%	300%	250%	20	15	35	-	-	
Dagoretti	71	332	1	**404**	36	261	1	**298**	35	71	-	**106**	51%	79%	74%	39	34	34		-	
Eldoret	1,091	4,267	36	**5,392**	1,036	3,735	34	**4,805**	448	1,736	125	**2,309**	95%	88%	89%	173	87	106	23	559	2330%
Embu	107	288	1	**396**	107	312	1	**420**	13	39	-	**52**	100%	108%	106%	83	65	68	24	7	-71%
Garissa	3	30	-	**33**	2	24	-	**26**	1	6	-	**7**	67%	80%	79%	9	23	25		-	
Kajiado	827	514	9	**1,350**	846	449	9	**1,304**	526	370	91	**987**	102%	87%	97%	188	177	184	364	169	-54%
Kakamega	419	1,921	25	**2,365**	270	1,893	21	**2,184**	220	354	21	**595**	64%	99%	92%	170	93	107	113	266	135%
Kakuma	6	39	1	**46**	3	51	1	**55**	11	-	-	**11**	50%	131%	120%	12	45	45	13	10	-23%
Kericho	107	447	2	**556**	90	598	1	**689**	33	83	1	**117**	84%	134%	124%	85	80	80	79	24	-70%
Kerugoya	137	399	1	**537**	141	384	-	**525**	5	41	1	**47**	103%	96%	98%	75	65	68	5	-	-100%
Kisii	166	535	1	**703**	86	391	1	**478**	101	240	-	**341**	52%	73%	68%	120	115	117	55	97	76%
Kisumu	751	2,815	40	**3,606**	745	1,661	38	**2,444**	59	1,431	47	**1,537**	99%	59%	68%	106	86	91	224	192	-14%
Kitale	45	293	-	**338**	51	300	-	**351**	13	51	-	**64**	113%	102%	104%	128	82	87	55	23	-58%
Kitui	282	482	-	**764**	236	474	-	**710**	180	112	4	**296**	84%	98%	93%	156	84	111	35	166	374%
Lamu	3	33	-	**36**	4	36	-	**40**	-	-	-	**0**	133%	109%	111%	19	36	42	-	-	
Loitikitok	9	32	-	**41**	6	32	-	**38**	3	-	-	**3**	67%	100%	93%	7	39	42		-	
Machakos	1,892	688	12	**2,592**	1,731	580	11	**2,322**	392	395	104	**891**	91%	84%	90%	108	86	102	312	119	-62%
Makindu	330	134	-	**464**	228	155	-	**383**	119	-	25	**144**	69%	116%	83%	78	80	80	17	50	194%
Malaba	6	88	2	**96**	1	104	2	**107**	5	11	-	**16**	17%	118%	111%	5	71	70	1	1	0%
Malindi	52	239	1	**292**	50	228	-	**278**	-	21	1	**22**	96%	95%	95%	55	62	61	7	-	-100%
Mandera	1	60	-	**61**	-	58	-	**58**	1	10	-	**11**	0%	97%	95%	-	26	26	2	1	-50%
Meru	1,014	874	19	**1,907**	1,317	1,102	21	**2,440**	285	38	43	**366**	130%	126%	128%	63	67	64	-	103	
Migori	56	200	15	**271**	73	277	16	**366**	7	9	-	**16**	130%	139%	135%	81	61	66	22	8	-64%
Milimani	6,851	113,931	132	**120,910**	6,718	111,860	123	**118,701**	1,201	7,553	331	**9,085**	98%	98%	98%	179	58	68	2,279	7,318	221%
Mombasa	481	1,426	12	**1,920**	545	1,776	13	**2,334**	113	95	30	**238**	113%	125%	122%	89	80	82	34	153	350%
Moyale	5	20	-	**25**	4	32	-	**36**	2	6	-	**8**	80%	160%	144%	7	79	80	1	-	-100%
Muranga	211	158	-	**369**	271	199	-	**470**	28	33	-	**61**	128%	126%	127%	78	78	76	13	37	185%
Naivasha	848	305	51	**1,204**	956	356	49	**1,361**	56	142	60	**258**	113%	117%	113%	117	111	111	76	75	-1%
Nakuru	1,274	2,326	65	**3,665**	960	2,593	48	**3,601**	449	599	65	**1,113**	75%	111%	98%	139	104	112	344	409	19%
Nanyuki	37	171	-	**208**	40	205	-	**245**	7	20	-	**27**	108%	120%	118%	62	72	70	24	-	-100%
Narok	158	177	1	**336**	121	238	1	**360**	43	30	-	**73**	77%	134%	107%	72	74	69	33	17	-48%
Nyeri	150	420	10	**580**	159	500	10	**669**	45	407	13	**465**	106%	119%	115%	141	79	95	154	82	-47%
Ruiru	1,146	1,200	23	**2,369**	908	1,012	21	**1,941**	375	403	6	**784**	79%	84%	82%	87	65	75	112	29	-74%
Siaya	100	363	3	**466**	105	422	4	**531**	-	15	-	**15**	105%	116%	114%	64	57	61	15	-	-100%
Taveta	10	68	-	**78**	18	101	-	**119**	8	33	-	**41**	180%	149%	153%	73	92	94	15	16	7%
Thika	1,296	1,861	24	**3,181**	1,559	2,252	16	**3,827**	282	729	69	**1,080**	120%	121%	120%	229	155	185	522	843	61%
Voi	54	75	2	**131**	35	63	-	**98**	19	12	2	**33**	65%	84%	75%	54	41	47		-	
Wajir	5	16	-	**21**	6	14	-	**20**	-	6	-	**6**	120%	88%	95%	38	18	41	2	1	-50%
TOTAL	**20,269**	**137,601**	**491**	**158,357**	**19,662**	**135,121**	**444**	**155,227**	**5,169**	**15,190**	**1,060**	**21,419**	**98%**	**90%**	**98%**	**84**	**73**	**79**	**5,012**	**10,853**	**117%**

l Filed ases
2,022
2,415
1,448
4,938
4,250
2,378
1,155
1,668
151
1,566
8,285
1,729
1,375
2,093
530
3,177
1,256
1,182
1,973
1,165
403
1,399
1,121
1,834
91
1,529
764
465
3,508
3,658
839
556
3,402
1,210
2,218
1,530
3,419
1,384
1,541
2,598
5,815
2,016
2,098
5,966
6,275
1,459
3,237
1,681
2,284
1,800
1,694
4,086
3,263
6,289
2,277
2,997
1,473
397
531
3,349
1,072
755
4,443
546
20,321
2,306
1,155
2,517
592
594
1,544
1,091
493
1,257
3,210
4,714
637
3,372
1,816

Appendix 2. 10: Summary Case Statistics by Tribunal FY 2024-25

Tribunal	Backlog 24	Filed	Resolved	CCR	Pending		Backlog		Total Backlog	% Change in Backlog
					Jun-24	Jun-25	1-3 Years	Over 3 Years		
BPRT	3,541	3,977	4,582	115%	4,612	4,007	46	1,647	1,693	-52%
CMT	0	4	14	350%	19	9	6	3	9	
CAMAT	2	3	3	100%	4	4	1	0	1	-50%
Competition	0	0	2		1	11	0	0	0	
Cooperatives	124	1,522	1,203	79%	1,921	2,240	177	166	343	177%
Copyright	0	2	2	100%	1	1	0	0	0	
EAT	2	0	0	-%	2	2	0	2	2	0%
EPT	8	44	37	84%	14	21	8	0	8	0%
FCT	0	0	0				0	0	0	
HAT	5	64	75	117%	51	40	4	4	8	60%
IPT	1	9	10	111%	2	1	0	1	1	0%
LAT	0	113	78	69%	17	52	0	0	0	
LEAT	0	11	9	82%	4	6	0	0	0	
MSET	2	7	5	71%	16	18	2	0	2	0%
NCAART	3	9	14	156%	10	5	2	0	2	-33%
NEAT	0	2	2	100%	0	0	0	0	0	
NET	10	32	32	100%	21	21	3	2	5	-50%
PPDT	1	39	46	118%	11	10	0	0	0	400%
PPPC	0	0	0		0	0	0	0	0	
RRT	4,153	3,597	6,438	179%	6,554	3,713	686	884	1,570	-62%
RBAT	7	14	0			14	0	7	7	0%
Sports Disputes	3	134	160	119%	42	16	3	0	3	0%
Standards	5	6	10	167%	12	8	4	1	5	0%
Tax Appeals	214	1,574	1,771	113%	1,283	1,086	198	2	200	-7%
TLAB	7	33	38	115%	17	12	4	1	5	-29%
Water	4	50	5	10%	19	64	1	1	2	-50%
All	**8,092**	**11,246**	**14,536**	**129%**	**14,633**	**11,361**	**1,145**	**2,721**	**3,866**	**-66%**

.CHAPTER SIX: RESOURCE MOBILISATION AND UTILISATION

Appendix 6.1 – Fines Collected

COURT FINES				
S/No	Court Station	FY2022/23	FY2023/24	FY2024/25
		KSh	KSh	KSh
1.	Baricho	3,781,095	6,749,592	2,649,281
2.	Bomet	7,863,433	6,338,345	4,460,218
3.	Bondo	3,600,319	2,502,625	1,338,678
4.	Bungoma	7,187,654	11,159,920	8,858,944
5.	Busia	9,723,946	15,008,094	13,567,828
6.	Butali	4,446,692	5,190,461	2,913,197
7.	Butere	2,452,765	3,331,265	4,047,582
8.	Chuka	5,856,996	7,160,834	4,195,902
9.	Dadaab	124,301	1,075,116	924,947
10.	Dagoretti	-	-	2,384,980
11.	Eldama Ravine	6,374,452	6,701,954	7,963,650
12.	Eldoret	22,405,656	40,779,498	34,903,424
13.	Embu	6,134,148	7,255,624	3,019,369
14.	Engineer	9,611,863	8,324,244	3,067,500
15.	Etago	-	1,360,501	1,915,001
16.	Garissa	9,484,926	5,926,500	3,499,180
17.	Garsen	1,199,748	1,233,075	560,793
18.	Gatundu	31,172,846	20,586,573	14,176,558
19.	Gichugu	3,913,810	4,922,039	4,125,573
20.	Githongo	2,492,748	3,828,866	1,399,076
21.	Githunguri	4,591,158	4,020,008	3,396,593
22.	Hamisi	1,804,395	2,736,756	5,648,312
23.	Hola	879,126	1,734,475	794,434
24.	HomaBay	35,778,575	4,404,045	6,262,109
25.	Isiolo	16,869,627	25,109,421	13,214,716
26.	Iten	8,473,840	9,517,808	10,458,619
27.	JKIA	7,733,228	13,513,472	7,649,291
28.	Kabarnet	5,719,036	3,450,078	2,128,664
29.	Kabiyet	1,221,439	3,522,603	5,013,447
30.	Kahawa	4,475,735	8,156,708	14,682,439
31.	Kajiado	13,328,371	10,268,509	10,358,365
32.	Kakamega	9,411,797	14,603,144	11,034,082
33.	Kakuma	3,279,537	2,747,353	2,453,473
34.	Kaloleni	2,084,256	2,543,991	2,249,505
35.	Kamwangi	-	-	498,943
36.	Kandara	18,699,526	16,873,503	11,177,186
37.	Kangema	6,206,740	4,466,408	2,447,621
38.	Kangundo	8,921,257	11,732,035	7,053,688
39.	Kapenguria	4,762,705	3,909,749	25,708,005
40.	Kapsabet	9,823,623	12,167,153	6,667,841
41.	Karatina	3,870,875	4,885,328	2,625,751
42.	Kehancha	6,008,169	5,581,275	4,570,152
43.	Kendu Bay	-	-	512,286
44.	Kenol	7,033,807	17,227,650	11,450,261
45.	Kericho	17,049,066	19,210,883	18,124,146
46.	Keroka	11,069,425	11,917,968	8,541,209
47.	Kerugoya	6,960,863	6,862,888	3,778,155
48.	Kiambu	22,118,451	30,838,565	16,055,300
49.	Kibera	53,964,476	43,314,001	34,139,646
50.	Kigumo	8,699,825	11,948,838	3,189,406
51.	Kikuyu	12,161,521	14,884,154	15,616,875
52.	Kilgoris	6,509,673	8,063,154	6,870,544
53.	Kilifi	2,092,319	5,471,183	5,135,675
54.	Kilungu	10,088,269	11,068,432	10,275,732
55.	Kimilili	2,756,370	4,423,882	3,169,063
56.	kisii	7,250,879	10,417,098	6,615,120
57.	Kisumu	5,075,024	10,298,254	7,311,805
58.	Kitale	13,315,320	12,228,255	9,826,143
59.	Kithimani	7,303,889	8,679,437	13,670,965
60.	Kitui	8,660,261	9,465,344	11,749,581
61.	Kombewa	-	-	180,916
62.	Kwale	5,284,593	6,011,009	6,044,776
63.	Kyuso	1,916,992	1,664,262	2,893,460
64.	Lamu	3,201,792	2,277,089	1,660,276
65.	Limuru	13,100,848	12,342,960	7,566,435
66.	Lodwar	3,764,347	4,000,053	3,216,483
67.	Loitokitok	3,628,591	7,656,182	5,837,962
68.	Machakos	9,507,472	11,991,960	8,418,391

COURT FINES				
S/No	Court Station	FY2022/23	FY2023/24	FY2024/25
		KSh	KSh	KSh
69.	Madiany	1,006,442	2,234,462	1,716,053
70.	Makadara	107,118,119	107,895,667	79,493,758
71.	Makindu	14,928,781	21,139,036	9,546,156
72.	Makueni	4,893,358	3,158,219	2,804,539
73.	Malaba	-	3,513,845	3,132,014
74.	Malindi	6,313,454	9,391,518	8,939,086
75.	Mandera	4,514,089	2,663,960	5,428,691
76.	Maralal	2,235,273	1,767,896	3,344,563
77.	Mariakani	8,426,564	7,736,485	6,915,478
78.	Marimanti	1,364,476	3,478,610	1,997,830
79.	Marsabit	2,568,787	5,917,839	5,627,616
80.	Maseno	4,300,950	8,915,442	5,242,439
81.	Maua	7,194,028	6,589,636	4,902,272
82.	Mavoko	28,407,296	40,246,367	44,929,588
83.	Mbita	1,516,610	1,772,114	1,300,919
84.	Meru	16,135,004	18,840,273	11,649,349
85.	Migori	4,015,692	6,289,278	5,364,774
86.	Milimani Commercial	100,000	-	427,010
87.	Milimani E.L.R.C.	-	300,000	20,000
88.	Milimani Law	206,631,069	133,365,716	110,262,327
89.	Moiben	-	-	1,232,582
90.	Molo	16,114,509	16,802,233	9,874,873
91.	Mombasa	28,247,737	43,637,815	39,644,886
92.	Moyale	4,816,373	3,182,958	3,796,045
93.	Mpeketoni	703,544	533,447	758,142
94.	Msambweni	1,613,731	2,179,778	1,923,287
95.	Mukurwe-ini	1,266,639	784,331	1,401,544
96.	Mumias	4,548,940	4,558,153	3,261,421
97.	Muranga	8,056,248	6,223,833	5,518,833
98.	Mutomo	2,514,600	2,466,610	2,355,046
99.	Mwingi	9,880,822	6,956,816	6,209,972
100.	Nairobi City Court	-	4,880,077	8,334,392
101.	Naivasha	32,307,381	31,336,331	29,387,519
102.	Nakuru	29,236,337	27,156,977	24,870,635
103.	Nanyuki	15,370,195	13,059,137	11,831,272
104.	Narok	6,642,471	13,830,379	20,114,799
105.	Ndhiwa	1,351,877	3,088,612	1,611,121
106.	Ngong	27,807,781	20,220,572	18,205,965
107.	Nkubu	6,656,511	5,311,372	6,409,947
108.	Nyahururu	19,724,380	18,541,130	11,377,015
109.	Nyamira	4,594,433	3,877,316	2,300,414
110.	Nyando	2,592,371	11,528,064	9,235,176
111.	Nyeri	16,883,650	10,908,397	8,480,831
112.	Ogembo	10,800,627	8,119,228	7,435,141
113.	Ol-Kalou	2,978,848	3,651,498	2,497,929
114.	Othaya	1,888,503	1,890,111	1,004,116
115.	Oyugis	3,705,347	6,183,324	3,298,094
116.	Port Victoria	-	1,298,765	1,502,088
117.	Rongo	5,051,131	11,030,038	4,357,627
118.	Ruiru	37,208,651	27,811,645	15,445,609
119.	Rumuruti	3,920,468	5,219,240	7,365,688
120.	Runyenjes	3,697,512	5,546,667	5,944,928
121.	Shanzu	16,945,319	18,866,998	11,906,398
122.	Siakago	5,915,646	11,969,698	11,181,117
123.	Siaya	3,003,201	5,174,011	5,282,808
124.	Sirisia	1,341,413	7,310,967	5,371,291
125.	Sotik	4,108,190	7,011,401	4,807,968
126.	Tamu	1,644,561	1,447,707	1,717,717
127.	Taveta	19,120,875	11,362,350	8,219,993
128.	Tawa	699,806	4,257,970	3,112,294
129.	Thika	49,334,421	43,633,294	29,985,599
130.	Tigania	6,594,241	7,537,054	5,220,806
131.	Tinderet	1,410,541	2,065,750	2,056,423
132.	Tononoka	25,000	115,000	130,000
133.	Tribunals	-	-	200,000
134.	Ukwala	761,997	2,005,365	1,241,782
135.	Vihiga	2,553,560	8,093,429	4,696,280
136.	Voi	6,589,037	6,004,032	8,258,424
137.	Wajir	3,948,969	2,266,188	1,574,375
138.	Wamunyu	-	-	572,405
139.	Wanguru	7,037,700	11,174,724	9,697,779
140.	Webuye	5,775,498	9,653,142	9,338,066
141.	Winam	7,675,715	7,796,706	6,384,522

COURT FINES				
S/No	**Court Station**	**FY2022/23**	**FY2023/24**	**FY2024/25**
		KSh	**KSh**	**KSh**
142.	Wundanyi	3,895,630	7,697,258	11,032,611
Total Collections			**1,490,116,710**	**1,229,935,585**
Reinstated Fined upon successful Appeal			(26,116,335)	(11,284,883)
NET FINES		**1,419,038,571**	**1,464,000,375**	**1,218,650,702**

Appendix 6.2 – Fees Collected

FEES ON USE OF GOODS & SERVICES				
S/No	Court Station	FY2022/23	FY2023/24	FY2024/25
COURT FEES		KSh	KSh	KSh
1.	Baricho	3,757,034	4,648,240	4,489,491
2.	Bomet	4,123,818	4,654,856	5,613,353
3.	Bondo	3,122,295	2,815,264	2,883,160
4.	Bungoma	12,318,236	14,224,981	14,122,433
5.	Busia	9,056,058	7,775,540	8,001,134
6.	Butali	3,311,977	3,117,392	3,771,967
7.	Butere	2,448,920	2,196,251	2,445,775
8.	Chuka	5,774,147	6,048,392	6,764,502
9.	Court of Appeal – Nairobi	9,545,370	1,098,915	9,501,766
10.	Court of Appeals	16,374,126	44,218,118	30,543,284
11.	Dadaab Law Court	246,450	272,200	395,400
12.	Dagoretti	-	-	983,300
13.	Eldama Ravine	1,643,578	1,917,624	2,839,350
14.	Eldoret	22,913,781	28,794,393	32,891,835
15.	Embu	6,472,231	8,050,897	10,030,334
16.	Engineer	4,419,393	3,985,338	3,358,052
17.	Etago	-	515,750	1,305,650
18.	Garissa - Balambala Kadhi	69,900	56,200	7,000
19.	Garissa - Bura/Fafi Kadhi	34,500	56,800	1,500
20.	Garissa - Chief Magistrate	2,825,611	2,693,845	3,193,065
21.	Garissa - Ijara Kadhi	152,100	127,700	8,600
22.	Garissa - Modogashe Kadhis	60,300	81,300	5,000
23.	Garsen	2,018,515	1,442,550	990,935
24.	Gatundu	5,612,919	5,359,228	6,405,686
25.	Gichugu	1,560,415	1,582,028	1,585,815
26.	Githongo	1,906,940	1,468,543	1,492,817
27.	Githunguri	2,959,500	2,359,894	3,482,160
28.	Hamisi	1,149,768	1,221,946	1,628,685
29.	Hola	845,350	1,566,190	1,927,355
30.	HomaBay	5,836,267	5,915,880	6,046,465
31.	Isiolo - Chief Magistrate	1,991,782	2,935,565	3,740,962
32.	Isiolo - Garbatulla Kadhi	84,725	137,700	20,500
33.	Isiolo - Merti Kadhi	169,500	162,300	33,300
34.	Iten	2,947,181	2,649,914	3,056,824
35.	JKIA	106,100	118,474	173,730
36.	Kabarnet	1,525,250	1,776,117	2,897,785
37.	Kabiyet	359,100	577,750	1,320,250
38.	Kahawa	50,700	99,600	170,900
39.	Kajiado	12,497,383	12,362,853	13,818,774
40.	Kakamega	12,319,635	13,407,368	15,784,324
41.	Kakuma	678,590	1,829,900	457,500
42.	Kaloleni	2,226,533	2,742,112	2,970,397
43.	Kamwangi	-	-	239,100
44.	Kandara	4,597,515	4,484,209	5,149,595
45.	Kangema	1,590,372	1,726,785	2,383,487

FEES ON USE OF GOODS & SERVICES				
S/No	Court Station	FY2022/23	FY2023/24	FY2024/25
COURT FEES		KSh	KSh	KSh
1.	Baricho	3,757,034	4,648,240	4,489,491
46.	Kangundo	4,912,223	5,258,119	6,682,308
47.	Kapenguria	947,936	1,385,647	1,587,357
48.	Kapsabet	5,228,177	4,852,125	5,524,614
49.	Karatina	3,908,176	3,471,953	2,981,070
50.	Kehancha	1,001,985	1,704,132	1,758,930
51.	Kendu Bay	-	-	519,550
52.	Kenol	2,015,813	4,104,941	5,645,325
53.	Kericho	8,490,489	9,486,223	9,378,824
54.	Keroka	1,834,400	1,874,903	2,785,896
55.	Kerugoya	8,970,420	10,547,878	9,569,530
56.	Kiambu	17,905,084	18,821,757	20,745,322
57.	Kibera	800,785	1,006,025	2,709,150
58.	Kigumo	3,948,115	3,008,214	3,223,815
59.	Kikuyu	9,247,114	9,837,684	11,132,551
60.	Kilgoris	2,897,377	3,552,961	3,024,544
61.	Kilifi	7,846,017	8,855,730	8,177,720
62.	Kilungu	3,847,875	5,244,128	4,858,236
63.	Kimilili	2,448,032	2,095,284	2,575,249
64.	kisii	13,794,653	14,366,570	16,050,229
65.	Kisumu	21,188,430	25,263,071	26,504,802
66.	Kitale	10,900,321	11,411,583	11,391,168
67.	Kithimani	3,329,701	4,193,924	6,891,255
68.	Kitui	9,209,246	10,947,388	11,701,537
69.	Kombewa	-	-	117,350
70.	Kwale	7,216,815	6,487,973	8,822,666
71.	Kyuso	629,003	379,810	1,154,230
72.	Lamu - Magistrate	727,700	665,450	1,136,220
73.	Limuru	9,020,347	7,997,034	7,968,118
74.	Lodwar	787,458	1,050,265	1,035,390
75.	Loitokitok	1,458,307	805,978	1,527,517
76.	Machakos	18,909,984	21,125,972	21,587,613
77.	Madiany	419,500	917,450	1,296,820
78.	Makadara	634,496	621,260	5,044,815
79.	Makindu	3,991,244	6,256,491	10,170,664
80.	Makueni	5,818,369	6,163,409	8,010,881
81.	Malaba	-	328,400	899,060
82.	Malindi	14,388,290	16,674,461	18,290,426
83.	Mandera - Chief Magistrate	864,420	526,650	761,600
84.	Mandera - Elwak Kadhi Court	196,400	172,900	17,300
85.	Mandera - Tabaka Kadhi Court	171,500	217,600	15,400
86.	Maralal	584,783	433,775	529,340
87.	Mariakani	3,847,170	2,720,431	2,335,055
88.	Marimanti	555,225	982,650	830,885
89.	Marsabit	938,506	1,204,475	1,357,816
90.	Maseno	1,728,250	1,636,967	2,901,900

FEES ON USE OF GOODS & SERVICES				
S/No	**Court Station**	**FY2022/23**	**FY2023/24**	**FY2024/25**
COURT FEES		**KSh**	**KSh**	**KSh**
1.	Baricho	3,757,034	4,648,240	4,489,491
91.	Maua	5,298,158	5,679,023	5,783,645
92.	Mavoko	14,628,443	16,064,486	19,519,505
93.	Mbita	920,550	1,101,850	1,406,185
94.	Meru	14,019,400	15,272,844	15,731,843
95.	Migori	7,181,299	7,769,792	8,848,520
96.	Milimani Commercial	173,373,874	196,398,509	243,356,368
97.	Milimani E.L.R.C.	9,884,293	10,854,986	10,122,615
98.	Milimani Law	100,567,728	129,856,930	128,635,521
99.	Moiben	-	-	259,750
100.	Molo	6,179,507	7,863,860	9,254,371
101.	Mombasa	54,697,252	57,851,333	67,214,662
102.	Moyale	540,050	695,200	576,600
103.	Mpeketoni - Magistrate	300,550	619,150	466,650
104.	Mpeketoni-Witu Kadhis	64,000	122,800	45,300
105.	Msambweni	2,180,498	2,592,368	2,301,470
106.	Mukurwe-ini	1,578,748	1,426,472	1,354,350
107.	Mumias	3,466,371	3,634,131	3,748,125
108.	Muranga	12,395,659	12,474,116	13,329,999
109.	Mutomo	782,190	1,261,746	2,400,012
110.	Mwingi	2,987,686	2,693,017	3,116,522
111.	Nairobi City Court	-	8,185	1,643,785
112.	Naivasha	12,808,760	17,710,648	19,404,821
113.	Nakuru	31,863,553	37,712,093	44,337,212
114.	Nanyuki	6,083,448	6,594,225	6,133,999
115.	Narok	6,272,895	7,495,373	10,818,887
116.	Ndhiwa	1,806,120	1,633,879	2,012,365
117.	Ngong	5,966,310	6,076,332	7,403,110
118.	Nkubu	3,463,317	3,006,348	3,658,826
119.	Nyahururu	8,857,695	7,459,878	7,448,911
120.	Nyamira	5,646,245	4,756,054	5,451,690
121.	Nyando	3,682,984	3,289,508	3,844,917
122.	Nyeri	15,535,581	13,502,175	14,991,125
123.	Ogembo	3,665,583	2,854,738	2,438,120
124.	Ol-Kalou	413,538	2,560,855	3,894,475
125.	Othaya	1,592,215	1,217,290	1,515,820
126.	Oyugis	4,677,876	4,705,092	4,215,974
127.	Port Victoria	-	423,900	1,076,250
128.	Rongo	2,938,874	2,605,971	2,517,770
129.	Ruiru	11,974,982	13,300,927	16,221,204
130.	Rumuruti	142,700	956,800	1,296,700
131.	Runyenjes	2,758,131	3,500,459	3,735,002
132.	Shanzu	166,500	356,485	703,150
133.	Siakago	3,601,383	3,348,814	3,658,476
134.	Siaya	4,767,392	4,630,645	5,989,544
135.	Sirisia	1,139,867	1,525,453	1,680,250

FEES ON USE OF GOODS & SERVICES				
S/No	**Court Station**	**FY2022/23**	**FY2023/24**	**FY2024/25**
COURT FEES		**KSh**	**KSh**	**KSh**
1.	Baricho	3,757,034	4,648,240	4,489,491
136.	Sotik	1,682,310	1,596,654	2,137,210
137.	Tamu	1,443,550	1,522,499	1,775,475
138.	Taveta	634,350	882,958	520,600
139.	Tawa	2,033,385	1,860,946	2,134,100
140.	Thika	18,937,541	22,512,383	27,108,884
141.	Tigania	2,994,213	2,600,181	2,662,661
142.	Tinderet	137,350	447,628	591,240
143.	Tononoka	20,450	91,450	88,050
144.	Tribunals	36,498,146	63,192,259	60,717,026
145.	Ukwala	2,323,307	2,164,330	2,666,150
146.	Vihiga	4,558,425	4,796,430	6,836,362
147.	Voi	5,547,502	6,112,946	8,103,390
148.	Wajir - Eldas Kadhi Court	26,500	61,100	7,000
149.	Wajir - Habaswein Kadhi's Court	115,900	154,700	15,000
150.	Wajir - Magistrate	647,800	780,700	806,000
151.	Wajir -Bute Kadhi Court	42,600	70,500	9,000
152.	Wamunyu	-	-	9,100
153.	Wanguru	4,082,106	4,333,285	4,947,861
154.	Webuye	2,012,736	2,586,682	3,029,889
155.	Winam	3,436,865	2,749,394	3,860,875
156.	Wundanyi	687,665	1,022,169	891,450
Total Court Fees Collections		**1,027,998,907**	**1,186,940,477**	**1,332,645,064**
Reinstatements		-	-	(2,054,976.00)
Net Court Fees		**1,027,998,907**	**1,186,940,477**	**1,330,590,088**
Other Fees on use of goods and services				
HQs-Payroll Commissions		**3,301,712**	**5,191,953**	**10,702,337**
Sundry Income				
1.	Bomet	7,300	-	-
2.	Court of Appeal	6,714,338	5,814,881	1,715,812
3.	Engineer	-	1,200	-
4.	Garissa - Chief Magistrate	-	-	20,700
5.	Gatundu	36,055	3,700	-
6.	Hamisi	100	3,000	-
7.	Hola	-	16,429	-
8.	Kakuma	-	6,000	-
9.	Kaloleni	-	-	-
10.	Kandara	-	-	-
11.	Kangundo	1,000	98,434	-
12.	Keroka	70,585	20,650	64,500
13.	Kilifi	-	3,000	-

FEES ON USE OF GOODS & SERVICES				
S/No	**Court Station**	**FY2022/23**	**FY2023/24**	**FY2024/25**
COURT FEES		**KSh**	**KSh**	**KSh**
1.	Baricho	3,757,034	4,648,240	4,489,491
14.	Kisumu	-	57,875	-
15.	Kitui	-	-	3,000
16.	Kiambu	-	-	-
17.	Limuru	-	-	-
18.	Machakos	1,139,058	19,425	-
19.	Makadara	-	-	-
20.	Makueni	39,100	4,134	-
21.	Marimanti	3,000	-	-
22.	Maua	25,075	150	1,650
23.	Milimani Commercial	-	1,406,247	1,160,120
24.	Milimani Law	-	806,860	18,481,732
25.	Mombasa	1,627,007	232,985	-
26.	Mpeketoni - Magistrate	62,076	-	-
27.	Mukurweini	1,610	1,200	100
28.	Mutomo	9,635	4,300	-
29.	Naivasha	8,050	11,800	-
30.	Nakuru	-	59,705	1,925
31.	Ngong	257,410	-	-
32.	Nyando	1,000	-	-
33.	Nyeri	8,815	8,700	-
34.	Rongo			4,900
35.	Ruiru	1,000	10,300	300
36.	Siaya	93,965	-	-
37.	Sotik	21,210	-	-
38.	Tribunals	-	6,830,159	73,470
39.	Webuye	1,950	2,000	-
40.	Winam	-	-	3,900
TOTAL SUNDRY INCOME		**10,129,339**	**15,423,134**	**21,532,109**
TOTAL FEES ON USE OF GOODS & SERVICES		**1,041,429,958**	**1,207,555,564**	**1,362,824,534**

Appendix. 6.3 - Interest on Deposits

S/No	Court Station	FY2022/2023	FY2023/2024	FY2024/2025
		KSh	KSh	Amount
1.	Baricho	414,208	287,930	603,471
2.	Bomet	524,854	446,430	1,405,955
3.	Bondo	5,987	88,884	355,248
4.	Bungoma	731,887	1,281,155	504,723
5.	Busia	518,860	753,800	964,290
6.	Butali	11,796	215,051	245,237
7.	Butere	6,106	108,848	275,083
8.	Chuka	464,852	841,332	1,372,170
9.	Court of Appeal	54,162	376,721	475,488
10.	Dadaab Law Court	2,176	16,586	13,589
11.	Eldama Ravine	564,872	477,885	881,016
12.	Eldoret	3,363,673	3,808,792	5,546,629
13.	Embu	991,682	1,303,783	1,388,527
14.	Employment & LRC	-	-	6,253,073
15.	Engineer	194,318	135,694	318,970
16.	Etago	-	-	103,030
17.	Garissa - Chief Magistrate	474,050	418,849	880,002
18.	Garsen	-	72,019	276,176
19.	Gatundu	489,398	351,347	888,184
20.	Gichugu	102,036	392,083	916,419
21.	Githongo	9,533	121,511	270,803
22.	Githunguri	21,406	286,246	532,475
23.	Hamisi	-	140,533	317,481
24.	Hola	3,422	62,572	120,253
25.	HomaBay	240,101	212,781	468,672
26.	Isiolo - Chief Magistrate	628,309	888,820	1,665,698
27.	Iten	-	270,050	595,382
28.	JKIA	527,711	581,164	413,113
29.	Kabarnet	-	63,822	46,356
30.	Kabiyet	1,475	57,688	140,694
31.	Kahawa	512,734	1,196,974	2,198,079
32.	Kajiado	1,159,474	1,120,824	1,714,620
33.	Kakamega	810,280	831,959	1,460,033
34.	Kakuma	-	56,470	131,024
35.	Kaloleni	9,363	65,725	288,556
36.	Kandara	796,441	918,831	1,517,975
37.	Kangema	11,573	153,757	269,952
38.	Kangundo	815,902	916,121	1,583,031
39.	Kapenguria	17,351	213,151	457,036
40.	Kapsabet	767,947	730,852	1,260,989
41.	Karatina	-	207,130	431,573
42.	Kehancha	-	116,281	283,521
43.	Kenol	3,891	237,139	798,710
44.	Kericho	988,676	1,093,363	1,613,854
45.	Keroka	5,156	97,293	226,815
46.	Kerugoya	872,533	906,961	1,480,083
47.	Kiambu	8,576,400	9,114,527	13,499,272
48.	Kibera	6,070,202	6,080,484	3,956,462
49.	Kigumo	1,001,094	937,854	1,187,333
50.	Kikuyu	2,212,773	1,910,979	3,431,100
51.	Kilgoris	368,812	415,514	907,381
52.	Kilifi	780,827	1,039,487	2,392,616
53.	Kilungu	-	120,550	500,769

S/No	Court Station	FY2022/2023	FY2023/2024	FY2024/2025
		KSh	KSh	Amount
54.	Kimilili	11,162	173,528	673,066
55.	kisii	1,039,132	1,400,836	1,702,821
56.	Kisumu	3,485,552	4,263,803	6,844,157
57.	Kitale	839,840	1,183,099	1,753,282
58.	Kithimani	473,438	368,243	713,721
59.	Kitui	964,797	1,115,462	853,331
60.	Kwale	727,372	-	3,531,015
61.	Kyuso	2,947	56,858	153,395
62.	Lamu - Magistrate	344,063	255,244	775,999
63.	Limuru	903,114	774,265	1,101,291
64.	Lodwar	17,336	260,508	624,625
65.	Loitokitok	2,146	53,072	132,567
66.	Machakos	1,971,214	2,349,041	3,670,908
67.	Madiany	939	55,666	199,169
68.	Makadara	11,191,946	17,029,956	497,232
69.	Makindu	290,941	823,121	1,183,177
70.	Makueni	70,891	192,510	1,022,486
71.	Malaba	-	-	80,325
72.	Malindi	1,810,084	4,510,111	10,089,157
73.	Mandera - Chief Magistrate	15,294	64,245	257,176
74.	Maralal	4,303	82,313	196,438
75.	Mariakani	923,286	567,760	1,202,631
76.	Marimanti	4,379	65,725	134,591
77.	Marsabit	42,159	196,757	666,568
78.	Maseno	16,247	226,402	619,246
79.	Maua	540,940	493,532	1,136,784
80.	Mavoko	2,628,602	3,052,438	4,301,783
81.	Mbita	-	-	594,230
82.	Meru	3,724,334	6,534,001	9,652,425
83.	Migori	701,665	945,635	1,715,066
84.	Milimani Commercial	5,551,866	6,093,330	7,347,972
85.	Milimani ELRC	-	3,615,382	-
86.	Milimani Law	69,667,435	105,671,878	50,224,935
87.	Molo	1,083,945	1,043,441	996,528
88.	Mombasa	14,172,088	18,753,540	29,395,708
89.	Moyale	-	63,927	226,182
90.	Mpeketoni	-	5,827	-
91.	Msambweni	129,810	175,151	364,330
92.	Mukurweini	2,478	31,532	76,193
93.	Mumias	7,880	98,082	114,356
94.	Muranga	1,672,301	1,703,325	3,334,578
95.	Mutomo	4,278	15,042	39,890
96.	Mwingi	454,235	349,608	840,292
97.	Naivasha	4,099,089	5,446,717	5,845,696
98.	Nakuru	6,940,206	7,922,890	13,107,353
99.	Nanyuki	1,460,783	1,692,442	2,259,442
100.	Narok	1,086,794	1,249,062	2,093,806
101.	Ndhiwa	4,823	75,374	250,536
102.	Ngong	1,907,950	1,834,056	2,605,392
103.	Nkubu	295,501	263,772	781,394
104.	Nyahururu	1,306,974	1,221,546	1,549,044
105.	Nyamira	675,560	1,240,767	1,167,147
106.	Nyando	3,582	63,550	149,356
107.	Nyeri	2,537,619	2,743,364	4,979,823

S/No	Court Station	FY2022/2023	FY2023/2024	FY2024/2025
		KSh	KSh	Amount
108.	Ogembo	-	2,090,246	1,480,156
109.	Ol-Kalou	3,083	157,458	617,668
110.	Othaya	3,930	59,009	174,357
111.	Oyugis	10,255	154,929	378,298
112.	Political Parties Disputes Tribunal	-	-	1,224,128
113.	Port Victoria	-	-	52,115
114.	Rongo	-	198,241	261,911
115.	Ruiru	819,274	1,037,447	1,615,367
116.	Rumuruti	1,604	33,782	63,436
117.	Runyenjes	6,584	102,074	245,128
118.	Shanzu	4,146,168	4,440,796	9,528,895
119.	Siakago	534,387	-	1,599,336
120.	Siaya	502,699	220,401	1,042,305
121.	Sirisia	8,465	85,062	97,708
122.	Sotik	9,163	114,576	278,789
123.	Tamu	-	41,941	194,590
124.	Taveta	55,151	231,843	400,915
125.	Tawa	8,762	99,446	248,967
126.	Thika	4,113,486	5,428,243	8,877,981
127.	Tigania	421,964	502,141	1,240,751
128.	Tinderet	-	25,740	62,165
129.	Tononoka	1,982	37,048	78,025
130.	Tribunals	3,350,910	746,536	3,872,361
131.	Ukwala	-	84,361	204,611
132.	Vihiga	-	63,519	813,634
133.	Voi	394,945	345,112	587,522
134.	Wajir	-	94,888	212,692
135.	Wanguru	46,346	344,825	695,465
136.	Webuye	434,040	341,770	543,500
137.	Winam	462,367	246,150	714,440
138.	Wundanyi	3,757	84,358	286,979
	Total Collections	**197,280,945**	**268,424,280**	**291,351,792**
	Less transfers	(18,998)	-	-
	Net Collections	**197,261,947**	**268,424,280**	**291,351,792**

Appendix. 6.4 – Rent Income

Rental Income		FY2022/2023	FY2023/2024	FY2024/2025
		KSh.	KSh.	KSh.
1.	Sheria Sacco	238,680	1,394,080	1,517,292
2.	KCB Mombasa	1,088,309	104,836	318,570
3.	KCB Milimani	1,599,998	1,066,666	3,320,510
4.	KCB Agent Kilifi	32,500	22,500	32,500
Total Rent Income		**2,959,487**	**2,588,082**	**5,188,872**

Appendix. 6.5 - Court Deposits

S.No	Station Name	FY2020/21	FY2021/22	FY2022/23	FY2023/24	FY2024/25
		KShs'000	KShs'000	KShs'000	KShs'000	KShs'000
1	Baricho	14,941	12,834	11,552	11,815	11,835
2	Bomet	19,370	18,693	16,207	18,853	26,512
3	Bondo	3,481	3,803	3,669	8,131	4,986
4	Bungoma	24,683	26,529	37,516	46,836	61,028
5	Busia	26,813	21,728	30,109	29,810	31,555
6	Butali	9,477	10,833	12,596	15,253	17,757
7	Butere	2,367	2,581	4,057	6,148	6,386
8	Chuka	18,212	17,789	20,620	22,406	22,726
9	Court of Appeal - Nairobi	-	-	-	21,506	41,572
10	Dadaab	195	668	818	603	1,283
11	Dagoretti					6,307
12	Eldama Ravine	17,815	17,698	15,403	17,690	17,318
13	Eldoret	119,255	129,788	122,196	135,168	141,746
14	Embu	29,314	33,509	33,410	46,959	35,804
15	Employment & LRC	-	-	82,852	95,515	114,894
16	Engineer	12,940	12,280	5,502	5,233	4,438
17	Etago Law Courts	-	-	-	2,221	2,434
18	Garissa	21,008	17,426	19,108	16,666	16,831
19	Garsen	2,810	5,867	4,463	5,315	6,165
20	Gatundu	19,509	16,821	12,565	14,197	13,612
21	Gichugu	9,701	9,391	12,698	15,020	12,853
22	Githongo	4,305	4,659	4,978	5,792	6,829
23	Githunguri	7,649	9,187	10,583	11,048	11,871
24	Hamisi	3,536	5,390	5,167	6,007	8,091
25	Hola	1,756	1,688	2,515	2,459	5,188
26	Homa Bay	13,168	13,121	9,046	8,459	8,768
27	Isiolo	22,441	19,440	22,237	32,224	23,962
28	Iten	4,358	6,064	8,875	10,067	11,304
29	JKIA	15,926	15,841	25,339	18,960	32,261
30	Headquarters	580,994	581,301	728,449	657,688	619,246
31	Kabarnet	3,641	4,520	6,302	5,567	5,786
32	Kabiyet	-	-	1,419	2,941	3,264
33	Kahawa	1,885	9,900	21,670	49,555	52,720
34	Kajiado	170,731	39,044	38,405	46,611	72,643
35	Kakamega	28,934	27,174	30,390	40,026	43,783
36	Kakuma	2,288	1,802	1,222	2,003	1,447
37	Kaloleni	4,707	4,719	3,290	3,918	3,197
38	Kamwangi					722
39	Kandara	19,050	23,346	24,720	31,063	30,921
40	Kangema	8,148	7,268	6,549	5,527	5,074
41	Kangundo	18,968	24,339	23,721	23,351	22,804
42	Kapenguria	6,436	6,950	9,209	7,775	7,935
43	Kapsabet	23,360	25,342	28,376	27,967	24,514
44	Karatina	10,199	8,424	8,797	8,665	7,382
45	Kehancha	5,088	5,498	4,771	7,003	4,766
46	Kendu Bay					993
47	Kenol	-	-	4,112	18,461	22,216
48	Kericho	41,459	39,857	45,830	45,254	45,516
49	Keroka	3,663	25,300	4,319	6,232	11,129
50	Kerugoya	22,644	25,300	25,977	26,317	30,130
51	Kiambu	172,155	210,080	235,580	252,032	210,713
52	Kibera	204,733	189,096	156,048	148,276	130,287

S.No	Station Name	FY2020/21	FY2021/22	FY2022/23	FY2023/24	FY2024/25
		KShs'000	KShs'000	KShs'000	KShs'000	KShs'000
53	Kigumo	26,890	28,638	26,784	23,875	20,438
54	Kikuyu	49,236	52,920	53,580	55,089	64,610
55	Kilgoris	11,622	12,213	12,932	17,576	17,649
56	Kilifi	30,092	33,036	30,739	35,382	43,165
57	Kilungu	2,908	3,374	5,493	8,790	8,460
58	Kimilili	6,957	6,829	7,868	10,053	10,864
59	Kisii	34,654	42,782	48,524	51,386	53,870
60	Kisumu	72,100	95,318	102,388	109,895	113,427
61	Kitale	37,163	37,392	44,126	54,970	50,566
62	Kithimani	18,769	15,070	13,829	12,622	12,605
63	Kitui	39,046	46,326	45,080	46,741	47,403
64	Kombewa					152
65	Kwale	28,560	28,480	24,122	31,719	32,104
66	Kyuso	1,294	1,646	1,919	2,725	3,170
67	Lamu	11,626	10,479	10,814	9,842	4,707
68	Limuru	32,524	37,442	32,453	30,591	29,157
69	Lodwar	7,098	5,680	9,049	11,164	11,399
70	Loitoktok	1,385	1,857	1,735	4,202	4,873
71	Machakos	85,610	92,860	91,035	106,714	129,778
72	Madiany	-	-	283	6,330	1,253
73	Makadara	398,487	426,707	482,171	556,838	493,853
74	Makindu	14,471	16,767	17,752	16,868	22,511
75	Makueni	14,648	15,461	13,690	24,098	27,283
76	Malaba Law Courts	-	-	-	1,273	1,993
77	Malindi	88,090	72,246	77,035	143,998	136,215
78	Mandera	1,304	2,282	2,065	1,555	2,603
79	Maralal	3,143	3,393	2,212	3,650	3,131
80	Mariakani	26,097	25,660	22,139	21,778	23,583
81	Marimanti	2,992	2,257	3,063	3,233	3,650
82	Marsabit	20,707	9,671	9,739	8,951	7,795
83	Maseno	7,057	8,231	8,961	10,441	8,920
84	Maua	28,685	27,137	24,930	31,106	29,428
85	Mavoko	84,757	82,832	88,229	84,962	88,684
86	Mbita	3,413	3,363	3,489	3,572	5,992
87	Meru	55,852	61,062	161,964	176,378	190,799
88	Migori	16,271	19,006	25,545	35,253	41,517
89	Milimani C.C	218,413	172,292	164,688	153,186	145,616
90	Milimani Kadhi Court					1,863
91	Milimani L.C	2,090,289	1,835,218	2,688,960	2,702,875	2,421,492
92	Moiben L. C					2,611
93	Molo	57,570	53,906	52,445	51,413	23,132
94	Mombasa	330,143	361,417	428,428	386,508	440,572
95	Moyale	4,028	2,044	1,224	3,126	2,641
96	Mpeketoni	1,524	833	940	5,341	1,912
97	Msambweni	4,561	11,663	5,108	4,504	4,794
98	Mukurweini	1,807	1,602	1,290	1,459	2,213
99	Mumias	7,679	7,248	7,101	7,563	6,990
100	Muranga	50,130	45,691	45,754	47,714	51,407
101	Mutomo	1,560	2,243	2,525	3,854	3,326
102	Mwingi	19,340	15,157	12,293	14,201	11,871
103	Nairobi City Law Courts	-	-	-	1,698	13,339
104	Naivasha	103,334	124,581	119,101	100,385	94,839
105	Nakuru	249,677	282,900	281,705	276,031	252,981

S.No	Station Name	FY2020/21	FY2021/22	FY2022/23	FY2023/24	FY2024/25
		KShs'000	KShs'000	KShs'000	KShs'000	KShs'000
106	Nanyuki	34,206	41,288	45,188	39,988	39,250
107	Narok	35,758	36,500	40,244	40,195	57,516
108	Ndhiwa	1,700	2,110	2,974	3,565	3,121
109	Ngong	47,377	58,183	51,190	50,148	42,076
110	Nkubu	8,675	10,057	11,020	13,151	22,457
111	Nyahururu	42,897	39,589	34,653	37,796	28,609
112	Nyamira	14,004	14,152	25,747	25,257	27,661
113	Nyando	3,393	6,318	6,866	9,409	7,672
114	Nyeri	61,390	70,867	61,931	72,184	83,460
115	Ogembo	23,929	23,697	23,025	20,439	26,911
116	Ol Kalou	-	-	4,762	8,419	7,844
117	Othaya	1,612	2,185	2,263	2,254	2,885
118	Oyugis	4,883	5,217	5,761	10,137	12,097
119	Political Parties Disputes Tribunal	-	-	-	-	0
120	Port Victoria Law Courts	-	-	-	894	2,246
121	Rongo	4,446	4,687	8,649	10,379	8,493
122	Ruiru	13,082	23,457	28,993	34,449	40,012
123	Rumuruti	-	-	1,229	1,334	1,300
124	Runyenjes	4,020	3,342	3,374	4,084	5,261
125	Shanzu	111,408	115,027	119,210	120,491	136,010
126	Siakago	14,093	16,936	16,036	12,685	9,515
127	Siaya	14,785	16,162	12,803	17,386	16,275
128	Sirisia	4,770	5,513	5,090	3,886	4,007
129	Sotik	6,470	7,093	7,059	9,477	10,877
130	Tamu	1,465	1,794	2,057	4,730	5,596
131	Taveta	1,856	8,005	10,942	7,179	7,420
132	Tawa	4,324	4,526	4,563	3,935	4,949
133	Thika	120,426	123,286	128,432	172,515	167,359
134	Tigania	10,940	11,965	14,029	18,412	25,441
135	Tinderet	-	-	638	1,081	1,222
136	TononoKa	618	788	1,129	1,482	1,896
137	Tribunal	39,805	39,575	43,063	43,105	55,890
138	Ukwala	3,367	3,419	2,847	3,348	1,976
139	Vihiga	6,015	7,223	7,386	11,583	13,638
140	Voi	12,119	12,654	12,768	11,361	20,160
141	Wajir	3,544	3,183	3,724	3,319	3,737
142	Wamunyu Law courts					3,123
143	Wanguru	5,720	8,422	13,053	14,076	14,668
144	Webuye	12,477	12,428	14,292	9,826	11,536
145	Winam	13,977	15,147	8,895	13,661	16,184
146	Wundanyi	1,940	1,972	4,072	5,284	8,104
	Total Court Stations	**6,849,172**	**6,694,869**	**8,050,498**	**8,432,973**	**8,251,167**

Published by:
The Judiciary of Kenya
Supreme Court Building,
City Hall Way
P.O. Box 30041 – 00100,
Nairobi, Kenya

www.judiciary.go.ke