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Ref: JUD/FIN/PAC Vol. 2

THE JUDICIARY

21st January, 2022

Mr. Michael Sialai, EBS,
Clerk of the National Assembly,
Parliament Building,
P.O. Box 41842 - 00100
NAIROBI

NATIONAL ASSEMBLY
MAIN RECORDS UNIT
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Ms. M. H. H. H. H. H.
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To acknowledge
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& response
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Dear Mr. Sialai,

SUBJECT: SUBMISSION OF JUDICIARY'S EXPENDITURE ESTIMATES FOR FY2022/23 AND THE MEDIUM TERM

Pursuant to the Article 173 (3) of the Constitution of Kenya and in line with the Public Finance Management (PFM) Act, 2012 Section 37 (4) I hereby submit the budget for the Judiciary. Enclosed find the following documents for your further necessary action: -

1. Programme Performance Report (PPR) for FY2018/19 - 2020/21;
2. Medium Term Expenditure Framework (MTEF) Budget Report for FY 2022/23 - 2024/25;
3. Programme Based Budget (PBB) FY 2022/23 - 2024/25 and;
4. Expenditure Estimates for FY 2022/23 - 2024/25 (Recurrent and Development).

In addition to these said attachments, I wish to bring to your attention the fact that the Judiciary's proposed allocation of Ksh.18.297M falls significantly short of the resource requirements of Ksh.39.56 Million by 54%. As a result, various key priority areas of operation have remained underfunded as highlighted below:

1. Election related expenses - Political parties disputes and general election petitions (Ksh.681 Million)
There were 188 election petitions filed in 2013. The cases increased to 388 in 2017. Going by this trend, it is expected that in 2022, the petitions will double those of 2017.

2. Roll out of Digital strategy to all courts - (Ksh.600 Million).
3. Court Annexed Mediation - (Ksh.290 Million)
This needs to be enhanced to build on previous achievement such as the Kshs.14 Billion which has already been released to the economy through settlement of cases through mediation.
4. Rollout and operationalization of Small Claims Courts (SCCs) - (Ksh.198 million)

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Time taken to resolve commercial cases has been reduced from an average of 967 days for commercial matters to 53 days under the SCCs.

5. Special benches - (Ksh.100 Million)

In the build-up to the General elections, cases that require constitutional interpretation are expected to increase thus necessitating hearings by Special Benches of un-even number of judges.

6. Mobile courts / circuits - (Ksh.50 Million)

- There are 123 constituencies without any court and thus must be served through mobile courts and circuits.
- There are 8 counties that have no High court stations.
- There are 7 High court stations without any Judge and hence rely on circuits.
- One Court of Appeal station does not have sitting Judges and hence is served through circuits.

7. Ongoing construction of courts - (Ksh.1 Billion)

Underfunding and budget cuts have led to accumulation of pending bills which are likely to accrue interest as per the contract terms.

8. Court awards - (Kshs.625 Million).

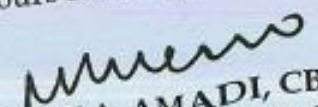
These have remained unsettled due to lack of funding.

9. Recruitment of Judicial Officers and Staff necessary for optimal service delivery - (Ksh.1 Billion).

10. Provision for Judges' Car Grants (Ksh.500 Million).

The purpose of this letter, therefore, is to forward the above listed reports and request for additional funds totaling Kshs.5.044 Billion in the FY 2022/23 to support Judiciary's operations.

Yours sincerely,


ANNE A. AMADI, CBS
CHIEF REGISTRAR OF THE JUDICIARY

Copy to:

The Cabinet Secretary,
National Treasury,
P.O. Box 30007- 001 00,
NAIROBI.

The Hon. Chief Justice/President
Supreme Court of Kenya

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THE JUDICIARY



Programme Performance Review Report (PPR)

FY 2018/19 – FY 2020/21

SEPTEMBER 2021

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Vote No: 1261

Vote Name: THE JUDICIARY

SECTION 1: DELIVERY OF PLANNED OUTPUTS

PROGRAMME AND PERFORMANCE REVIEW 2018/19 – 2020/21

2.1. Review of Performance

The following are the key achievements during the last MTEF period:

2.1.1 Achievements in the FY 2018/19

- Two High Court Divisions were established in Kisumu and Mombasa to deal with anti-corruption and Economic Crimes matters. In addition, the Admiralty Division was established in Mombasa to deal with maritime related matters. Two (2) new Magistrates Courts were established at Msambweni and Ruiru.
- To strengthen human resource capacity, 49 magistrates were appointed and 87 staff were recruited and deployed to serve in various stations.
- The Judiciary facilitated appointment of board members and operationalized Tribunals that have transited by coordinating implementation of their programs and activities. The Tribunals are expected to provide specialized mechanism for expedient dispute resolution. The focus in 2018/19 was largely on capacity building, creating public awareness, development of rules of procedure and automation of court processes.
- In the year under review, 484,349 matters were filed in courts across the country and 469,359 cases were resolved hence a Case Clearance Rate (CCR) of 96%. This is a remarkable improvement from 93% in the previous period given the substantial increase in the number of filed matters. The high CCR was partly as a result of the sustained rapid results initiatives such as *justice@last* and service weeks, mobile courts/circuits and improvement in operational efficiency. The High Court undertook service weeks in 12 stations that had huge case backlog. A total of 7,472 cases that were more than 5 years old were resolved in the High Court. ELRC conducted service weeks in Nairobi and Kisumu where 2,364 matters were concluded. ELC conducted service weeks in seven (7) court stations where 1,133 cases were determined and as a result the case clearance rate for the court rose to a remarkable 158% in FY 2018/19.
- Improvement of physical access to courts remained a key priority and as such refurbishment and construction of court buildings were undertaken. The works included shelving of registries, installation of water tanks, construction of ablution blocks, customer care, waiting bays and installations of solar system. This was done in 15 High Court buildings at Milimani, Kisumu, Makeni, Bomet, Kisii, Voi, Vihiga Thika, Nyeri, Meru, Marsabit, Naivasha, Narok, Lodwar, and Kitui and 42 Magistrate court buildings at Kaloleni, Sirisia, Winam, Mavoko, Baricho, Bondo, Bungoma, Butali, Eldama Ravine, Githunguri, Hamisi, Homabay, Kabarnet, Nairobi Kadhis' Court, Kajiado, Kandara,

Kangu'ndo, Kapsabet, Kehancha, Kisumu (Old building), Keroka, Kerugoya, Kikuyu, Kilifi, Kitale, Kyuso, Lamu, Mariakani, Marimanti, Maua, Mbita, Migori, Moyale, Mumias, Mutomo, Ndhiwa, Ngong, Siakago, Ukwala, Mombasa, Kaloleni and Ogembo; and at the National Civil Aviation and Administrative Review Tribunal's premises.

- One courtroom for the Supreme Court and Court of Appeal chambers were also refurbished.
- The Magistrate Court buildings at Nyando, Hamisi and Vihiga were also completed.
- Forodha House renovations: The building is being renovated to create 11 court rooms, 18 chambers, segregated cells, three registries and 71 offices for the Anti-corruption and Economic Crimes Court, Environment and Land Court, and Employment and Labour Relations Court.
- Ongoing courts construction was ongoing for 34 court buildings which were at various stages of completion. These were; Garissa, Nanyuki, Siaya, Voi, Kapenguria, Isiolo, Nakuru, Maralal, Kwale, Wajir, Ol-Kalou, Kakamega, Mombasa, Makueni, Kajiado, Kibera, Mukurweini, Kangema, Homa Bay, Kabarnet, Marsabit, Narok, Mandera, Embu, Bomet, Othaya, Amagoro, Githongo, Kandara, Mbita, Habasweini, Butali, Port Victoria and Eldama Ravine.
- To entrench performance and accountability, the Judiciary developed Integrated Performance Management and Accountability System (JIPMAS) and piloted at the headquarters. The system is used to produce performance data in real time and compare with set indicators. It contains target setting, appraisal and leave management modules.
- Further, a total of 276 implementing units including 4 tribunals implemented their Performance Management and Measurement understanding (PMMUs), which were later evaluated and exemplary performers rewarded.
- As part of the digital strategy, an additional six (6) court stations were connected with internet to bring the total to 128 (86%) court stations. This has eased connectivity and facilitated other services such as e-filing and Case Management System.
- Court recording and transcription equipment were installed in six courtrooms in the Commercial and Tax Division at the Milimani Commercial Courts. This equipment has reduced the time taken to type court proceedings and also waiting time for the judgement.
- The electronic filing (E-filing) system implemented at the Commercial and Tax Division at the Milimani Commercial Courts has reduced time taken to file cases from an average five hours to about 30 minutes, besides eliminating the cost of transport to and from the court registries. The system automatically performs fee assessment and produces the fee invoice to be paid.
- The Judiciary prioritised access to information and documentation by establishing and fully equipping 10 new libraries.
- Seventeen (17) courts had their registries refurbished to improve the filing systems. This has enhanced efficiency in registry operations with improved file integrity. In addition,

- Institutional capacity for timely delivery of justice was enhanced, through the following initiatives;
 - ✓ Appointment and swearing in of chairpersons and members of Sports Disputes Tribunal (SDT), Micro and Small Enterprise Tribunal (MSET), Communication and Multimedia Appeals Tribunal (CAMAT), Political Parties Disputes Tribunal (PPDT), Business Premises Rent Tribunal (BPRT) Industrial Property Tribunal (IPT), Cooperatives Tribunal (CT), Transport Licensing Appeals Board (TLAB), Tax Appeals Tribunal and National Civil Aviation Administrative Review Tribunal (NCAART).
 - ✓ Secretaries/administrators to the National Environment Tribunal (NET) and Sports Dispute Tribunal (SDT) were appointed.
 - ✓ Custom made training for all chairpersons, deputies and secretaries of the Tribunals on active case management and other disciplines was conducted to equip them with knowledge on expeditious disposal of cases.
 - ✓ Three (3) directors were appointed (Directorates of Audit and Risk Management, Planning and Organizational Performance and Supply Chain Management).
 - ✓ In regard to capacity building, a total of 135 Judges and 550 Magistrates were trained on diverse areas touching on substantive law, judge craft and personal wellness. Further, some 328 members of staff were trained on areas such as strategic leadership, management, supervision, records management, public relations and financial management.
- The Judiciary employed various communication strategies to disseminate information and engage the public on matters related to the institution. These were aimed at increasing awareness, knowledge, and improve public confidence in the institution. Courts adopted posting of cause lists online to ease access to the court users.
- The Judiciary continued to make significant progress in the implementation of the Digital Strategy. In support of the court operations, the Judiciary adopted the use of virtual courts to continue offering court services to our customers during the COVID-19 pandemic period. All courts and the stakeholders adopted the use of tools including Microsoft Teams, Skype and Zoom in the hearing and determination of cases.
- The Judiciary partnered with the Ministry of ICT, Innovation and Youth Affairs under the AJIRA project to provide transcription services to court recording by engaging the youth. So far, 75 youth have been engaged.
- The development of the Case management and the e-filing system modules was completed. The Case management, e-filing and e-receipting modules under JFMIS are now integrated into the new Case Tracking System (CTS) which has been rolled out to fifty nine (59) of the court stations and the Tribunals across the country. The main features of the CTS include e-filing, e-case search, e-diary, e-payment and e-receipting, e-signature, e-stamping, e- assessment and generation of court orders. The Chief Justice gazetted practice directions on electronic case management on 4th March 2020.
- Improvements in ICT infrastructure continued with procurement of more than 1,300 ICT equipment, connectivity to the internet for more than 130 court stations and installation of local area network for more than 12 court stations.

- General administration was strengthened through development of a number of key policy documents. These included the corporate Strategic plan 2019-2023, Supreme Court Strategic Plan 2020-2024, Bail and Bond policy Guidelines, Bail and Bond Training manual, ADR Policy, Library Management Guidelines, Court User Satisfaction Report and Employee & Work Environment Satisfaction Report. Several units are in various stages of developing their strategic documents aligning them to the corporate strategy.
- Interventions to ensure transparency, accountability, integrity and enhance organizational performance were undertaken as follows:
 - ✓ 279 implementing units comprising courts, tribunals, registries, directorates and other administrative units were put on performance contracting framework.
 - ✓ Individual performance appraisals were carried out.
 - ✓ A total of 691 complaints were registered at the Judiciary Ombudsman, out of which 66% were resolved.
- Judges, Magistrate and Kadhis' colloquiums, HOS forum and several administrative engagements were held to inculcate best practices and enhance cohesion in leadership and management.
- As part of efforts to improve efficiency in service delivery the approved Organizational Review Report was implemented through the following:
 - ✓ Formation of an organizational review committee.
 - ✓ Implementation of new job grading and salary structures.
 - ✓ Establishment of the optimal staff for the Judiciary and review of the scheme of service as well as career progression guidelines.
- Improvements in financial management and controls were achieved through the following initiatives:
 - ✓ All spending units prepared their annual work plans and linked them to the Strategic Plan.
 - ✓ Thirty (30) internal audit assignments were accomplished and audit recommendations implemented leading to improvements in internal controls and compliance with regulations, policies and procedures.
 - ✓ All courts were de-linked from the Sub-county Treasuries thus enabling the Judiciary to maintain its distinct financial records and transactions.

2.1.3 Achievements in the FY 2020/21

- At the beginning of the year under review, there were 617,582 pending cases. During the FY 2020/21, a total of 356,997 cases were filed in courts across the country bringing the total workload to 974,579 cases. A total of 294,837 were resolved translating to a Case Clearance Rate (CCR)¹ of 83%. For the Tribunals, 28,158 cases were pending at the beginning of the review period. A total of 5,335 cases were filed yielding a workload of 33,493 cases. The resolved cases stood at 3,056 with CCR of 57%.
- The number of case backlog aged 5 years and above reduced from 35,359 in the FY

¹ CCR refers to the rate of resolution of cases and is measured by dividing the number of resolved cases with the filed cases within a specified period. A CCR of greater 100% is desirable in that it depicts reducing pendency of cases.

2019/20 to 34,648 in FY 2020/21.

- At the beginning of the FY 2020/21, there were 2,376 matters pending under Court Annexed Mediation (CAM). A total of 2,185 matters were referred to CAM yielding a cumulative number of 4,561 in the year under review. Out of 1,229 that were processed, 767 had settlement agreements yielding a settlement rate of 62%. The monetary value of the matters with settlement agreements was Ksh 381.8 million. To support mediation, the Judiciary accredited 126 new mediators during the financial year bringing the total to 829.
- Small Claims Court was operationalised in April 2021 to determine cases that involve cases with a value less than Ksh 1 million through a process characterised by procedural simplicity and expeditiousness in delivery of final decision. In the short period of 2 months of the FY 2020/21, a total of 1,023 cases were filed, out which 637 were finalised on average of 53 days against the statutory requirement of 60 days.
- Institutional capacity for timely delivery of justice in tribunals was enhanced through appointment and swearing in newly appointed chairpersons and members of 7 tribunals, namely; Sports Disputes Tribunal (SDT), Communication and Multimedia Appeals Tribunal (CAMAT), Business Premises Rent Tribunal (BPRT) Cooperative Tribunal (CT), National Civil Aviation Administrative Review Tribunal (NCAART), Energy and Petroleum Tribunal (EPT) and Public Private Partnerships Petition Committee (PPPPC)
- The Judiciary admitted 1,304 lawyers to the Roll of Advocates to facilitate their practise as Advocates of the High Court of Kenya.
- The Judiciary acquired 326 reference publications to assist in legal research for informed decisions.
- The Supreme Court Rules were reviewed and published to address gaps in case management and the conduct of proceedings. Supreme Court General Practise Directions were also published to comprehensively provide for the administration of the Court, clear timelines for filing documents and exhaustive procedures for conducting proceedings. They further provide for mechanisms governing contempt of court and state of emergency provisions, previously not provided in the Court rules.
- In a bid to enhance access to justice, the Judiciary established the following:
 - Five sub-registries of Court of Appeal at Busia, Meru, Garissa, Kakamega and Kisii
 - Two (2) High Court stations at Vihiga and at Kwale
 - Four (4) High Court Sub-registries at Isiolo, Kapsabet, Eldama Ravine and Kilgoris.
 - Three (3) ELC sub-registries at Kilgoris, Isiolo and Vihiga
 - Four (4) ELRC sub-registries at Kitui, Kisii, Naivasha and Thika
- Twenty two (22) magistrates' courts were gazetted in Ol-Kalou, Etago, Madiany, Zombe, Port Victoria, Borabu, Kendu Bay, Wamunyu, Malaba, Matiliku, Usigu, Kasarani, Masinga, Manga, Tinderet, Kenol, Rumuruti, Garbatulla, Kabiyeet, Marigat, Kikima and Kaptumo (Kobujoi).

- In an effort to enhance access and expeditious delivery of justice, the High Court conducted circuits in 11 stations namely Lodwar, Garsen, Voi, Kilgoris, Kwale, Vihiga, Kapsabet, Isiolo, Kapenguria, Eldama Ravine and Kabarnet; ELC conducted circuit courts in Nyeri and Garissa; ELRC undertook circuit courts in Bungoma, Malindi, Meru, Kericho and Machakos.
- Four (4) Tribunals namely BPRT, RRT, Co-operative and MSET conducted 32 circuits in Mombasa, Kisumu, Nakuru, Kisii, Kakamega, Eldoret, Meru, Embu, Nyeri, Garissa, and Lamu through which 1169 cases were heard and determined.
- Physical access to courts was improved through completion of High Court buildings in Garissa, Kajiado, Kakamega, Nakuru, Nanyuki and Siaya as well as Isiolo Magistrate court.
- The Judiciary sought to increase awareness, knowledge, and improve public confidence in the institution by using various communication strategies to disseminate information and engage the public on matters related to the institution. Public education campaigns on social media and mainstream media were held on various topics including automation, mediation and other alternative dispute resolution mechanisms. Several IEC materials were developed and distributed to the public. Courts adopted posting of cause lists online to ease access to the court users.
- Use of ICT initiatives was adopted towards enhancing efficiency, effectiveness and timeliness in service delivery. All Courts and Tribunals adopted virtual hearing of proceedings where links were shared with the court users. A web-based E-filing system was rolled out in all the courts and Tribunals in Nairobi County. Through the e-filing portal, 67,299 cases and 16,980 applications under certificate of urgency were filed.
- In addition, the implementation of Court Recording and Transcription System (CRTS) in selected courts helped hasten production of transcripts.
- The Judiciary in collaboration with the Ministry of ICT and other partnerships entered into Memorandum of Understanding to digitize active files in three counties namely; Nairobi, Mombasa and Kisumu to connect courts to National Optic Fibre Backbone (NOFBI).
- Improvements in ICT infrastructure were made with acquisition of more than 2,300 assorted ICT equipment and connectivity to internet for court stations and tribunals.

- General administration was strengthened through development of a number of key policy documents. These included the Supreme Court Strategic Plan, Court of Appeal Strategic Plan, ELRC Strategic plan, HIV/AIDS Tribunal Strategic Plan, and Affirmative Action & Diversity Policy. Seven (7) tribunals namely; MSET, CAMAT, HAT, BPRT, RRT, EAT, and Copyright Tribunal developed service charters.
- Various interventions to ensure transparency, accountability, integrity and enhance organizational performance were undertaken as follows:
 - ✓ All the 285 implementing units comprising courts, tribunals, registries, directorates and other administrative units were put on performance contracting framework.
 - ✓ The office of the Judiciary Ombudsman cumulatively received 1,829 complaints. There were 281 matters brought forward from the previous year bringing a cumulative total of 2,110. Out of these, 1,596 cases were processed and closed successfully representing 76% clearance.
 - ✓ During the period, 39 disciplinary cases were recorded, out of which 29 (74%) were concluded.
- In operationalizing the Organization Review Report (2018), the Judiciary collated staff skills inventory and conducted staff mapping exercise. Further, recruitment of 191 staff were recruited while 180 were promoted. To enhance staff skills and competence for better performance, 15% of staff underwent various capacity building programmes.
- In fostering collaboration and coordination in the justice sector, five NCAJ committees namely CUC Working group, Traffic Reforms Working Group, Anti-Illicit Working Committee, the National Committee on Criminal Justice Reforms, and the Anti-Corruption Working Group were reconstituted. This was aimed at enhancing coordination among all agencies within the justice system and improvement of interaction of the stakeholders at the local and regional level.
- The NCAJ also developed Draft Amendment Bills to the Criminal Procedure Code and the Penal Code to address gaps identified in the law and align both statutes with provisions of the Constitution. Other policy guidelines that were developed include Curriculum for Child Protection Officers, Diversion Regulations for Children Matters, Guidelines for Child Protection Units Standard Operating Procedures, Policy on Mandatory continuous professional development program, revision of the training curricula on children, policies on re-integration of children accompanying imprisoned

mothers, Guidelines for children with special needs, The National Policy on Criminal Justice in Kenya; Law and Practice Guidelines on Arrest and Conditions of Pre-trial Detention; Law and Practice Guidelines on the Management of the Petty Offenders; Status of Persons with Mental Illness in the Criminal Justice System; Status of Intersex Persons in the Criminal Justice System; and the Baseline Survey on State Regulated Offences.

- Improvements in financial management and controls were achieved through the following initiatives:
 - All spending units prepared their annual work plans and linked them to the Strategic Plan. Public hearing forums on Judiciary budget were held in Nairobi, Mombasa, Kisumu, Nakuru and Nyeri.
 - The JFMIS was integrated with the CTS which fully automated all the processes from court fees assessment to receipting including adoption of electronic receipts across all the court stations. At the end of the FY 2020/21, a total of Ksh 2.43 billion (from fees and fines) was collected marking a 7% increment in revenue from the FY 2019/20.
 - A total of 53 internal audits were carried out and recommendations made to streamline internal controls, reduce risks and improve compliance with regulations, policies and procedures.

Specific targets, indicators and actual achievements for the FY 2019/20 and FY 2020/21 are summarized in Table 2.1.

Table 2.1 : Analysis of Programme Targets and Actual Targets

Delivery Unit : The Judiciary Programme : Dispensation of Justice Output : Key Indicator	Planned Target				Achieved Target		Reason for Variance
	2018/19	2019/20	2020/21	2020/21	2018/19	2019/20	
Sub-Programme: Access to justice							
No. of Court of Appeal stations circuits conducted	-	4	4	4	-	4	4
No. of High Courts station circuits held	-	12	7	7	-	12	7
No. of ELC stations circuits held	-	2	3	3	-	2	3
No. of ELC stations circuits held	-	4	4	4	-	4	4
No. of Tribunals circuits held	-	3	3	3	-	3	3
No. of COA Judges recruited	-	11	0	0	-	11	7
No. of HC Judges recruited	-	50	50	50	-	0	0
No. of ELC Judges recruited	-	20	10	10	-	20	18
No. of ELC Judges recruited	-	10	0	0	-	10	10
No. of magistrates recruited	-	140	100	100	-	0	0
No. of Kadhis recruited	-	0	15	15	-	0	0
No. of courtrooms with Transcription solution	31	32	157	157	36	26	Budget cuts
No. of Reviewed election petition rules	-	0	0	0	-	0	1 ²
No. of Reviewed registry manual	-	0	0	0	-	0	1
pro se manual developed	-	0	1	1	-	0	0
e-Assessment, module	-	0	1	1	-	1	1
e-Payment module	-	0	1	1	-	1	1

² Supreme Court revised PEP rules

Delivery Unit : The Judiciary		Planned Target							Achieved Target		Reason for Variance
Programme : Dispensation of Justice	Key Indicator	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	e-Filing module	-	0	1	-	1	-	-	1	1	
	SMS & Email Notification module in place	-	0	1	-	1	-	-	1	1	
	% Courts and offices adequately furnished and equipped	-	50%	60%	-	60%	-	-	50%	60%	
	Number of vehicles procured	-	22	38	-	38	-	23	39		
	Approved Disaster management Policy document	-	-	1	-	1	-	-	0		
	No of ICT systems hosted in cloud server	-	0	10	-	10	-	5	6		
	No. of stations connected to NOFBI	-	25	21	-	21	-	0	9		
	No. of court stations with WAN	-	25	21	-	21	-	12	0		
	Disaster recovery policy	-	0	1	-	1	-	0	0		
	No. of Disaster recovery sites	-	0	1	-	1	-	1	0		
	Primary and Secondary Data centres upgraded	-	0	1	-	1	-	0	1		
	No. of Court and tribunal registry manuals	-	0	2	-	2	-	0	3		
	No. of new Court of Appeal constructions initiated	0	2	2	0	2	0	0	0	0	Budget cuts
	No. of new High Courts construction initiated	-	3	2	-	2	-	0	3 ³		
Court Buildings	Ongoing Court of Appeal completed	-	1	1	-	1	-	0	0	0	Budget cuts
	No. of Ongoing High Courts completed (GOK)	7	15	8	0	8	0	3	0		
	Ongoing High Court completed (JPIP)	-	11	9	-	9	-	2	6		Poor performance by contractors - terminated

³ Isiolo Magistrate Court

Delivery Unit : The Judiciary											
Programme : Dispensation of Justice											
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance			
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21				
	No. of Ongoing Magistrates' courts completed	6	1	13	2	4	0	Budget cuts			
	No. of Ongoing Magistrates' courts completed (JPIP)	-	16	8	-	8	1 ⁴	Poor performance by contractors - terminated			
	No. of Courts of Appeal rehabilitated/ Refurbished	-	3	1	-	2	1 ⁵	GOK Budget cuts JPIP small refurbishments e.g. water Tanks & solar			
	No. of High courts rehabilitated	5	8	3	15	15	1				
	No. of Magistrates' courts rehabilitated	2	25	13	42	13	11				
	No. of Tribunal Offices rehabilitated	-	1	4	-	3	1	Tribunals were relocated to Forodha House			
	No. of new Court of Appeal stations	-	0	1	-	0	0				
	No. of new High Courts Stations	-	2	4	-	0	2	Delayed gazettelement of judges			
	No. of ELRC stations	-	2	7	-	0	0				
	No. of ELC	-	10	9	-	0	0				
Additional courts established	No. of new Magistrates' courts	-	3	15	-	2	22				
	No. of CoA sub-registries established	-	0	3	-	0	5 ⁶				
	No. of new HC sub-registries established	-	1	1	-	1	4				
	No. of new ELRC sub-registries established	-	33	3	-	30	4				
	No. of ELC sub-registries established	-	2	2	-	0	3				

⁴ Isiolo Magistrate Court

⁵ Mombasa COA

⁶ Busia, Meru, Garissa, Kakamega and Kisii were gazetted as COA sub registries in February 2021

Delivery Unit : The Judiciary										
Programme : Dispensation of Justice										
Output	Key Indicator	Planned Target				Achieved Target				Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	2020/21		
Magistrates' Mobile Courts established	No. of new mobile courts established	-	56	4	-	46	0	-	-	
	No. of mediation registries established	-	30	24	-	14	5	-	-	Budget cuts and Covid 19 pandemic
	CAM Rules	-	1	1	-	0	0	-	-	
	CAM Strategy	-	1	1	-	0	0	-	-	
Revised court fees	No. of mediators trained	-	-	150	-	-	164	-	-	
	Revised court fees schedule	-	1	1	-	0	1	-	-	
Small claims court	No. of designated small claims courts	-	-	5	-	-	1	-	-	Process ongoing
	No. of stations with solar system	-	0	34	-	0	0	-	-	Lack of funding
Alternative power supply installed	Reconstituted taskforces and standing committees	-	4	4	-	1	5	-	-	
	NCAJ M&E framework	-	-	1	-	-	0	-	-	Draft
	No. of engagements with investigative agencies	-	2	2	-	5	3	-	-	
	No. of Colloquiums held	-	2	2	-	2	0	-	-	Not held due to COVID pandemic
Stakeholders engagement	No. of Justice Sector forums organised	-	2	2	-	0	2	-	-	
	No. of expert speaker fora held	-	2	2	-	0	2	-	-	
	No. of visits to other jurisdictions	-	1	1	-	3	1	-	-	

Delivery Unit : The Judiciary									
Programme : Dispensation of Justice									
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance	
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21		
Capacity Building, Continuous Learning and Education (CLE)	No. of visits from other jurisdictions	-	1	1	-	1	1		
	No. of Regional and International exchange programmes	-	1	1	-	1	1		
	No. of signed and implemented partnership memoranda developed	-	2	2	-	0	2		
	% of court decisions published	-	-	100%	-	-	100%		
	No. of libraries established in court stations	-	7	5	-	0	0	Budget cuts	
	No. of libraries equipped	-	4	5	-	22	18		
	No. of online portals subscriptions	-	3	3	-	2	2	Budget cuts	
	Knowledge management guidelines developed	-	0	1	-	0	0	Process ongoing	
	Research policy developed	-	0	1	-	0	0	Draft	
	No. of trainings on emerging areas	-	2	2	-	0	2		
	Annual training progress reports	-	1	1	-	1	1		
	Whistle blowing policy in place	-	-	1	-	-	0	Draft	
	% of stations with trained liaison officers	-	100%	100%	-	23%	100%		
	No. of public awareness clinics held	-	26	26	-	23	2	Covid 19 pandemic	
	Complaints Handling Manual	-	0	1	-	0	0	Draft	
	Complaints Handling Quarterly reports	-	-	4	-	-	-	Manual awaiting approval	
% of courts and implementing units sensitised	-	100%	50%	-	0	100%			
No. of strategy documents	-	4	3	-	2	4			
% of staff sensitised	-	100%	100%	-	100%	90%	Covid 19 pandemic		
Corruption mapping Report	-	1	1	-	1	1			

Delivery Unit : The Judiciary										
Programme : Dispensation of Justice										
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	2018/19	2019/20	
	% of implementing units under PMMU	-	100%	100%	-	100%	100%	100%	100%	
	No. of research reports	-	2	2	-	1	1	1	1	Covid 19 Pandemic
	Research Policy document	-	1	1	-	0	0	0	0	Draft
	No. progress performance reports	-	2	2	-	0	0	0	0	Budget cuts
	Annual reports on the implementation of rewards and sanctions scheme	-	1	1	-	1	1	0	0	Draft
	Published JLAC, LMT and other leadership and management Guidelines	-	-	1	-	-	-	1	-	
	% of pending disciplinary cases reviewed and concluded	-	70%	80%	-	60%	69%	60%	69%	Covid 19 pandemic
	Judiciary Disability Policy Document	-	-	1	-	-	-	0	0	Draft
	Judiciary Sexual harassment Policy Document	-	-	1	-	-	-	0	0	
	Report on mainstreaming national values	-	1	1	-	0	0	0	1	
	Number of Staff recruited (including for tribunals)	-	560	560	-	87	191	87	191	Budget cuts
	Report on staff rationalization across courts Directorates and Tribunals	-	-	1	-	-	-	-	1	
	Report on decentralization of administrative functions reviewed	-	-	1	-	-	-	-	1	
	Report on implementation of decentralized administrative functions	-	-	1	-	-	-	-	1	
	Skills and Competences of Judicial staff report	-	-	1	-	-	-	-	1	
	% of Judicial staff trained annually	-	20%	20%	-	5%	15%	5%	15%	Covid 19 pandemic

Delivery Unit : The Judiciary							
Programme : Dispensation of Justice							
Output	Key Indicator	Planned Target			Achieved Target		Reason for Variance
		2018/19	2019/20	2020/21	2019/20	2020/21	
	Approved Pupillage guidelines	-	-	1	-	0	Draft
	Succession Policy document	-	-	-	-	-	
	Salaries and allowances review Report	-	-	1	-	1	
	Approved Health and Safety guidelines	-	-	1	-	0	Insufficient funds
	% of courts with occupational Health and Safety Programme	-	-	100%	-	0	
	No. of courts with wellness centres	-	-	20	-	0	Insufficient funding
	Facilities management guidelines Report	-	-	1	-	0	
	Facilities management guidelines implementation Report	-	-	1	-	0	Insufficient funding
	Infrastructure master plan implementation Report	-	-	1	-	1	
	Fleet management system in place	-	-	1	-	0	Budget cuts
	Updated assets' inventory (motor vehicle, tools and equipment)	-	1	1	-	1	
	Judiciary Records Management policy	-	1	1	-	0	
	No. of Court and tribunal registry manuals	-	0	2	-	3	
	Judiciary Brand Manual	-	-	1	-	0	Draft
	No. of staff correspondents trained	-	34	33	-	60	Virtual sessions
Judiciary Brand / image	Social Media Strategy	-	1	1	-	0	
	No of media fora organised	-	2	2	-	3	Virtual sessions
	No. of Court Reporters trained	-	40	40	-	80	Virtual sessions

Delivery Unit : The Judiciary										
Programme : Dispensation of Justice										
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21			
Procedures Manuals	Implementation of Judiciary Fund regulations report	-	1	1	-	1	0		Process ongoing	
	Procurement, Asset Disposal and Inventory Management Policy and Procedures Manual developed	-	0	1	-	0	1			
	Reviewed Finance Policy and Procedures Manual	-	1	1	-	0	0		Insufficient funding	
	Approved Audit Policy and Procedures Manual	-	1	0	-	0	1			
	Internal Audit System in place	-	1	1	-	0	0		Non-responsive bids	
	No. of internal audits carried out	50	70	70	43	30	53		Covid 19 pandemic	
	No of M&E Reports	1	1	1	1	1	0			

2.2. Expenditure Analysis (2018/19 – 2020/21)

The Judiciary budget allocations in FY 2018/19 was KSh16.095 billion which increased by 5% to KSh16.963 billion in FY 2019/20 and rose by 1% to KSh17,133 billion in FY 2020/21. The absorption rate was at 95% in FY 2018/19, which improved to 97% in 2019/20 but reduced to 93% in FY 2020/21.

2.2.1 Analysis of Recurrent Expenditure

The recurrent budget allocation increased by 5% in FY 2019/20 and by 6% in FY 2020/21. The share of compensation to employees over the total recurrent budget increased from 59% in FY 2019/20 to 64% in FY 2020/21 which is attributed to the reclassification of Employer's contribution to pension under personnel emolument economic classification. The share of other recurrent budget declined from 41% in FY 2019/20 to 36% in FY 2020/21. Breakdown of the recurrent expenditure by economic classification is shown in Table 2.2.

Table 2.2: Analysis by Category of Expenditure: Recurrent (KSh Million)

Vote & Vote Details	Economic Classification	Approved Budget			Actual Expenditure		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1261	Gross	13,086	13,797	14,575	12,856	13,762	14,377
	AIA	-					
	NET	13,086	13,797	14,575	12,856	13,762	14,377
	Compensation to Employees	7,600	8,162	9,402	7,600	8,162	9,398
	Transfers	593	-	-	542	-	
	Other Recurrent						
	Insurance	1,055	1,243	1,292	1,055	1,238	1,291
	Utilities	114	130	140	123	122	131
	Rent	19	86	76	22	71	69
	Others	3,704	4,175	3,665	3,515	4,169	3,489
Totals		13,086	13,797	14,575	12,856	13,762	14,377

There were no transfers in the year because all tribunals and NCAJ were classified as spending units under the Judiciary in FY 2019/20.

2.2.2 Analysis of Development Expenditure

The Judiciary's development budget constituted GOK and World Bank Funding. The development budget increased by 5% from KSh 3.009 billion in FY 2018/19 to KSh 3.166 billion in FY2019/20 then decreased by 19% in FY 2020/21 to Ksh 2.558 billion. The absorption rate attained under the development vote has been on a general decline from 81% in FY 2018/19, 79% in FY 2019/20 and 65% in FY 2020/21. There were no grants in the FY 2019/20 and analysis of the development expenditure by category is provided in Table 2.3.

Table 2.3 : Analysis by Category of Expenditure: Development (KSh Million)

Vote & Vote Details	Economic Classification	Approved Budget			Actual Expenditure		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1261	Gross	3,009	3,166	2,558	2,444	2,499	1,656
	GOK	151	971	292	124	796	294
	Loans	2,799	2,195	2,266	2,271	1,703	1,362
	Grants	59	-	-	49	-	-
	Local AIA	-	-	-	-	-	-
Totals		3,009	3,166	2,558	2,444	2,499	1,656

Figure 1 shows the trend of budget absorption rate.

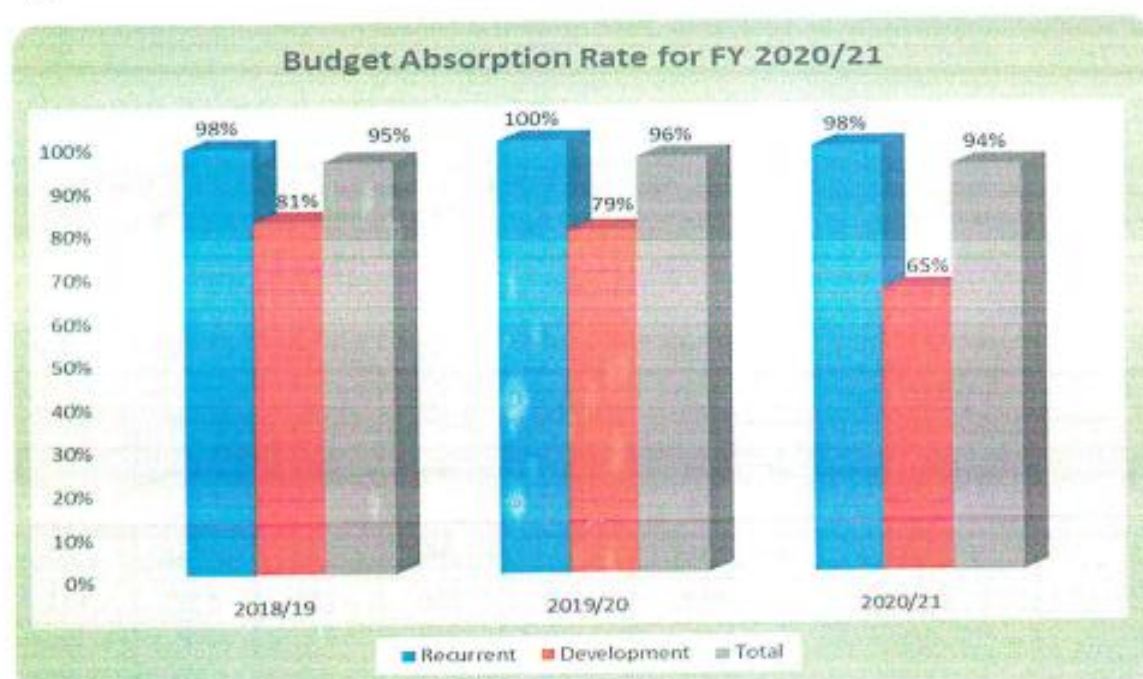


Figure 1: Trends in Budget Absorption

The overall absorption rate rose marginally from 95% in FY 2018/19 to 96% in FY 2019/20, followed by a decline to 93% in FY 2020/21. This could be attributed to the adverse effects of the pandemic which affected implementation of programmes, especially the development projects.

2.2.3 Analysis of Programme Expenditure

Judiciary programme is Dispensation of Justice and has two sub-programmes: Access to Justice; and General Administration, Planning and Support services. The sub-program on Access to Justice which covers the core mandate of the Judiciary received a larger share of budget at 70% in the three years under review. This is shown in Table 2.4.

Table 2.4 : Analysis by Category of Expenditure : Programmes (Ksh Million)

	Approved Budget	Actual Expenditure
--	-----------------	--------------------

	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Programme: Dispensation of Justice	16,095	16,963	17,133	15,302	16,260	16,033
Sub-Prog. I: Access to Justice	11,266	11,874	11,993	10,711	11,382	11,223
Sub-Prog. II: Administration and Support Services	4,828	5,089	5,140	4,591	4,878	4,810
Total Programme	16,095	16,963	17,133	15,302	16,260	16,033

2.2.4 Analysis of Programme Expenditure by Economic Classification

Allocation for Compensation to Employees has been on an upward trend from 7.6 billion in FY 2018/19 to KSh 8.479 billion in FY 2019/20 and Ksh 9.402 billion in FY 2020/21. As a share of the total budget, this represented 47%, 53% and 58% for FY2018/19, FY2019/20 and FY 2020/21 respectively. The approved budget on use of goods and services increased from 21% in FY 2018/19, to 22% in 2019/20 and 26% in FY 2020/21. The proportion of Other Recurrent to total allocation decreased over the three years as shown in Table 2.5.

Table 2.5: Analysis by Category of Expenditure : Economic Classification (KSh Millions)

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Programme 1: Dispensation of Justice						
Current Expenditure						
Compensation to Employees	7,600	8,479	9,402	7,600	8,442	9,398
Use of goods & Services	3,430	3,598	4,114	3,360	3,514	3,951
Grants and Other Transfers	-	-	-	-	-	-
Other Recurrent	2,056	1,720	1,059	1,897	1,807	1,028
Capital Expenditure						
Acquisition of Non-Financial Assets	2,946	3,166	2,558	2,395	2,499	1,656
Capital Grants to Govt. Agencies	59	-	-	49	-	-
Other Development	4	-	-	2	-	-
Total Program	16,095	16,964	17,133	15,302	16,261	16,033
Total Vote 1261	16,095	16,964	17,133	15,302	16,261	16,033

Acquisition of No-financial Assets constituted the highest proportion of the Capital Expenditure for the period 2018/19 to 2020/21.

2.2.5 Analysis of Recurrent Budget for Semi-Autonomous Government Agencies (SAGAs)

Budget allocations for the Tribunals and the National Council on Administration of Justice (NCAJ) was under Transfers to SAGAs until FY 2018/2019. Since FY 2019/20, budget for Tribunals and NCAJ are classified under Operations and Maintenance (O&M) allocation. Table 2.6 shows the budget of KSh 593 million allocated to Tribunals and NCAJ in 2018/19.

Table 2.6 : Analysis of SAGAs Recurrent Budget Vs. Actual Expenditure. (KSh Millions)

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
National Council for Administration of Justice						
Gross	55	-	-	55	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	55	-	-	55	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	55	-	-	55	-	-
Other Recurrent	-	-	-	-	-	-
Education Appeal Tribunal						
Gross	9	-	-	9	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	9	-	-	9	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	9	-	-	9	-	-
Other Recurrent	-	-	-	-	-	-
Standards Tribunal						
Gross	15	-	-	15	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	15	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	15	-	-
Other Recurrent	-	-	-	-	-	-
Business Premises Tribunal						
Gross	37	-	-	37	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	37	-	-	37	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	37	-	-	37	-	-
Other Recurrent	-	-	-	-	-	-
Cooperative Tribunal						
Gross	52	-	-	51	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	52	-	-	51	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	52	-	-	51	-	-
Other Recurrent	-	-	-	-	-	-
Industrial Property Tribunal						
Gross	14	-	-	14	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	14	-	-	14	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	14	-	-	14	-	-
Other Recurrent	-	-	-	-	-	-
HIV and AIDs Tribunal						
Gross	47	-	-	46	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	47	-	-	46	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	47	-	-	46	-	-
Other Recurrent	-	-	-	-	-	-
National Environment Tribunal						
Gross	24	-	-	24	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	24	-	-	24	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	24	-	-	24	-	-
Other Recurrent	-	-	-	-	-	-
Rent Restrictions Tribunal						
Gross	31	-	-	30	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	31	-	-	30	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	31	-	-	30	-	-
Other Recurrent	-	-	-	-	-	-
Sports Disputes Tribunal						
Gross	18	-	-	17	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	18	-	-	17	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	18	-	-	17	-	-
Other Recurrent	-	-	-	-	-	-
Energy Tribunal						
Gross	10	-	-	9	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	10	-	-	9	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	-	-	-	-	-	-
Other Recurrent	-	-	-	-	-	-
Political Parties Disputes Tribunal						
Gross	25	-	-	25	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	25	-	-	25	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	25	-	-	25	-	-
Other Recurrent	-	-	-	-	-	-
Transport Appeals Licensing Board						
Gross	74	-	-	74	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	74	-	-	74	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	74	-	-	74	-	-
Other Recurrent	-	-	-	-	-	-
Competent Authority						
Gross	11	-	-	10	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	11	-	-	10	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	11	-	-	10	-	-
Other Recurrent	-	-	-	-	-	-
Legal Education Appeals Tribunal						
Gross	11	-	-	11	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	11	-	-	11	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	11	-	-	11	-	-
Other Recurrent	-	-	-	-	-	-
Competition Authority						
Gross	30	-	-	30	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	30	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	30	-	-
Other Recurrent	-	-	-	-	-	-
PPP Petition Committee						
Gross	30	-	-	29	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	29	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	29	-	-
Other Recurrent	-	-	-	-	-	-
State Corporations Appeals Tribunal						
Gross	40	-	-	39	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	40	-	-	39	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	40	-	-	39	-	-
Other Recurrent	-	-	-	-	-	-
National Civil Aviation Appeals Tribunal						
Gross	15	-	-	15	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	15	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	15	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Other Recurrent	-	-	-	-	-	-
Micro and Small Enterprises Tribunal						
Gross	30	-	-	28	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	28	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	28	-	-
Other Recurrent	-	-	-	-	-	-
Communication and Multimedia Appeals Tribunal						
Gross	15	-	-	14	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	14	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	14	-	-
Other Recurrent	-	-	-	-	-	-
Total Vote	593	-	-	580	-	-

2.3. Analysis of Capital Projects by Programme

The Judiciary has been implementing capital projects including constructions, rehabilitations and refurbishments of court buildings and Tribunal premises. Most of the GOK funded projects have however stalled at different stages of implementation due to severe budget cuts and/or lack of allocation.

Table 2.7 : Analysis of Performance of Capital Projects FY 2018/19 – 2020/21 (KSh Million)

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks					
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019 (%)	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020 (%)		Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021 (%)	
1	Refurbishment of Supreme court	21.54			04/04/2017	10/04/2017	21.54	26.5	21.54	100%		30.94	21.54	100%		0.0	0.0	0.0	100%	Renovation of SC Judges' chambers and repainting of walls for the Supreme Court Building
2	Refurbishment of Kiambu law courts	7.51			5/31/2017	01/08/2018	7.51	0	3.71	100%		0.8	3.71	100%		0.0	0.0	0.0	100%	Second certificate and Final Account outstanding due to budget cut.
3	Construction of Hamisi Law Courts	55.2			12/04/2015	11/03/2015	55.2	0	54.91	100%		0	54.91	100%		0.0	0.0	0.0	100%	Phase I complete
4	Construction of Nkubu Law Courts	85.96			01/12/2015	12/30/2016	85.96	0	83.05	100%		0	83.05	100%		0.0	0.0	0.0	100%	Phase I of the Project Complete.
5	Prefabrication of Garsen Law Courts	99.96			1/23/2013	5/31/2016	99.96	0	90.24	100%		9.72	90.24	100%		0.0	0.0	0.0	100%	Project complete

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/contract Value	Foreign GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019 (%)	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020 (%)	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021 (%)	
		Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
6	Refurbishment of Mombasa Court of Appeal	51.79		11/18/2014	3/18/2015	0	48.85	0	100%	0	48.85	0	100%	0.0	0.0	0.0	100%	Final Account outstanding due to budget cuts
7	Refurbishment of Kitale Law Courts	13.66		5/28/2015	11/30/2015	0	13.66	0	100%	0	13.66	0	100%	0.0	0.0	0.0	100%	Complete
8	Refurbishment of Mombasa Law Courts	12.79		6/13/2015	04/08/2016	0	11.33	0	100%	0	11.33	0	100%	0.0	0.0	0.0	100%	Complete
9	Refurbishment of Siaya Law Courts	9.72		11/03/2015	05/03/2016	9.72	9.72	9.72	100%	9.72	9.72	9.72	100%	0.0	0.0	0.0	100%	Complete
10	Refurbishment of Competitions Tribunal	4.69		7/23/2017	9/23/2017	4.69	4.69	4.69	100%	0	4.69	0	100%	0.0	0.0	0.0	100%	Complete
11	Refurbishment of Standards Tribunal	1.3		7/24/2017	9/24/2017	1.3	1.3	1.3	100%	0	1.3	0	100%	0.0	0.0	0.0	100%	Complete
12	Construction of Iten Law Courts	10.66		5/19/2015	11/03/2020	0	8.98	1.26	100%	1.26	10.66	0.0	100%	0.0	0.0	0.0	100%	Complete
13	Construction of Embu Law Courts	229.33		1/15/2015	30/06/2021	0	202	48.1	98%	48.1	219.4	0.0	98%	0.0	0.0	0.0	98%	Final Account/ certificate outstanding awaiting directions

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks				
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion in Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020		Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M (%)	Kshs. M (%)	Kshs. M	Kshs. M	Kshs. M (%)	Kshs. M (%)		Kshs. M	Kshs. M	Kshs. M (%)	Kshs. M (%)
14	Prefabrication of Bomet Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	0	50.34	95%	0	0	55.06	98%	0.0	0.0	0.0	98%	on-going
15	Prefabrication of Runyenjes Law Courts	99.96		99.96	1/23/2013	30/06/2021	0	0	60.14	95%	37.6	87.64	95%	0.0	0.0	0.0	95%	on-going	
16	Refurbishment of Nyeri Court Of Appeal	18.48		18.48	4/17/2014	30/06/2021	0	0	14.3	95%	4.1	14.3	95%	0.0	0.0	0.0	95%	on-going	
17	Construction of Mandera Law Courts	107.03		107.03	5/19/2015	30/06/2021	0	0	90.17	94%	9.27	99.02	94%	0.0	0.0	0.0	94%	on-going	
18	Construction of Port Victoria Law Courts	46.53		46.53	02/12/2015	30/06/2021	0	0	43.02	93%	0	43.02	93%	0.0	0.0	0.0	93%	on-going	
19	Construction of Eldama Ravine Law Courts	81.88		81.88	02/04/2015	28/02/2020	0	0	69.58	90%	12.3	69.58	90%	0.0	0.0	0.0	90%	on-going	
20	Refurbishment of Eldoret Law Courts	38.1		38.1	2/23/2015	28/02/2020	0	0	30.68	90%	7.4	38.1	100%	2.1	2.1	2.1	100%	Complete	
21	Prefabrication of Othaya Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	0	53.05	90%	2.4	53.05	90%	0.0	0.0	0.0	90%	on-going	
22	Prefabrication of Tawa Law Courts	99.96		99.96	1/23/2013	28/02/2020	0	0	60.14	90%	21.9	87.8	90%	0.0	0.0	0.0	90%	on-going	

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks			
		Total Est Cost of project/Contract Value	Foreign GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019 (%)	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020 (%)	Approved foreign budget		Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021 (%)
		Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M	
23	Construction of Meru High Court	637.5		01/07/2020	30/06/2024	0	0			0				3.2	2.5		0%	Prefeasibility Costs
24	Construction of Eldoret High Court	560.8		01/07/2020	30/06/2024	0	0			0				2.2	2.2		0%	Prefeasibility Costs
25	Construction of Butali Law Courts	39.36	32.69	03/09/2015	30/12/2019	0	0	22.16	90%	0	32.13	92%		3.4	3.4		95%	on-going
26	Construction of Narok Law Courts-Phase II	86.5	86.5	10/25/2015	28/02/2020	6	6	21.17	80%	10.7	38.75	85%		0.0	0.0		85%	on-going
27	Prefabrication of Marimanti Law Courts	81.66	81.66	1/15/2013	28/02/2020	0	0	44.35	80%	0	44.35	80%		0.0	0.0		80%	on-going - Works to be repackaged
28	Refurbishment of Machakos Law Courts	34.08	34.08	5/18/2017	30/06/2021	0	0	20.28	60%	18.05	20.28	60%		0.0	0.0		67%	on-going
29	Construction of Marsabit Judges Residence	10.89	10.89	05/02/2017	30/06/2021	0	0	5.02	75%	5.87	5.02	75%		0.0	0.0		75%	on-going- Phase II works to be added
30	Prefabrication of Wanguru Law Courts	81.66	81.66	1/15/2013	30/06/2021	0	0	42.61	70%	0	42.61	70%		0.0	0.0		70%	on-going
31	Refurbishment of Muranga Law Courts	62.09	62.09	5/19/2015	28/02/2020	0	0	39.36	65%	14.8	39.36	79%		0.0	0.0		79%	on-going

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks				
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019 (%)	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020 (%)		Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021 (%)
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)		Kshs. M	Kshs. M	Kshs. M	(%)
32	Refurbishment of Karatina Law Courts	6.91			05/04/2017	28/02/2020	0	6.91	65%	4.3	4.3	4.17	68%	0.0	0.0	0.0	68%	on-going	
33	Refurbishment of Makadara Law Courts	9.9			7/23/2017	23/06/2020	0	9.9	60%	5.01	4.89	4.89	60%	0.0	0.0	0.0	60%	on-going	
34	Construction of Mbita Law Courts	148.33			3/15/2017	30/06/2020	0	148.33	52%	34.92	60.61	60.61	57%	8.2	8.2	8.2	65%	on-going at slow phase due to delayed payments as a result of budget cuts	
35	Construction of Githongo Law Courts	130.9			05/04/2017	30/06/2020	0	130.9	44%	40.23	70.93	70.93	45%	16.7	16.7	16.7	56%	on-going at slow phase due to delayed payments as a result of budget cuts	
36	Construction of Kandara Law Courts	137.82			03/04/2017	28/02/2020	0	137.82	36%	10	28.71	28.71	38%	0.0	0.0	0.0	38%	on-going	
37	Construction of Homabay Law Courts	367.31			3/13/2017	30/07/2020	0	367.31	32%	74.4	123.8	123.8	32%	22.8	22.8	22.8	32%	on-going	
38	Construction of Marsabit Law Courts	370.22			3/17/2017	15/09/2020	0	370.22	32%	95.9	163.98	163.98	35%	0.0	0.0	0.0	45%	on-going	
39	Construction of Amagoro Law Courts	137.99			3/13/2017	30/06/2021	0	137.99	16%	27.31	37.94	37.94	21%	20.7	20.7	20.7	24%	on-going	

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks			
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020		Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2021
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
40	Construction of Kabarnet Law Courts	366.8		366.8	3/17/2017	30/06/2021	0	0	15%	49.29	52.08	25.0	15%	25.0	25.0	25.0	18%	on-going
41	Construction of Lodwar High Court	814.89		814.89	30/9/2013	20/4/2015	0	0	15%	0	101.29	0.0	15%	0.0	0.0	0.0	15%	Abandoned
42	Construction of Bomet Law Courts	688.8		688.8	05/10/2013	05/01/2015	0	0	10%	0	62.09	0.0	10%	0.0	0.0	0.0	10%	Abandoned
43	Construction of Habasweini Law Courts	143.19		143.19	9/28/2017	15/09/2020	0	0	10%	0	10.03	0.0	10%	0.0	0.0	0.0	10%	Stalled
44	Refurbishment of Forodha house	157.4		157.4	25/04/2019	30/06/2021	52	26	18%	83.5	113.63	0.0	80%	0.0	0.0	0.0	80%	ongoing
45	Construction of Toilets in Baricho, Migori, Webuye, Kangundo, Mwingi, Kithimani, Kwale and Ngong	19.2		19.2	Various	Various	0	0	100%	19.2	19.2	19.2	100%					Completed

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks				
		Total Est Cost of project/Contract Value	Foreign Value	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020		Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	(%)	
46	Removal of Asbestos in Ukwala, Maua, Nanyuki, Kapsabet, Wina m, Kisii, Kwale and Kikuyu	29.67		29.67	Various	Various	0	0	0	29.67	29.67	100%	29.67	29.67	100%				Completed
47	Purchase of ICT Networking and Communication Equipment	97.62		97.62						97.62	97.62	100%	97.62	97.62	100%	45.0			75% Completed
48	Datacenter maintenance and Upgrade	23.30		23.30						23.30	23.30	78%	23.30	23.30	78%	12.5			50% On-going
49	Purchase of ICT Networking and Communication Equipment (Kisumu LAN)	12,019,238		12,019,238						12,019,238	12,019,238	0.33	12,019,238	12,019,238	0.33	83.4	12.5	0.75	On-going
50	Installation of Video Conferencing System	23,228,006		23,228,006						23,228,006	23,228,006	1.00	23,228,006	23,228,006	1.00	79.0		1.00	On-going

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
51	Supply, Delivery, Configuration, Testing, Training, Commissioning 30 and Maintenance of Court Recording equipment.		30												30.0	0.0	-	On-going
52	Supply, Delivery, Configuration, Testing, Training, Commissioning 252.5 and Maintenance of Network and Security solution	252.5	252.5												252.5	-	0.20	On-going

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks		
		Total Est Cost of project/Contract Value	Foreign	Start Date	Expected completion Date	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget		Approved GoK budget	Cumulative expenditure as at 30th June 2021
		Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M (%)	Kshs. M	Kshs. M	Kshs. M (%)	Kshs. M	Kshs. M	Kshs. M	Kshs. M	Kshs. M (%)	
53	Supply, Delivery, Configuration, Testing, Training, Commissioning of court recording and transcription equipment-AUDIO VISUAL INTEGRATOR	26.6	26.6										26.6				On-going
54	Subscription to Video Conferencing Application	15	15										15.0	15	1.00		Completed
55	Supply, Installation, Testing and Commissioning of Cloud Servers under Framework Contract	2.2	2.2										2.2	2.2	0.01		On-going

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks				
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Kshs. M	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019 (%)	Approved foreign budget	Kshs. M	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020 (%)		Approved foreign budget	Kshs. M	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021 (%)
	Courts																		
63	Rehabilitation of Makindu Law Courts	96.86			03/08/2016	30/12/2019	0	90.24	100%	0		90.24	100%	4.8		4.8		100%	Complete
64	Construction of Molo Courts	99.91			6/19/2015	30/12/2019	0	97.42	100%	0		97.42	100%	4.9		4.9		100%	Complete
65	Construction of Oyugis Courts	109.73			6/29/2015	30/12/2019	0	108.94	100%	0		108.94	100%	12.1		12.1		100%	Complete
66	Construction of Engineer Courts	78.62			06/08/2015	30/12/2019	4	77.61	98%	4		77.61	99%	8.7		8.7		100%	Pending Final Account
67	Rehabilitation of Muhoroni Law Courts (Tamu)	74.88			09/06/2015	30/12/2019	2	73.27	97%	2		74.88	100%	3.7		3.7		100%	Complete
68	Construction of Vihiga Law Courts	78.48			9/16/2015	30/12/2019	0	75.18	98%	0		78.48	100%	3.9		3.9		100%	Complete
69	Construction of Garissa Law Courts	351.32			1/22/2016	30/12/2019	50	274.4	80%	50		274.4	80%	76.9		76.9		91%	on-going
70	Construction of Nanyuki Law Courts	318.56			03/10/2016	30/12/2019	50	233.63	80%	50		283.67	98%	4.0		4.0		99%	on-going

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks				
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019 (%)	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020 (%)		Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021 (%)
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)		Kshs. M	Kshs. M	Kshs. M	(%)
71	Construction of Siaya Law Courts	342.75	342.75		3/21/2016	30/12/2019	50		252.88	75%	50		286.66	85%	58.2		58.2	98%	Practically complete
72	Rehabilitation of Kibera Law Courts	137.65	137.65		4/13/2016	30/12/2019	40		101.92	75%	40		111.29	81%	4.7		4.7	86%	on-going
73	Rehabilitation of Kangema Law Courts (Phase II)	42.99	42.99		20/09/2017	30/12/2019	30		28.36	68%	30		36.27	95%	10.3		10.3	99%	Practically complete
74	Construction of Isiolo Law Courts	379.08	379.08		10/04/2017	28/02/2020	150		248.46	66%	150		332.29	90%	1.0		1.0	99%	Practically complete
75	Construction of Kakamega Law Courts	387.66	387.66		21/09/2017	28/02/2020	200		210.76	60%	200		308.41	95%	48.1		48.1	99%	Practically complete
76	Construction of Voi Law Courts	347.58	347.58		29/03/2017	28/02/2020	50		120.82	45%	50		271.24	81%	50.0			87%	on-going
77	Construction of Mombasa Law Courts	445.17	445.17		28/09/2017	28/02/2020	200		182.31	42%	200		241.39	65%	76.3		76.3	91%	on-going
78	Construction of Makuani Law Courts	410.1	410.1		25/09/2017	28/02/2020	100		119.13	41%	100		285.52	87%	22.8		22.8	98%	on-going
79	Construction of Kapenguria Law Courts	400.88	400.88		21/03/2017	28/02/2020	100		92.03	40%	100		202.96	75%	130.2		130.2	99%	Practically complete

S.No	Project Code and Title	Estimated cost of the project		Timeline		FY 2018/2019			FY 2019/2020			FY 2020/2021			Remarks	
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Cumulative expenditure as at 30th June 2021		Completion status as at 30th June 2021
80	Construction of Kajiado Law Courts	398.41	398.41		15/03/2018	28/02/2020	150	112.08	40%	150	304.71	85%	32.1	32.1	99%	Practically complete
81	Construction of Mukurweini Law Courts	158.98	158.98		19/09/2017	28/02/2020	100	50.29	32%	100	70.68	60%	37.2	37.2	72%	on-going
82	Construction of Maralal Law Courts	378.75	378.75		23/03/2017	28/02/2020	100	99.66	33%	100	303.12	69%	33.5	33.5	86%	on-going
83	Registry shelving/counter	87.52	87.52		10/24/2018	28/02/2020	50	18.5	23%	50	18.5	23%	0.0	0.0	23%	on-going
84	Construction of Wajir Law Courts	369.57	369.57		27/09/2017	28/02/2020	100	35.36	20%	100	130.04	40%	50.0	0.0	64%	on-going
85	Construction of Ol-Kalou Law Courts	399.32	399.32		18/09/2017	28/02/2020	100	48.44	18%	100	135.11	42%	65.0	65.0	68%	on-going
86	Construction of Kwale Law Courts	390	390		06/05/2017	28/02/2020	100	161.12	42%	100	301.9	80%	0.0	0.0	99%	Practically complete
	TOTAL	14,448.81	7,073.51	7,225.44			200.00	5,203.22	50.93	200.00	7,525.64	61.89	775.01	1,160.04	808.11	64.23

2.4. Review of Pending Bills

Total pending bills for the FY 2018/19 amounted to KSh 856 million, which decreased to KSh 789 million FY 2019/20 and Ksh 539 million in FY 2020/21. Most of these pending bills arose due to lack of exchequer to pay commitments except in the FY 2020/21 where most of the pending bills were as a result of lack of provision.⁷

The following measures will be taken to settle the pending bills: -

1. The pending bills will form the first charge on the respective items in the preceding FY.
2. The Judiciary will endeavour to plan and undertake procurement early in the FY.
3. For bills arising towards the end of the FY under existing contracts, the Judiciary will request the National Treasury for special consideration to process the bills in the IFMIS.

Table 2.8: : Summary of Pending Bills by Nature and Type (KSh. Millions)

Type/Nature	Due to Lack of Exchequer			Due to Lack of Provision		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1. Recurrent	427	478	207	-	235	-
Compensation of Employees	-	-	-	-	235	-
Use of goods and Services	370	466	207	-	-	-
Social Benefits	-	-	-	-	-	-
Other Expenses	57	12	-	-	-	-
2. Development	-	77	-	429	-	332
Acquisition of Non-Financial Assets	-	77	-	429	-	332
Use of goods and Services	-	-	-	-	-	-
Others	-	-	-	-	-	-
Total Pending Bills	427	554	207	429	235	332

2.5. Analysis of Court Awards

Table 2.9 : Summary of Court Awards

	Details of the Award	Date of Award	Amount
1.	N.K. Brothers		545,593,963.84
2.	Land Mark Holdings		355,323,401.04
3.	Riley Security Services		52,842,964.70
4.	Jubilee Insurance Company		121,939,099.27
	Total		1,075,699,428.85

⁷ This was occasioned by budget cuts during 1st Supplementary budget revision for FY 2020/21.



THE JUDICIARY



Judiciary
MTEF Budget Report
For
Period FY 2022/23 – FY 2024/25

NOVEMBER 2021

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LIST OF ACRONYMS

ALB	:	Auctioneers Licensing Board
CAMP	:	Court Annexed Mediation Program
CCR	:	Case Clearance Rate
CRJ	:	Chief Registrar of the Judiciary
CSOs	:	Civil Society Organizations
DPP	:	Director of Public Prosecutions
EACC	:	Ethics and Anti-Corruption Commission
EIA	:	Environmental Impact Assessment
ELC	:	Environment and Land Court
ELRC	:	Employment and Labour Relations Court
ESIA	:	Environment and Social Impact Assessment
ESMP	:	Environment and Social Management Plan
FY	:	Financial Year
GJLOS	:	Governance Justice Law and Order Sector
GOK	:	Government of Kenya
IFMIS	:	Integrated Financial Management Information System
IPT	:	Industrial Property Tribunal
JPIP	:	Judicial Performance Improvement Project
JSC	:	Judicial Service Commission
JTF	:	Judiciary Transformation Framework
KLR	:	Kenya Law Reports
LAPSSET	:	Lamu Port-South Sudan-Ethiopia-Transport
MDA's	:	Ministries, Departments and Agencies
MTEF	:	Medium Term Expenditure Framework
NCAJ	:	National Council on Administration of Justice
NCLR	:	National Council for Law Reporting
NEMA	:	National Environment Management Authority
NET	:	National Environment Tribunal
P&A	:	Probate and Administration
PFM	:	Public Finance Management
PFMA	:	Public Finance Management Act
PPDT	:	Political Parties Disputes Tribunal
SAGAS	:	Semi-Autonomous Government Agencies
SCAT	:	State Corporations Appeals Tribunal
SGR	:	Standard Gauge Railway
SJT	:	Sustaining Judiciary Transformation
UNDP	:	United Nations Development Programme
SCC	:	Small Claims Court

EXECUTIVE SUMMARY

The Judiciary is a state organ whose mandate is to administer justice in a manner that protects the Constitution and upholds the rule of law. This mandate is discharged through development of jurisprudence and providing independent, accessible, fair and responsive fora for dispute resolution. Operations of the Judiciary are primarily financed from the Consolidated Fund as appropriated by Parliament.

The Judiciary's budget process is anchored on Article 173 (3) of the Constitution which requires the Chief Registrar of the Judiciary (CRJ) to prepare estimates of expenditure each financial year. The budgeting process including the budget format and specific timelines to be adhered to are provided for in the Public Finance Management (PFM) Act, 2012, Judicial Service Act, 2011, Judiciary Fund Act, 2016 and the Judiciary Fund Regulations, 2019. The process is consultative and participatory as required in Article 201 of the Constitution and Section 37(5) (a) of the PFM Act, 2012.

This Judiciary Medium Term Expenditure Framework (MTEF) Budget Report presents the context of Judiciary's current operations and undertakes a review of programme performance for the period 2018/19 to 2020/21 and the planned outputs for the period 2022/23 – 2024/25. It also outlines priority areas, stakeholder linkages, challenges and recommendations.

At the beginning of the FY 2020/21, there were 617,582 pending cases. During the year, a total of 356,997 cases were filed in courts across the country bringing the total workload to 974,579 cases. A total of 294,837 were resolved translating to a Case Clearance Rate (CCR) of 83%. The number of case backlog aged 5 years and above reduced from 35,359 in the FY 2019/20 to 34,648 in FY 2020/21. Court Annexed Mediation was sustained with accreditation of 126 new mediators. In the period, there were 767 settlement agreements out of 1,229 matters that were processed, yielding a settlement rate of 62%. Small Claims Court was operationalised in April 2021 and in the short period of 2 months of the year, a total of 1,023 cases were filed, out of which 637 were finalised on average of 53 days. There were 28,158 cases that were pending at the beginning of the review period at the Tribunals. A total of 5,335 cases were filed yielding a workload of 33,493 cases. The resolved cases stood at 3,056 with CCR of 57%.

In a bid to enhance access to justice, the Judiciary established the 5 sub-registries of Court of Appeal, 2 High Court stations, 4 High Court sub-registries, 3 ELC sub-registries, 4 ELRC sub-registries and 22 Magistrates' courts. Superior courts and Tribunals undertook circuits to various stations to dispense justice. Magistrates' courts and Kadhis were facilitated to undertake 60 mobile courts. Physical access to courts was improved through construction of six (6) High courts and one (1) Magistrate Court.

Implementation of the digital Strategy saw use of ICT initiatives adopted towards enhancing efficiency, effectiveness and timeliness in service delivery. Virtual hearing of proceedings were adopted by all Courts and Tribunals and links shared with the court users. A web-based

E-filing system was rolled out in all the courts and Tribunals in Nairobi County. Through the e-filing portal, 67,299 cases and 16,980 applications under certificate of urgency were filed. Finally, under the Case Tracking System (CTS) JFMIS was fully automated with integration of all the processes from court fees assessment to receipting including adoption of electronic receipts across all the court stations. The main features of the CTS include e-filing, e-case search, e-diary, e-payment and e-receipting, e-signature, e-stamping, e- assessment and generation of court orders. As a result of implementation of the CTS, a total of Ksh 2.43 billion (from fees and fines) was collected in FY 2020/21, marking a 7% increment in revenue from the FY 2019/20 despite the ravaging effects of the Covid-19 pandemic.

The Judiciary will continue to prioritize expeditious dispensation of justice initiatives during the MTEF period 2022/23–2024/25. The strategic focus will be on the two sub-programmes under the dispensation of justice programme namely; Access to justice and, General Administration, Planning and Support Services. Guided by the outputs of the two sub-programmes, the Judiciary’s delivery units will prioritise specific programmes primarily drawn from the Key Result Areas (KRAs) of the Judiciary Strategic Plan (SP) 2019-2023, and the Chief Justice’s vision, Social Transformation through Access to Justice (STAJ). This vision is predicated on the following five principles: Accessibility and efficiency; Transparency and accountability; Inclusiveness and shared leadership; Cooperative dialogue; and Social justice. The planned outputs, including their respective Key Performance Indicators (KPIs) and priority activities, are expounded in Table 3.1.

To enhance access to justice through dispute resolution in courts, Judiciary plans to improve the Case Clearance Rate (CCR) from the baseline of 83 per cent that was recorded in the FY 2020/21 to a high of 103 per cent at the end of MTEF period. This will be reinforced through reduction of case backlog aged 3 years and above. Progressively, Judiciary plans to clear 50 per cent of these cases by the end of MTEF period. In regard to expeditious dispensation of justice, reduction of the time taken by clients in courts from the first date they file their disputes in courts, until the final day when their disputes are resolved. To realise this, all courts have targeted to gradually reduce the time to dispose cases from the baseline statistics realized in the FY 2020/21.

To enhance speedy resolution of disputes, the Judiciary is also prioritising the roll out of SCCs which are specialised courts designed to provide a judicial determination involving small amounts of money. Towards these efforts, 15 SCCs will be established and operationalised in the counties of Kakamega, Kiambu, Kisumu, Machakos, Meru, Mombasa, Nairobi, Nakuru, Nyeri and Uasin Gishu. The roll out of SCCs will require **KSh 3.5 B** in the Medium Term.

On physical access to justice, 33 new courts have been planned for establishment over the MTEF period. Other initiatives will include construction of 13 new court buildings and completion of 26 ongoing others. Further, there will be creation of sub-registries and circuits sessions by the superior courts targeting stations with high-workload, mobile court stations under the magistracy courts. All these are aimed at bringing justice close to mwananchi.

Continued implementation of the digital strategy will remain a key area of focus in the medium term. This will include continuous adoption of Information Communication Technology (ICT) focusing on digitisation of court processes, support functions and automation of registry operations. The key areas of improvement will be: Case Tracking System (CTS) – e-receipting, e-filing, e-diary; Court Recording and Transcription System (CRTS); Judiciary Financial Management Information System (JFMIS); and Internet connectivity alongside ICT infrastructure.

On the policy and institutional environment, 12 strategic documents including strategic plans, court registry operation manuals and guidelines, that support procedural access to justice will be developed between the FYs 2022/23 and 2024/25.

Emerging issues in the medium term include preparations for the upcoming General Elections in 2022 where an influx of cases arising from party elections, nomination of candidates and petitions is expected. The Judiciary will embark on institutional preparedness through, *inter alia*; review of rules of procedure, capacity building programmes and facilitation of courts to ensure resolution of election related disputes within the statutory timelines. This will require **KSh 681 Million in FY 2022/23.**

The COVID-19 pandemic is another emerging issue which has continued to affect the operations of courts, and therefore demands that additional investment in the digital strategy is prioritised. Similarly, new legal frontiers such as social media, constitutional issues, and global changes among others call for enhanced continuous learning education (CLE) for Judges, Judicial Officers and Staff.

The estimated resource requirement to finance the identified targets for the FY 2022/23 is estimated at **KSh 39.56 Billion**. However, the proposed budget estimate allocated is **KSh 18.297 B** constituting of **KSh 16.297 Billion** and **KSh 2 Billion** for the recurrent and development votes respectively. This marks a **54%** underfunding of the requirement presented.

This report is arranged in six chapters: Chapter One provides information on the Judiciary's background, vision, mission, core mandate and the role of key stakeholders; Chapter Two documents performance review for the last three financial years, an analysis of budget utilization and status of pending bills; Chapter Three proposes targeted outputs and required resources in the period FY 2022/23 – 2024/25; Chapter Four outlines the emerging issues and challenges facing the Judiciary. Chapter Five presents the conclusions and Chapter Six sets forth recommendations to be considered during the MTEF period.

CHAPTER ONE

1. INTRODUCTION

1.1. Background

Article 1 of the Constitution vests sovereign authority in the people of Kenya which is delegated to State organs being Parliament and the Legislative Assemblies in the County Governments, National Executive and Executive Structures in the County Governments, the Judiciary and Independent Tribunals. Article 159 of the Constitution mandates the Judiciary to administer justice and promote the rule of law through the Courts and Tribunals.

The Judiciary discharges this mandate by developing jurisprudence and providing independent, accessible, fair and responsive fora for dispute resolution. Through interpretation of the Constitution, the Judiciary promotes the rule of law by shaping public policy and ensuring access to justice. The operations of the Judiciary are primarily financed from the Consolidated Fund as appropriated by the National Assembly.

The Judiciary's budget process is anchored on Article 173 (3) the Constitution of Kenya, 2010 which requires the Chief Registrar of the Judiciary to prepare estimates of expenditure for the Judiciary each financial year. The Public Finance Management (PFM) Act, 2012, the PFM Regulations, 2015, the Judicial Service Act, 2011, the Judiciary Fund Act (JFA), 2016 and the Judiciary Fund Regulations, 2019 provide guidelines on the budgeting process and specific timelines for submission of the estimates to the Judicial Service Commission (JSC) and the National Assembly.

The Chief Registrar of the Judiciary (CRJ) on 19th July 2021, issued a circular Ref No. JUD/FIN/5 on "Guidelines for Preparation of the 2022/23 - 2024/25 Medium Term Budget". This circular marks the beginning of the budget process for the Judiciary and provides a schedule for preparation of the budget indicating key timelines, priority policy areas and issues to be taken into consideration, public participation and the format in which budget information and documents shall be submitted.

The Judiciary's budget is prepared through a consultative and participatory process as stipulated in Article 201 of the Constitution and Section 37 (5) (a) of the PFM Act. The Judiciary's budget is programme based and has one program of Dispensation of Justice and two sub programmes namely: Access to Justice and Administration and Support Services. This Budget Report is thus prepared to establish the Judiciary's expenditure estimates where resource requirements are consolidated from all the courts, tribunals and administrative units.

This Report presents the context of Judiciary's current operations and undertakes a review of programme performance for the period (2018/19 to 2020/21) and the planned outputs for the medium term (2022/23 – 2024/25). It also outlines the institution's priority areas, cross-sectoral linkages, challenges and provides recommendations.

1.2. Judiciary Vision, Mission and Core Values

1.2.1 Vision

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

1.2.2 Mission

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

1.2.3 Core Values

Professionalism: We will exhibit the highest levels of competence, efficiency and excellence in executing our tasks

Integrity: We will uphold the highest ideals of honesty, openness and veracity in service delivery

Diligence: We shall be committed, dedicated and selfless to our duty

Transparency and Accountability: We shall be open to public scrutiny, exercise good governance and take responsibility for our actions.

Humility: We shall be modest in exercising powers given to us by the Constitution.

1.3. Strategic Objectives of the Judiciary

The overriding objective for the Judiciary is to provide equitable access to and expeditious delivery of justice. Under the Judiciary Strategic Plan (2019 – 2023), the strategic objectives are phrased as key result areas, which are:

- i. Enhance Access to Justice
- ii. Expedite Delivery of Justice
- iii. Grow Jurisprudence and enhance Knowledge Management
- iv. Improve Governance and Transformative Leadership
- v. Improve Human Capital Management and Organizational Development
- vi. Modernize Registry Operations for Operational Efficiency
- vii. Enhance Public Confidence, Awareness and Image of Judiciary
- viii. Strengthen Resource Mobilization, Utilization and Stakeholder Engagement.

The Judiciary's activities under each of these key result areas contribute significantly to the achievement of the national development agenda, including the Vision 2030, the Big 4 Agenda, and the Medium -Term Plan III (2018-2022).

1.4. The Judiciary Mandate

The mandate of the Judiciary is to administer Justice. In implementing this mandate, the Judiciary is guided by the following principles as stipulated under Article 159 (2) of the Constitution:

- a) Justice shall be done to all irrespective of status;
- b) Justice shall not be delayed;
- c) Alternative forms of dispute resolution including reconciliations, mediation, arbitration and traditional dispute mechanism shall be promoted;
- d) Justice shall be administered without undue regard to procedural technicalities; and
- e) The purpose and principles of the constitution shall be protected and promoted.

1.5. Role of the Judiciary Stakeholders

The Judiciary collaborates with various stakeholders who impact on its service delivery. These include:

i. The National Treasury

Section 11 (1) of the Public Finance Management Act, 2012 establishes the National Treasury in line with the provisions of Article 225 of the Constitution. The National Treasury provides the fiscal framework to guide resource mobilisation and allocation; administers the consolidated fund; manages the Integrated Financial Management Information System (IFMIS); and commits donor financing on behalf of the Government.

ii. Parliament

Parliament, consisting of the National Assembly and Senate, is responsible for the enactment of legislation, determining allocation of revenue between levels of government, and appropriation of the annual budgets. It also provides oversight on national and county revenue and its expenditure as well as on governance.

iii. The Office of the Controller of Budget

The Office of the Controller of Budget is established under Article 228 of the Constitution with the mandate of overseeing implementation of the National budget by authorizing withdrawals from the Consolidated Fund through approval of exchequer requests.

iv. Office of the Auditor-General

The Office of the Auditor-General is established under Article 229 of the Constitution with the mandate to confirm whether public resources have been applied lawfully and effectively through routine audits and preparation of annual reports which are submitted to Parliament.

v. The Judicial Service Commission

The mandate of the Judicial Service Commission (JSC) as stipulated in Article 172 of the Constitution is to promote and facilitate the independence and accountability of the Judiciary, the efficient, effective and transparent administration of justice.

The JSC is responsible for reviewing the Judiciary budget estimates as provided for under Section 29 Judicial Service Act, 2011.

vi. The National Executive

The National Executive of the Republic of Kenya comprises the President, the Deputy President and the rest of the Cabinet. The President assents into law all the legislative Bills.

vii. Office of the Attorney General

The Attorney General is the principal legal adviser to the Government and represents the government in court on civil matters.

viii. The Public

The Judiciary derives its authority from the people of Kenya who are the main stakeholders of the Judiciary. Under Article 201 of the Constitution and section 37 (5) of the PFM Act, the Judiciary is required to ensure public participation in financial matters.

ix. Development Partners

Development Partners support the Judiciary with technical and financial assistance in carrying out its programmes.

x. County Governments

County governments partner with the Judiciary in various programmes and projects such as providing land for construction and facilities for use as court premises.

xi. Media

The Judiciary is accountable to the people of Kenya who are entitled to receive information on its operations. As such, the media is an invaluable partner in disseminating information. It provides coverage of public interest cases and creates awareness on the decisions of the courts.

xii. The Ethics and Anti-Corruption Commission

The Ethics and Anti-Corruption Commission (EACC) is a public body established under the Ethics and Anti-Corruption Commission (EACC) Act, 2011. Its mandate is to promote integrity and combat corruption through law enforcement, prevention and education. The EACC investigates and recommends for prosecution on matters of economic crime.

xiii. Office of the Director of Public Prosecutions

The mandate of the office of the Director of Public Prosecutions is derived from Article 157 of the Constitution. This includes prosecution of all crimes.

xiv. The National Police Service

The broad mandate of the National Police Service (NPS) as outlined in the National Police Service Act, 2011 is to maintain law and order and provide security.

xv. Kenya Prisons Service

The Kenya Prisons Service (KPS) derives its mandate from the Prisons Act, 1963, the Borstal Institutions Act, 1963 and the Public Service Commission Act, 2012. Its functions are to contain and keep offenders in safe custody, rehabilitate and reform offenders and promote social re-integration of prisoners.

xvi. The Law Society of Kenya

The Law Society of Kenya (LSK) is established under the Law Society of Kenya Act, 2014. Its mandate is to advise and assist members of the legal profession, the government and the larger public in all matters relating to the administration of justice.

xvii. Witness Protection Agency

The Witness Protection Agency (WPA) is a body corporate established under the Witness Protection Act, 2008. The Agency provides special protection on behalf of the State to persons in possession of important information and who are facing potential risk or intimidation due to their co-operation with prosecution and other law enforcement agencies.

xviii. Civil Society Organizations

Civil Society Organizations (CSOs) are non-governmental and non-profit making organizations in Kenya. They litigate on matters of public interest and special interest groups.

xix. Probation and Aftercare services

Probation and Aftercare Services play a key role in enforcing the community service orders issued by courts for the rehabilitation of offenders and their re-integration back to the community. They also prepare pre-bail and pre-sentencing reports.

xx. Children Services Department

Children Services Department support the work of the Judiciary by providing support to Children in conflict and/or in contact with the law. They make recommendations to the courts on matters related to children rights.

CHAPTER TWO

2. PROGRAMME PERFORMANCE REVIEW 2018/19 – 2020/21

2.1. Review of Performance

The following are the key achievements during the last MTEF period:

2.1.1 Achievements in the FY 2018/19

- Two High Court Divisions were established in Kisumu and Mombasa to deal with anti-corruption and Economic Crimes matters. In addition, the Admiralty Division was established in Mombasa to deal with maritime related matters. Two (2) new Magistrates Courts were established at Msambweni and Ruiru.
- To strengthen human resource capacity, 49 magistrates were appointed and 87 staff were recruited and deployed to serve in various stations.
- The Judiciary facilitated appointment of board members and operationalized Tribunals that have transited by coordinating implementation of their programs and activities. The Tribunals are expected to provide specialized mechanism for expedient dispute resolution. The focus in 2018/19 was largely on capacity building, creating public awareness, development of rules of procedure and automation of court processes.
- In the year under review, 484,349 matters were filed in courts across the country and 469,359 cases were resolved hence a Case Clearance Rate (CCR) of 96%. This is a remarkable improvement from 93% in the previous period given the substantial increase in the number of filed matters. The high CCR was partly as a result of the sustained rapid results initiatives such as *justice@last* and service weeks, mobile courts/circuits and improvement in operational efficiency. The High Court undertook service weeks in 12 stations that had huge case backlog. A total of 7,472 cases that were more than 5 years old were resolved in the High Court. ELRC conducted service weeks in Nairobi and Kisumu where 2,364 matters were concluded. ELC conducted service weeks in seven (7) court stations where 1,133 cases were determined and as a result the case clearance rate for the court rose to a remarkable 158% in FY 2018/19.
- Improvement of physical access to courts remained a key priority and as such refurbishment and construction of court buildings were undertaken. The works included shelving of registries, installation of water tanks, construction of ablution blocks, customer care, waiting bays and installations of solar system. This was done in 15 High Court buildings at Milimani, Kisumu, Makeni, Bomet, Kisii, Voi, Vihiga Thika, Nyeri, Meru, Marsabit, Naivasha, Narok, Lodwar, and Kitui and 42 Magistrate court buildings at Kaloleni, Sirisia, Winam, Mavoko, Baricho, Bondo, Bungoma, Butali, Eldama Ravine, Githunguri, Hamisi, Homabay, Kabarnet, Nairobi Kadhis' Court, Kajiado, Kandara, Kangu'ndo, Kapsabet, Kehancha, Kisumu (Old building), Keroka, Kerugoya, Kikuyu, Kilifi, Kitale, Kyuso, Lamu, Mariakani, Marimanti, Maua, Mbita, Migori, Moyale, Mumias, Mutomo, Ndhiwa, Ngong, Siakago, Ukwala, Mombasa, Kaloleni and Ogembo; and at the National Civil Aviation and Administrative Review Tribunal's premises.

- One courtroom for the Supreme Court and Court of Appeal chambers were also refurbished.
- The Magistrate Court buildings at Nyando, Hamisi and Vihiga were also completed.
- Forodha House renovations: The building is being renovated to create 11 court rooms, 18 chambers, segregated cells, three registries and 71 offices for the Anti-corruption and Economic Crimes Court, Environment and Land Court, and Employment and Labour Relations Court.
- Ongoing courts construction was ongoing for 34 court buildings which were at various stages of completion. These were; Garissa, Nanyuki, Siaya, Voi, Kapenguria, Isiolo, Nakuru, Maralal, Kwale, Wajir, Ol-Kalou, Kakamega, Mombasa, Makueni, Kajiado, Kibera, Mukurweini, Kangema, Homa Bay, Kabarnet, Marsabit, Narok, Mandera, Embu, Bomet, Othaya, Amagoro, Githongo, Kandara, Mbita, Habasweini, Butali, Port Victoria and Eldama Ravine.
- To entrench performance and accountability, the Judiciary developed Integrated Performance Management and Accountability System (JIPMAS) and piloted at the headquarters. The system is used to produce performance data in real time and compare with set indicators. It contains target setting, appraisal and leave management modules.
- Further, a total of 276 implementing units including 4 tribunals implemented their Performance Management and Measurement understanding (PMMUs), which were later evaluated and exemplary performers rewarded.
- As part of the digital strategy, an additional six (6) court stations were connected with internet to bring the total to 128 (86%) court stations. This has eased connectivity and facilitated other services such as e-filing and Case Management System.
- Court recording and transcription equipment were installed in six courtrooms in the Commercial and Tax Division at the Milimani Commercial Courts. This equipment has reduced the time taken to type court proceedings and also waiting time for the judgement.
- The electronic filing (E-filing) system implemented at the Commercial and Tax Division at the Milimani Commercial Courts has reduced time taken to file cases from an average five hours to about 30 minutes, besides eliminating the cost of transport to and from the court registries. The system automatically performs fee assessment and produces the fee invoice to be paid.
- The Judiciary prioritised access to information and documentation by establishing and fully equipping 10 new libraries.
- Seventeen (17) courts had their registries refurbished to improve the filing systems. This has enhanced efficiency in registry operations with improved file integrity. In addition, the ELRC launched a Registry Manual to simplify court procedures for enhanced access to services.
- Bench books were developed on practice matters to improve the work methods for judicial officers.

- To create awareness on the procedures and services offered by the Judiciary, courts and tribunals developed and disseminated various IEC materials at customer care desks, during ASK Shows and Open Days.
- An automated Principal Registry system was developed to aid in detection and aversion of multi-filing of Succession matters by checking Probate and Administration (P&A), Form 30 electronically at the Milimani Law Courts.
- The customer satisfaction index improved from 64% in 2017 to 67% based on the survey conducted in 2019. The survey also identified areas that litigants and other respondents recommended for improvement.

2.1.2 Achievements in the FY 2019/20

- In the year under review, 337,510 (out of which 249,199 were criminal and 88,311 were Civil Cases) matters were filed in courts across the country and 289,728 (Out of which 203,976 were Criminal and 85,752 were Civil cases) were resolved hence a Case Clearance Rate (CCR) of 86%.
- Case Clearance Rate in all tribunals under the Judiciary stood at 72 per cent. In the period under review 5,944 matters were filed and 4,274 matters were resolved.
- Supreme Court reviewed its Rules and Practice Directions to address gaps in case management and the conduct of proceedings. The Rules provide for the administration of the Court, case management, conduct of proceedings, petition on declaration of state of emergency, contempt of court pleadings and applicable court fees and costs.
- Court of Appeal Rules were revised to introduce Alternative Dispute Resolutions (ADR) mechanisms in the court among others.
- Access to Justice was enhanced through the establishment of the following Court stations:
 - ✓ Two (2) Magistrate Courts at Kahawa and Dadaab to bring the total number of court stations to 127. Kahawa law courts was to decongest Nairobi Courts while Daadab was to decongest Garissa Law Courts.
 - ✓ Three (3) Kadhi Courts at Bura/Fafi, Witu and Modogashe to bring to 47 the total number of Kadhi Court Stations.
- Case clearance was improved by undertaking the following initiatives:
 - Nine (9) Circuit courts for Court of Appeal were held in Nyeri (1), Mombasa (4), Nairobi (2), Eldoret (1) and Nakuru (1).
 - High Court held twenty three (23) special benches in Nairobi to hear and determine matters that required the sitting of more than one judge.
 - To clear backlog cases that were more than five (5) years from the time of filing seventeen (17) service weeks were held in Murang'a, Kakamega, Nairobi Family division, Civil Division, Commercial Division and Malindi High Courts.
 - Employment and Labour Relations Courts (ELRC) undertook nine (9) circuit courts in Bungoma, Malindi, Meru, Kericho and Machakos.

Environment and Land Court (ELC) held monthly circuits in Garissa and Nyeri, mobile courts in Ngong and Loitoktok and three (3) special benches in Nakuru, Meru and Malindi. A service week was also held in Kitale as part of case backlog reduction strategy.

New magistrate mobile courts were established and conducted in Butula (Busia), Mutuati (Maua), Endau (Kitui), Konoin (Sotik) and Sereolipi (Isiolo) bringing the total number of operational mobile courts to sixty (60).

- Physical access to courts was improved through construction and rehabilitation of courts. This included:
 - ✓ Constructions of Seven (7) court buildings were completed at Chuka and Isiolo High Courts, Molo, Vihiga, Nyamira and Tamu Magistrate Courts.
 - ✓ There are forty seven (47) ongoing constructions of court buildings out of which 24 are funded by GOK and 23 by World Bank under JPIP programme at various stages of completion.
 - ✓ Rehabilitations were undertaken in Kisumu, Milimani and Kericho High Court stations; Environment and Land Court in Thika, Forodha House, 28 Magistrate Courts (Kerugoya, Kaloleni, Maralal, Kisii, Winam, Isiolo, Kikuyu, Nanyuki, Kapsabet, Maua, Ukwala, Kwale, Ngong, Kithimani, Mwingi, Kang'undo, Webuye, Migori, Mariakani, Embu, Busia, Kimilili, Taveta, Kehancha, Keroka, Tononoka, Migori and Ruiru), and Tribunal Offices (National Civil Aviation Tribunal, Rent Restriction Tribunal).
- Alternative forms of dispute resolutions were entrenched through establishment of fourteen (14) mediation sub-registries, stakeholder's engagement on validation of ADR policy, Adoption of Court Annexed mediation in Nairobi, Kericho, Mombasa and Kisumu. Notably the Transport Licensing Appeals Tribunal settled four (4) cases worth 200 million. Also 4,301 matters valued at **KSh 41 billion** were referred to mediation out of these, **1,460 matters worth KSh 8 billion** were settled.
- Awareness of institutional programs was enhanced through the following activities:
 - ✓ Several Information Education and Communication materials and promotional materials were developed and distributed.
 - ✓ Exhibitions were organized in eleven (11) ASK shows at Eldoret Embu, Nairobi, Nyeri, Bungoma, Kitale Kabarnet, Kitale, Bungoma Machakos Nyeri.
 - ✓ Public Fora were held in ten (10) courts namely; Iten, Ogembo, Gatundu, Kapenguria, Kakuma, Kabarnet, Vihiga, Nakuru, JKIA and Lamu.
- Institutional capacity for timely delivery of justice was enhanced, through the following initiatives;
 - ✓ Appointment and swearing in of chairpersons and members of Sports Disputes Tribunal (SDT), Micro and Small Enterprise Tribunal (MSET), Communication and Multimedia Appeals Tribunal (CAMAT), Political Parties Disputes Tribunal (PPDT), Business Premises Rent Tribunal (BPRT) Industrial Property Tribunal (IPT), Cooperatives Tribunal (CT), Transport Licensing Appeals Board (TLAB), Tax

Appeals Tribunal and National Civil Aviation Administrative Review Tribunal (NCAART).

- ✓ Secretaries/administrators to the National Environment Tribunal (NET) and Sports Dispute Tribunal (SDT) were appointed.
 - ✓ Custom made training for all chairpersons, deputies and secretaries of the Tribunals on active case management and other disciplines was conducted to equip them with knowledge on expeditious disposal of cases.
 - ✓ Three (3) directors were appointed (Directorates of Audit and Risk Management, Planning and Organizational Performance and Supply Chain Management).
 - ✓ In regard to capacity building, a total of 135 Judges and 550 Magistrates were trained on diverse areas touching on substantive law, judge craft and personal wellness. Further, some 328 members of staff were trained on areas such as strategic leadership, management, supervision, records management, public relations and financial management.
- The Judiciary employed various communication strategies to disseminate information and engage the public on matters related to the institution. These were aimed at increasing awareness, knowledge, and improve public confidence in the institution. Courts adopted posting of cause lists online to ease access to the court users.
 - The Judiciary continued to make significant progress in the implementation of the Digital Strategy. In support of the court operations, the Judiciary adopted the use of virtual courts to continue offering court services to our customers during the COVID-19 pandemic period. All courts and the stakeholders adopted the use of tools including Microsoft Teams, Skype and Zoom in the hearing and determination of cases.
 - The Judiciary partnered with the Ministry of ICT, Innovation and Youth Affairs under the AJIRA project to provide transcription services to court recording by engaging the youth. So far, 75 youth have been engaged.
 - The development of the Case management and the e-filing system modules was completed. The Case management, e-filing and e-receipting modules under JFMIS are now integrated into the new Case Tracking System (CTS) which has been rolled out to fifty nine (59) of the court stations and the Tribunals across the country. The main features of the CTS include e-filing, e-case search, e-diary, e-payment and e-receipting, e-signature, e-stamping, e- assessment and generation of court orders. The Chief Justice gazetted practice directions on electronic case management on 4th March 2020.
 - Improvements in ICT infrastructure continued with procurement of more than 1,300 ICT equipment, connectivity to the internet for more than 130 court stations and installation of local area network for more than 12 court stations.
 - General administration was strengthened through development of a number of key policy documents. These included the corporate Strategic plan 2019-2023, Supreme Court Strategic Plan 2020-2024, Bail and Bond policy Guidelines, Bail and Bond Training manual, ADR Policy, Library Management Guidelines, Court User Satisfaction Report and Employee & Work Environment Satisfaction Report. Several units are in various stages of developing their strategic documents aligning them to the corporate strategy.

- Interventions to ensure transparency, accountability, integrity and enhance organizational performance were undertaken as follows:
 - ✓ 279 implementing units comprising courts, tribunals, registries, directorates and other administrative units were put on performance contracting framework.
 - ✓ Individual performance appraisals were carried out.
 - ✓ A total of 691 complaints were registered at the Judiciary Ombudsman, out of which 66% were resolved.
- Judges, Magistrate and Kadhis' colloquiums, HOS forum and several administrative engagements were held to inculcate best practices and enhance cohesion in leadership and management.
- As part of efforts to improve efficiency in service delivery the approved Organizational Review Report was implemented through the following:
 - ✓ Formation of an organizational review committee.
 - ✓ Implementation of new job grading and salary structures.
 - ✓ Establishment of the optimal staff for the Judiciary and review of the scheme of service as well as career progression guidelines.
- Improvements in financial management and controls were achieved through the following initiatives:
 - ✓ All spending units prepared their annual work plans and linked them to the Strategic Plan.
 - ✓ Thirty (30) internal audit assignments were accomplished and audit recommendations implemented leading to improvements in internal controls and compliance with regulations, policies and procedures.
 - ✓ All courts were de-linked from the Sub-county Treasuries thus enabling the Judiciary to maintain its distinct financial records and transactions.

2.1.3 Achievements in the FY 2020/21

- At the beginning of the year under review, there were 617,582 pending cases. During the FY 2020/21, a total of 356,997 cases were filed in courts across the country bringing the total workload to 974,579 cases. A total of 294,837 were resolved translating to a Case Clearance Rate (CCR)¹ of 83%. For the Tribunals, 28,158 cases were pending at the beginning of the review period. A total of 5,335 cases were filed yielding a workload of 33,493 cases. The resolved cases stood at 3,056 with CCR of 57%.
- The number of case backlog aged 5 years and above reduced from 35,359 in the FY 2019/20 to 34,648 in FY 2020/21.
- At the beginning of the FY 2020/21, there were 2,376 matters pending under Court Annexed Mediation (CAM). A total of 2,185 matters were referred to CAM yielding a cumulative number of 4,561 in the year under review. Out of 1,229 that were processed, 767 had settlement agreements yielding a settlement rate of 62%. The monetary value of the matters with settlement agreements was Ksh 381.8 million. To support mediation, the Judiciary accredited 126 new mediators during the financial year bringing the total to 829.

¹ CCR refers to the rate of resolution of cases and is measured by dividing the number of resolved cases with the filed cases within a specified period. A CCR of greater 100% is desirable in that it depicts reducing pendency of cases.

- Small Claims Court was operationalised in April 2021 to determine cases that involve cases with a value less than Ksh 1 million through a process characterised by procedural simplicity and expeditiousness in delivery of final decision. In the short period of 2 months of the FY 2020/21, a total of 1,023 cases were filed, out which 637 were finalised on average of 53 days against the statutory requirement of 60 days.
- Institutional capacity for timely delivery of justice in tribunals was enhanced through appointment and swearing in newly appointed chairpersons and members of 7 tribunals, namely; Sports Disputes Tribunal (SDT), Communication and Multimedia Appeals Tribunal (CAMAT), Business Premises Rent Tribunal (BPRT) Cooperative Tribunal (CT), National Civil Aviation Administrative Review Tribunal (NCAART), Energy and Petroleum Tribunal (EPT) and Public Private Partnerships Petition Committee (PPPPC)
- The Judiciary admitted 1,304 lawyers to the Roll of Advocates to facilitate their practise as Advocates of the High Court of Kenya.
- The Judiciary acquired 326 reference publications to assist in legal research for informed decisions.
- The Supreme Court Rules were reviewed and published to address gaps in case management and the conduct of proceedings. Supreme Court General Practise Directions were also published to comprehensively provide for the administration of the Court, clear timelines for filing documents and exhaustive procedures for conducting proceedings. They further provide for mechanisms governing contempt of court and state of emergency provisions, previously not provided in the Court rules.
- In a bid to enhance access to justice, the Judiciary established the following:
 - Five sub-registries of Court of Appeal at Busia, Meru, Garissa, Kakamega and Kisii
 - Two (2) High Court stations at Vihiga and at Kwale
 - Four (4) High Court Sub-registries at Isiolo, Kapsabet, Eldama Ravine and Kilgoris.
 - Three (3) ELC sub-registries at Kilgoris, Isiolo and Vihiga
 - Four (4) ELRC sub-registries at Kitui, Kisii, Naivasha and Thika
- Twenty two (22) magistrates' courts were gazetted in Ol-Kalou, Etago, Madiany, Zombe, Port Victoria, Borabu, Kendu Bay, Wamunyu, Malaba, Matiliku, Usigu, Kasarani, Masinga, Manga, Tinderet, Kenol, Rumuruti, Garbatulla, Kabiyet, Marigat, Kikima and Kaptumo (Kobujoi).
- In an effort to enhance access and expeditious delivery of justice, the High Court conducted circuits in 11 stations namely Lodwar, Garsen, Voi, Kilgoris, Kwale, Vihiga, Kapsabet, Isiolo, Kapenguria, Eldama Ravine and Kabarnet; ELC conducted circuit courts in Nyeri and Garissa; ELRC undertook circuit courts in Bungoma, Malindi, Meru, Kericho and Machakos.

- Four (4) Tribunals namely BPRT, RRT, Co-operative and MSET conducted 32 circuits in Mombasa, Kisumu, Nakuru, Kisii, Kakamega, Eldoret, Meru, Embu, Nyeri, Garissa, and Lamu through which 1169 cases were heard and determined.
- Physical access to courts was improved through completion of High Court buildings in Garissa, Kajiado, Kakamega, Nakuru, Nanyuki and Siaya as well as Isiolo Magistrate court.
- The Judiciary sought to increase awareness, knowledge, and improve public confidence in the institution by using various communication strategies to disseminate information and engage the public on matters related to the institution. Public education campaigns on social media and mainstream media were held on various topics including automation, mediation and other alternative dispute resolution mechanisms. Several IEC materials were developed and distributed to the public. Courts adopted posting of cause lists online to ease access to the court users.
- Use of ICT initiatives was adopted towards enhancing efficiency, effectiveness and timeliness in service delivery. All Courts and Tribunals adopted virtual hearing of proceedings where links were shared with the court users. A web-based E-filing system was rolled out in all the courts and Tribunals in Nairobi County. Through the e-filing portal, 67,299 cases and 16,980 applications under certificate of urgency were filed.
- In addition, the implementation of Court Recording and Transcription System (CRTS) in selected courts helped hasten production of transcripts.
- The Judiciary in collaboration with the Ministry of ICT and other partnerships entered into Memorandum of Understanding to digitize active files in three counties namely; Nairobi, Mombasa and Kisumu to connect courts to National Optic Fibre Backbone (NOFBI).
- Improvements in ICT infrastructure were made with acquisition of more than 2,300 assorted ICT equipment and connectivity to internet for court stations and tribunals.
- General administration was strengthened through development of a number of key policy documents. These included the Supreme Court Strategic Plan, Court of Appeal Strategic Plan, ELRC Strategic plan, HIV/AIDS Tribunal Strategic Plan, and Affirmative Action & Diversity Policy. Seven (7) tribunals namely; MSET, CAMAT, HAT, BPRT, RRT, EAT, and Copyright Tribunal developed service charters.

- Various interventions to ensure transparency, accountability, integrity and enhance organizational performance were undertaken as follows:
 - ✓ All the 285 implementing units comprising courts, tribunals, registries, directorates and other administrative units were put on performance contracting framework.
 - ✓ The office of the Judiciary Ombudsman cumulatively received 1,829 complaints. There were 281 matters brought forward from the previous year bringing a cumulative total of 2,110. Out of these, 1,596 cases were processed and closed successfully representing 76% clearance.
 - ✓ During the period, 39 disciplinary cases were recorded, out of which 29 (74%) were concluded.
- In operationalizing the Organization Review Report (2018), the Judiciary collated staff skills inventory and conducted staff mapping exercise. Further, recruitment of 191 staff were recruited while 180 were promoted. To enhance staff skills and competence for better performance, 15% of staff underwent various capacity building programmes.
- In fostering collaboration and coordination in the justice sector, five NCAJ committees namely CUC Working group, Traffic Reforms Working Group, Anti-Illicit Working Committee, the National Committee on Criminal Justice Reforms, and the Anti-Corruption Working Group were reconstituted. This was aimed at enhancing coordination among all agencies within the justice system and improvement of interaction of the stakeholders at the local and regional level.
- The NCAJ also developed Draft Amendment Bills to the Criminal Procedure Code and the Penal Code to address gaps identified in the law and align both statutes with provisions of the Constitution. Other policy guidelines that were developed include Curriculum for Child Protection Officers, Diversion Regulations for Children Matters, Guidelines for Child Protection Units Standard Operating Procedures, Policy on Mandatory continuous professional development program, revision of the training curricula on children, policies on re-integration of children accompanying imprisoned mothers, Guidelines for children with special needs, the National Policy on Criminal Justice in Kenya; Law and Practice Guidelines on Arrest and Conditions of Pre-trial Detention; Law and Practice Guidelines on the Management of the Petty Offenders; Status of Persons with Mental Illness in the Criminal Justice System; Status of Intersex

Persons in the Criminal Justice System; and the Baseline Survey on State Regulated Offences.

- Improvements in financial management and controls were achieved through the following initiatives:
 - All spending units prepared their annual work plans and linked them to the Strategic Plan. Public hearing forums on Judiciary budget were held in Nairobi, Mombasa, Kisumu, Nakuru and Nyeri.
 - The JFMIS was integrated with the CTS which fully automated all the processes from court fees assessment to receipting including adoption of electronic receipts across all the court stations. At the end of the FY 2020/21, a total of Ksh 2.43 billion (from fees and fines) was collected marking a 7% increment in revenue from the FY 2019/20.
 - A total of 53 internal audits were carried out and recommendations made to streamline internal controls, reduce risks and improve compliance with regulations, policies and procedures.

Specific targets, indicators and actual achievements for the FY 2019/20 and FY 2020/21 are summarized in Table 2.1.

Table 2.1 : Analysis of Programme Targets and Actual Targets

Key Output	Key Performance Indicator (KPI)	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
Programme: Access to justice								
Increased access to courts through construction of new court buildings	No. of new Court of Appeal constructions initiated	-	2	1	-	0	1	
	No. of new High Courts construction initiated	-	3	3	-	0	3	
Increased access to courts through completion of ongoing courts	Ongoing Court of Appeal completed	-	1	1	-	0	0	Budget cuts
	No. of Ongoing High Courts completed (GOK)	7	15	8	0	3	0	
	Ongoing High Court completed (JPIP)	-	11	9	-	2	6	Poor performance by contractors
	No. of Ongoing Magistrates' courts completed	6	1	13	2	4	0	Budget cuts
	No. of Ongoing Magistrates' courts completed (JPIP)	-	16	8	-	8	1	Poor performance by contractors
Improved timeliness in delivery of service through rehabilitations	No. of Courts of Appeal rehabilitated/ Refurbished	-	3	1	-	2	1	
	No. of High courts rehabilitated	5	8	3	15	15	1	GOK Budget cuts
	No. of Magistrates' courts rehabilitated	2	25	13	42	13	11	JPIP small refurbishments e.g. water Tanks & solar
	No. of Tribunal Offices rehabilitated	-	1	4	-	3	1	Tribunals were relocated to Forodha House
Alternative reliable power supply installed	No. of stations with solar system	-	0	34	-	0	0	Lack of funding

Key Output	Key Performance Indicator (KPI)	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
Increased access to courts through establishment of additional courts	No. of new Court of Appeal stations established	-	0	1	-	0	0	Delayed gazettelement of judges
	No. of new High Courts Stations established	-	2	4	-	0	2	Budget cuts
	No. of ELRC stations established	-	2	7	-	0	0	Delayed gazettelement of judges
	No. of ELC established	-	10	9	-	0	0	
	No. of new Magistrates' courts established	-	3	15	-	2	22	
Increased access to justice through establishment of new Sub registries	No. of CoA sub-registries established	-	0	3	-	0	5	
	No. of new HC sub-registries established	-	1	1	-	1	4	
	No. of new ELRC sub-registries established	-	3	3	-	0	4	
	No. of ELC sub-registries established	-	2	2	-	0	3	
Expeditious delivery of Justice	No. of Court of Appeal stations circuits conducted	-	4	4	-	4	4	
	No. of High Courts station circuits held		12	7		12	7	
	No. of ELC stations circuits held		2	3		2	3	
	No. of ELRC stations circuits held		4	4		4	4	
	No. of Tribunals circuits held		3	3		3	3	Budget cuts and Covid 19 Pandemic slowdown
Magistrates' Mobile Courts established	No. of new mobile courts established	5	6	4	4	6	0	
Reviewed Election petition rules	No. of Reviewed election petition rules	-	0	0	-	0	1	
Reviewed registry manual	No. of Reviewed registry manual	-	0	0	-	0	1	COA developed its

Key Output	Key Performance Indicator (KPI)	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
								manual
Mediation registries established	No. of mediation registries established	-	30	24	-	14	5	Budget cuts and Covid 19 pandemic
Capacity building for accredited mediators	No. of mediators trained	-	-	150	-	-	164	
Revised court fees	Revised court fees schedule	-	1	1	-	0	1	
Judges, Magistrates and Kadhis recruited	No. of COA Judges recruited	-	11	0	-	11	7	
	No. of HC Judges recruited	-	50	50	-	0	0	Process ongoing
	No. of ELC Judges recruited	-	20	10	-	20	18	
	No. of ELRC Judges recruited	-	10	0	-	10	10	
	No. of magistrates recruited	-	140	100	-	0	0	Process ongoing
	No. of Kadhis recruited	-	0	15	-	0	0	Process ongoing
Timeliness delivery of justice	No. of courtrooms with Transcription solution	31	32	157	3	6	26	Budget cuts
Operationalized SCCs	No. of designated small claims courts	-	-	5	-	-	1	Process ongoing
Strengthened technical capacity of NCAJ to engage stakeholders	Reconstituted taskforces and standing committees	-	4	4	-	1	5	
Published court decisions	% of court decisions published	-	-	100%	-	-	100%	
Streamlined operations of Library and Information Resource Centers	No. of libraries established in court stations	-	7	5	-	0	0	Budget cuts
	No. of libraries equipped	-	4	5	-	22	18	
Information resource materials provided	No. of online portals subscriptions	-	3	3	-	2	2	Budget cuts

Key Output	Key Performance Indicator (KPI)	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
Establish optimal staffing levels	Number of Staff recruited (including for tribunals)	-	560	560	-	87	191	Budget cuts
	Report on staff rationalization across courts Directorates and Tribunals	-	-	1	-	-	1	
Adequate number of vehicles procured	Number of vehicles procured	-	22	38	-	23	39	
ICT systems hosted in cloud server	No of ICT systems hosted in cloud server	-	0	10	-	5	6	Budget cuts
Court stations with WAN	No. of court stations with WAN	-	25	21	-	12	0	
Disaster recovery policy developed	Disaster recovery policy	-	0	1	-	0	0	
Disaster recovery sites established	No. of Disaster recovery sites	-	0	1	-	1	0	
Primary and Secondary Data centres upgraded	Primary and Secondary Data centres upgraded	-	0	1	-	0	1	
Court and tribunal registry manuals developed/reviewed	No. of registry manuals	-	0	2	-	0	3	
Case Tracking System (CTS) enhanced to integrate new modules	e-Assessment, module	-	0	1	-	1	1	
	e-Payment module	-	0	1	-	1	1	
Staff correspondents trained	No. of staff correspondents trained	-	34	33	-	0	60	Virtual sessions
Media fora organised	No of media fora organised	-	2	2	-	3	3	Virtual sessions
Court Reporters Trained	No. of Court Reporters	-	40	40	-	60	80	Virtual sessions
Judiciary Fund Operationalised	Implementation of Fund regulations report	-	1	1	-	1	0	Delay in opening of the fund account

Key Output	Key Performance Indicator (KPI)	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
Internal Audit System in Developed	Internal Audit System in place	-	1	1	-	0	0	Non-responsive bids
Staff correspondents trained	No. of staff correspondents trained	-	34	33	-	0	60	Virtual sessions
Media fora organised	No of media fora organised	-	2	2	-	3	3	Virtual sessions

2.2. Expenditure Analysis (2018/19 – 2020/21)

The Judiciary budget allocations in FY 2018/19 was KSh16.095 billion which increased by 5% to KSh16.963 billion in FY 2019/20 and rose by 1% to KSh17,133 billion in FY 2020/21. The absorption rate was at 95% in FY 2018/19, which improved to 97% in 2019/20 but reduced to 93% in FY 2020/21.

2.2.1 Analysis of Recurrent Expenditure

The recurrent budget allocation increased by 5% in FY 2019/20 and by 6% in FY 2020/21. The share of compensation to employees over the total recurrent budget increased from 59% in FY 2019/20 to 64% in FY 2020/21 which is attributed to the reclassification of Employer's contribution to pension under personnel emolument economic classification. The share of other recurrent budget declined from 41% in FY 2019/20 to 36% in FY 2020/21. Breakdown of the recurrent expenditure by economic classification is shown in Table 2.2.

Table 2.2: Analysis by Category of Expenditure: Recurrent (KSh Million)

Vote & Vote Details	Economic Classification	Approved Budget			Actual Expenditure		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1261	Gross	13,086	13,797	14,575	12,856	13,762	14,377
	AIA	-					
	NET	13,086	13,797	14,575	12,856	13,762	14,377
	Compensation to Employees	7,600	8,162	9,402	7,600	8,162	9,398
	Transfers	593	-	-	542	-	
	Other Recurrent						
	Insurance	1,055	1,243	1,292	1,055	1,238	1,291
	Utilities	114	130	140	123	122	131
	Rent	19	86	76	22	71	69
	Others	3,704	4,175	3,665	3,515	4,169	3,489
Totals		13,086	13,797	14,575	12,856	13,762	14,377

There were no transfers in the year because all tribunals and NCAJ were classified as spending units under the Judiciary in FY 2019/20.

2.2.2 Analysis of Development Expenditure

The Judiciary's development budget constituted GOK and World Bank Funding. The development budget increased by 5% from KSh 3.009 billion in FY 2018/19 to KSh 3.166 billion in FY2019/20 then decreased by 19% in FY 2020/21 to Ksh 2.558 billion. The absorption rate attained under the development vote has been on a general decline from 81% in FY 2018/19, 79% in FY 2019/20 and 65% in FY 2020/21. There were no grants in the FY 2019/20 and analysis of the development expenditure by category is provided in Table 2.3.

Table 2.3 : Analysis by Category of Expenditure: Development (KSh Million)

Vote & Vote Details	Economic Classification	Approved Budget			Actual Expenditure		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1261	Gross	3,009	3,166	2,558	2,444	2,499	1,656
	GOK	151	971	292	124	796	294
	Loans	2,799	2,195	2,266	2,271	1,703	1,362
	Grants	59	-	-	49	-	-
	Local AIA	-	-	-	-	-	-
Totals		3,009	3,166	2,558	2,444	2,499	1,656

Figure 1 shows the trend of budget absorption rate.

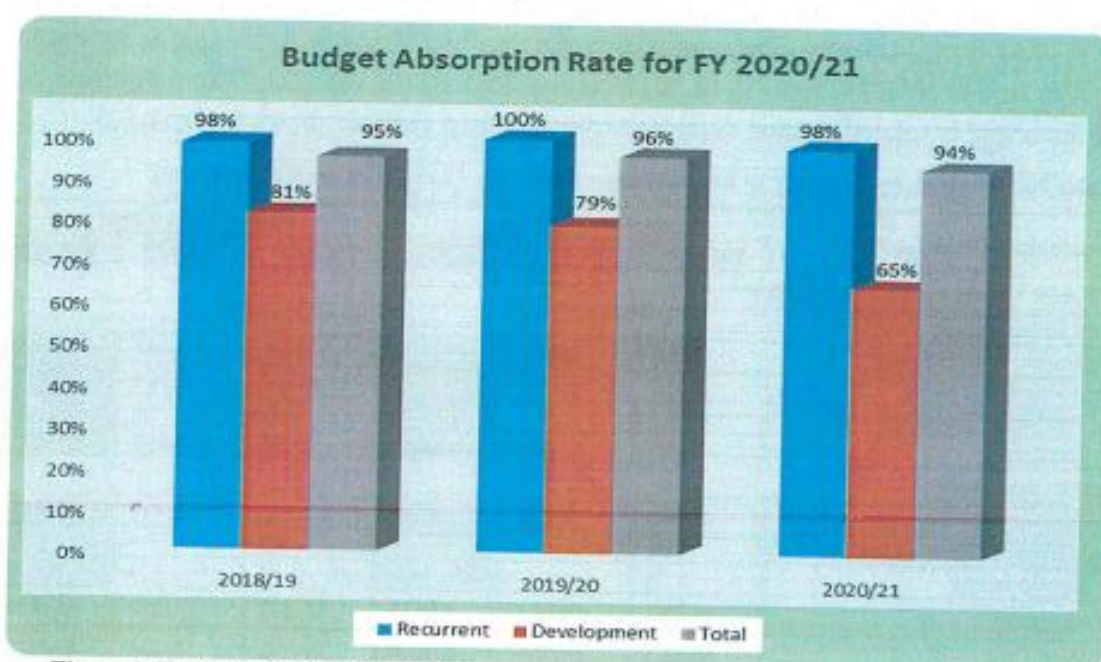


Figure 1: Trends in Budget Absorption

The overall absorption rate rose marginally from 95% in FY 2018/19 to 96% in FY 2019/20, followed by a decline to 93% in FY 2020/21. This could be attributed to the adverse effects of the pandemic which affected implementation of programmes, especially the development projects.

2.2.3 Analysis of Programme Expenditure

Judiciary programme is Dispensation of Justice and has two sub-programmes: Access to Justice; and General Administration, Planning and Support services. The sub-program on Access to Justice which covers the core mandate of the Judiciary received a larger share of budget at 70% in the three years under review. This is shown in Table 2.4.

Table 2.4 : Analysis by Category of Expenditure : Programmes (Ksh Million)

	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Programme: Dispensation of Justice	16,095	16,963	17,133	15,302	16,260	16,033
Sub-Prog. I: Access to Justice	11,266	11,874	11,993	10,711	11,382	11,223
Sub-Prog. II: Administration and Support Services	4,828	5,089	5,140	4,591	4,878	4,810
Total Programme	16,095	16,963	17,133	15,302	16,260	16,033

2.2.4 Analysis of Programme Expenditure by Economic Classification

Allocation for Compensation to Employees has been on an upward trend from 7.6 billion in FY 2018/19 to KSh 8.479 billion in FY 2019/20 and Ksh 9.402 billion in FY 2020/21. As a share of the total budget, this represented 47%, 53% and 58% for FY2018/19, FY2019/20 and FY 2020/21 respectively. The approved budget on use of goods and services increased from 21% in FY 2018/19, to 22% in 2019/20 and 26% in FY 2020/21. The proportion of Other Recurrent to total allocation decreased over the three years as shown in Table 2.5.

Table 2.5: Analysis by Category of Expenditure : Economic Classification (KSh Millions)

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Programme 1: Dispensation of Justice						
Current Expenditure						
Compensation to Employees	7,600	8,479	9,402	7,600	8,442	9,398
Use of goods & Services	3,037	3,598	4,114	2,980	3,514	3,951
Grants and Other Transfers	593	-	-	580	-	-
Other Recurrent	1,856	1,720	1,059	1,696	1,807	1,028
Capital Expenditure						
Acquisition of Non-Financial Assets	2,946	3,166	2,558	2,395	2,499	1,656
Capital Grants to Govt. Agencies	59	-	-	49	-	-
Other Development	4	-	-	2	-	-
Total Program	16,095	16,964	17,133	15,302	16,261	16,033
Total Vote 1261	16,095	16,964	17,133	15,302	16,261	16,033

Acquisition of No-financial Assets constituted the highest proportion of the Capital Expenditure for the period 2018/19 to 2020/21.

2.2.5 Analysis of Recurrent Budget for Semi-Autonomous Government Agencies (SAGAs)

Budget allocations for the Tribunals and the National Council on Administration of Justice (NCAJ) was under Transfers to SAGAs until FY 2018/2019. Since FY 2019/20, budget for Tribunals and NCAJ are classified under Operations and Maintenance (O&M) allocation. Table 2.6 shows the budget of KSh 593 million allocated to Tribunals and NCAJ in 2018/19.

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
National Council for Administration of Justice						
Gross	55	-	-	55	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	55	-	-	55	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	55	-	-	55	-	-
Other Recurrent	-	-	-	-	-	-
Education Appeal Tribunal						
Gross	9	-	-	9	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	9	-	-	9	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	9	-	-	9	-	-
Other Recurrent	-	-	-	-	-	-
Standards Tribunal						
Gross	15	-	-	15	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	15	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	15	-	-
Other Recurrent	-	-	-	-	-	-
Business Premises Tribunal						
Gross	37	-	-	37	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	37	-	-	37	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	37	-	-	37	-	-
Other Recurrent	-	-	-	-	-	-
Cooperative Tribunal						
Gross	52	-	-	51	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	52	-	-	51	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	52	-	-	51	-	-
Other Recurrent	-	-	-	-	-	-
Industrial Property Tribunal						
Gross	14	-	-	14	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	14	-	-	14	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	14	-	-	14	-	-
Other Recurrent	-	-	-	-	-	-
HIV and AIDs Tribunal						
Gross	47	-	-	46	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	47	-	-	46	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	47	-	-	46	-	-
Other Recurrent	-	-	-	-	-	-
National Environment Tribunal						
Gross	24	-	-	24	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	24	-	-	24	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	24	-	-	24	-	-
Other Recurrent	-	-	-	-	-	-
Rent Restrictions Tribunal						
Gross	31	-	-	30	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	31	-	-	30	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	31	-	-	30	-	-
Other Recurrent	-	-	-	-	-	-
Sports Disputes Tribunal						
Gross	18	-	-	17	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	18	-	-	17	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	18	-	-	17	-	-
Other Recurrent	-	-	-	-	-	-
Energy Tribunal						
Gross	10	-	-	9	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	10	-	-	9	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	-	-	-	-	-	-
Other Recurrent	-	-	-	-	-	-
Political Parties Disputes Tribunal						
Gross	25	-	-	25	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	25	-	-	25	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	25	-	-	25	-	-
Other Recurrent	-	-	-	-	-	-
Transport Appeals Licensing Board						
Gross	74	-	-	74	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	74	-	-	74	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	74	-	-	74	-	-
Other Recurrent	-	-	-	-	-	-
Competent Authority						
Gross	11	-	-	10	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	11	-	-	10	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	11	-	-	10	-	-
Other Recurrent	-	-	-	-	-	-
Legal Education Appeals Tribunal						
Gross	11	-	-	11	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	11	-	-	11	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	11	-	-	11	-	-
Other Recurrent	-	-	-	-	-	-
Competition Authority						
Gross	30	-	-	30	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	30	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	30	-	-
Other Recurrent	-	-	-	-	-	-
PPP Petition Committee						
Gross	30	-	-	29	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	29	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	29	-	-
Other Recurrent	-	-	-	-	-	-
State Corporations Appeals Tribunal						
Gross	40	-	-	39	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	40	-	-	39	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	40	-	-	39	-	-
Other Recurrent	-	-	-	-	-	-
National Civil Aviation Appeals Tribunal						
Gross	15	-	-	15	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	15	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	15	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Other Recurrent	-	-	-	-	-	-
Micro and Small Enterprises Tribunal						
Gross	30	-	-	28	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	28	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	28	-	-
Other Recurrent	-	-	-	-	-	-
Communication and Multimedia Appeals Tribunal						
Gross	15	-	-	14	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	14	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	14	-	-
Other Recurrent	-	-	-	-	-	-
Total Vote	593	-	-	580	-	-

2.3. Analysis of Capital Projects by Programme

The Judiciary has been implementing capital projects including constructions, rehabilitations and refurbishments of court buildings and Tribunal premises. Most of the GOK funded projects have however stalled at different stages of implementation due to severe budget cuts and/or lack of allocation.

Table 2.6 : Analysis of Performance of Capital Projects FY 2018/19 – 2020/21 (KSh Million)

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	
1	Refurbishment of Supreme court	21.54		21.54	04/04/2017	10/04/2017	26.5	21.54	100%	30.94	21.54	100%		0.0	0.0	100%	Renovation of SC Judges' chambers and repainting of walls for the Supreme Court Building		
2	Refurbishment of Kiambu law courts	7.51		7.51	5/31/2017	01/08/2018	0	3.71	100%	0.8	3.71	100%		0.0	0.0	100%	Second certificate and Final Account outstanding due to budget cut.		
3	Construction of Hamisi Law Courts	55.2		55.2	12/04/2015	11/03/2015	0	54.91	100%	0	54.91	100%		0.0	0.0	100%	Phase I complete		
4	Construction of Nkubu Law Courts	85.96		85.96	01/12/2015	12/30/2016	0	83.05	100%	0	83.05	100%		0.0	0.0	100%	Phase I of the Project Complete.		
5	Prefabrication of Garsen Law	99.96		99.96	1/23/2013	5/31/2016	0	90.24	100%	9.72	90.24	100%		0.0	0.0	100%	Project complete		

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Completed expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Completed expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Completed expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	
	Courts																		
6	Refurbishment of Mombasa Court of Appeal	51.79		51.79	11/18/2014	3/18/2015	0	48.85	100%	0	48.85	100%		0.0	0.0	100%	Final Account outstanding due to budget cuts		
7	Refurbishment of Kitale Law Courts	13.66		13.66	5/28/2015	11/30/2015	0	13.66	100%	0	13.66	100%		0.0	0.0	100%	Complete		
8	Refurbishment of Mombasa Law Courts	12.79		12.79	6/13/2015	04/08/2016	0	11.33	100%	0	11.33	100%		0.0	0.0	100%	Complete		
9	Refurbishment of Siaya Law Courts	9.72		9.72	11/03/2015	05/03/2016	9.72	9.72	100%	9.72	9.72	100%		0.0	0.0	100%	Complete		
10	Refurbishment of Competitions Tribunal	4.69		4.69	7/23/2017	9/23/2017	4.69	4.69	100%	0	4.69	100%		0.0	0.0	100%	Complete		
11	Refurbishment of Standards Tribunal	1.3		1.3	7/24/2017	9/24/2017	1.3	1.3	100%	0	1.3	100%		0.0	0.0	100%	Complete		
12	Construction of Iken Law Courts	10.66		10.66	5/19/2015	11/03/2020	0	8.98	100%	1.26	10.66	100%		0.0	0.0	100%	Complete		
13	Construction of Embu Law Courts	229.33		229.33	1/15/2015	30/06/2021	0	202	98%	48.1	219.4	98%		0.0	0.0	98%	Final Account outstanding awaiting directions		

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
14	Prefabrication of Bomet Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	50.34	95%	0	55.06	98%		0.0	0.0	98%	on-going		
15	Prefabrication of Ruvyenjes Law Courts	99.96		99.96	1/23/2013	30/06/2021	0	60.14	95%	37.6	87.64	95%		0.0	0.0	95%	on-going		
16	Refurbishment of Nyeri Court Of Appeal	18.48		18.48	4/17/2014	30/06/2021	0	14.3	95%	4.1	14.3	95%		0.0	0.0	95%	on-going		
17	Construction of Mandera Law Courts	107.03		107.03	5/19/2015	30/06/2021	0	90.17	94%	9.27	99.02	94%		0.0	0.0	94%	on-going		
18	Construction of Port Victoria Law Courts	46.53		46.53	02/12/2015	30/06/2021	0	43.02	93%	0	43.02	93%		0.0	0.0	93%	on-going		
19	Construction of Eldama Ravine Law Courts	81.88		81.88	02/04/2015	28/02/2020	0	69.58	90%	12.3	69.58	90%		0.0	0.0	90%	on-going		
20	Refurbishment of Eldoret Law Courts	38.1		38.1	2/23/2015	28/02/2020	0	30.68	90%	7.4	38.1	100%		2.1	2.1	100%	Complete		
21	Prefabrication of Othaya Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	53.05	90%	2.4	53.05	90%		0.0	0.0	90%	on-going		
22	Prefabrication of Tawa Law Courts	99.96		99.96	1/23/2013	28/02/2020	0	60.14	90%	21.9	87.8	90%		0.0	0.0	90%	on-going		

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOR	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Completive expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Completive expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Completive expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
23	Construction of Meru High Court	637.5		637.5	01/07/2020	30/06/2024	0				0				3.2	2.5	0%	Prefeasibility Costs	
24	Construction of Eldoret High Court	560.8		560.8	01/07/2020	30/06/2024	0				0				0.2	2.2	0%	Prefeasibility Costs	
25	Construction of Butali Law Courts	39.36		32.69	03/09/2015	30/12/2019	0	22.16	90%	0	32.13	92%		3.4	3.4	95%	on-going		
26	Construction of Narok Law Courts-Phase II	86.5		86.5	10/25/2015	28/02/2020	6	21.17	80%	10.7	38.75	85%		0.0	0.0	85%	on-going		
27	Prefabrication of Marimani Law Courts	81.66		81.66	1/15/2013	28/02/2020	0	44.35	80%	0	44.35	80%		0.0	0.0	80%	on-going - Works to be repackaged		
28	Refurbishment of Machakos Law Courts	34.08		34.08	5/18/2017	30/06/2021	0	20.28	60%	18.05	20.28	60%		0.0	0.0	67%	on-going		
29	Construction of Marsabit Judges Residence	10.89		10.89	05/02/2017	30/06/2021	0	5.02	75%	5.87	5.02	75%		0.0	0.0	75%	on-going- Phase II works to be added		
30	Prefabrication of Wanguru Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	42.61	70%	0	42.61	70%		0.0	0.0	70%	on-going		
31	Refurbishment of Muranga Law Courts	62.09		62.09	5/19/2015	28/02/2020	0	39.36	65%	14.8	39.36	79%		0.0	0.0	79%	on-going		

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Completed expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Completed expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Completed expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	
32	Refurbishment of Keratina Law Courts	6.91		6.91	05/04/2017	28/02/2020	0	2.57	65%		4.3	4.17	68%		0.0	0.0	68%	on-going	
33	Refurbishment of Makadara Law Courts	9.9		9.9	7/23/2017	23/06/2020	0	4.89	60%		5.01	4.89	60%		0.0	0.0	60%	on-going	
34	Construction of Mbita Law Courts	148.33		148.33	3/15/2017	30/06/2020	0	22.55	52%		34.92	60.61	57%		8.2	8.2	65%	on-going at slow phase due to delayed payments as a result of budget cuts	
35	Construction of Githongo Law Courts	130.9		130.9	05/04/2017	30/06/2020	0	15.9	44%		40.23	70.93	45%		16.7	16.7	56%	on-going at slow phase due to delayed payments as a result of budget cuts	
36	Construction of Kandara Law Courts	137.82		137.82	03/04/2017	28/02/2020	0	16.15	36%		10	28.71	38%		0.0	0.0	38%	on-going	
37	Construction of Homabay Law Courts	367.31		367.31	3/13/2017	30/07/2020	0	26.29	52%		74.4	123.8	32%		22.8	22.8	32%	on-going	
38	Construction of Marsabit Law Courts	370.22		370.22	3/17/2017	15/09/2020	0	30.07	32%		95.9	163.98	35%		0.0	0.0	45%	on-going	
39	Construction of Amagoro Law Courts	137.99		137.99	3/13/2017	30/06/2021	0	19.71	16%		27.31	37.94	21%		20.7	20.7	24%	on-going	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Completive expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Completive expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Completive expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
40	Construction of Kabarnet Law Courts	366.8		366.8	3/17/2017	30/06/2021	0	21.16	15%		49.29	52.08	15%		25.0	25.0	18%	on-going	
41	Construction of Lodwar High Court	814.89		814.89	30/9/2013	20/4/2015	0	101.29	15%		0	101.29	15%		0.0	0.0	15%	Abandoned	
42	Construction of Bomet Law Courts	688.8		688.8	05/10/2013	05/01/2015	0	62.09	10%		0	62.09	10%		0.0	0.0	10%	Abandoned	
43	Construction of Habaswein Law Courts	143.19			9/28/2017	15/09/2020	0	10.03	10%		0	10.03	10%		0.0	0.0	10%	Stalled	
44	Refurbishment of Foredha house	157.4		157.4	25/04/2019	30/06/2021	52	26	18%		83.5	113.63	80%		0.0	0.0	80%	ongoing	
45	Construction of Toilets in Baricho, Migori, Webuye, Kangundo, Mwingi, Kithimani, Kwale and Ngong	19.2		19.2	Various	Various	0	0			19.2	19.2	100%					Completed	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GoK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
46	Removal of Asbestos in Ukwala, Mtaa, Nanyuki, Kapsabet, Wina m, Kisii, Kwale and Kikuyu	29.67		29.67	Various	Various	0	0				29.67	29.67	100%					Completed
47	Purchase of ICT Networking and Communication Equipment	97.62		97.62								97.62	97.62	100%	45.0			75%	Completed
48	Datacenter maintenance and Upgrade	23.30		23.30								23.30	23.30	78%	12.5			50%	On-going
49	Purchase of ICT Networking and Communication Equipment (Kisumu LAN)	12,019,238		12,019,238								12,019,238	12,020,333	0.33	83.4	12.5		0.75	On-going
50	Installation of Video Conferencing System	23,228,006		23,228,006								23,228,006	23,230,000	1.00	79.0			1.00	On-going

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Commitive expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Commitive expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Commitive expenditure as at 30th June 2021	Completion status as at 30th June 2021	Remarks
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	
51	Supply, Delivery, Configuration, Testing, Training, Commissioning and Maintenance of Court Recording equipment.	30		30											30.0	0.0		On-going	
52	Supply, Delivery, Configuration, Testing, Training, Commissioning and Maintenance of Network and Security solution	252.5		252.5											252.5	0.20		On-going	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	Remarks
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M	Ksh. M (%)			
53	Supply, Delivery, Configuration, Testing, Training, Commissioning of court recording and transcription equipment-AUDIO VISUAL INTEGRATOR	26.6		26.6											26.6			On-going	
54	Subscription to Video Conferencing Application	15		15											15.0	15	1.00	Completed	
55	Supply, Installation, Testing and Commissioning of Cloud Servers under Framework Contract	2.2		2.2											2.2	2.2	0.01	On-going	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
56	Supply, Delivery, Configuration, Testing, Training, Commissioning, and Maintenance of Server Virtualization and Storage Solution	509.6		509.6												509.6	0	0.45	On-going
57	Construction of Nakuru Law Courts	347.77	347.77		2/18/2016	30/12/2019	50		319.14	92%	50		319.14	97%	25.8		25.8	100%	Completed and occupied
58	Construction of Chuka Law Courts	96.88	96.88		06/05/2015	30/12/2019	5		93.86	90%	5		93.86	96%	4.9		4.9	100%	Complete
59	Construction of Nyamira Law Courts	118.31	118.31		6/18/2015	30/12/2019	0		106.75	98%	0		112.99	100%	5.9		5.9	100%	Complete
60	Drilling of 13 boreholes	56.79	56.79		5/22/2018	30/12/2019	56		22.62	85%	56		22.62	85%	0.0		0.0	85%	on-going
61	Construction of Kigumo Law Courts	94.16	94.16		6/29/2015	30/12/2019	2		94.16	100%	2		94.16	100%	0.0		0.0	100%	Complete
62	Construction of Nyando Law Courts	74.83	74.83		09/04/2015	30/12/2019	0		74.83	100%	0		74.83	100%	0.0		0.0	100%	Complete

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
	Courts																		
63	Rehabilitation of Makindu Law Courts	96.86	96.86		03/08/2016	30/12/2019	0	90.24	100%	0		90.24	100%	4.8		4.8	100%	Complete	
64	Construction of Molo Law Courts	99.91	99.91		6/19/2015	30/12/2019	0	97.42	100%	0		97.42	100%	4.9		4.9	100%	Complete	
65	Construction of Oyugis Law Courts	109.73	109.73		6/29/2015	30/12/2019	0	108.94	100%	0		108.94	100%	12.1		12.1	100%	Complete	
66	Construction of Engineer Law Courts	78.62	78.62		06/08/2015	30/12/2019	4	77.61	98%	4		77.61	99%	8.7		8.7	100%	Pending Final Account	
67	Rehabilitation of Mshoroni Law Courts (Tamu)	74.88	74.88		09/06/2015	30/12/2019	2	73.27	97%	2		74.88	100%	3.7		3.7	100%	Complete	
68	Construction of Vihiga Law Courts	78.48	78.48		9/16/2015	30/12/2019	0	75.18	98%	0		78.48	100%	3.9		3.9	100%	Complete	
69	Construction of Garissa Law Courts	351.32	351.32		1/22/2016	30/12/2019	50	274.4	80%	50		274.4	80%	76.9		76.9	91%	on-going	
70	Construction of Nanyuki Law Courts	318.56	318.56		03/10/2016	30/12/2019	50	233.63	80%	50		283.67	98%	4.0		4.0	99%	on-going	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Committed expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Committed expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Committed expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
71	Construction of Siaya Law Courts	342.75	342.75		3/21/2016	30/12/2019	50		252.88	75%	50		286.66	85%	58.2		58.2	98%	Practically complete
72	Rehabilitation of Kibera Law Courts	137.65	137.65		4/13/2016	30/12/2019	40		101.92	75%	40		111.29	81%	4.7		4.7	86%	on-going
73	Rehabilitation of Kangema Law Courts (Phase II)	42.99	42.99		20/09/2017	30/12/2019	30		28.36	68%	30		36.27	95%	10.3		10.3	99%	Practically complete
74	Construction of Isiolo Law Courts	379.08	379.08		10/04/2017	28/02/2020	150		248.46	66%	150		332.29	90%	1.0		1.0	99%	Practically complete
75	Construction of Kakamega Law Courts	387.66	387.66		21/09/2017	28/02/2020	200		210.76	60%	200		308.41	95%	48.1		48.1	99%	Practically complete
76	Construction of Voi Law Courts	347.58	347.58		29/03/2017	28/02/2020	50		120.82	45%	50		271.24	81%	50.0			87%	on-going
77	Construction of Mombasa Law Courts	445.17	445.17		28/09/2017	28/02/2020	200		182.31	42%	200		241.39	65%	76.3		76.3	91%	on-going
78	Construction of Makeni Law Courts	410.1	410.1		25/09/2017	28/02/2020	100		119.13	41%	100		285.52	87%	22.8		22.8	98%	on-going
79	Construction of Kapenguria Law Courts	400.88	400.88		21/03/2017	28/02/2020	100		92.03	40%	100		202.96	75%	130.2		130.2	99%	Practically complete

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	
80	Construction of Kajjido Law Courts	398.41	398.41		15/03/2018	28/02/2020	150		112.08	40%	150		304.71	85%	32.1		32.1	99%	Practically complete
81	Construction of Mukurweini Law Courts	158.98	158.98		19/09/2017	28/02/2020	100		50.29	32%	100		70.68	60%	37.2		37.2	72%	on-going
82	Construction of Marsial Law Courts	378.75	378.75		23/03/2017	28/02/2020	100		99.66	33%	100		303.12	69%	33.5		33.5	86%	on-going
83	Registry shelving/container	87.52	87.52		10/24/2018	28/02/2020	50		18.5	23%	50		18.5	23%	0.0		0.0	23%	on-going
84	Construction of Wajir Law Courts	369.57	369.57		27/09/2017	28/02/2020	100		35.36	20%	100		130.04	40%	50.0		0.0	64%	on-going
85	Construction of Ol-Kalou Law Courts	399.32	399.32		18/09/2017	28/02/2020	100		48.44	18%	100		135.11	42%	65.0		65.0	68%	on-going
86	Construction of Kwale Law Courts	390	390		06/05/2017	28/02/2020	100		161.12	42%	100		301.9	80%	0.0		0.0	99%	Practically complete
TOTAL		14,688.81	7,073.51	7,225.44			200.00	58.00	5,203.22	50.93	200.00	365.10	7,525.64	61.89	775.01	3,160.04	908.11	64.23	

2.4. Review of Pending Bills

Total pending bills for the FY 2018/19 amounted to KSh 856 million, which decreased to KSh 789 million FY 2019/20 and Ksh 539 million in FY 2020/21. Most of these pending bills arose due to lack of exchequer to pay commitments except in the FY 2020/21 where most of the pending bills were as a result of lack of provision.²

The following measures will be taken to settle the pending bills: -

1. The pending bills will form the first charge on the respective items in the preceding FY.
2. The Judiciary will endeavour to plan and undertake procurement early in the FY.
3. For bills arising towards the end of the FY under existing contracts, the Judiciary will request the National Treasury for special consideration to process the bills in the IFMIS.

Table 2.7: : Summary of Pending Bills by Nature and Type (Ksh. Millions)

Type/Nature	Due to Lack of Exchequer			Due to Lack of Provision		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1. Recurrent	427	280	71	-	432	136
Compensation of Employees	-	-	-	-	235	-
Use of goods and Services	370	268	71	-	197	136
Social Benefits	-	-	-	-	-	-
Other Expenses	57	12	-	-	-	-
2. Development	31	77	125	398	-	208
Acquisition of Non-Financial Assets	31	77	125	398	-	208
Use of goods and Services	-	-	-	-	-	-
Others	-	-	-	-	-	-
Total Pending Bills	458	357	195	398	432	344

2.5. Analysis of Court Awards

Table 2.8 : Summary of Court Awards

	Details of the Award	Date of Award	Amount
1.	N.K. Brothers	21 st May 2018	545,593,963.84
2.	Land Mark Holdings	11 th March 2019	355,323,401.04
3.	Riley Security Services	26 th November 2017	52,842,964.70
4.	Jubilee Insurance Company	20 th January 2021	121,939,099.27
	Total		1,075,699,428.85

² This was occasioned by budget cuts during 1st Supplementary budget revision for FY 2020/21.

CHAPTER THREE

3. MEDIUM TERM PRIORITIES AND FINANCIAL PLAN FOR THE MTEF PERIOD 2022/23– 2024/25

3.1. Prioritization of Programmes and Sub-Programmes

This chapter provides information on medium term priorities and financial plan for the MTEF period 2022/23 – 2024/25. The programmes, projects and activities that aid the realization of Judiciary mandate have been grouped under one major programme, the dispensation of justice. They are further grouped into two sub-programmes namely; Access to Justice and General Administration, Planning and Support Services.

3.1.1 Programmes and their Objectives

The Judiciary will continue to prioritize the dispensation of justice programme, and the two sub-programmes during the MTEF period 2022/23 – 2024/25. The dispensation of justice programme aids in realization of the Judiciary’s constitutional mandate articulated in Article 159. In Article 159, the Judiciary is mandated to, *inter alia*; expeditiously dispense justice to all irrespective of status, promote alternative disputes resolution mechanisms, administer justice without undue regard to procedural technicalities and, protect and promote the purpose and principles of the Constitution.

3.1.2 Programmes, Sub-Programmes, Expected Outcomes, Outputs and Key Performance Indicators (KPIs) for the Judiciary

The dispensation of justice programme comprises two sub-programmes. The first sub-programme is Access to Justice whose expected outcome is enhanced delivery of justice covering functional, physical and procedural facilitation. The second sub-programme is the General Administration, Planning and Support Services whose expected outcome is enhanced efficiency and effectiveness in provision of administrative and support services.

Under the two broad sub-programmes, other specific interventions and initiatives exist, with diverse outputs, are consequently prioritized for implementation by different delivery units of the Judiciary. The priority areas for implementation under the detailed sub-programmes are primarily drawn from the Key Result Areas (KRAs) spelt elucidated in the Judiciary Strategic Plan (SP) 2019-2023, and the STAJ.

Table 3.1 provides detailed information on the two broad sub-programmes and their outcomes, outputs for the specific priority areas spearheaded by Judiciary implementing units for the MTEF period 2022/23 – 2024/25. This further includes the respective key performance indicators (KPIs) for the expected outputs. The targets and actual achievements for the FY 2020/21 have also been included and used as a baseline for identifying planned outputs for the outer years.

Table 3.1: Programme/Sub-Programmes, Outcome, Outputs and Key Performance Indicators

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target		
		2020/ 21	2020/21	2021/ 22	2022/ 23	2023/24	2024/25
Programme : Dispensation of Justice							
Sub- programme 1 : Access to Justice							
Judicial Services	Case clearance rate - %	100	83	88	93	98	103
	Reduction of case backlog aged 3 years and above - %	-	10	10	10	15	15
	% age of taxations of legal bills within 60 days	-	-	-	0.75	0.8	0.85
	No. of Days taken to resolve election cases	-	-	180 ³	180	180	180
	No. of COA stations with Circuits	3	3	2	2	2	2
	No. of High Courts with Circuits	7	7	7	6	5	5
	No. of ELC stations with Circuits	1	1	1	1	1	2
	No. of ELRC stations with Circuits	4	4	4	4	4	4
	No. of Tribunals with circuits	3	3	3	5	5	5
	No. of mobile courts held	6	60	60	60	60	60
	No. of mediation registries established	24	5	10	15	25	25
	Mediation settlement rate - %	-	0.62	0.65	0.7	0.75	0.8
	No. of new mediators accredited	-	126	100	100	100	100
	No. of mediators trained	150	164	150	150	150	150
Judicial Services	No. of new High Courts Stations	4	2	0	4	0	0
	No. of ELRC stations	7	0	2	2	3	3
	No. of ELC stations	9	0	2	2	1	5
	No. of new Magistrates' courts	15	22	3	3	3	3
	No. of new Kadhis' courts stations	0	0	1	1	1	1
	No. of Mobile Courts Established	4	0	4	3	3	3
	No. of new HC sub-registries	1	4	1	2	2	0

³ Except for the presidential election petition at Supreme Court which is pegged at 14 days

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target		
		2020/ 21	2020/21	2021/ 22	2022/ 23	2023/24	2024/25
Programme : Dispensation of Justice							
	No. of new ELRC sub-registries	3	4	2	-	3	-
	No. of ELC sub-registries	2	3	-	2	2	2
	No. of tribunals sub-registries	-	3	-	4	4	4
	No. of small claims courts established	5	1	10	20	30	50
	No. of HC Judges and PJs Hand books, and practice directions	-	-	2	0	0	0
Simplified Court Processes	No. of HC <i>pro-se</i> litigants manual	0	0	0	0	1	0
	Reviewed HC registry manual	0	0	0	0	1	0
	No. of HC guidelines on handling children cases	0	0	0	0	0	1
	Reviewed ELC Registry manual	-	-	0	1	0	0
	ELRC procedure rules	-	-	0	1	0	-
	Reviewed ELRC Registry manual	-	-	0	1	0	0
	Mobile courts policy	-	-	0	1	0	0
Court Facilities	No. of ongoing High Courts completed (GOK)	8	0	2	1	0	0
	On-going high court completed (JPIP)	9	6	7	0	4	4
	No. of ongoing Magistrates' courts completed (GOK)	13	0	7	4	3	0
	No. of ongoing Magistrates' courts completed (JPIP)	8	1	7	0	0	0
	No. of residential units for judges constructed	0	-	2	1 ⁴	0	0
	No. of Courts of Appeal rehabilitated/ Refurbished	1	1	-	1	-	-
	No. of High courts rehabilitated	3	1	4	1	0	0
No. of Magistrates' courts rehabilitated	13	11	3	0	0	0	
Sub-Programme 2: General Administration, Planning and Support Services							
Administration Services	Number of vehicles procured	38	99	8	60	60	60
	Number of publicity products disseminated	-	-	20	30	30	30
	Performance Measurements Report Published	1	1	1	1	1	1

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target		
		2020/ 21	2020/21	2021/ 22	2022/ 23	2023/24	2024/25
Programme : Dispensation of Justice							
	Status of the Judiciary Report Published	1	1	1	1	1	1
	Number of Financial & Procurement Manual Reviewed	0	0	0	3	0	0
	No. of Annual Caseload Statistics Reports Produced	1	1	1	1	1	1
ICT Services	Court stations with e-filing - %	1	0.01	0.07	0.15	0.5	1
	Courts with digitized records - %	-	-	0.15	0.5	1	1
	No. of courtrooms with transcription solution	157	26	157	157	157	157
	Ratio of computers to employees	-	4.1	0.13	0.13	0.08	0.08

3.1.3 Programmes by Order of Ranking

The Judiciary implements only one programme namely; "Dispensation of Justice".

3.1.4 Resource Allocation Criteria

Resources allocation in the Judiciary is guided by prioritisation of activities aimed at implementation of the core mandate. Allocation for non-discretionary expenditure including Personnel Emoluments and contractual obligations are prioritised.

3.2. Analysis of Resource Requirement versus Allocation

The Judiciary's budget allocation for FY 2021/22 is **KSh 17.33 Billion** of which KSh 15.00 Billion was for the recurrent vote and at **KSh 2.33 Billion** for the development vote. The total resource requirement for FY 2022/23 stands at **KSh 39.56 Billion**. KSh 32.57 Billion is the requirement for recurrent while **KSh 6.96 Billion** is the requirement for Development vote. The proposed budget estimate allocated under the Draft Budget Policy Statement (BPS) 2022 for the FY 2022/23 is **KSh 18.297 B** constituting of **KSh 16.297 and KSh 2 B** for recurrent and development votes respectively.

3.2.1 Recurrent and Development

Table 3.2 shows the analysis of recurrent resource requirements for FY 2022/23 by economic classification. For the outer years, the same has been grown by 3% to cater for normal promotions and salary review for magistrates and staff.

The increase in recurrent is to cater for among others: Clearance of case backlog; Establishment of new courts; Automation of court processes; Facilitation of special benches and circuits, mobile courts; Purchase of motor vehicles for judges and court stations; Recruitment of judicial officers and staff; and Operational & maintenance (O&M) cost.

Table 3.2: Analysis of Recurrent Resource Requirement versus allocation (Amount KSh Million)

VOTE R 1261	2021/22 Estimates	REQUIREMENT			ALLOCATION		
		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Gross	15,003	32,594	33,572	34,579	16,297	16,261	17,513
AIA	-	-	-	-	-	-	-
NET	15,003	32,594	33,572	34,579	16,297	16,261	17,513
Compensation of Employees	9,881	16,443	16,937	17,445	10,942	11,489	12,063
Transfers	-	-	-	-	-	-	-
Other Recurrent	5,122	16,151	16,635	17,134	5,356	4,772	5,450
Sub-Total	15,003	32,594	33,572	34,579	16,297	16,261	17,513

Resource requirement for the development vote for FY 2022/23 stands at KSh 6.96 Billion as shown in *Table 3.3* This amount is required for the completion of ongoing capital projects.

Table 3.3: Analysis of Development Resource Requirement versus allocation (KSh Million)

VOTE D 1261	2021/22 Estimates	REQUIREMENT			ALLOCATION		
		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Gross	2,333	6,961	7,170	7,385	2,000	3,200	4,200
GOK	1,595	6,961	7,170	7,385	2,000	3,200	4,200
Loans	738	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-
Loan/AIA	-	-	-	-	-	-	-
Sub-Total	2,333	6,961	7,170	7,385	2,000	3,200	4,200

3.3. Analysis of Programmes and Sub-Programmes (Current and capital) Resource Requirements and Allocations

Table 3.3.1 describes the resource requirements for the Judiciary during the MTEF period. The access to justice sub-program, which encompasses development of court infrastructure and automation, takes 70% of the projected resource requirement.

Table 3.3.1: Analysis of Programme/Sub-Programme (Current and Capital) Resource Requirement (Ksh. Million)

	2021/22 Estimates			2022/23			2023/24			2024/25		
	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total
Dispensation of Justice	15,003	2,333	17,336	32,594	6,961	39,555	33,572	7,170	40,742	34,579	7,385	41,964
Access to Justice	10,502	1,633	12,135	22,816	4,873	27,688	23,500	5,019	28,519	24,205	5,169	29,375
Administration & Support Services	4,501	700	5,201	9,778	2,088	11,866	10,072	2,151	12,222	10,374	2,215	12,589
TOTAL PROGRAMME	15,003	2,333	17,336	32,594	6,961	39,555	33,572	7,170	40,742	34,579	7,385	41,964
TOTAL VOTE	15,003	2,333	17,336	32,594	6,961	39,555	33,572	7,170	40,742	34,579	7,385	41,964

Programmes and Sub-Programmes by Economic Classification

Compensation of employees and takes the largest share at 45% of resource requirements followed by use of goods and services at 45% due to the Judiciary's nature of operations which is largely service based. The remaining 10% of the resource requirements is shared among social benefits, other expenses and acquisition of non-financial assets. Detailed information on analysis of programme expenditure requirements versus allocation by economic classification is given in *Table 3.4*.

Table 3.4: : Analysis of Programme/Sub-Programme Resource Requirement (KSh Million)

Expenditure Classification	Approved Budget 2021/22	Resource Requirement			Resource Allocation		
		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
DISPENSATION OF JUSTICE							
Current Expenditure	15,003	32,594	33,572	34,579	16,297	16,261	17,513
Compensation of Employees	9,881	16,443	16,937	17,445	10,942	11,489	12,063
Use of Goods and Services	4,177	13,172	13,567	13,974	4,368	3,892	4,445
Grants and Other Transfers	0	0	0	0	0	0	0
Social Benefits	20	62	63	65	20	18	21
Other Expense	566	1,784	1,838	1,893	592	527	602
Non-Financial Assets	189	597	615	633	198	176	201
Financial Assets	170	536	552	569	178	158	181
Capital Expenditure	2,333	6,961	7,170	7,385	2,000	3,200	4,200
Compensation of Employees	0	0	0	0	0	0	0
Use of Goods and Services	75	222	229	236	1,000	200	200
Grants and Other Transfers	0	0	0	0	0	0	0
Non-Financial Assets	1,521	4,536	4,672	4,812	1,000	3,000	4,000
Financial Assets	738	2,203	2,269	2,337	0	0	0
Sub-programme 1: Access to Justice							
Current Expenditure	10,502	22,816	23,500	24,205	11,408	11,383	12,259
Compensation of Employees	6,917	11,510	11,856	12,211	7,659	8,042	8,444
Use of Goods and Services	2,924	9,221	9,497	9,782	3,058	2,724	3,111
Grants and Other Transfers	0	0	0	0	0	0	0
Social Benefits	14	43	44	46	14	13	15
Other Expense	396	1,249	1,286	1,325	414	369	421
Non-Financial Assets	133	418	430	443	139	123	141
Financial Assets	119	375	387	398	124	111	127
Capital Expenditure	1,633	4,873	5,019	5,169	1,400	2,240	2,940
Compensation of Employees	0	0	0	0	0	0	0
Use of Goods and Services	52	156	160	165	700	140	140
Grants and Other Transfers	0	0	0	0	0	0	0
Non-Financial Assets	1,064	3,175	3,270	3,368	700	2,100	2,800
Financial Assets	517	1,542	1,588	1,636	0	0	0
Sub-programme 2: Administration and Support Services							
Current Expenditure	4,501	9,778	10,072	10,374	4,889	4,878	5,254
Compensation of Employees	2,964	4,933	5,081	5,233	3,282	3,447	3,619
Use of Goods and Services	1,253	3,952	4,070	4,192	1,310	1,168	1,333
Grants and Other Transfers	0	0	0	0	0	0	0
Social Benefits	6	18	19	20	6	5	6
Other Expense	170	535	551	568	177	158	181
Non-Financial Assets	57	179	184	190	59	53	60
Financial Assets	51	161	166	171	53	48	54
Capital Expenditure	700	2,088	2,151	2,215	600	960	1,260
Compensation of Employees	0	0	0	0	0	0	0
Use of Goods and Services	22	67	69	71	300	60	60
Grants and Other Transfers	0	0	0	0	0	0	0
Non-Financial Assets	456	1,361	1,402	1,444	300	900	1,200
Financial Assets	222	661	681	701	0	0	0
Total Programme	17,336	39,555	40,742	41,964	18,297	19,461	21,713
TOTAL VOTE 1261	17,336	39,555	40,742	41,964	18,297	19,461	21,713

CHAPTER FOUR

4. CROSS SECTOR LINKAGES AND EMERGING ISSUES / CHALLENGES

4.1. Cross Sector Linkages

The inter-linkages among State organs are essential to the effective implementation of the Constitution and upholding the rule of law. The National and County Executive is charged with implementation of policy and enforcement of law and order, while Parliament and County Assemblies offer representation, oversight and legislation. In the justice chain, NCAJ ensures a coordinated, efficient, effective and consultative approach in the administration and reform of the justice system. The NCAJ is established under Section 34 of the Judicial Service Act. It is an agency comprising of state and non-state actors. Its mandate is to ensure a coordinated, efficient, effective and consultative approach in the administration and reform of justice system. It does this by formulating policies; implementation, monitoring, evaluation and review of relevant strategies; facilitate the establishment of Court Users Committees (CUC) at the County levels and mobilisation of resources for the administration of justice.

Other key sectoral linkages include Land and Environment, National Security, Social Protection and the Economic sector. The Judiciary will continue to put in place mechanisms for harnessing synergies with each sector to ensure strong and successful partnerships in order to achieve its core mandate and also contribute to the achievement of the broad national objectives.

4.2. Emerging Issues

i. Upcoming General Elections in 2022

In the run up to the 2022 general elections, the Political Parties Disputes Tribunal (PPDT) and Courts will experience an influx of cases arising from political party primaries, nomination of candidates and constitutional petitions. The post-election period will present a challenge of increase in election related offences and petitions. As part of its preparedness the Judiciary, through the Judiciary Committee on Election (JCE) has embarked on *inter alia*; review of rules of procedure, capacity building programmes and facilitation of courts on election dispute resolution matters.

ii. COVID-19 Pandemic

The Covid 19 pandemic which restricted movement and limited physical interaction posed a major obstacle to the traditional hearing of cases. The Judiciary responded to the

unprecedented challenge by embracing virtual hearing of cases, virtual registries and e-filing of cases. The use of technology has enabled court users to access justice even in the face of the disruptions caused by the pandemic which led to the closure of many courts affecting service delivery.

iii. New Legal Frontiers

Disputes arising from the discovery and utilisation of natural resources, data protection, social media, financial crimes, cyber-crimes, human trafficking, human organ trade, terrorism, international organised crime, doping in sports, constitutional and global changes in the legal environment, ethics and governance, socio-economic rights, among many others have continued to be a challenge. To address these challenges, the Judiciary needs to invest and provide opportunities for training and research in-order to build capacity of the Judges, Judicial Officers and Staff in resolution of disputes in those areas.

4.3. Challenges

i. Insufficient Funding

The Judiciary has been underfunded over the years where the annual allocation has continuously been less than half of the resource requirements. This budget shortfall has affected administration of justice in key areas such as establishment and construction of courts, facilitation of benches, operationalization of small claims courts, court annexed mediation, Alternative Justice System, service weeks, *pro bono*, mobile courts and circuits have been scaled down due to lack of adequate resources. In addition, the Judiciary is unable to recruit adequate number of Judges, Judicial officers and staff that are required to effectively handle the workload since the current staffing levels fall below the optimal number as per the Judiciary establishment.

ii. Slow Adoption of Automation

The Judiciary has realised great strides in automation but continues to be hampered by inadequate funding which has affected ICT infrastructure and capacity building. The situation has been compounded by the fact that other stakeholders in the justice chain whom the Judiciary relies upon to discharge its mandate have not achieved comparable levels of automation.

iii. Legal Gaps

The Tribunals Bill that was to regulate the administration and functions of tribunals, provide standardised procedures for the transition of tribunals in the Judiciary has not been finalised to date.

iv. Delays in processing title documents for Land belonging to Judiciary

Most courts lack land ownership documents occasioned by the historical aspect of courts being housed in government quarters. This has delayed implementation of some infrastructure projects that require Judiciary to have verified land ownership.

CHAPTER FIVE

CONCLUSION

- During the FY 2020/21, the Judiciary achieved a CCR of 83% having resolved 294,837 matters as compared to 356,997 cases that were filed in courts across the country. Various initiatives were undertaken to ensure access to and expeditious delivery of justice. These included facilitation of benches, court circuits, mobile courts, promotion of ADR, establishment of courts, improvement of infrastructure and strengthening administration to support the core mandate. Use of ICT was adopted towards enhancing efficiency, effectiveness and timeliness in service delivery.
- The Judiciary budget allocations in FY 2018/19 was KSh16.095 billion which increased by 5% to KSh16.963 billion in FY 2019/20 and rose by 1% to KSh17,133 billion in FY 2020/21. The absorption rate was at 95% in FY 2018/19, which improved to 97% in 2019/20 but reduced to 93% in FY 2020/21. Judiciary undertook various measures to minimize pending bills. Total pending bills decreased from KSh 856 million in the FY 2018/19 to KSh 789 million FY 2019/20 and Ksh 539 million in FY 2020/21. Most of these pending bills arose due to lack of exchequer to pay commitments except in the FY 2020/21 where most of the pending bills were as a result of lack of provision arising from budget cuts. Most of the GOK funded capital projects including constructions, rehabilitations and refurbishments of court premises have however stalled at different stages of implementation due to severe budget cuts and/or lack of allocation.
- Expeditious dispensation of justice will be a key priority for the Judiciary in the MTEF period 2022/23–2024/25. The sub-programmes will be Access to Justice and, General Administration, Planning and Support Services.
- Access to justice will be enhanced through dispute resolution in courts, targeting to improve from the Case Clearance Rate (CCR) of 83 per cent that was recorded in the FY 2020/21 to 103 per cent at the end of MTEF period.
- Fifty per cent of case backlog aged 3 years and above will be targeted to be cleared within the MTEF period. Courts will plan to have service weeks and target to clear trial cases in a maximum of three years in trial courts and within 1 year in appellate courts, among other initiatives to clear case backlog.
- All courts will target to reduce the time to disposition of cases from the baselines that was realized in the FY 2020/21. This will reduce the overall time taken by users in courts since filing of the case.

- Thirty three (33) new courts have been earmarked for establishment over the MTEF period. This will aim at enhancing physical proximity to courts.
- To enhance physical access to justice, 13 new court buildings will be constructed while 26 which have been ongoing will be completed. There will be creation of sub-registries and circuits sessions by the superior courts targeting stations with high-workload, mobile court stations under the magistracy courts.
- To support procedural access to justice, 12 strategic documents aimed at advising and guiding policy and institutional environment will be formulated. These includes, inter alia, strategic plans, court registry operation manuals and guidelines.
- Continuous adoption of Information Communication Technology (ICT) focusing on digitisation of court processes, support functions and automation of registry operation will be prioritised. The key areas of improvement will be CTS, e-filing, CRTS, JFMIS, and other ERP modules. This will be supported by availing of internet and ICT hardware equipment.
- Court Annexed Mediation will be up-scaled in more courts
- Small claims courts to be operationalized in 15 more court stations in the FY 2021/22 to support expeditious disposal of commercial disputes
- Recruitment of judges, judicial officers and staff for the various courts will continue

The estimated resource requirement to finance the identified targets for the FY 2022/23 is estimated at **KSh 39.56 Billion**. However, the Budget Policy Statement (BPS), 2022 proposes a budget estimate of **KSh 18.297 B** constituting of **KSh 16.297 Billion** for the recurrent and **KSh 2 Billion** for the development votes. This marks a **54%** underfunding of the total resource requirement presented.

CHAPTER SIX

RECOMMENDATIONS

To sustain and build on the successes that have already been attained, the Judiciary recommends the following measures be undertaken during the coming MTEF period:

- i. Increase resource allocation to Judiciary to facilitate the recruitment of the required human resources at all levels, expansion and completion of court infrastructure into all the counties for the High Court and courts of equal status, support digitisation of court processes and automation of registry operations; court programmes such as mobile courts, ADR, AJS and the roll out of the of Small Claims Courts into the counties including sensitisation of the public; recruitment, training and facilitation of adjudicators.
- ii. There is need to review, harmonize, and adopt statutes governing adoption of ICT in court procedures in liaison with the other stakeholders in the Justice Chain.
- iii. Fast track the enactment of the Tribunals Bill into law, incorporating the declarations by the High Court in regard to tribunals to provide a legal framework for transitioning and management of the Tribunals.
- iv. Enhance the co-operation between the National Land Commission and Ministry of Lands to assist the Judiciary in acquiring land titles where the courts and Judiciary facilities are situated.
- v. Other agencies dealing with witnesses attending cases in court should be funded to meet part of their cost/expenses.
- vi. Continued partnerships with stakeholders will be strengthened especially for provision of court premises and land for construction.



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THE JUDICIARY



Programme Based Budget (PBB)
For
FY 2022/23-2024/25
Medium-Term Budget

November, 2021

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PROGRAMME-PERFORMANCE BASED BUDGETS (PBB)

Vote No: 1261 The Judiciary

Part A: Vision

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

Part B: Mission

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

Part C: Performance Overview and Rationale for Funding

C.1 Mandate of the Judiciary

The core mandate of the Judiciary is resolution of disputes. It is guided by the following principles as stipulated under Article 159 of the Constitution: -

- a) Justice shall be done to all irrespective of status;
- b) Justice shall not be delayed;
- c) Alternative forms of dispute resolution including reconciliations, mediation, arbitration and traditional dispute mechanism shall be promoted;
- d) Justice shall be administered without undue regard to procedural technicalities; and

C.2 Expenditure Trends (2018/19 – 2020/21)

The Judiciary budget allocations in FY 2018/19 was KSh16.095 billion which increased by 5% to KSh16.963 billion in FY 2019/20 and rose by 1% to KSh17,133 billion in FY 2020/21. The absorption rate was at 95% in FY 2018/19, which improved to 97% in 2019/20 but reduced to 93% in FY 2020/21.

a. Analysis of Recurrent Expenditure

The recurrent budget allocation increased by 5% in FY 2019/20 and by 6% in FY 2020/21. The share of compensation to employees over the total recurrent budget increased from 59% in FY 2019/20 to 64% in FY 2020/21 which is attributed to the reclassification of Employer's contribution to pension under personnel emolument economic classification. The share of other recurrent budget declined from 41% in FY 2019/20 to 36% in FY 2020/21. Breakdown of the recurrent expenditure by economic classification is shown in Table 1.

Table 1: Analysis by Category of Expenditure: Recurrent (KSh Million)

Vote & Vote	Economic	Approved Budget	Actual Expenditure
------------------------	-----------------	------------------------	---------------------------

Details	Classification	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1261	Gross	13,086	13,797	14,575	12,856	13,762	14,377
	AIA	-					
	NET	13,086	13,797	14,575	12,856	13,762	14,377
	Compensation to Employees	7,600	8,162	9,402	7,600	8,162	9,398
	Transfers	593	-	-	542	-	
	Other Recurrent						
	Insurance	1,055	1,243	1,292	1,055	1,238	1,291
	Utilities	114	130	140	123	122	131
	Rent	19	86	76	22	71	69
	Others	3,704	4,175	3,665	3,515	4,169	3,489
Totals		13,086	13,797	14,575	12,856	13,762	14,377

There were no transfers in the year because all tribunals and NCAJ were classified as spending units under the Judiciary in FY 2019/20.

b. Analysis of Development Expenditure

The Judiciary's development budget constituted GOK and World Bank Funding. The development budget increased by 5% from KSh 3.009 billion in FY 2018/19 to KSh 3.166 billion in FY2019/20 then decreased by 19% in FY 2020/21 to Ksh 2.558 billion. The absorption rate attained under the development vote has been on a general decline from 81% in FY 2018/19, 79% in FY 2019/20 and 65% in FY 2020/21. There were no grants in the FY 2019/20 and analysis of the development expenditure by category is provided in Table 2.

Table 2 : Analysis by Category of Expenditure: Development (KSh Million)

Vote & Vote Details	Economic Classification	Approved Budget			Actual Expenditure		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1261	Gross	3,009	3,166	2,558	2,444	2,499	1,656
	GOK	151	971	292	124	796	294
	Loans	2,799	2,195	2,266	2,271	1,703	1,362
	Grants	59	-	-	49	-	-
	Local AIA	-	-	-	-	-	-
Totals		3,009	3,166	2,558	2,444	2,499	1,656

Figure 1 shows the trend of budget absorption rate.

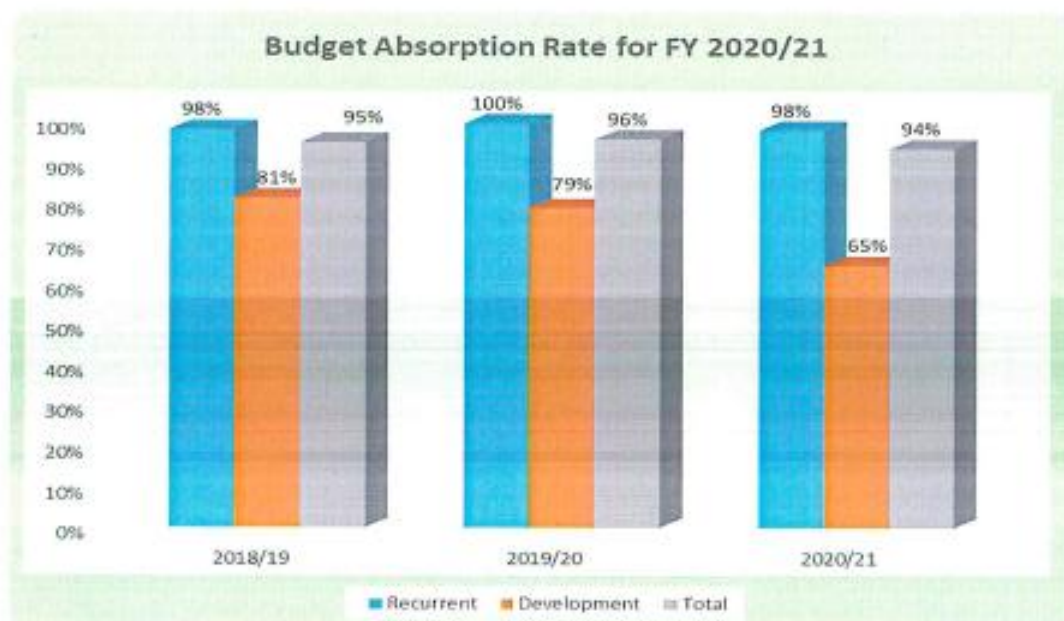


Figure 1: Trends in Budget Absorption

The overall absorption rate rose marginally from 95% in FY 2018/19 to 96% in FY 2019/20, followed by a decline to 93% in FY 2020/21. This could be attributed to the adverse effects of the pandemic which affected implementation of programmes, especially the development projects.

c. Analysis of Programme Expenditure

Judiciary programme is Dispensation of Justice and has two sub-programmes: Access to Justice; and General Administration, Planning and Support services. The sub-program on Access to Justice which covers the core mandate of the Judiciary received a larger share of budget at 70% in the three years under review. This is shown in Table 2.4.

Table 3 : Analysis by Category of Expenditure : Programmes (Ksh Million)

	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Programme: Dispensation of Justice	16,095	16,963	17,133	15,302	16,260	16,033
Sub-Prog. I: Access to Justice	11,266	11,874	11,993	10,711	11,382	11,223
Sub-Prog. II: Administration and Support Services	4,828	5,089	5,140	4,591	4,878	4,810
Total Programme	16,095	16,963	17,133	15,302	16,260	16,033

d. Analysis of Programme Expenditure by Economic Classification

Allocation for Compensation to Employees has been on an upward trend from 7.6 billion in FY 2018/19 to KSh 8.479 billion in FY 2019/20 and KSh 9.402 billion in FY 2020/21. As a share of

the total budget, this represented 47%, 53% and 58% for FY2018/19, FY2019/20 and FY 2020/21 respectively. The approved budget on use of goods and services increased from 21% in FY 2018/19, to 22% in 2019/20 and 26% in FY 2020/21. The proportion of Other Recurrent to total allocation decreased over the three years as shown in Table 2.5.

Table 4: Analysis by Category of Expenditure : Economic Classification (KSh Millions)

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Programme 1: Dispensation of Justice						
Current Expenditure						
Compensation to Employees	7,600	8,479	9,402	7,600	8,442	9,398
Use of goods & Services	3,430	3,598	4,114	3,360	3,514	3,951
Grants and Other Transfers	-	-	-	-	-	-
Other Recurrent	2,056	1,720	1,059	1,897	1,807	1,028
Capital Expenditure						
Acquisition of Non-Financial Assets	2,946	3,166	2,558	2,395	2,499	1,656
Capital Grants to Govt. Agencies	59	-	-	49	-	-
Other Development	4	-	-	2	-	-
Total Program	16,095	16,964	17,133	15,302	16,261	16,033
Total Vote 1261	16,095	16,964	17,133	15,302	16,261	16,033

Acquisition of No-financial Assets constituted the highest proportion of the Capital Expenditure for the period 2018/19 to 2020/21.

e. Analysis of Recurrent Budget for Semi-Autonomous Government Agencies (SAGAs)

Budget allocations for the Tribunals and the National Council on Administration of Justice (NCAJ) was under Transfers to SAGAs until FY 2018/2019. Since FY 2019/20, budget for Tribunals and NCAJ are classified under Operations and Maintenance (O&M) allocation. Table 2.6 shows the budget of KSh 593 million allocated to Tribunals and NCAJ in 2018/19.

Table 5 : Analysis of SAGAs Recurrent Budget Vs. Actual Expenditure. (KSh Millions)

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
National Council for Administration of Justice						
Gross	55	-	-	55	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	55	-	-	55	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	55	-	-	55	-	-
Other Recurrent	-	-	-	-	-	-
Education Appeal Tribunal						
Gross	9	-	-	9	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	9	-	-	9	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	9	-	-	9	-	-
Other Recurrent	-	-	-	-	-	-
Standards Tribunal						
Gross	15	-	-	15	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	15	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	15	-	-
Other Recurrent	-	-	-	-	-	-
Business Premises Tribunal						
Gross	37	-	-	37	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	37	-	-	37	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	37	-	-	37	-	-
Other Recurrent	-	-	-	-	-	-
Cooperative Tribunal						
Gross	52	-	-	51	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	52	-	-	51	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	52	-	-	51	-	-
Other Recurrent	-	-	-	-	-	-
Industrial Property Tribunal						
Gross	14	-	-	14	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	14	-	-	14	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	14	-	-	14	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Other Recurrent	-	-	-	-	-	-
HIV and AIDs Tribunal						
Gross	47	-	-	46	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	47	-	-	46	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	47	-	-	46	-	-
Other Recurrent	-	-	-	-	-	-
National Environment Tribunal						
Gross	24	-	-	24	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	24	-	-	24	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	24	-	-	24	-	-
Other Recurrent	-	-	-	-	-	-
Rent Restrictions Tribunal						
Gross	31	-	-	30	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	31	-	-	30	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	31	-	-	30	-	-
Other Recurrent	-	-	-	-	-	-
Sports Disputes Tribunal						
Gross	18	-	-	17	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	18	-	-	17	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	18	-	-	17	-	-
Other Recurrent	-	-	-	-	-	-
Energy Tribunal						
Gross	10	-	-	9	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	10	-	-	9	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	-	-	-	-	-	-
Other Recurrent	-	-	-	-	-	-
Political Parties Disputes Tribunal						
Gross	25	-	-	25	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	25	-	-	25	-	-
Compensation to Employees	-	-	-	-	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Use of goods and services	25	-	-	25	-	-
Other Recurrent	-	-	-	-	-	-
Transport Appeals Licensing Board						
Gross	74	-	-	74	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	74	-	-	74	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	74	-	-	74	-	-
Other Recurrent	-	-	-	-	-	-
Competent Authority						
Gross	11	-	-	10	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	11	-	-	10	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	11	-	-	10	-	-
Other Recurrent	-	-	-	-	-	-
Legal Education Appeals Tribunal						
Gross	11	-	-	11	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	11	-	-	11	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	11	-	-	11	-	-
Other Recurrent	-	-	-	-	-	-
Competition Authority						
Gross	30	-	-	30	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	30	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	30	-	-
Other Recurrent	-	-	-	-	-	-
PPP Petition Committee						
Gross	30	-	-	29	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	29	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	29	-	-
Other Recurrent	-	-	-	-	-	-
State Corporations Appeals Tribunal						
Gross	40	-	-	39	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	40	-	-	39	-	-

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	40	-	-	39	-	-
Other Recurrent	-	-	-	-	-	-
National Civil Aviation Appeals Tribunal						
Gross	15	-	-	15	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	15	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	15	-	-
Other Recurrent	-	-	-	-	-	-
Micro and Small Enterprises Tribunal						
Gross	30	-	-	28	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	30	-	-	28	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	30	-	-	28	-	-
Other Recurrent	-	-	-	-	-	-
Communication and Multimedia Appeals Tribunal						
Gross	15	-	-	14	-	-
AIA- Internally generated	-	-	-	-	-	-
Net- Exchequer	15	-	-	14	-	-
Compensation to Employees	-	-	-	-	-	-
Use of goods and services	15	-	-	14	-	-
Other Recurrent	-	-	-	-	-	-
Total Vote	593	-	-	580	-	-

Analysis of Capital Projects by Programme

The Judiciary has been implementing capital projects including constructions, rehabilitations and refurbishments of court buildings and Tribunal premises. Most of the GOK funded projects have however stalled at different stages of implementation due to severe budget cuts and/or lack of allocation.

Table 6 : Analysis of Performance of Capital Projects

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
1	Refurbishment of Supreme court	21.54		21.54	04/04/2017	10/04/2017	26.5	21.54	100%		30.94	21.54	100%		0.0	0.0	100%	Renovation of SC Judges' chambers and repainting of walls for the Supreme Court Building	
2	Refurbishment of Kiambu law courts	7.51		7.51	5/31/2017	01/08/2018	0	3.71	100%		0.8	3.71	100%		0.0	0.0	100%	Second certificate and Final Account outstanding due to budget cut.	
3	Construction of Hamisi Law Courts	55.2		55.2	12/04/2015	11/03/2015	0	54.91	100%		0	54.91	100%		0.0	0.0	100%	Phase I complete	
4	Construction of Nkubu Law Courts	85.96		85.96	01/12/2015	12/30/2016	0	83.05	100%		0	83.05	100%		0.0	0.0	100%	Phase I of the Project Complete.	
5	Prefabrication of Garsen Law Courts	99.96		99.96	1/23/2013	5/31/2016	0	90.24	100%		9.72	90.24	100%		0.0	0.0	100%	Project complete	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
6	Refurbishment of Mombasa Court of Appeal	51.79		51.79	11/18/2014	3/18/2015	0	48.85	100%	0	48.85	100%	0.0	0.0	100%	Final Account outstanding due to budget cuts			
7	Refurbishment of Kitale Law Courts	13.66		13.66	5/28/2015	11/30/2015	0	13.66	100%	0	13.66	100%	0.0	0.0	100%	Complete			
8	Refurbishment of Mombasa Law Courts	12.79		12.79	6/13/2015	04/08/2016	0	11.33	100%	0	11.33	100%	0.0	0.0	100%	Complete			
9	Refurbishment of Siaya Law Courts	9.72		9.72	11/03/2015	05/03/2016	9.72	9.72	100%	9.72	9.72	100%	0.0	0.0	100%	Complete			
10	Refurbishment of Competitions Tribunal	4.69		4.69	7/23/2017	9/23/2017	4.69	4.69	100%	0	4.69	100%	0.0	0.0	100%	Complete			
11	Refurbishment of Standards Tribunal	1.3		1.3	7/24/2017	9/24/2017	1.3	1.3	100%	0	1.3	100%	0.0	0.0	100%	Complete			
12	Construction of Iten Law Courts	10.66		10.66	5/19/2015	11/03/2020	0	8.98	100%	1.26	10.66	100%	0.0	0.0	100%	Complete			
13	Construction of Embu Law Courts	229.33		229.33	1/15/2015	30/06/2021	0	202	98%	48.1	219.4	98%	0.0	0.0	98%	Final Account outstanding awaiting directions			
14	Prefabrication of Bomet Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	50.34	95%	0	55.06	98%	0.0	0.0	98%	on-going			

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	Remarks
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
15	Prefabrication of Runyenjes Law Courts	99.96		99.96	1/23/2013	30/06/2021	0	60.14	95%		37.6	87.64	95%		0.0	0.0	95%	on-going	
16	Refurbishment of Nyeri Court Of Appeal	18.48		18.48	4/17/2014	30/06/2021	0	14.3	95%		4.1	14.3	95%		0.0	0.0	95%	on-going	
17	Construction of Mandera Law Courts	107.03		107.03	5/19/2015	30/06/2021	0	90.17	94%		9.27	99.02	94%		0.0	0.0	94%	on-going	
18	Construction of Port Victoria Law Courts	46.53		46.53	02/12/2015	30/06/2021	0	43.02	93%		0	43.02	93%		0.0	0.0	93%	on-going	
19	Construction of Eldama Ravine Law Courts	81.88		81.88	02/04/2015	28/02/2020	0	69.58	90%		12.3	69.58	90%		0.0	0.0	90%	on-going	
20	Refurbishment of Eldoret Law Courts	38.1		38.1	2/23/2015	28/02/2020	0	30.68	90%		7.4	38.1	100%		2.1	2.1	100%	Complete	
21	Prefabrication of Othaya Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	53.05	90%		2.4	53.05	90%		0.0	0.0	90%	on-going	
22	Prefabrication of Tawa Law Courts	99.96		99.96	1/23/2013	28/02/2020	0	60.14	90%		21.9	87.8	90%		0.0	0.0	90%	on-going	
23	Construction of Mera High Court	637.5		637.5	01/07/2020	30/06/2024	0				0				3.2	2.5	0%	Prefeasibility Costs	
24	Construction of Eldoret High Court	560.8		560.8	01/07/2020	30/06/2024	0				0				2.2	2.2	0%	Prefeasibility Costs	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	Ksh. M	Ksh. M	Ksh. M	(%)	
25	Construction of Butali Law Courts	39.36		32.69	03/09/2015	30/12/2019	0	22.16	90%	0	32.13	92%		3.4	3.4	95%	on-going		
26	Construction of Narok Law Courts-Phase II	86.5		86.5	10/25/2015	28/02/2020	6	21.17	80%	10.7	38.75	85%		0.0	0.0	85%	on-going		
27	Prefabrication of Marimant Law Courts	81.66		81.66	1/15/2013	28/02/2020	0	44.35	80%	0	44.35	80%		0.0	0.0	80%	on-going - Works to be repackaged		
28	Refurbishment of Machakos Law Courts	34.08		34.08	5/18/2017	30/06/2021	0	20.28	60%	18.05	20.28	60%		0.0	0.0	67%	on-going		
29	Construction of Marsabit Judges Residence	10.89		10.89	05/02/2017	30/06/2021	0	5.02	75%	5.87	5.02	75%		0.0	0.0	75%	on-going- Phase II works to be added		
30	Prefabrication of Wanguru Law Courts	81.66		81.66	1/15/2013	30/06/2021	0	42.61	70%	0	42.61	70%		0.0	0.0	70%	on-going		
31	Refurbishment of Muranga Law Courts	62.09		62.09	5/19/2015	28/02/2020	0	39.36	65%	14.8	39.36	79%		0.0	0.0	79%	on-going		
32	Refurbishment of Karatina Law Courts	6.91		6.91	05/04/2017	28/02/2020	0	2.57	65%	4.3	4.17	68%		0.0	0.0	68%	on-going		
33	Refurbishment of Makadara Law Courts	9.9		9.9	7/23/2017	23/06/2020	0	4.89	60%	5.01	4.89	60%		0.0	0.0	60%	on-going		

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
34	Construction of Mbita Law Courts	148.33		148.33	3/15/2017	30/06/2020	0	22.55	52%		34.92	60.61	57%		8.2	8.2	65%	on-going at slow phase due to delayed payments as a result of budget cuts	
35	Construction of Githongo Law Courts	130.9		130.9	05/04/2017	30/06/2020	0	15.9	44%		40.23	70.93	45%		16.7	16.7	56%	on-going at slow phase due to delayed payments as a result of budget cuts	
36	Construction of Kandara Law Courts	137.82		137.82	03/04/2017	28/02/2020	0	16.15	36%		10	28.71	38%		0.0	0.0	38%	on-going	
37	Construction of Homabay Law Courts	367.31		367.31	3/13/2017	30/07/2020	0	26.29	32%		74.4	123.8	32%		22.8	22.8	32%	on-going	
38	Construction of Marsabit Law Courts	370.22		370.22	3/17/2017	15/09/2020	0	30.07	32%		95.9	163.98	35%		0.0	0.0	45%	on-going	
39	Construction of Amagoro Law Courts	137.99		137.99	3/13/2017	30/06/2021	0	19.71	16%		27.31	37.94	21%		20.7	20.7	24%	on-going	
40	Construction of Kabamet Law Courts	366.8		366.8	3/17/2017	30/06/2021	0	21.16	15%		49.29	52.08	15%		25.0	25.0	18%	on-going	
41	Construction of Lodwar High Court	814.89		814.89	30/9/2013	20/4/2015	0	101.29	15%		0	101.29	15%		0.0	0.0	15%	Abandoned	
42	Construction of Bomet Law	688.8		688.8	05/10/2013	05/01/2015	0	62.09	10%		0	62.09	10%		0.0	0.0	10%	Abandoned	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M (%)				
	Courts																		
43	Construction of Habasweini Law Courts	143.19			9/28/2017	15/09/2020	0	10.03	10%	0	10.03	10%	0.0	0.0	10%		Stalled		
44	Refurbishment of Forodha house	157.4		157.4	25/04/2019	30/06/2021	52	26	18%	83.5	113.63	80%	0.0	0.0	80%		Ongoing		
45	Construction of Toilets in Baricho, Migori, Webuye, Kangundo, Mwingi, Kithimani, Kwale and Ngong	19.2		19.2	Various	Various	0	0		19.2	19.2	100%					Completed		
46	Removal of Asbestos in Ukwala, Maua, Nanyuki, Kapsoabet, Winaam, Kisii, Kwale and Kikuyu	29.67		29.67	Various	Various	0	0		29.67	29.67	100%					Completed		
47	Purchase of ICT Networking and Communication	97.62		97.62						97.62	97.62	100%		45.0	-	75%		Completed	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
	Equipment																		
48	Datacenter maintenance and Upgrade	23.30		23.30							23.30	23.30	78%		12.5			50%	On-going
49	Purchase of ICT Networking and Communication Equipment (Kisumu LAN)	12,019,238		12,019,238							12,019,238	12,020,333	0.33		83.4	12.5		0.75	On-going
50	Installation of Video Conferencing System	23,228,006		23,228,006							23,228,006	23,230,000	1.00		79.0			1.00	On-going
51	Supply, Delivery, Configuration, Testing, Training, Commissioning and Maintenance of Court Recording equipment.	30		30											30.0	0.0			On-going

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M	Ksh. M (%)			
52	Supply, Delivery, Configuration, Testing, Training, Commissioning and Maintenance of Network and Security solution	252.5		252.5											252.5		0.20	On-going	
53	Supply, Delivery, Configuration, Testing, Training, Commissioning of court recording and transcription equipment-AUDIO VISUAL INTEGRATOR	26.6		26.6											26.6			On-going	
54	Subscription to Video Conferencing Application	15		15											15.0	15	1.00	Completed	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
55	Supply, Installation, Testing and Commissioning of Cloud Servers under Framework Contract	2.2		2.2											2.2	2.2	0.01	On-going	
56	Supply, Delivery, Configuration, Testing, Training, Commissioning, and Maintenance of Server Virtualization and Storage Solution	509.6		509.6											509.6	0	0.45	On-going	
57	Construction of Nakuru Law Courts	347.77	347.77		2/18/2016	30/12/2019	50	319.14	92%	50		319.14	97%	25.8	25.8	100%	Completed and occupied		
58	Construction of Chuka Law Courts	96.88	96.88		06/05/2015	30/12/2019	5	93.86	90%	5		93.86	96%	4.9	4.9	100%	Complete		
59	Construction of Nyamira Law Courts	118.31	118.31		6/18/2015	30/12/2019	0	106.75	98%	0		112.99	100%	5.9	5.9	100%	Complete		

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
60	Drilling of 13 boreholes	56.79	56.79		5/22/2018	30/12/2019	56		22.62	85%	56		22.62	85%	0.0	0.0	85%	on-going	
61	Construction of Kigumo Law Courts	94.16	94.16		6/29/2015	30/12/2019	2		94.16	100%	2		94.16	100%	0.0	0.0	100%	Complete	
62	Construction of Nyando Law Courts	74.83	74.83		09/04/2015	30/12/2019	0		74.83	100%	0		74.83	100%	0.0	0.0	100%	Complete	
63	Rehabilitation of Makindu Law Courts	96.86	96.86		03/08/2016	30/12/2019	0		90.24	100%	0		90.24	100%	4.8	4.8	100%	Complete	
64	Construction of Molo Law Courts	99.91	99.91		6/19/2015	30/12/2019	0		97.42	100%	0		97.42	100%	4.9	4.9	100%	Complete	
65	Construction of Oyugis Law Courts	109.73	109.73		6/29/2015	30/12/2019	0		108.94	100%	0		108.94	100%	12.1	12.1	100%	Complete	
66	Construction of Engineer Law Courts	78.62	78.62		06/08/2015	30/12/2019	4		77.61	98%	4		77.61	99%	8.7	8.7	100%	Pending Final Account	
67	Rehabilitation of Mahoroni Law Courts (Tamu)	74.88	74.88		09/06/2015	30/12/2019	2		73.27	97%	2		74.88	100%	3.7	3.7	100%	Complete	
68	Construction of Vihiga Law Courts	78.48	78.48		9/16/2015	30/12/2019	0		75.18	98%	0		78.48	100%	3.9	3.9	100%	Complete	
69	Construction of Garissa Law Courts	351.32	351.32		1/22/2016	30/12/2019	50		274.4	80%	50		274.4	80%	76.9	76.9	91%	on-going	

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
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		Kshs.	Kshs.	Kshs.			Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	Kshs. M	Kshs. M	Kshs. M	(%)	
70	Construction of Nanyuki Law Courts	318.56	318.56		03/10/2016	30/12/2019	50		233.63	80%	50		283.67	98%	4.0		4.0	99%	on-going
71	Construction of Siaya Law Courts	342.75	342.75		3/21/2016	30/12/2019	50		252.88	75%	50		286.66	85%	58.2		58.2	98%	Practically complete
72	Rehabilitation of Kibera Law Courts	137.65	137.65		4/13/2016	30/12/2019	40		101.92	75%	40		111.29	81%	4.7		4.7	86%	on-going
73	Rehabilitation of Kangema Law Courts (Phase II)	42.99	42.99		20/09/2017	30/12/2019	30		28.36	68%	30		36.27	95%	10.3		10.3	99%	Practically complete
74	Construction of Isiolo Law Courts	379.08	379.08		10/04/2017	28/02/2020	150		248.46	66%	150		332.29	90%	1.0		1.0	99%	Practically complete
75	Construction of Kakamega Law Courts	387.66	387.66		21/09/2017	28/02/2020	200		210.76	60%	200		308.41	95%	48.1		48.1	99%	Practically complete
76	Construction of Voi Law Courts	347.58	347.58		29/03/2017	28/02/2020	50		120.82	45%	50		271.24	81%	50.0			87%	on-going
77	Construction of Mombasa Law Courts	445.17	445.17		28/09/2017	28/02/2020	200		182.31	42%	200		241.39	65%	76.3		76.3	91%	on-going
78	Construction of Makeni Law Courts	410.1	410.1		25/09/2017	28/02/2020	100		119.13	41%	100		285.52	87%	22.8		22.8	98%	on-going
79	Construction of Kapenguria	400.88	400.88		21/03/2017	28/02/2020	100		92.03	40%	100		202.96	75%	130.2		130.2	99%	Practically complete

S.No	Project Code and Title	Estimated cost of the project			Timeline		FY 2018/2019				FY 2019/2020				FY 2020/2021				Remarks
		Total Est Cost of project/Contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2019	Completion status as at 30th June 2019	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2020	Completion status as at 30th June 2020	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Completion status as at 30th June 2021	
		Ksh.	Ksh.	Ksh.			Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M (%)	Ksh. M	Ksh. M	Ksh. M	Ksh. M (%)			
	Law Courts																		
80	Construction of Kajiado Law Courts	398.41	398.41		15/03/2018	28/02/2020	150		112.08	40%	150		304.71	85%	32.1		32.1	99%	Practically complete
81	Construction of Mukurweini Law Courts	158.98	158.98		19/09/2017	28/02/2020	100		50.29	32%	100		70.68	60%	37.2		37.2	72%	on-going
82	Construction of Maralal Law Courts	378.75	378.75		23/03/2017	28/02/2020	100		99.66	33%	100		303.12	69%	33.5		33.5	86%	on-going
83	Registry shelving/container	87.52	87.52		10/24/2018	28/02/2020	50		18.5	23%	50		18.5	23%	0.0		0.0	23%	on-going
84	Construction of Wajir Law Courts	369.57	369.57		27/09/2017	28/02/2020	100		35.36	20%	100		130.04	40%	50.0		0.0	64%	on-going
85	Construction of Ol-Kalou Law Courts	399.32	399.32		18/09/2017	28/02/2020	100		48.44	18%	100		135.11	42%	65.0		65.0	68%	on-going
86	Construction of Kwale Law Courts	390	390		06/05/2017	28/02/2020	100		161.12	42%	100		301.9	80%	0.0		0.0	99%	Practically complete
	TOTAL	14,448.81	7,073.51	7,225.44			200.00	88.00	5,203.22	80.93	200.00	865.10	7,525.64	61.89	775.01	1,160.04	898.11	64.33	

C.3 Major Achievements based on the planned outputs/services for 2018/19- 2020/21 Budget

The specific targets, indicators and actual achievements are summarized in Table 7.

Table 7: Analysis of Programme Targets and Actual Targets for FY2018/19- 2020/21

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
Reason for Variance								
Sub-Programme: Access to justice								
Case Clearance	No. of Court of Appeal stations circuits conducted	-	4	4	-	4	4	
	No. of High Courts station circuits held	-	12	7	-	12	7	
	No. of ELC stations circuits held	-	2	3	-	2	3	
	No. of ELRC stations circuits held	-	4	4	-	4	4	
	No. of Tribunals circuits held	-	3	3	-	3	3	Budget cuts and Covid 19 Pandemic slowdown
	No. of COA Judges recruited	-	11	0	-	11	7	
	No. of HC Judges recruited	-	50	50	-	0	0	Process ongoing
	No. of ELC Judges recruited	-	20	10	-	20	18	
	No. of ELRC Judges recruited	-	10	0	-	10	10	
	No. of magistrates recruited	-	140	100	-	0	0	Process ongoing
	No. of Kadhis recruited	-	0	15	-	0	0	Process ongoing
	No. of courtrooms with Transcription solution	31	32	157	3	6	26	Budget cuts
	No. of Reviewed election petition rules	-	0	0	-	0	1 ¹	
	No. of Reviewed registry manual	-	0	0	-	0	1	COA developed its manual
	<i>pro se</i> manual developed	-	0	1	-	0	0	Draft
e-Assessment, module	-	0	1	-	1	1		

¹ Supreme Court revised PEP rules

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	e-Payment module	-	0	1	-	1	1	
	e-Filing module	-	0	1	-	1	1	
	SMS & Email Notification module in place	-	0	1	-	1	1	
	% Courts and offices adequately furnished and equipped	-	50%	60%	-	50%	60%	
	Number of vehicles procured	-	22	38	-	23	39	
	Approved Disaster management Policy document	-	-	1	-	-	0	
	No of ICT systems hosted in cloud server	-	0	10	-	5	6	
	No. of stations connected to NOFBI	-	25	21	-	0	9	
	No. of court stations with WAN	-	25	21	-	12	0	
	Disaster recovery policy	-	0	1	-	0	0	
	No. of Disaster recovery sites	-	0	1	-	1	0	
	Primary and Secondary Data centres upgraded	-	0	1	-	0	1	
	No. of Court and tribunal registry manuals	-	0	2	-	0	3	
Court Buildings	No. of new Court of Appeal constructions initiated	0	2	2	0	0	0	Budget cuts
	No. of new High Courts construction initiated	-	3	2	-	0	3 ²	
	Ongoing Court of Appeal completed	-	1	1	-	0	0	Budget cuts
	No. of Ongoing High Courts completed (GOK)	7	15	8	0	3	0	
	Ongoing High Court completed (JPIP)	-	11	9	-	2	6	Poor performance by contractors - terminated

² Isiolo Magistrate Court

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	No. of Ongoing Magistrates' courts completed	6	1	13	2	4	0	Budget cuts
	No. of Ongoing Magistrates' courts completed (JPIP)	-	16	8	-	8	<u>1</u> ¹	Poor performance by contractors - terminated
	No. of Courts of Appeal rehabilitated/Refurbished	-	3	1	-	2	<u>1</u> ¹	GOK Budget cuts JPIP small refurbishments e.g. water Tanks & solar
	No. of High courts rehabilitated	5	8	3	15	15	1	
	No. of Magistrates' courts rehabilitated	2	25	13	42	13	11	
	No. of Tribunal Offices rehabilitated	-	1	4	-	3	1	Tribunals were relocated to Forodha House
Additional courts established	No. of new Court of Appeal stations	-	0	1	-	0	0	Delayed gazettelement of judges
	No. of new High Courts Stations	-	2	4	-	0	2	
	No. of ELRC stations	-	2	7	-	0	0	
	No. of ELC	-	10	9	-	0	0	
	No. of new Magistrates' courts	-	3	15	-	2	22	
New registries established	No. of CoA sub-registries established	-	0	3	-	0	<u>5</u> ⁵	
	No. of new HC sub-registries established	-	1	1	-	1	4	
	No. of new ELRC sub-registries established	3	3	3	3	0	4	
	No. of ELC sub-registries established	-	2	2	-	0	3	

¹ Isiolo Magistrate Court

² Mombasa COA

³ Busia, Meru, Garissa, Kakamega and Kisii were gazetted as COA sub registries in February 2021

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
Magistrates' Mobile Courts established	No. of new mobile courts established	5	6	4	4	6	0	
Alternative Dispute Resolution (ADR)	No. of mediation registries established	-	30	24	-	14	5	Budget cuts and Covid 19 pandemic
	CAM Rules	-	1	1	-	0	0	
	CAM Strategy	-	1	1	-	0	0	
	No. of mediators trained	-	-	150	-	-	164	
Revised court fees	Revised court fees schedule	-	1	1	-	0	1	
Small claims court	No. of designated small claims courts	-	-	5	-	-	1	Process ongoing
Alternative power supply installed	No. of stations with solar system	-	0	34	-	0	0	Lack of funding
Stakeholders engagement	Reconstituted taskforces and standing committees	-	4	4	-	1	5	
	NCAJ M&E framework	-	-	1	-	-	0	Draft
	No. of engagements with investigative agencies	-	2	2	-	5	3	
	No. of Colloquiums held	-	2	2	-	2	0	Not held due to COVID pandemic
	No. of Justice Sector forums organised	-	2	2	-	0	2	
	No. of expert speaker fora held	-	2	2	-	0	2	
	No. of visits to other jurisdictions	-	1	1	-	3	1	
	No. of visits from other jurisdictions	-	1	1	-	1	1	

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	No. of Regional and International exchange programmes	-	1	1	-	1	1	
	No. of signed and implemented partnership memoranda developed	-	2	2	-	0	2	
Information Management	% of court decisions published	-	-	100%	-	-	100%	
	No. of libraries established in court stations	-	7	5	-	0	0	Budget cuts
	No. of libraries equipped	-	4	5	-	22	18	
	No. of online portals subscriptions	-	3	3	-	2	2	Budget cuts
	Knowledge management guidelines developed	-	0	1	-	0	0	Process ongoing
	Research policy developed	-	0	1	-	0	0	Draft
Capacity Building, Continuous Learning and Education (CLE)	No. of trainings on emerging areas	-	2	2	-	0	2	
	Annual training progress reports	-	1	1	-	1	1	
	Whistle blowing policy in place	-	-	1	-	-	0	Draft
	% of stations with trained liaison officers	-	100%	100%	-	23%	100%	
	No. of public awareness clinics held	-	26	26	-	23	2	Covid 19 pandemic
	Complaints Handling Manual	-	0	1	-	0	0	Draft
	Complaints Handling Quarterly reports	-	-	4	-	-	-	Manual awaiting approval
	% of courts and implementing units sensitised	-	100%	50%	-	0	100%	
	No. of strategy documents	-	4	3	-	2	4	
	% of staff sensitised	-	100%	100%	-	100%	90%	Covid 19 pandemic
	Corruption mapping Report	-	1	1	-	1	1	
	% of implementing units under PMMU	-	100%	100%	-	100%	100%	
No. of research reports	-	2	2	-	1	1	Covid 19 Pandemic	

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	Research Policy document	-	1	1	-	0	0	Draft
	No. progress performance reports	-	2	2	-	0	0	Budget cuts
	Annual reports on the implementation of rewards and sanctions scheme	-	1	1	-	1	0	Draft
	Published JLAC, LMT and other leadership and management Guidelines	-	-	1	-	-	1	
	% of pending disciplinary cases reviewed and concluded	-	70%	80%	-	60%	69%	Covid 19 pandemic
	Judiciary Disability Policy Document	-	-	1	-	-	0	Draft
	Judiciary Sexual harassment Policy Document	-	-	1	-	-	0	
	Report on mainstreaming national values	-	1	1	-	0	1	
	Number of Staff recruited (including for tribunals)	-	560	560	-	87	191	Budget cuts
	Report on staff rationalization across courts Directorates and Tribunals	-	-	1	-	-	1	
	Report on decentralization of administrative functions reviewed	-	-	1	-	-	1	
	Report on implementation of decentralized administrative functions	-	-	1	-	-	1	
	Skills and Competences of Judicial staff report	-	-	1	-	-	1	
	% of Judicial staff trained annually	-	20%	20%	-	5%	15%	Covid 19 pandemic
	Approved Pupilage guidelines	-	-	1	-	-	0	Draft
	Succession Policy document	-	-	-	-	-	-	
	Salaries and allowances review Report	-	-	1	-	-	1	

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	Approved Health and Safety guidelines guidelines	-	-	1	-	-	0	Insufficient funds
	% of courts with occupational Health and Safety Programme	-	-	100%	-	-	0	
	No. of courts with wellness centres	-	-	20	-	-	0	Insufficient funding
	Facilities management guidelines Report	-	-	1	-	-	0	Insufficient funding
	Facilities management guidelines implementation Report	-	-	1	-	-	0	
	Infrastructure master plan implementation Report	-	-	1	-	-	1	
	Fleet management system in place	-	-	1	-	-	0	Budget cuts
	Updated assets' inventory (motor vehicle, tools and equipment)	-	1	1	-	1	1	
	Judiciary Records Management policy	-	1	1	-	0	1	
No. of Court and tribunal registry manuals	-	0	2	-	0	3		
Judiciary Brand / image	Judiciary Brand Manual	-	-	1	-	-	0	Draft
	No. of staff correspondents trained	-	34	33	-	0	60	Virtual sessions
	Social Media Strategy	-	1	1	-	0	1	
	No of media fora organised	-	2	2	-	3	3	Virtual sessions
	No. of Court Reporters trained	-	40	40	-	60	80	Virtual sessions
Procedures Manuals	Implementation of Judiciary Fund regulations report	-	1	1	-	1	0	Process ongoing
	Procurement, Asset Disposal and Inventory Management Policy and Procedures Manual developed	-	0	1	-	0	1	

Delivery Unit : The Judiciary								
Programme : Dispensation of Justice								
Output	Key Indicator	Planned Target			Achieved Target			Reason for Variance
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
	Reviewed Finance Policy and Procedures Manual	-	1	1	-	0	0	Insufficient funding
	Approved Audit Policy and Procedures Manual	-	1	0	-	0	1	
	Internal Audit System in place	-	1	1	-	0	0	Non-responsive bids
	No. of internal audits carried out	50	70	70	43	30	53	Covid 19 pandemic
	No of M&E Reports	1	1	1	1	1	0	

C.4 Constraints and challenges in budget implementation and how they will be addressed

Challenges

1 Insufficient Funding

The Judiciary has been underfunded over the years where the annual allocation has continuously been less than half of the resource requirements. This budget shortfall has affected administration of justice in key areas such as establishment and construction of courts, facilitation of benches, operationalization of small claims courts, court annexed mediation, Alternative Justice System, service weeks, *pro bono*, mobile courts and circuits have been scaled down due to lack of adequate resources. In addition, the Judiciary is unable to recruit adequate number of Judges, Judicial officers and staff that are required to effectively handle the workload since the current staffing levels fall below the optimal number as per the Judiciary establishment.

2 Slow Adoption of Automation

The Judiciary has realised great strides in automation but continues to be hampered by inadequate funding which has affected ICT infrastructure and capacity building. The situation has been compounded by the fact that other stakeholders in the justice chain whom the Judiciary relies upon to discharge its mandate have not achieved comparable levels of automation.

3 Legal Gaps

The Tribunals Bill that was to regulate the administration and functions of tribunals, provide standardised procedures for the transition of tribunals in the Judiciary has not been finalised to date.

4 Delays in processing title documents for Land belonging to Judiciary

Most courts lack land ownership documents occasioned by the historical aspect of courts being housed in government quarters. This has delayed implementation of some infrastructure projects that require Judiciary to have verified land ownership.

Recommendations

To sustain and build on the successes that have already been attained, the Judiciary recommends the following measures be undertaken during the coming MTEF period:

- i. Increase resource allocation to Judiciary to facilitate the recruitment of the required human resources at all levels, expansion and completion of court infrastructure into all the counties for the High Court and courts of equal status, support digitisation of court processes and automation of registry operations; court programmes such as mobile courts, ADR, AJS and the roll out of the of Small Claims Courts into the counties including recruitment and facilitation of adjudicators.
- ii. There is need to review, harmonize, and adopt statutes governing adoption of ICT in court procedures in liaison with the other stakeholders in the Justice Chain.
- iii. Fast track the enactment of the Tribunals Bill into law, incorporating the declarations by the High Court in regard to tribunals to provide a legal framework for transitioning and management of the Tribunals.
- iv. Enhance the co-operation between the National Land Commission and Ministry of Lands to assist the Judiciary in acquiring land titles where the courts and Judiciary facilities are situated.
- v. Other agencies dealing with witnesses attending cases in court should be funded to meet part of their cost/expenses.
- vi. Continued partnerships with stakeholders will be strengthened especially for provision of court premises and land for construction.

C.5 Major services/outputs to be provided in MTEF period 2022/23 – 2024/25

- Expeditious dispensation of justice will be a key priority for the Judiciary in the MTEF period 2022/23–2024/25. The sub-programmes will be Access to Justice and, General Administration, Planning and Support Services. The estimated resource requirement to finance the two sub-programmes for the FY 2021/22 is estimated at **Ksh 39.56 Billion**.
- Access to justice will be enhanced through dispute resolution in courts, targeting to improve from the Case Clearance Rate (CCR) of 83 per cent that was recorded in the FY 2020/21 to 103 per cent at the end of MTEF period.

- Fifty per cent of case backlog aged 3 years and above will be targeted to be cleared within the MTEF period. Courts will plan to have service weeks and target to clear trial cases in a maximum of three years in trial courts and within 1 year in appellate courts, among other initiatives to clear case backlog.
- All courts will target to reduce the time to disposition of cases from the baselines that was realized in the FY 2020/21. This will reduce the overall time taken by users in courts since filing of the case.
- Thirty three (33) new courts have been earmarked for establishment over the MTEF period. This will aim at enhancing physical proximity to courts.
- To enhance physical access to justice, 13 new court buildings will be constructed while 26 which have been ongoing will be completed. There will be creation of sub-registries and circuits sessions by the superior courts targeting stations with high-workload, mobile court stations under the magistracy courts.
- To support procedural access to justice, 12 strategic documents aimed at advising and guiding policy and institutional environment will be formulated. These includes, inter alia, strategic plans, court registry operation manuals and guidelines.
- Continuous adoption of Information Communication Technology (ICT) focusing on digitisation of court processes, support functions and automation of registry operation will be prioritised. The key areas of improvement will be CTS, e-filing, CRTS, JFMIS, and other ERP modules. This will be supported by availing of internet and ICT hardware equipment.
- Court Annexed Mediation will be up-scaled in more courts
- Small claims courts to be operationalized in 10 more court stations in the FY 2021/22 to support expeditious disposal of commercial disputes
- Recruitment of judges, judicial officers and staff for the various courts will continue

Part D: Strategic Objectives

Programme: The Judiciary's mandate is implemented through one Programme; **"Dispensation of Justice"**.

Strategic Objective

The overriding objective for the Judiciary is to provide equitable access to and expeditious delivery of justice. Under the Judiciary Strategic Plan (2019 – 2023), the strategic objectives are phrased as key result areas as below. These are to:

- i. Enhance Access to Justice
- ii. Expedite Delivery of Justice
- iii. Grow Jurisprudence and enhance Knowledge Management
- iv. Improve Governance and Transformative Leadership
- v. Improve Human Capital Management and Organizational Development
- vi. Modernize Registry Operations for Operational Efficiency
- vii. Enhance Public Confidence, Awareness and Image of Judiciary
- viii. Strengthen Resource Mobilization, Utilization and Stakeholder Engagement

The Judiciary's activities under each of these key result areas contribute significantly to the achievement of the national development agenda, including the Vision 2030, the Big 4 Agenda, and the Medium Term Plan III (2018-2022).

Part E: Summary of the Programme Outputs, Performance Indicators and Targets for 2022/23 – 2024/25

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target		
		2020/21	2020/21	2021/ 22	2022/ 23	2023/2 4	2024/2 5
Programme : Dispensation of Justice							
Sub- programme 1 : Access to Justice							
Judicial Services	Case clearance rate - %	100	83	88	93	98	103
	Reduction of case backlog aged 3 years and above - %	-	10	10	10	15	15
	% age of taxations of legal bills within 60 days	-	-	-	0.75	0.8	0.85
	No. of Days taken to resolve election cases	-	-	180 ⁶	180	180	180
	No. of COA stations with Circuits	3	3	2	2	2	2
	No. of High Courts with Circuits	7	7	7	6	5	5
	No. of ELC stations with Circuits	1	1	1	1	1	2
	No. of ELRC stations with Circuits	4	4	4	4	4	4
	No. of Tribunals with circuits	3	3	3	5	5	5
	No. of mobile courts held	6	60	60	60	60	60
	No. of mediation registries established	24	5	10	15	25	25
	Mediation settlement rate - %	-	0.62	0.65	0.7	0.75	0.8
	No. of new mediators accredited	-	126	100	100	100	100
	No. of mediators trained	150	164	150	150	150	150
Judicial Services	No. of new High Courts Stations	4	2	0	4	0	0
	No. of ELRC stations	7	0	2	2	3	3
	No. of ELC stations	9	0	2	2	1	5
	No. of new Magistrates' courts	15	22	3	3	3	3

⁶ Except for the presidential election petition at Supreme Court which is pegged at 14 days

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target		
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
Programme : Dispensation of Justice							
	No. of new Kadhis' courts stations	0	0	1	1	1	1
	No. of Mobile Courts Established	4	0	4	3	3	3
	No. of new HC sub-registries	1	4	1	2	2	0
	No. of new ELRC sub-registries	3	4	2	-	3	-
	No. of ELC sub-registries	2	3	-	2	2	2
	No. of tribunals sub-registries	-	3	-	4	4	4
	No. of small claims courts established	5	1	10	20	30	50
	No. of HC Judges and PJs Hand books, and practice directions	-	-	2	0	0	0
Simplified Court Processes	No. of HC <i>pro-se</i> litigants manual	0	0	0	0	1	0
	Reviewed HC registry manual	0	0	0	0	1	0
	No. of HC guidelines on handling children cases	0	0	0	0	0	1
	Reviewed ELC Registry manual	-	-	0	1	0	0
	ELRC procedure rules	-	-	0	1	0	-
	Reviewed ELRC Registry manual	-	-	0	1	0	0
	Mobile courts policy	-	-	0	1	0	0
Court Facilities	No. of ongoing High Courts completed (GOK)	8	0	2	1	0	0
	On-going high court completed (JPIP)	9	6	7	0	4	4
	No. of ongoing Magistrates' courts completed (GOK)	13	0	7	4	3	0
	No. of ongoing Magistrates' courts completed (JPIP)	8	1	7	0	0	0
	No. of residential units for judges constructed	0	-	2	1 ⁷	0	0
	No. of Courts of Appeal rehabilitated/ Refurbished	1	1	-	1	-	-

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target		
		2020/21	2020/21	2021/ 22	2022/ 23	2023/24	2024/25
Programme : Dispensation of Justice							
	No. of High courts rehabilitated	3	1	4	1	0	0
	No. of Magistrates' courts rehabilitated	13	11	3	0	0	0
Sub-Programme 2: General Administration, Planning and Support Services							
Administration Services	Number of vehicles procured	38	99	8	60	60	60
	Number of publicity products disseminated	-	-	20	30	30	30
	Performance Measurements Report Published	1	1	1	1	1	1
	Status of the Judiciary Report Published	1	1	1	1	1	1
	Number of Financial & Procurement Manual Reviewed	0	0	0	3	0	0
	No. of Annual Caseload Statistics Reports Produced	1	1	1	1	1	1
ICT Services	Court stations with e-filing - %	1	0.01	0.07	0.15	0.5	1
	Courts with digitized records - %	-	-	0.15	0.5	1	1
	No. of courtrooms with transcription solution	157	26	157	157	157	157
	Ratio of computers to employees	-	4.1	0.13	0.13	0.08	0.08

Part F: Summary of Expenditure by Programme and Sub-Programmes 2022/23 – 2024/25 (Kshs. Million)

Table 8: Summary of Expenditure by Programme and Sub-Programmes

Programme : Dispensation of Justice	Approved Budget	Actual Expenditure	Baseline Estimates	Proposed Estimates	Projected Estimates	
	2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
Access to Justice	11,993.35	11,222.91	12,135.48	12,808.18	13,622.63	15,199.17
General Administration	5,140.01	4,809.82	5,200.92	5,489.22	5,838.27	6,513.93
TOTAL PROGRAMME	17,133.36	16,032.73	17,336.40	18,297.40	19,460.90	21,713.10
TOTAL VOTE	17,133.36	16,032.73	17,336.40	18,297.40	19,460.90	21,713.10

Part G: Summary of Expenditure by Vote and Economic Classification (Kshs. Million)

Table 9: Summary of Expenditure by Vote and Economic Classification

Code	Expenditure Classification	Approved Budget	Actual Expenditure	Baseline Estimates	Proposed Estimates	Projected Estimates	
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
0	Current Expenditure	14,575.28	14,377.46	15,003.00	16,297.40	16,260.90	17,513.10
21	Compensation to Employees	9,401.94	9,397.96	9,881.42	10,942	11,489	12,063
22	Use of goods and services	4,114.17	3,951.03	4,177.02	4,368	3,892	4,445
24	Interests	0.00	0.00	0.00	0.00	0.00	0.00
25	Subsidies	0.00	0.00	0.00	0.00	0.00	0.00
26	Current Transfers to Govt. Agencies	0.00	0.00	0.00	0.00	0.00	0.00
27	Social Benefits	0.00	0.00	19.53	20.42	18.20	20.78
28	Other Expenses	270.29	290.24	565.73	591.60	527.14	602.01
31	Non-Financial Assets	438.87	388.22	189.30	197.96	176.39	201.44
32	Financial Assets	350.00	350.00	170.00	177.78	158.41	180.90
1	Capital Expenditure	2,558.08	1,655.53	2,333.40	2,000.00	3,200.00	4,200.00
21	Compensation to Employees	0.00	0.00	0.00	0.00	0.00	0.00
22	Use of goods and services	101.10	13.20	74.50	500.00	200.00	200.00
24	Interests	0.00	0.00	0.00	0.00	0.00	0.00
25	Subsidies	0.00	0.00	0.00	0.00	0.00	0.00
26	Current Transfers to Govt. Agencies	0.00	0.00	0.00	0.00	0.00	0.00
31	Non-Financial Assets	191.00	280.67	1,520.50	1,500.00	3,000.00	4,000.00

Code	Expenditure Classification	Approved Budget	Actual Expenditure	Baseline Estimates	Proposed Estimates	Projected Estimates	
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
32	Financial Assets	2,265.98	1,361.66	738.40	0.00	0.00	0.00
	Total Expenditure of Vote 1261	17,133.36	16,032.99	17,336.40	18,297.40	19,460.90	21,713.10

Part H: Summary of Expenditure by Programme, Sub-Programme and Economic Classification (Kshs. Million)

Table 10: Summary of Expenditure by Programme, Sub-Programme and Economic Classification

Code	Expenditure Classification	Approved Budget	Actual Expenditure	Baseline Estimates	Estimates	Projected Estimates	
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
Programme: Dispensation of Justice							
0	Current Expenditure	14,575.28	14,377.46	15,003.00	16,297.40	16,260.90	17,513.10
21	Compensation to Employees	9,401.94	9,397.96	9,881.42	10,941.56	11,488.63	12,063.07
22	Use of goods and services	4,114.17	3,951.03	4,177.02	4,368.08	3,892.13	4,444.90
24	Interests	0.00	0.00	0.00	0.00	0.00	0.00
25	Subsidies	0.00	0.00	0.00	0.00	0.00	0.00
26	Current Transfers to Govt. Agencies	0.00	0.00	0.00	0.00	0.00	0.00
27	Social Benefits	0.00	0.00	19.53	20.42	18.20	20.78
28	Other Expenses	270.29	290.24	565.73	591.60	527.14	602.01
31	Non-Financial Assets	438.87	388.22	189.30	197.96	176.39	201.44
32	Financial Assets	350.00	350.00	170.00	177.78	158.41	180.90
1	Capital Expenditure	2,558.08	1,655.53	2,333.40	2,000.00	3,200.00	4,200.00

Code	Expenditure Classification	Approved Budget	Actual Expenditure	Baseline Estimates	Estimates	Projected Estimates	
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
21	Compensation to Employees	0.00	0.00	0.00	0.00	0.00	0.00
22	Use of goods and services	101.10	13.20	74.50	1,500.00	200.00	200.00
24	Interests	0.00	0.00	0.00	0.00	0.00	0.00
25	Subsidies	0.00	0.00	0.00	0.00	0.00	0.00
26	Current Transfers to Govt. Agencies	0.00	0.00	0.00	0.00	0.00	0.00
27	Social Benefits	0.00	0.00	0.00	0.00	0.00	0.00
28	Other Expenses	0.00	0.00	0.00	0.00	0.00	0.00
31	Non-Financial Assets	191.00	280.67	1,520.50	500.00	3,000.00	4,000.00
32	Financial Assets	2,265.98	1,361.66	738.40	0.00	0.00	0.00
	Total Programme	17,133.36	16,032.99	17,336.40	18,297.40	19,460.90	21,713.10
SP 1 - Access to Justice							
0	Current Expenditure	10,202.70	10,064.22	10,502.10	11,408.18	11,382.63	12,259.17
21	Compensation to Employees	6,581.36	6,578.57	6,917.00	7,659.09	8,042.04	8,444.15
22	Use of goods and services	2,879.92	2,765.72	2,923.92	3,057.66	2,724.49	3,111.43
24	Interests	-	-	-	-	-	-
25	Subsidies	-	-	-	-	-	-
26	Current Transfers to Govt. Agencies	-	-	-	-	-	-
27	Social Benefits	-	-	13.67	14.29	12.74	14.55
28	Other Expenses	189.21	203.17	396.01	414.12	369.00	421.40
31	Non-Financial Assets	307.21	271.75	132.51	138.57	123.47	141.01
32	Financial Assets	245.00	245.00	119.00	124.44	110.88	126.63
1	Capital Expenditure	1,790.66	1,158.87	1,633.38	1,400.00	2,240.00	2,940.00
21	Compensation to Employees	-	-	-	-	-	-
22	Use of goods and services	70.77	9.24	52.15	1,050.00	140.00	140.00

Code	Expenditure Classification	Approved Budget	Actual Expenditure	Baseline Estimates	Estimates	Projected Estimates	
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
24	Interests	-	-	-	-	-	-
25	Subsidies	-	-	-	-	-	-
26	Current Transfers to Govt. Agencies	-	-	-	-	-	-
27	Social Benefits	-	-	-	-	-	-
28	Other Expenses	-	-	-	-	-	-
31	Non-Financial Assets	133.70	196.47	1,064.35	350.00	2,100.00	2,800.00
32	Financial Assets	1,586.19	953.16	516.88	-	-	-
Total Sub Programme 1		11,993.35	11,223.09	12,135.48	12,808.18	13,622.63	15,199.17
SP 2- Administration and Support Services							
0	Current Expenditure	4,372.58	4,313.24	4,500.90	4,889.22	4,878.27	5,253.93
21	Compensation to Employees	2,820.58	2,819.39	2,964.43	3,282.47	3,446.59	3,618.92
22	Use of goods and services	1,234.25	1,185.31	1,253.11	1,310.42	1,167.64	1,333.47
24	Interests	-	-	-	-	-	-
25	Subsidies	-	-	-	-	-	-
26	Current Transfers to Govt. Agencies	-	-	-	-	-	-
27	Social Benefits	-	-	5.86	6.13	5.46	6.23
28	Other Expenses	81.09	87.07	169.72	177.48	158.14	180.60
31	Non-Financial Assets	131.66	116.47	56.79	59.39	52.92	60.43
32	Financial Assets	105.00	105.00	51.00	53.33	47.52	54.27
1	Capital Expenditure	767.42	496.66	700.02	600.00	960.00	1,260.00
21	Compensation to Employees	-	-	-	-	-	-
22	Use of goods and services	30.33	3.96	22.35	450.00	60.00	60.00
24	Interests	-	-	-	-	-	-
25	Subsidies	-	-	-	-	-	-

Code	Expenditure Classification	Approved Budget	Actual Expenditure	Baseline Estimates	Estimates	Projected Estimates	
		2020/21	2020/21	2021/22	2022/23	2023/24	2024/25
26	Current Transfers to Govt. Agencies	-	-	-	-	-	-
27	Social Benefits	-	-	-	-	-	-
28	Other Expenses	-	-	-	-	-	-
31	Non-Financial Assets	57.30	84.20	456.15	150.00	900.00	1,200.00
32	Financial Assets	679.79	408.50	221.52	-	-	-
Total Sub Programme		5,140.01	4,809.90	5,200.92	5,489.22	5,838.27	6,513.93
Total Vote		17,133.36	16,032.99	17,336.40	18,297.40	19,460.90	21,713.10

Part I: Summary of Human Resource Requirements

Table 11 : Summary of Human Resource Requirements FY 2021/22 – FY 2024/25

DESIGNATION	JSG	Authorised Est.	In-post as of June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Judge		115	174	JSC			
Judicial Officer		1200	529	579	629	1200	1200
Law Clerk		14	10	12	14	14	14
Legal Researcher		311	168	218	248	311	311
Assistant Legal Researcher					50	50	50
Director (OCJ, DCJ, OCRJ)	1				5	5	5
Assistant Director NCAJ	3				1	1	1
Assistant Director, Court Administration	3	3	3	3	3	3	3
Senior Court Administrator	4	30	17	27	30	30	30
Court Administrator I	5	72	32	72	72	72	72
Court Administrator II	6	124	185	185	185	185	185
Senior Court Assistant	7	578	343	343	569	604	604

DESIGNATION	JSG	Authorised Est.	In-post as at June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Court Assistant I	8	1300	330	330	831	1300	1300
Court Assistant II	9	1376	1470	2070	1923	1646	1646
Assistant Director, Office Administration	3	9	22	22	21	21	21
Senior Office Administrator	4	9	49	49	49	49	49
Office Administrator I	5	13	48	48	48	48	48
Office Administrator II	6	336	127	127	257	416	416
Senior Office Administrative Assistant	7	325	130	160	191	325	325
Office Administrative Assistant	8	17	82	82	82	82	82
Senior Office Assistant	8	5	3	3	5	5	5
Office Assistant I	9	10	56	56	56	56	56
Office Assistant II	10	153	397	397	397	166	166
Office Assistant III	11	280	49	49	49	280	280
Senior Court Bailiff	7	0	32	32	32	32	30
Court Bailiff	8	53	43	43	43	53	53
Process Server	9	156	28	28	104	182	182
Assistant Director, Security Services	3	2	0	0	2	2	2
Senior Security Officer	4	25	0	0	5	20	25
Security Officer I	5	37	2	2	12	27	37
Security Officer II	6	20	1	1	11	20	20
Senior Security Assistant	7	0	12	12	12	12	12
Security Assistant	8	5	0	0	8	8	8
Senior Security Warden	9	3	0	0	0	3	3
Security Warden I	10	131	87	87	87	87	131
Security Warden II	11	119	37		50	32	119
Senior Driver	7	1	3	3	3	3	3

DESIGNATION	JSG	Authorised Est.	In-post as at June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Driver I	8	3	5	5	13	15	15
Driver II	9	207	11	41	57	116	207
Driver III	10	10	115	85	69	10	10
Senior Communication Assistant	7	6	7	7	7	7	7
Communication Assistant I	8	18	11	11	11	11	18
Communication Assistant II	9	199	10	10	10	50	100
Director, Human Resource Management and Development	1	1	1	1	1	1	1
Deputy Director, Human Resource Management and Development	2	2	2	2	2	2	2
Assistant Director, Human Resource Management and Development	3	7	16	16	16	15	14
Senior Human Resource Management and Development Officer	4	2	9	9	13	13	13
Human Resource Management and Development Officer I	5	38	6	6	22	22	38
Human Resource Management and Development Officer II	6	56	34	34	34	56	56
Senior Human Resource Management and Development Assistant	7	130	2	2	32	130	130
Director, Administration & Security Services	1	1	0	0	1	1	1
Deputy Director, Administration Services	2	1	1	1	1	1	1
Assistant Director, Administration Services	3	2	1	1	1	1	2
Senior Administration Officer	4	1	0	0	0	1	1
Administration Officer I	5	3	0	0	0	2	3
Administration Officer II	6	4	0	0	0	2	4
Deputy Director, Finance	2	1	2	2	2	2	2
Assistant Director, Finance	3	2	12	12	12	12	12
Senior Finance Officer	4	3	2	2	2	2	3
Finance Officer I	5	2	1	1	1	2	2
Finance Officer II	6	6	1	1	1	1	6
Director, Finance & Accounts	1	1	0	0	1	1	1
Deputy Director Accounts	2	1	0	0	0	0	1

DESIGNATION	JSG	Authorised Est.	In-post as at June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Assistant Director, Accounts	3	2	5	5	5	5	5
Senior Accountant	4	11	28	28	28	28	28
Accountant I	5	35	53	53	53	53	53
Accountant II	6	51	47	47	47	47	47
Senior Accounts Assistant	7	138	10	25	75	138	138
Accounts Assistant	8	177		89	112	177	177
Director, ICT	1	1	0	1	1	1	1
Deputy Director, ICT	2	2	0	0	0	2	2
Assistant Director, ICT	3	0	2	2	2	0	0
Senior ICT Officer	4	5	13	13	13	13	13
ICT Officer I	5	23	15	15	21	23	23
ICT Officer II	6	39	24	24	34	39	39
Senior ICT Assistant	7	133	18	48	78	133	133
Customer Service Assistant I	8	167	10	10	26	26	167
Customer Service Assistant II	9	136	12	12	62	62	136
ICT Assistant	8	10	0	10	10	10	10
Director, Supply Chain Management Services	1	1	1	1	1	1	1
Deputy Director, Supply Chain Management Services	2	0	0	0	0	0	0
Assistant Director, Supply Chain Management Services	3	3	1	2	2	2	3
Senior Supply Chain Management Officer	4	10	7	14	14	14	14
Supply Chain Management Officer I	5	24	10	10	10	10	24
Supply Chain Management Officer II	6	44	15	15	30	44	44
Senior Supply Chain Management Assistant	7	126	24	24	74	74	126
Supply Chain Management Assistant	8	18	47	47	47	18	18
Deputy Director, Public Affairs & Communication	2	1	1	1	1	1	1

DESIGNATION	JSG	Authorised as Est.	In-post as at June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Assistant Director, Public Affairs & Communication	3	3	1	1	1	1	3
Senior Communication Officer	4	3	2	2	2	3	3
Communication Officer I	5	4	1	1	1	4	4
Communication Officer II	6	0	2	2	2	0	0
Senior Graphic Designer	4	1		1	1	1	1
Graphic Designer I	5	0		0	2	2	2
Graphic Designer II	6	1		0	0	1	1
Director, Planning & Organizational Performance	1	1	1	1	1	1	1
Deputy Director, Planning & Organizational Performance	2	0	0	0	0	0	0
Assistant Director, Planning & Organizational Performance	3	4	6	6	6	6	6
Senior Economist	4	5	0	0	0	5	5
Economist I	5	6	3	3	3	3	6
Economist II	6	7	0	0	7	7	7
Senior Research Officer	4	2	0	0	0	0	2
Research Officer I	5	2	0	0	0	2	2
Research Officer II	6	9	0	0	9	9	9
Director, Audit & Risk Management	1	1	1	1	1	1	1
Deputy Director, Audit & Risk Management	2	0	0	0	0	0	0
Assistant Director, Audit & Risk Management	3	2	1	2	2	2	2
Senior Internal Auditor	4	6	2	4	4	4	6
Internal Auditor I	5	14	4	9	9	9	14
Internal Auditor II	6	12	4	11	11	11	12
Assistant Director, Library	3	2	1	1	1	1	2
Senior Librarian	4	19	17	17	17	17	19
Librarian I	5	0	17	17	17	17	15

DESIGNATION	JSG	Authorised as Est.	In-post as at June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Librarian II	6	0	0	0	0	0	0
Senior Library Assistant	7	42	0	0	30	42	42
Assistant Director, Records Management	3	1	0	0	0	0	1
Senior Records Management Officer	4	1	3	3	3	3	3
Records Management Officer I	5	0	10	10	10	10	10
Records Management Officer II	6	8	35	35	35	35	35
Senior Records Management Assistant	7	19	47	47	47	47	47
Records Management Assistant	8	150	2	2	52	150	150
Museum Curator	6	1	0	0	0	0	1
Senior Museum Curator Assistant	7	0	0	0	0	0	0
Museum Curator Assistant	8	1	0	0	0	1	1
Deputy Director, Building Services	2	1	1	1	1	1	1
Assistant Director, Building Services	3	4	3	3	4	4	4
Senior Architect	4	1	0	1	1	1	1
Architect I	5	0	0	0	0	0	0
Architect II	6	0	0	0	0	0	0
Draughtsman II	6	0	0	0	0	0	0
Senior Draughtsman	7	1	0	1	1	1	1
Draughtsman Assistant	8	0	0	0	0	0	0
Senior Chargehand	7	0	0	0	0	0	0
Chargehand	8	10	0	10	10	10	10
Artisan I	9	0	1	1	1	1	1
Artisan II	10	0	2	2	2	2	2
Superintendent of Works	6	4	1	5	5	5	5
Senior Inspector of Works	7	0	2	2	2	2	2

DESIGNATION	JSG	Authorised as Est.	In-post as June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Inspector of Works	8	0	0	0	0	0	0
Senior Quantity Surveyor	4	1	0	4	4	4	4
Quantity Surveyor I	5	0	0	0	1	1	1
Quantity Surveyor II	6	0	0	0	0	0	0
Senior Mechanical Engineer	4			1	1	1	1
Mechanical Engineer I	5	1	0	0	0	0	1
Mechanical Engineer II	6	0	0	0	0	0	0
Senior Electrical Engineer	4			1	1	1	1
Electrical Engineer I	5	1	0	0	0	0	1
Electrical Engineer II	6	0	0	0	0	0	0
Senior Structural/ Civil Engineer II	4	1	0	1	1	1	1
Structural/ Civil Engineer I	5	0	0	0	0	0	0
Structural/ Civil Engineer II	6	0	0	0	0	0	0
Valuer I	5	8	0	0	1	7	8
Valuer II	6	34	0	0	5	29	34
Deputy Director, Information & Records Management	2	1	0	0	0	0	1
Chief Accounts Controller - TBA		0	1	1	1	1	1
Chief Architect - TBA		0	0	0	0	0	0
Chief Telephone Operator - TBA		0	0	0	0	0	0
Personal Assistant	3	3	0	1	1	1	3
Senior Legal Counsel	4	5	1	1	1	5	5
Legal Counsel	2	2	1	2	2	2	2
Executive Officer	2	6		6	6	6	6
Principal Driver - TBA	6	0	0	0	0	0	0
Ombudsman	TBA	1	0	0	0	1	1

DESIGNATION	JSG	Authorised as Est.	In-post as June 2021	2021/2022 Funded Positions	2022/2023 Funded Positions	2023/2024 Projections	2024/2025 Projections
Deputy Director, Ombudsman		2	1	0	0	0	1
Assistant Director, Ombudsman		3	2	0	0	1	2
Senior Officer, Ombudsman		4	3	0	0	2	3
Officer, Ombudsman		5	1	0	0	0	1
Director NCAJ		1	1	0	1	1	1
Assistant Director, NCAJ		3	3	1	1	1	3
Senior Operations Officer, CUC		4	4	0	0	0	4
Protocal Officer I		5	1	0	0	1	1
Protocal Officer II		6	10	0	0	2	8
Court Bailif - TBA			0	0	0	0	0
Chief Registrar of the Judiciary	CoA	1	1	1	1	1	1
Deputy Chief Registrar of the Judiciary	HC	2	1	1	1	2	2
Registrar	R	6	5	6	6	6	6
Deputy Registrar	DR	10	2	0	0	10	10
Telephone Supervisor II - TBA			0	2	2	2	2
Telephone Supervisor I - TBA			0	1	1	1	1
Senior Court Bailif - TBA			0	2	2	2	2
Storekeeper II - TBA			0	4	4	4	4
Senior Telephone Supervisor - TBA			0	0	0	0	0
Computer Operations Assistant - TBA			0	1	1	1	1
Director- Public Affairs & Communication - TBA			0	0	0	0	0
Senior Legal Officer -TBA			0	1	1	1	1
Assistant Registrar			0	2		1	2
Chief of Staff				1	1	1	1
		9153	5257	6026	7493	9275	9917

ANNEX VI: PROJECTS CONCEPT NOTES FOR FY 2022/23 AND MEDIUM TERM



ANNEX VII: PROJECTS DETAILS FOR FY 2022/23 AND MEDIUM TERM PROJECTIONS

Table 12: Details of Capital Projects in FY 2022/23 and the Medium Term Projections (KSh M)

Project Code & Project Title	Financing			Timeline		Actual Expenditure up to 30th June 2021	Outstanding Project Cost as at 30th June 2021	Project Completion Status as at 30th June 2021	Approved Budget 2021/22		Requirements FY 2022/23		Allocation for FY 2022/23		Allocation for FY 2023/24		Allocation for FY 2024/25		Remarks		
	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign		GOK	Foreign
1 Refurbishment of Kiambu Law Courts	12.9	0.0	12.9	31/05/2017	30/06/2021	6.7	6.2	100%	6.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Final Certificate	
2 Refurbishment of Mombasa Court of Appeal	51.8	0.0	51.8	18/11/2014	30/06/2021	48.9	2.9	100%	4.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Final Certificate	
3 Construction of Iten Law Courts	12.3	0.0	10.7	19/05/2015	30/06/2021	9.4	2.9	100%	2.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Final Certificate	
4 Refurbishment of Karatina Law Courts	6.9	0.0	6.9	05/04/2017	30/06/2022	2.6	4.3	68%	4.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion	
5 Refurbishment of Makadara Law Courts	9.9	0.0	9.9	23/07/2017	30/06/2022	4.9	5.0	60%	5.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion	
6 Refurbishment of Nyeri Court of Appeal	18.5	0.0	18.5	17/04/2014	30/06/2022	14.3	4.2	95%	4.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Final Certificate	
7 Construction of Butali Law Courts	37.5	0.0	32.7	09/03/2015	30/06/2022	30.3	7.2	95%	7.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion	

	Project Code & Project Title	Financing		Timeline		Actual Expenditure up to 30th June 2021	Outstanding Project Cost as at 30th June 2021	Project Completion Status as at 30th June 2021	Approved Budget 2021/22		Requirements FY 2022/23		Allocation for FY 2022/23		Allocation for FY 2023/24		Allocation for FY 2024/25		Remarks	
		Estimated Project Cost	Foreign	GOK	Start Date				Expected Completion Date	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK		Foreign
8	Refurbishment of Eldoet Law Courts	38.1	0.0	38.1	23/02/2015	30/06/2022	30.7	7.4	90%	7.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
9	Construction of Narok Law Courts-Phase II	74.0	0.0	74.0	25/10/2015	30/06/2022	21.2	52.9	85%	52.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
10	Refurbishment of Forodha house	157.2	0.0	157.2	24/05/2019	30/06/2022	113.6	43.6	80%	43.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion of Renovation Works
11	Refurbishment of Hon. CJ residence	26.0	0.0	26.0	01/07/2021	30/06/2022	0.0	26.0	0%	26.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Renovation works
12	Construction of Takaba Kadhis Court	100.0	0.0	100.0	07/01/2021	30/06/2022	0.0	100.0	0%	20.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Not a priority project
13	Construction of Mandera Law Courts	115.6	0.0	105.7	19/05/2015	30/06/2023	99.0	16.6	94%	16.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
14	Construction of Port Victoria Law Courts	56.5	0.0	46.5	12/02/2015	30/06/2023	43.0	13.5	93%	13.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
15	Construction of Eldama Ravine Law Courts	81.9	0.0	81.9	04/02/2015	30/06/2023	69.6	12.3	85%	12.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Pending Claim for Phase I
16	Refurbishment of Muranga Law Courts	62.1	0.0	62.1	19/05/2015	30/06/2023	39.4	22.7	79%	22.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion

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	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign			
17 Construction of Marsabit Judges Residence Phase II	15.0	0.0	10.9	02/05/2017	30/06/2023	5.0	10.0	75%	10.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion	
18 Refurbishment of Machakos Law Courts	34.1	0.0	34.1	18/05/2017	30/06/2023	20.3	13.8	67%	13.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
19 Construction of Embu Law Courts	266.0	0.0	229.3	15/01/2015	30/06/2023	221.0	45.0	98%	45.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Pending Claim & Phase two costing 36.7 M
20 Prefabrication of Othaya Law Courts	81.7	0.0	81.7	15/01/2013	30/06/2023	53.1	28.6	80%	28.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
21 Prefabrication of Bomet Law Courts	81.7	0.0	81.7	15/01/2013	30/06/2024	55.0	26.7	80%	27.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
22 Prefabrication of Wanguru Law Courts	81.7	0.0	81.7	15/01/2013	30/06/2024	42.6	39.1	70%	23.0	0.0	16.1	0.0	16.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Second Phase
23 Construction of Malindi High Court	44.0	0.0	44.0	30/06/2016	30/06/2023	0.0	44.0	98%	14.0	0.0	30.0	0.0	30.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Pending Claim-Final Account
24 Construction of Githongo Law Courts	130.9	0.0	130.9	05/04/2017	30/06/2024	54.3	76.6	45%	40.6	0.0	36.0	0.0	36.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
28 Construction of Mbita Law Courts	148.3	0.0	148.3	15/03/2017	30/06/2024	53.5	94.8	57%	25.0	0.0	69.8	0.0	69.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Construction of a new Building

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	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign		
																				Cost
29 Construction of Amagoro Law Courts	138.0	0.0	138.0	13/03/2017	30/06/2024	37.9	100.1	24%	37.0	0.0	63.1	0.0	63.1	0.0	0.0	0.0	0.0	0.0	0.0	Construction of a new Building
26 Kajiado Judge's Residence	25.0	0.0	25.0	01/07/2020	30/06/2024	0.0	25.0	0%	0.0	0.0	25.0	0.0	25.0	0.0	0.0	0.0	0.0	0.0	0.0	Completion
34 Refurbishment of Milimani Law Courts	80.0	0.0	80.0	24/05/2019	30/06/2024	0.0	80.0	0%	20.0	0.0	60.0	0.0	60.0	0.0	0.0	0.0	0.0	0.0	0.0	Renovation works
27 Prefabrication of Marimani Law Courts	81.7	0.0	81.7	15/01/2013	30/06/2024	44.4	37.3	80%	20.0	0.0	17.3	0.0	1.5	0.0	15.8	0.0	0.0	0.0	0.0	Second Phase
25 Renovations and Removal of Asbestos	68.9	0.0	68.9	01/07/2019	30/06/2023	34.4	34.4	50%	0.0	0.0	34.4	0.0	10.0	0.0	24.4	0.0	0.0	0.0	0.0	Completion
30 Construction of Kandara Law Courts	137.8	0.0	137.8	03/04/2017	30/06/2024	16.2	121.7	38%	25.0	0.0	96.7	0.0	50.0	0.0	46.7	0.0	0.0	0.0	0.0	Construction of a new Building
33 Construction of Habasweini Law Courts	143.2	0.0	143.2	28/09/2017	30/06/2024	10.0	133.2	10%	15.0	0.0	118.2	0.0	39.5	0.0	78.7	0.0	0.0	0.0	0.0	Construction of a new Building
31 Construction of Marsabit Law Courts	370.2	0.0	370.2	17/03/2017	30/06/2024	73.7	296.5	35%	78.3	0.0	218.2	0.0	60.0	0.0	100.0	0.0	58.2	0.0	0.0	Construction of a new Building
32 Construction of Kabarnet Law Courts	366.8	0.0	366.8	17/03/2017	30/06/2024	52.1	314.7	15%	48.4	0.0	266.3	0.0	88.7	0.0	100.0	0.0	77.6	0.0	0.0	Construction of a new Building

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	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign		
																				GO
35 Construction of Homabay Law Courts	367.3	0.0	367.3	13/03/2017	30/06/2025	51.7	315.6	32%	50.0	0.0	265.6	0.0	100.0	0.0	100.0	0.0	65.6	0.0	Construction of a new Building	
36 Supply of Generators	120.0	0.0	8.5	10/06/2019	30/06/2026	0.0	120.0	6%	114.2	0.0	5.8	0.0	5.8	0.0	0.0	0.0	0.0	0.0	0.0	Alternative power Supply
37 ICT - Judiciary Digital Strategy	6,385.7	0.0	3,395.0	01/07/2019	30/06/2026	209.0	6,176.7	6%	620.0	0.0	2,429.9	0.0	400.0	0.0	648.7	0.0	1,000.0	0.0	Automation of Court Processes- CTS, E-filing, ERP	
38 Renovation of Supreme Court Building-Headquarters (M&E, Alteration, Feasibility)	250.0	0.0	250.0	01/07/2020	30/06/2026	0.0	250.0	6%	90.0	0.0	160.0	0.0	120.0	0.0	40.0	0.0	0.0	0.0	Renovation works	
39 Construction of Court of Appeal Complex	1,700.0	0.0	1,700.0	01/07/2020	30/06/2026	0.0	1,700.0	0%	0.0	0.0	700.0	0.0	100.0	0.0	300.0	0.0	400.0	0.0	Construction of a new Building	
40 Construction of Meru High Court	637.5	0.0	650.0	01/07/2020	30/06/2026	0.0	637.5	0%	0.0	0.0	637.5	0.0	100.0	0.0	200.0	0.0	337.5	0.0	Construction of a new Building	
41 Construction of Kisii High Court	650.0	0.0	650.0	01/07/2020	30/06/2026	0.0	650.0	0%	0.0	0.0	650.0	0.0	50.0	0.0	200.0	0.0	400.0	0.0	Construction of a new Building	
42 Construction of Eldoret High Court	560.8	0.0	650.0	01/07/2020	30/06/2026	0.0	560.8	0%	0.0	0.0	560.8	0.0	100.0	0.0	200.0	0.0	260.8	0.0	Construction of a new Building	

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	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign		
																				Remarks
43 Judiciary Training Academy	10,000.0	0.0	0.0	01/07/2022	30/06/2026	0.0	10,000.0	0%	0.0	0.0	500.0	0.0	20.0	0.0	500.0	0.0	1,121.1	0.0	Construction of JTI Academy	
44 Court Awards- Milimani, Lodwar- Legal Dues/fees, Arbitration and Compensation Payments	918.9	0.0	918.9	01/07/2015	30/06/2024	0.0	918.9	0%	0.0	0.0	0.0	0.0	450.0	0.0	450.0	0.0	18.9	0.0	Settling of Court/Arbitration Awards	
Sub-total									1,595.0	0.0	6,960.9	0.0	2,000.0	0.0	3,000.0	0.0	4,000.0	0.0		
JPIP Projects																				
1 Rehabilitation of Molo Law Courts	99.9	99.9	0.0	19/06/2015	24/05/2018	94.9	0.0	100%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
2 Construction of Kigumo Law Courts	94.2	94.2	0.0	29/06/2015	19/07/2018	89.5	0.0	100%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
3 Construction of Vihiga Law Courts	78.5	78.5	0.0	14/09/2015	30/12/2019	78.5	0.0	100%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
4 Rehabilitation of Tana Law Courts	74.9	74.9	0.0	09/06/2015	30/12/2019	74.8	0.0	100%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
5 Construction of Makindu	96.9	96.9	0.0	08/03/2016	30/05/2018	96.9	0.0	100%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete

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	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign		
Law Courts																				
6 Construction of Chuka Law Courts	98.1	98.1	0.0	05/06/2015	30/12/2019	98.1	0.0	100%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Complete
7 Construction of Oyugis Law Courts	109.7	109.7	0.0	29/06/2015	30/12/2019	109.8	0.8	100%	0.0	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
8 Construction of Engineer Law Courts	78.6	78.6	0.0	06/08/2015	30/12/2019	69.9	1.0	100%	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
9 Construction of Nyamira Law Courts	118.3	118.3	0.0	18/06/2015	30/12/2019	118.3	11.6	100%	0.0	11.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
10 Construction of Isiolo Law Courts	329.1	329.1	0.0	23/03/2017	31/05/2020	309.9	19.2	100%	0.0	19.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
11 Construction of Nakuru Law Courts	347.8	347.8	0.0	18/02/2016	30/12/2020	331.2	28.6	99%	0.0	17.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
12 Construction of Nanyuki Law Courts	318.6	318.6	0.0	10/03/2016	30/03/2020	255.3	84.9	99%	0.0	15.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	complete
13 Construction of Kajiado Law Courts	351.4	351.4	0.0	15/03/2018	31/12/2020	304.0	47.4	99%	0.0	17.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
14 Construction of Kakamega Law Courts	338.7	338.7	0.0	15/03/2018	30/06/2020	318.9	19.9	99%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing

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	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	
15 Rehabilitation of Kangema Law Courts (Phase II)	43.0	43.0	0.0	20/09/2017	28/08/2020	32.6	14.6	98%	0.0	14.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
16 Construction of Kapenguria Law Courts	358.0	358.0	0.0	21/03/2017	30/03/2021	310.4	47.6	98%	0.0	17.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
17 Construction of Siaya Law Courts	342.8	342.8	0.0	21/03/2016	29/01/2021	292.6	89.9	97%	0.0	17.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
18 Construction of Makeni Law Courts	367.1	367.1	0.0	25/09/2017	01/03/2021	311.8	55.3	92%	0.0	18.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
19 Construction of Garissa Law Courts	351.3	351.3	0.0	18/06/2015	31/01/2021	237.3	114.0	91%	0.0	69.0	0.0	0.0	0.0	0.0	50.0	0.0	50.0	0.0	Ongoing
20 Construction of Kwale Law Courts	340.0	340.0	0.0	06/05/2017	15/06/2021	271.7	68.3	90%	0.0	47.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
21 Construction of Maralal Law Courts	328.8	328.8	0.0	23/03/2017	31/05/2021	269.6	59.2	85%	0.0	46.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
22 Construction of Mombasa Law Courts	395.2	395.2	0.0	28/09/2017	01/03/2021	305.7	89.5	85%	0.0	50.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing
23 Rehabilitation of Kibera Law Courts	137.7	137.7	0.0	13/04/2016	30/10/2020	104.8	35.7	84%	0.0	4.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing

Project Code & Project Title	Financing			Timeline		Actual Expenditure up to 30th June 2021	Outstanding Project Cost as at 30th June 2021	Project Completion Status as at 30th June 2021	Approved Budget 2021/22		Requirements FY 2022/23		Allocation for FY 2022/23		Allocation for FY 2023/24		Allocation for FY 2024/25		Remarks		
	Estimated Project Cost	Foreign	GOK	Start Date	Expected Completion Date				GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign	GOK	Foreign		GOK	Foreign
24 Construction of Voi Law Courts	297.6	297.6	0.0	29/03/2017	30/10/2020	244.1	53.5	84%	0.0	14.9	0.0	0.0	0.0	0.0	50.0	0.0	50.0	0.0	Ongoing		
25 Construction of Wajir Law Courts	369.6	369.6	0.0	27/09/2017	30/06/2021	144.3	225.3	68%	0.0	72.5	0.0	0.0	0.0	0.0	50.0	0.0	50.0	0.0	Ongoing		
26 Construction of Mukurweini Law Courts	159.0	159.0	0.0	19/09/2017	30/10/2020	63.4	95.6	64%	0.0	11.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Ongoing		
27 Construction of Ol'Kalou Law Courts	399.1	399.1	0.0	18/09/2017	28/02/2020	119.9	279.2	59%	0.0	86.1	0.0	0.0	0.0	0.0	50.0	0.0	50.0	0.0	Ongoing		
28 Project Management Unit	277.6	0.0	0.0	01/07/2022	31/10/2021	0.0	0.0	-	0.0	177.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Continuous		
Sub-total									0.0	730.1	0.0	0.0	0.0	0.0	200.0	0.0	200.0	0.0			
Total	31,447.4	6,423.6	12,367.4			6,687.7	25,246.5		1,595.0	730.1	6,960.9	0.0	2,000.0	0.0	3,200.0	0.0	4,200.0	0.0			



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