

**REPUBLIC OF KENYA**



**THE JUDICIARY**



**WORLD BANK GROUP**

**PROJECT NAME: JUDICIAL PERFORMANCE IMPROVEMENT PROJECT (JPIP)**

**DOCUMENT NAME: JPIP PROGRESS REPORT (JULY – SEPTEMBER 2015)**

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## **Abbreviations and Acronyms**

|       |   |   |
|-------|---|---|
| CRJ   |   | Chief Registrar of the Judiciary                            |
| CUC   | - | Court User Committee  |
| DBS   | - | Directorate of Building Services                            |
| DCRJ  | - | Deputy Chief Registrar of the Judiciary                     |
| DICT  | - | Directorate of Information, Communication and Technology    |
| HR    | - | Human Resource  |
| IFA   | - | Integrated Fiduciary Agent                                  |
| IFMIS |   | Integrated Financial Management Information System          |
| IPMAS | - | Integrated Performance Management and Accountability System |
| JPIP  | - | Judicial Performance Improvement Project                    |
| JSC   | - | Judicial Service Commission                                 |
| JTI   | - | Judiciary Training Institute                                |
| JTF   | - | Judiciary Transformation Framework                          |
| NCAJ  | - | National Council on the Administration of Justice           |
| NCLR  | - | National Council for Law Reporting                          |
| OAG   | - | Office of the Attorney General                              |
| OCJ   | - | Office of the Chief Justice                                 |
| OCRJ  | - | Office of the Chief Registrar of the Judiciary              |
| OJO   | - | Office of the Judiciary Ombudsperson                        |
| PMU   | - | Project Management Unit                                     |
| PTC   | - | Project Technical Committee                                 |
| SCM   | - | Supply Chain Management                                     |
| TOR   | - | Terms of Reference  |

## **EXECUTIVE SUMMARY**

This is the first quarter progress report for the Judicial Performance Improvement Project (JPIP) for the 2015/16 Financial Year and covers the period 1<sup>st</sup> July to 30<sup>th</sup> September 2015. The report describes the extent to which the activities had been implemented and the budget utilized based on the annual work plan.

The work plan contains 221 activities and as at the reporting period; (4) activities had been completed, 55 were underway, 64 had been initiated, and 98 were had not been initiated.

The total workplan budget is Kshs. 3.8 billion (US\$ 38million). During the reporting period Kshs. 115.65 million (US\$ 1.15 million) was spent. This was equivalent to about 3% of the annual budget or 10% and prorated budget for the quarter.

As in the previous quarters the number of activities that had been completed were fewer compared to the planned activities. This was as a result of some challenges which are highlighted

in the report. The challenges include bottlenecks in procurement processes. It should be noted that this challenge has persisted.

Recommendations have also been made for addressing the challenges. Some of the recommendations include: improvement of efficiency through capacity building both in the implementing units and in procurement.

## **1.0 INTRODUCTION**

This chapter provides the background of the project including the project objectives and key results. It also highlights the rationale, scope of the report and the projects' institutional and implementation structure.

### **1.1 Project Overview**

The Judicial Performance Improvement Project (JPIP) is a six year project funded by the World Bank Group. The project's effectiveness year was December 2012 however it commenced on 30<sup>th</sup> April 2013 and is expected to conclude in December 2018. The objective of JPIP is to improve the performance of the Judiciary to provide its services in the project areas in a more effective, efficient and accountable manner. The project reinforces and contributes to the goals of the Judiciary Transformation Framework and thereby the realization of the Kenya's Vision 2030.

The mid-term review was conducted in July 2015 which marked the process of restructuring. The restructuring process proposed a shift in focus from components to outcomes. The components were Court Administration and Case Management; Judiciary Training and Staff Development; Court Infrastructure and Project Management. The new focus is on four outcomes namely: Increase access to courts and legal information; Improve timeliness of Judiciary services; Enhance performance and quality of decision making and Project Management (Details of the proposed restructure framework is in Annex 1). The shift from components to outcomes was necessitated by the need to refocus the project towards frontline service providers that interact with court users, such as magistrates and registry staff.

To achieve the broad objective of the project, five Project Development Objectives (PDO's) level results and eight intermediate results indicators were defined in the project design level. The PDO's level results consist of the following:

- a) Reduction in the average time it takes to dispose of cases in courts adopting the new case management system;
- b) Use of the Integrated Performance Management and Accountability System (IPMAS) to assess staff performance;
- c) Reduction in the average distance to courts as a result of constructing new courts;
- d) Percentage increase of users satisfied with the delivery of Judiciary services in project courts; and

- e) Increased number of direct project beneficiaries disaggregated by gender. The beneficiaries of the project consist of Judiciary staff and court users (comprising members of the public, including investors who expect to have timely and fair resolution of disputes.

The intermediate results include the following:

- a) Increased user satisfaction assessed by annual court users survey;
- b) Number of court stations using an automated system in project intervention courts
- c) Percentage reduction backlog of cases in selected project intervention courts;
- d) Percentage increase of Judiciary staff who are satisfied with the knowledge and skills acquired from training;
- e) Improved impact on trainings assessed by impact evaluation of two training;
- f) New courts constructed by the project to improve access to court;
- g) Existing courts renovated by the project to improve access to the quality and access to service;
- h) Users reporting court facilities are 'satisfactory'.

To be in line with the new focus, the results framework is undergoing a review and refinement. This process commenced during the July 2015 mission. Data will be collected to establish new baselines upon which targets will be set.

## **1.2 Objective of the report**

The objective of this report is to inform the implementing units, project managers, the funding institution and other stakeholders on the status of the project implementation, the challenges experienced, and possible solutions for addressing the challenges. The proposed solutions are intended to guide project management and decision making processes.

## **1.3 Scope of the report**

The report shows the status of implementation of the 2015/16 JPIP work plan for the period July to September 2015. It provides an assessment of the activities implemented during the said period. It also gives an overview of actual expenditures both by implementing units and by outcomes visa-vis their respective budgetary allocations in the work plan. Finally, the report examines the major challenges the project faced and provides recommendations for addressing the challenges.

## **1.4 Institutional and implementation structure**

The project has an institutional and implementation structure which consists of the Project Steering Committee (PSC), the Project Technical Committee (PTC), the Office of the Chief Registrar, and the PMU assisted by the IFA. It is implemented by 19 implementing units



including the Judiciary Service Commission (JSC), Judiciary Training Institute (JTI), Kenya Law (KL) formerly the National Council for Law Reporting (NCLR), National Council on the Administration of Justice (NCAJ), the Office of the Attorney General (OAG), Judiciary Directorates and Registrars.

## **2.0 PROGRESS OF IMPLEMENTATION**

This chapter provides narrative description of the progress realized under each of the four outcomes.

### **2.1 Increase access to courts and legal information**

This outcome is expected to be realized amongst others

- a) Construction of new courts.
- b) Improved links with court users; and
- c) Reduction in knowledge barriers

#### **a) Progress made on the construction of new courts.**

- i) The process of constructing new courts is still under procurement process. However it could be noted that the process of selecting construction contractors for the Nakuru, Siaya, Nanyuki and Garissa is scheduled for October and construction is planned to start in January 2016. (More details provided in annex II).

#### **b) Improved links with court users**

- i) Court stations commenced submission of their CUC work plans to be supported by JPIP.
- ii) Nine 4x4 Vehicles delivered. Four others were not delivered because the tires were stolen and the issue is being sorted out.

#### **c) Reduction in knowledge barriers**

- i) Furniture, security equipment and board room equipment for the Kenya Law new office premises were delivered.
- ii) 2000 copies Kenya Law Review Journal delivered.
- iii) 2000 copies of Election Petition delivered.
- iv) 2000 copies of Supreme Court Digest delivered.

### **2.2 Improve TIMELINESS of judiciary services**

This outcome is expected to be realized through:

- a) Rehabilitation/Upgrading of courts
- b) Reduction of blockages in the registries
- c) Increasing the speed of case resolution

#### **a) Progress on rehabilitation/upgrading of existing courts**

- i) Rehabilitation for the following nine (courts) were underway with completion rates as indicated:

- Engineer - 15%
- Chuka - 23%
- Kigumo - 20%
- Molo - 15%
- Vihiga - 0%
- Nayando - 3%
- Nyamira - 15%
- Tamu/Muhoroni - 21%
- Oyugis - 4%

For more details see annex III.

- ii) To reduce blockages and enhance file movement efficiency in the High Court Registries  
- 75 trolleys were procured.

### **2.3 Enhance PERFORMANCE and QUALITY of decision making**

This outcome is expected to be realized through:

- a) The use of standards and data in management of the Judiciary
- b) Improved consistency and clarity in decision making; and
- c) Strengthening integrity in decision making

#### **Progress made towards performance and decision making**

- i) Court stations continued to file court case returns using the DCRT. Compliance rate was at 68%.
- ii) Annual Judges' Conference was held. Attended by all the seven (7) Supreme Court Judges, 22 Judges of the Court of Appeal, 16 Judges of the Environment and Land Court Judges, 11 Judges of the Employment and Labour Relations Court and 110 judges of the High Court Judges.
- iii) A forum for over 120 of Head of Court Stations was held on 23<sup>rd</sup> to 26<sup>th</sup> of September 2015 to review performance and management of court stations.
- iv) 45 ICT staff were trained on various ICT courses.

### **2.4 Project management**

This outcome is expected to be realized through provision of adequate personnel and resources for management of the project.

#### **Progress made under project management**

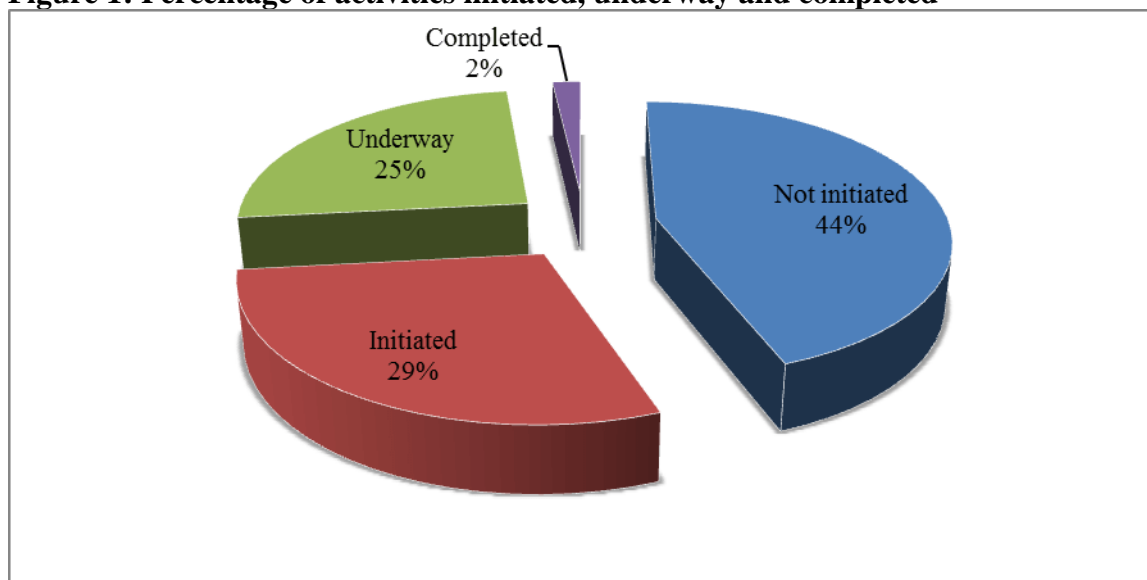
- i) The 2015/16 JPIP workplan was prepared.

- ii) Concept note with details on MTEF budget projections for JPIP capital project for 2016/17 to 2018/2019 prepared.
- iii) Sixth edition of the JPIP newsletter published and disseminated.
- iv) Design and layout of JPIP Brochure done. Printing was put on hold till end of restructuring.
- v) Communication baseline survey report disseminated to Kangema. Recommendations were well received by CUC members and are being implemented.
- vi) Communication brief prepared and submitted to the TTL for use in the restructuring process and to inform communication activities by implementing units.
- vii) The JPIP website being redesigned in line with the ongoing redesign of the Judiciary website.
- viii) Judiciary website updated with JPIP information.
- ix) Corporate and infrastructure video documentary being produced.

## 2.5 Analysis of Implementation

The total number of activities in the workplan was 221. Four (4) activities had been completed, 55 were underway, 64 had been initiated, and 98 were had not been initiated.

**Figure 1: Percentage of activities initiated, underway and completed**



As shown in Figure 1, 2% of the activities had been completed, 44% had been initiated 25% were under implementation and 44% had not been initiated. It is noted a huge percentage of the activities have not been initiated.

**Figure 2: A Comparison of activities initiated, underway and completed**

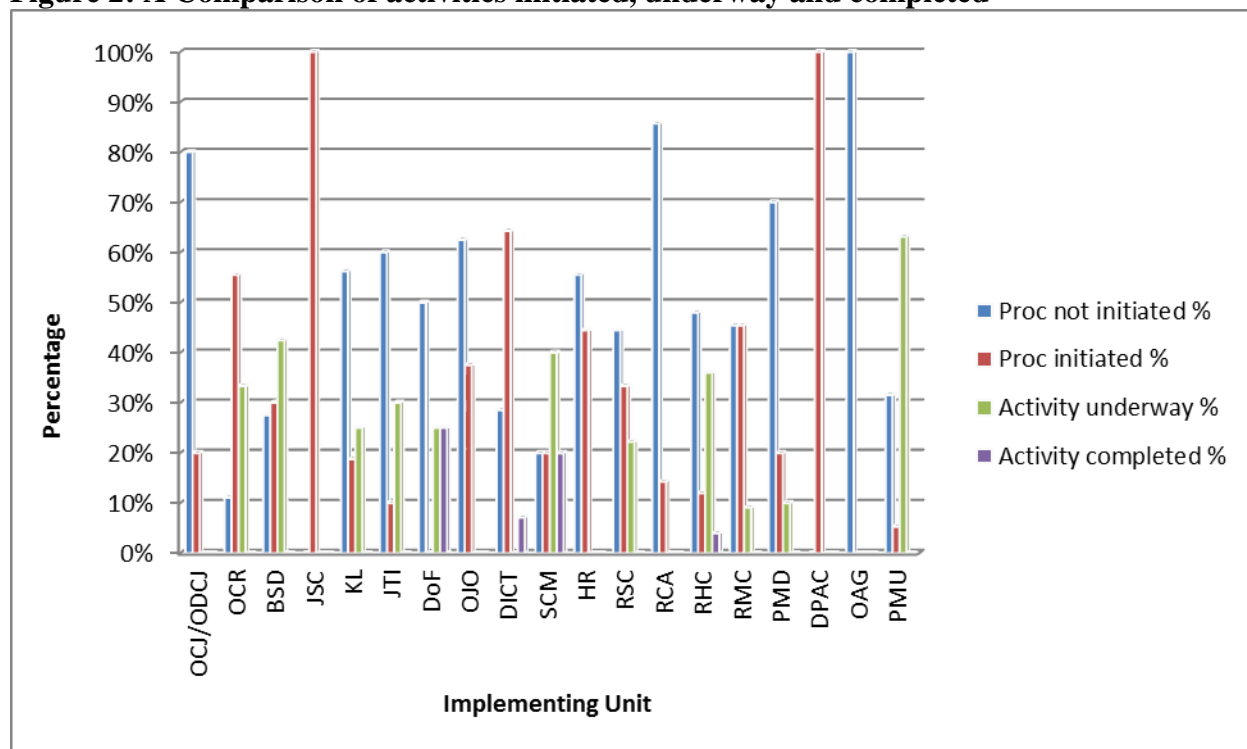


Figure 2 is a bar graph showing the status of implementation of activities. As at the reporting period, the implementing units which had most of the activities completed include the Directorate of Finance (25%), Directorate of Supply Chain Management (20%), Directorate of Information Communication and Technology (7%). Implementing units which had most activities underway include; Directorate of Building Services (43%), Directorate of Supply Chain Management OCR (40%). Implementing units that had initiated most activities include; Directorate of Public Affairs and Communication (100%) Judiciary Service Commission (100%) and Directorate of Information Communication and Technology (64%). It should be noted the JSC had only one activity in the workplan rolled over from the previous workplan. The Office of the Registrar Court of Appeal had initiated the least number of activities (14%). Office of the Attorney General and Department of Justice had not initiated any activity. It should be noted that most of the activities that had been completed, were underway and initiated had commenced in the previous financial year i.e. were roll-over activities. (Details of the number and percentages of activities in various stages of implementation are provided in annex IV).

## **2.5 Findings**

- i) The analysis of implementation generally shows many of the new activities had not been initiated. Those that were underway or completed commenced in 2014/15 financial year.
- ii) Some implementing units had very few activities such as the JSC because most of their proposed activities did not meet the focus for restructuring. However some units have substantial number of activities for example the DBS had 40 activities.

### 3.0 FINANCIAL ANALYSIS

This chapter provides descriptive analysis of the expenditure by the project. Comparisons are made between the actual expenditure both by outcomes and by implementing units vis-a-vis the total budget allocations.

The 2015/16 JPIP work plan has a total budget of approximately Kshs. 3.8 billion (US\$ 38million). Implementing units did not provide specific dates in the workplan in which the activities are expected to be delivered therefore an assumption has been made that the budget is expected to be spent equally (prorated) in the four quarters of the financial year.

**Table 1: Expenditure by Outcomes**

|    | <b>Outcome</b>                                      | <b>Annual Budget Kshs'000</b> | <b>Prorated Budget for 1<sup>st</sup> Quarter Kshs'000</b> | <b>Share of total budget</b> | <b>Actual Exp. for 1st Quarter Kshs'000</b> | <b>% of actual Exp. on annual budget</b> | <b>% of actual Exp. on prorated budget</b> |
|----|---|-------------------------------|--|------------------------------|---|--|--|
| 1. | Increased Access to Courts and Legal Information    | 931,911                       | 232,978  | 25%                          | 8,816                                       | 1%                                       | 4%   |
| 2. | Improved Timeliness of Judiciary services           | 1,685,211                     | 421,303  | 44%                          | 75,715                                      | 4%                                       | 18%  |
| 3. | Enhanced Performance and Quality of decision making | 987,679                       | 246,920  | 26%                          | 25,467                                      | 3%                                       | 10%  |
| 4. | Project Management                                  | 197,480                       | 49,370   | 5%                           | 5,656                                       | 3%                                       | 11%  |
|    | <b>Total</b>  | <b>3,802,281</b>              | <b>950,570</b>   | <b>25%</b>                   | <b>115,654</b>                              | <b>3%</b>                                | <b>12%</b>                                 |

Table 1 shows actual expenditure for the first quarter of 2015/16 was Kshs. 115.65 million. This was about 3% and 10% of the annual budget and prorated budget for the quarter respectively. Based on the prorated budget for the quarter; 4% was spent on increasing access to Courts and Legal Information, 18% on improving timeliness of Judiciary services, 10% on enhancing performance and quality of decision making and 11% was spent on Project Management.

**Figure 3: Expenditure comparison by outcomes**

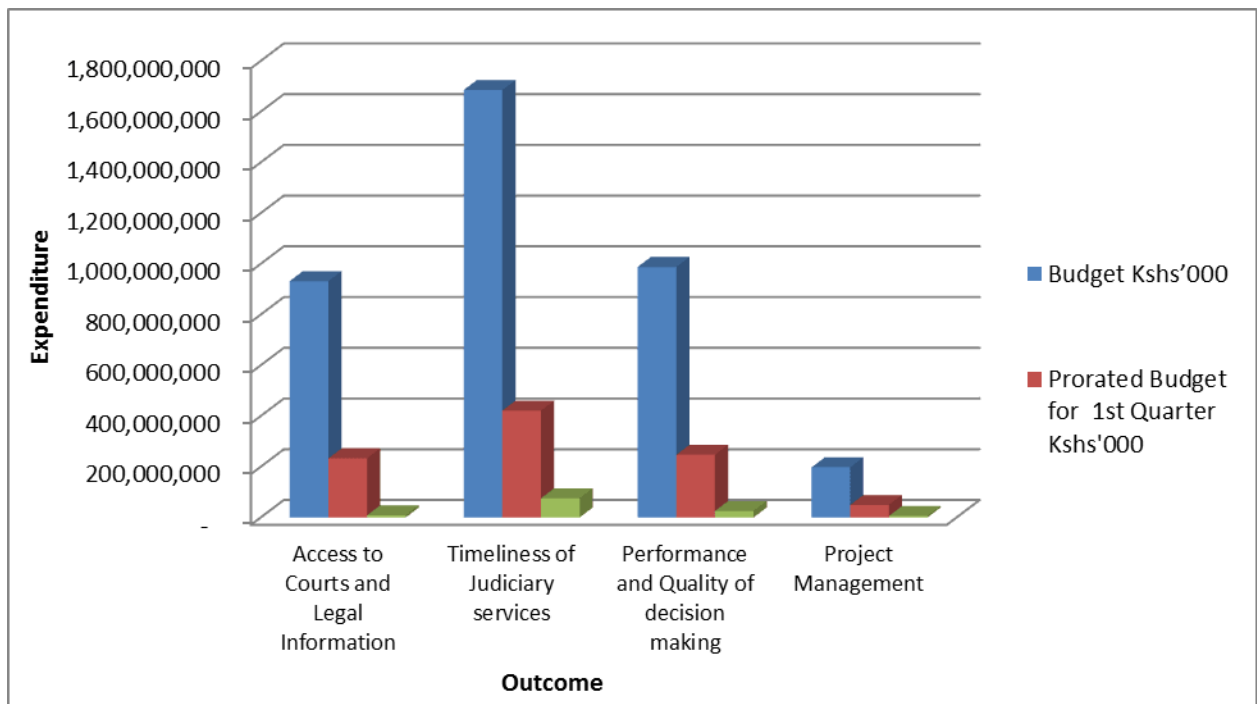


Figure 3 shows an analysis of expenditure by outcomes. It is observed actual expenditure on most outcomes in the first quarter was low compared to the planned budget.

**Figure 4: Quarterly Expenditure 2013/14 to 2014/15**

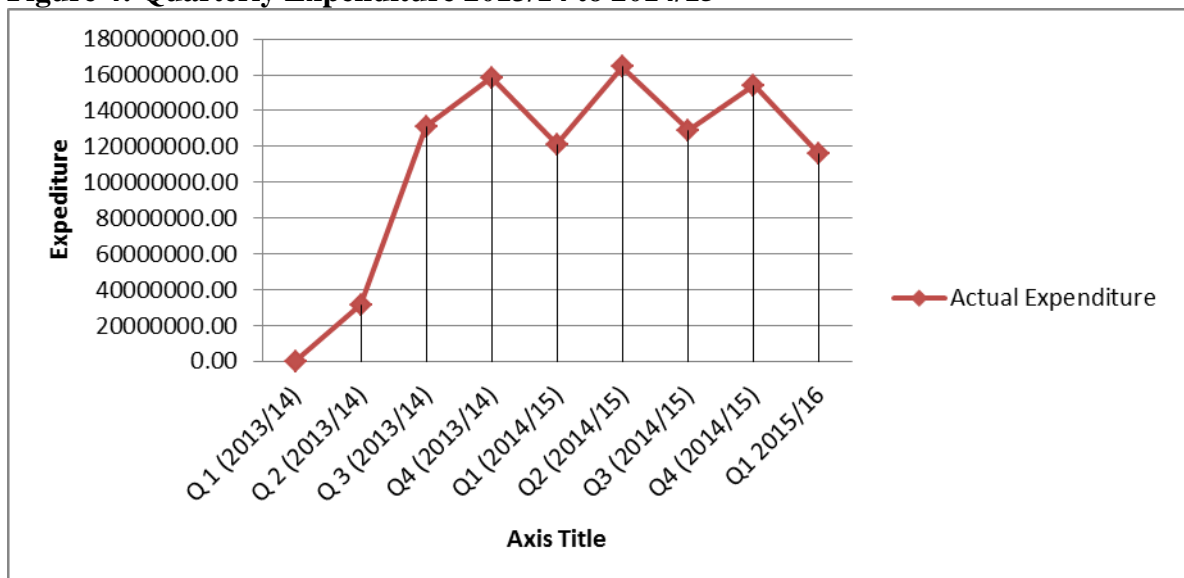


Figure 4 shows the quarterly expenditure trend from 2013/14 to 2015/16 financial years. It could be noted expenditure in the first quarter has always been lower than in the other



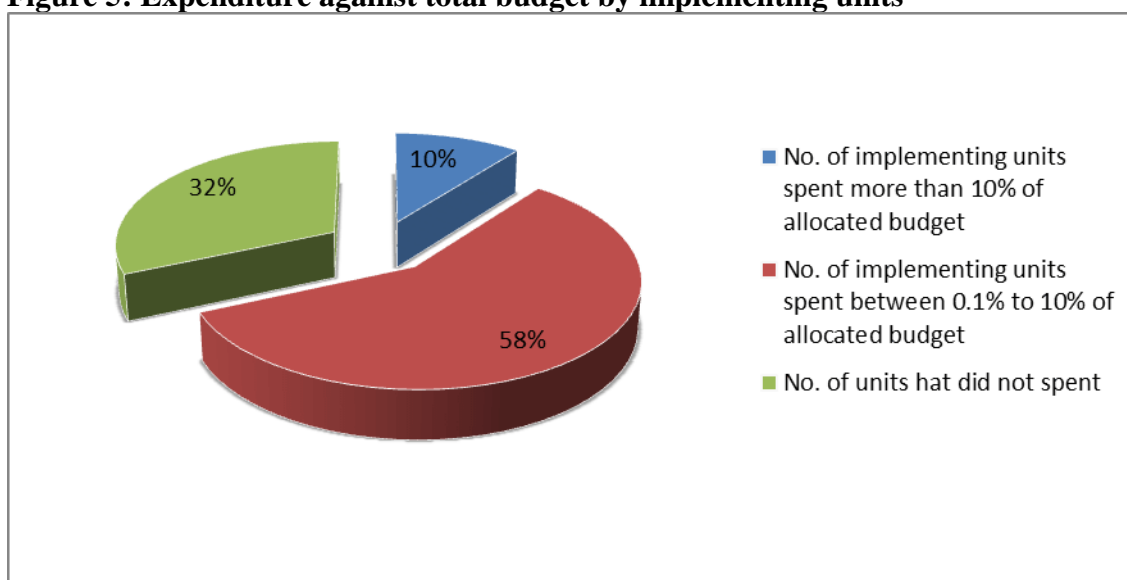
quarters. It could also be noted that the expenditure in 2015/16 was slightly lower than in the 2014/15 financial year.

**Table 2: Expenditure by the implementing units**

| No. of implementing Units | Total Workplan Budget Kshs'000 | Actual expenditure in Q1 | % Exp. against annual budget | % Exp. against prorated budget |
|---------------------------|--------------------------------|--------------------------|------------------------------|--------------------------------|
| 19                        | 3,802,283                      | 115,654                  | 3%                           | 12%                            |

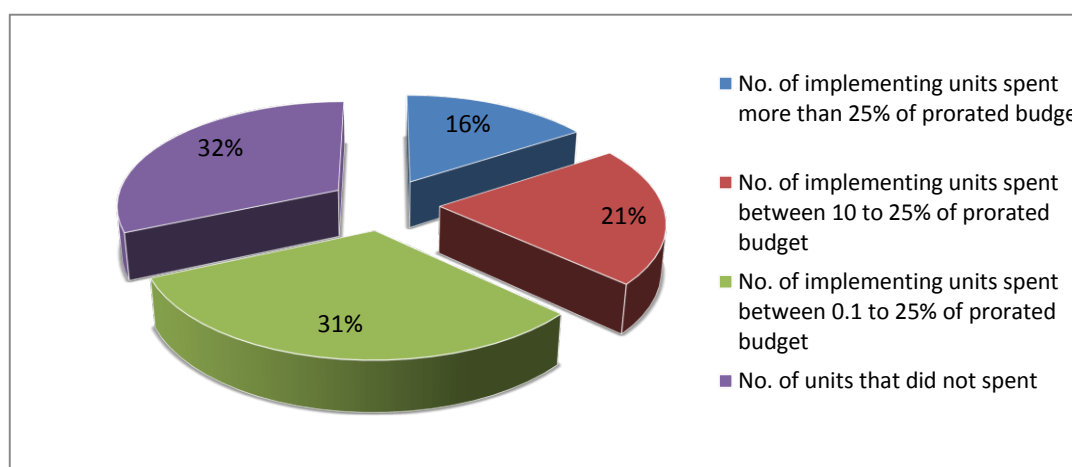
As depicted on table 2 and as shown earlier under outcomes the total expenditure by implementing units was 3% of the total workplan budget and 12% of the prorated budget for the quarter.

**Figure 5: Expenditure against total budget by implementing units**



As shown on figure 5, 10% of the implementing units spent more than 10% of their total annual budget, 58% had spent below 10% while 32% had not incurred any expenditure.

**Figure 6: Expenditure against quarterly prorated budget by implementing units**



As shown on figure 6; 16% of the implementing units spent more than 25% of their allocated budget; 21% spent 10% to 25%; 31% spent 0.1% to 25%.

**Figure 7: Rate of Absorption by Implementing**

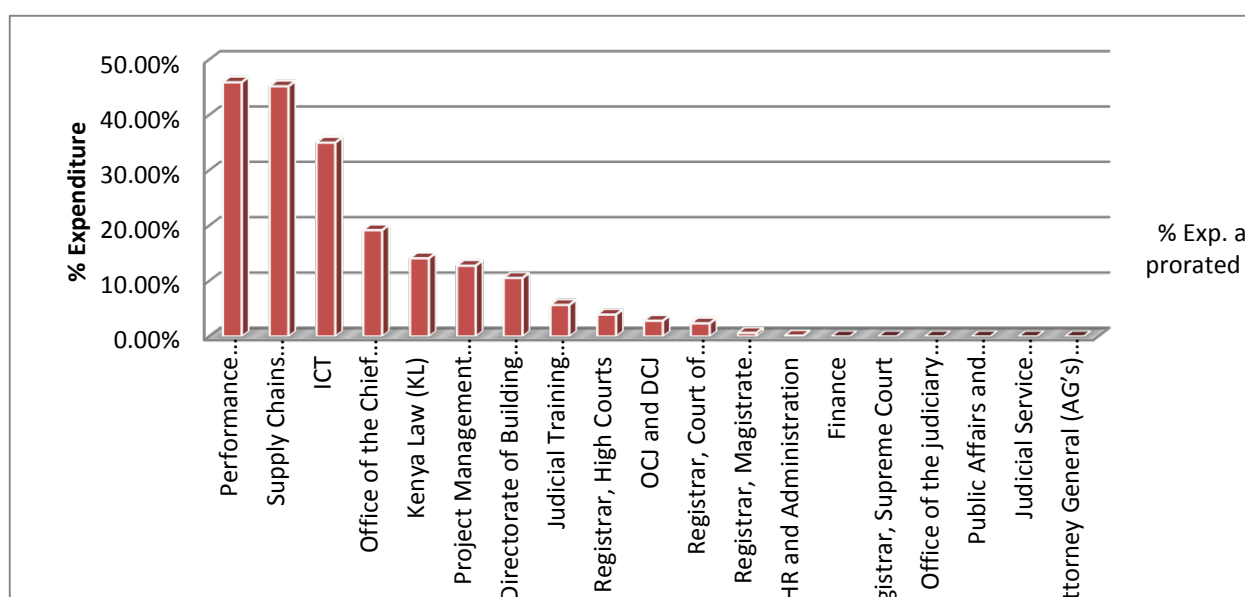


Figure shows a comparison of absorption by the implementing units. The units that spent most compared to the rest are Performance Management Directorate (45.9%), Supply Chain Management (45.2%) and DICT (35%). Other units incurred some expenditure except Office of the Registrar Supreme Court, Office of the Judiciary Ombudsman, Directorate of Public Affairs and Communication, Office of the Attorney General, Directorate of Finance and the Judiciary Service Commission. It should be noted that the latter two had no new activities in this year's workplan. (See Annex V for detailed analysis of expenditure).

### **3.1 Findings**

The analysis of expenditure shows that:

- a) Generally the proportion of expenditure has been low in comparison with the planned budget. The rate of absorption by the project during the reporting period was 12% of the prorated budget for the first quarter and about 3% of the annual budget.
- b) There is a trend of low expenditure in the first quarter.

#### **4.0 MAJOR IMPLEMENTATION CHALLENGES AND LESSONS LEARNT**

This chapter describes some of the challenges faced by the project. It should be noted that the challenges highlighted here below and thereby recommendations in the subsequent section have been outstanding since the commencement of implementation of the activities.

**a) *Delays in submitting and finalizing TORs:***

There have been delays in Implementing Units submitting requests for funding. This is noted by the huge number of activities not initiated i.e. 44%.

**b) *Scheduling of evaluation committees and the write up of committee reports has taken longer than anticipated.***

This challenge has persisted and results from i) coordination and scheduling issues of evaluation committee members' leading to lack of quorum and postponement of meetings; ii) constrained capacity in the Independent Fiduciary Agent to write up reports coupled with fear of ownership and commitment by some procurement staff. The seconded staff are not very ready to assume certain procurement responsibilities.

**c) *Delays in the processing of workshop venues and air tickets***

There have been notable slow responses from bidders for venues and air tickets. This is because the eProcurement (use of IFMIS process) is not well understood by the bidders or bidders wanting to keep away from the system.

**d) *Inadequate exchequer***

The two primary factors causing this are: i) slow turn-around of the exchequer request at Treasury; and ii) slow clearance of training costs, which constituted a big portion of reimbursement, by the Bank. This has resulted in cash shortage and thereby increased outstanding bills for contractors.

**e) *Non-adherence to guidelines regarding surrender of imprest***

Some imprest holders do not adhere to the 48 hours stipulated for surrender of imprest after an event has been completed.

**f) *Inadequate or constrained capacity within some implementing units***

Capacity challenges in some implementing units resulted into delays in preparation of and submission of ToRs, preparation of request or preparation of specifications. Some of the implementing units had planned to engage Program Officers to assist in addressing the gaps. However the recruitment process has not recommenced after the JSC stopped it.

## **5.0 RECOMMENDATIONS**

- a) There is need for regular follow up and to provide implementing units with more support in the drafting of TORs and requests.
- b) Steps should be taken to ensure the appointed evaluation committee members participate in the evaluation meetings as scheduled without fail.
- c) There is need for bidders to be sensitized on the use of eProcurement.
- d) Treasury should be engaged to ensure speedy processing of exchequer requests and the Bank to improve on time taken to process reimbursements.
- e) All imprest ought to be surrendered within the stipulated 48 hours. Measures should be enforced to surcharge anyone who does not adhere to the stipulated hours.
- f) Capacity constraints within some implementing units should be addressed. Ways should be found to ensure technical assistance consultants are recruited to address the needs of the implementing units. In addition training should be enhanced in areas where skills are inadequate such as on ToR development, costing, service standards and bank financial and procurement requirements.

## **6.0 CONCLUSIONS**

This progress report provided an assessment of the status of implementation of the JPIP 2014/15 work plan activities during the period July to September, 2015. A comparison was done on the activities that were implemented against what was planned. It was noted that very few activities had been completed, few were underway, and some had been initiated. However a great proportion of activities were not initiated.

Actual expenditure in the first quarter has been low, a trend that was seen in the previous year's. Therefore drastic measures need to be taken to address the slow rate of implementation and the low rate of absorption of funds. If the trend continues there is a likelihood the delivery of the project outcomes may delay.

## **ANNEX I: PROPOSED RESTRUCTURE FRAMEWORK**

## Judicial Performance Improvement Project – Restructure Framework

|   |  |
|---|--|
| 1 | <p><b>Increase ACCESS to courts and legal information</b></p> <ul style="list-style-type: none"> <li>• Reduce geographical distance to courts <ul style="list-style-type: none"> <li>• E.g. construction of new courts</li> </ul> </li> <li>• Improve links to court users and potential users <ul style="list-style-type: none"> <li>• E.g. Court User Committees; Alternative Justice Systems</li> </ul> </li> <li>• Reduce knowledge barriers <ul style="list-style-type: none"> <li>• E.g. publication and dissemination of legal information and court decisions</li> </ul> </li> </ul>   |
| 2 | <p><b>Improve TIMELINESS of judiciary services</b></p> <ul style="list-style-type: none"> <li>• Reduce blockages in the registries <ul style="list-style-type: none"> <li>• E.g. streamline business processes; clarify reporting lines; increase training</li> </ul> </li> <li>• Increase efficiencies with improved facilities <ul style="list-style-type: none"> <li>• E.g. upgrade courts to increase work flows</li> </ul> </li> <li>• Increase the speed of case resolution <ul style="list-style-type: none"> <li>• E.g. High Court-annexed mediation (in family and commercial cases); Active Case Management in criminal cases</li> </ul> </li> </ul>   |
| 3 | <p><b>Enhance PERFORMANCE and QUALITY of decision making</b></p> <ul style="list-style-type: none"> <li>• Increase use of standards and data in management of the Judiciary <ul style="list-style-type: none"> <li>• E.g. DCRT; PMMUs; IPMAS.</li> </ul> </li> <li>• Improve consistency and clarity of decision making <ul style="list-style-type: none"> <li>• E.g. increased training of magistrates and registry staff</li> <li>• E.g. provide laws and legal texts for judicial officers</li> </ul> </li> <li>• Strengthen integrity in decision making <ul style="list-style-type: none"> <li>• E.g. corruption mapping (and response to recommendations)</li> <li>• E.g. audio recording and transcription of proceedings in Magistrate Courts</li> </ul> </li> </ul> |
| 4 | <p><b>Project Management</b></p> <ul style="list-style-type: none"> <li>• Project Management Unit with adequate personnel and resources</li> </ul>   |

**ANNEX II - PROGRESS MADE ON THE CONSTRUCTION OF NEW  
COURTS**

| <b>Court Station</b>                   | <b>Status</b>  |
|--|--|
| <b>Nakuru</b><br><b>Siaya</b>          | Project tendered 4 <sup>th</sup> Sept. Due for opening on 5 <sup>th</sup> Oct. Construction to start in January 2016 for 18 months.                  |
| <b>Nanyuki</b><br><b>Garissa</b>       |  |
| <b>Kibera/ Makindu</b>                 | Project tendered 4 <sup>th</sup> Sept. Due for opening on 5 <sup>th</sup> Oct. Construction to start in January 2016 for 12 months.                  |
| <b>Kakamega /OI</b><br><b>Kalau</b>    | Termination of Contract to Consultant. Next winning bidder to be appointed. Contract execution by end October. Construction to commence August 2016. |
| <b>Mombasa /Wajir</b>                  |  |
| <b>Kabete / Kajiado</b><br>(350M) each | Consultant awarded. Awaiting No Objection from Bank before contract execution. Designs to commence mid-October. Construction to commence July 2016   |

**ANNEX III - PROGRESS MADE ON THE REHABILITATION OF  
EXISTING COURTS**

| <b>Court</b>           | <b>Contractor</b>   | <b>Start Date</b> | <b>Contract Period months</b> | <b>End Date</b> | <b>Contract Sum</b> | <b>Amount Paid</b> | <b>Time Elapsed (Weeks)</b> | <b>% Complete</b> | <b>Comments</b>   |
|------------------------|---|-------------------|-------------------------------|-----------------|---------------------|--------------------|-----------------------------|-------------------|---|
| Engineer               | Yomason   | 8/6/15            | 12                            | 10/6/16         | 78,615,979          |                    | 10                          |                   | Works picked up in performance  |
| Chuka                  | Philmark systems  | 5/6/15            | 12                            | 4/6/16          | 98,106,542.96       | 22,899,562         | 10                          | 23                | Works progress ahead of time.   |
| Kigumo                 | Marimo  | 25/6/15           | 12                            | 29/6/16         | 94,160,933          | 14,657,855         | 7                           | 20                | Works progressing well  |
| Molo                   | Atlas Plumbers  | 19/6/15           | 12                            | 17/6/16         | 99,910,995          | 5,119,937          | 10                          | 15                | Had issues of workmanship but picked up and is progressing well.  |
| Vihiga                 | Lunao Enterprise  | 16/9/15           | 12                            | 14/6/16         | 78,476,529          | none               | none                        | none              | Site handed over  |
| Nyando                 | Philmark Systems  | 4/9/15            | 12                            | 3/9/16          | 74,827,121          | nil                | 1                           | 3                 | Works progressing very well   |
| Nyamira                | JN Enterprises  | 18/6/15           | 12                            | 17/6/16         | 118,305,748         | 15,056,770         | 10 weeks                    | 15                | Progressing well  |
| Tamu/<br>Muhoroni      | Philmark Systems  | 9/6/15            | 12                            | 8/6/16          | 74,902,949          | 17,438,870         | 10 weeks                    | 21                | Project progress ahead of time.   |
| Oyugis                 | Sasah Contractors   | 29/6/15           | 12                            | 28/6/16         | 109,731,080         | Nil                | 10                          | 4                 | Not moved beyond the foundation three months later. Performance is unsatisfactory and warrants termination. |
| Makueni and Mukurweini | Shortlisting evaluation of Consultants planned for the week beginning 28th September, 2015. Award by JTC in October. Designs planned to be completed by April and construction to commence in August, 2016. <i>(If DBS recruitment can be completed and all staff on board by November 2015, construction can commence in March, 2016).</i> |                   |                               |                 |                     |                    |                             |                   |   |
| Kapenguria             | Seeking No Objection from Bank to have design and supervision by Directorate of Building Services (DBS). Bank's approval is subject to completion of recruitment of Engineers by the JSC.   |                   |                               |                 |                     |                    |                             |                   |   |
| Maralal Isiolo         |   |                   |                               |                 |                     |                    |                             |                   |   |
| Kwale & Voi            |   |                   |                               |                 |                     |                    |                             |                   |   |



**ANNEX IV**

**NUMBER AND PERCENTAGES OF ACTIVITIES UNDER VARIOUS STAGES OF IMPLEMENTATION**

|    |                          | <b>WORKPLAN SUMMARY STATS AS AT 30TH SEPTEMBER 2015</b> |            |                       |            |                          |            |                           |            |              |  |
|----|--------------------------|---|------------|-----------------------|------------|--------------------------|------------|---------------------------|------------|--------------|--|
|    | <b>Implementing unit</b> | <b>Proc not initiated</b>                               |            | <b>Proc initiated</b> |            | <b>Activity underway</b> |            | <b>Activity completed</b> |            | <b>Total</b> |  |
|    |                          | <b>%</b>  | <b>no.</b> | <b>%</b>              | <b>no.</b> | <b>%</b>                 | <b>no.</b> | <b>%</b>                  | <b>no.</b> | <b>no.</b>   |  |
| 1  | OCJ/ODCJ                 | 80%   | 12         | 20%                   | 3          | 0%                       | 0          | 0%                        | 0          | 15           |  |
| 2  | OCR                      | 11%   | 1          | 56%                   | 5          | 33%                      | 3          | 0%                        | 0          | 9            |  |
| 3  | BSD                      | 28%   | 11         | 30%                   | 12         | 43%                      | 17         | 0%                        | 0          | 40           |  |
| 4  | JSC                      | 0%  | 0          | 100%                  | 1          | 0%                       | 0          | 0%                        | 0          | 1            |  |
| 5  | KL                       | 56%   | 9          | 19%                   | 3          | 25%                      | 4          | 0%                        | 0          | 16           |  |
| 6  | JTI                      | 60%   | 6          | 10%                   | 1          | 30%                      | 3          | 0%                        | 0          | 10           |  |
| 7  | DoF                      | 50%   | 2          | 0%                    | 0          | 25%                      | 1          | 25%                       | 1          | 4            |  |
| 8  | OJO                      | 63%   | 5          | 38%                   | 3          | 0%                       | 0          | 0%                        | 0          | 8            |  |
| 9  | DICT                     | 29%   | 4          | 64%                   | 9          | 0%                       | 0          | 7%                        | 1          | 14           |  |
| 10 | SCM                      | 20%   | 1          | 20%                   | 1          | 40%                      | 2          | 20%                       | 1          | 5            |  |
| 11 | HR                       | 56%   | 5          | 44%                   | 4          | 0%                       | 0          | 0%                        | 0          | 9            |  |
| 12 | RSC                      | 44%   | 4          | 33%                   | 3          | 22%                      | 2          | 0%                        | 0          | 9            |  |
| 13 | RCA                      | 86%   | 6          | 14%                   | 1          | 0%                       | 0          | 0%                        | 0          | 7            |  |
| 14 | RHC                      | 48%   | 12         | 12%                   | 3          | 36%                      | 9          | 4%                        | 1          | 25           |  |
| 15 | RMC                      | 45%   | 5          | 45%                   | 5          | 9%                       | 1          | 0%                        | 0          | 11           |  |
| 16 | PMD                      | 70%   | 7          | 20%                   | 2          | 10%                      | 1          | 0%                        | 0          | 10           |  |
| 17 | DPAC                     | 0%  | 0          | 100%                  | 7          | 0%                       | 0          | 0%                        | 0          | 7            |  |
| 18 | OAG                      | 100%  | 2          | 0%                    | 0          | 0%                       | 0          | 0%                        | 0          | 2            |  |
| 19 | PMU                      | 32%   | 6          | 5%                    | 1          | 63%                      | 12         | 0%                        | 0          | 19           |  |
|    | <b>Total</b>             | <b>44%</b>  | <b>98</b>  | <b>29%</b>            | <b>64</b>  | <b>25%</b>               | <b>55</b>  | <b>2%</b>                 | <b>4</b>   | <b>221</b>   |  |

### Annex III

#### Expenditure by Implementing Units

| S/No. | Implementing Unit                    | Annual Budget (Kshs 000') | Prorated Budget Q1 (Kshs 000') | Actual Exp. Q1 (Kshs 000') | % Exp. against annual budget | % Exp. against prorated budget |
|-------|--------------------------------------|---------------------------|--------------------------------|----------------------------|------------------------------|--------------------------------|
| 1     | HR and Administration                | 82,000                    | 20,500                         | 28                         | 0.03%                        | 0.14%                          |
| 2     | Registrar, High Courts               | 326,179                   | 81,545                         | 3,225                      | 0.99%                        | 3.95%                          |
| 3     | Judicial Training Institute (JTI)    | 377,367                   | 94,342                         | 5,370                      | 1.42%                        | 5.69%                          |
| 4     | Finance                              | 34,250                    | 8,563                          | 0                          | 0.00%                        | 0.00%                          |
| 5     | Performance Management               | 157,265                   | 39,316                         | 18,050                     | 11.48%                       | 45.91%                         |
| 6     | Kenya Law (KL)                       | 193,855                   | 48,464                         | 6,846                      | 3.53%                        | 14.13%                         |
| 7     | Registrar, Supreme Court             | 31,000                    | 7,750                          | 0                          | 0.00%                        | 0.00%                          |
| 8     | Directorate of Building Services     | 1,551,489                 | 387,872                        | 41,000                     | 2.64%                        | 10.57%                         |
| 9     | ICT                                  | 150,735                   | 37,684                         | 13,195                     | 8.75%                        | 35.02%                         |
| 10    | OCJ and DCJ                          | 56,262                    | 14,066                         | 400                        | 0.71%                        | 2.84%                          |
| 11    | Office of the Chief Registrar        | 430,067                   | 107,517                        | 20,646                     | 4.80%                        | 19.20%                         |
| 12    | Office of the judiciary Ombudsperson | 23,500                    | 5,875                          | 0                          | 0.00%                        | 0.00%                          |
| 13    | Registrar, Magistrate Courts         | 132,500                   | 33,125                         | 213                        | 0.16%                        | 0.64%                          |
| 14    | Registrar, Court of Appeal           | 32,800                    | 8,200                          | 194                        | 0.59%                        | 2.37%                          |
| 15    | Public Affairs and Communication     | 17,882                    | 4,471                          | 0                          | 0.00%                        | 0.00%                          |
| 16    | Judicial Service Commission (JSC)    | 7,200                     | 1,800                          | 0                          | 0.00%                        | 0.00%                          |
| 17    | Attorney General (AG's) Office       | 13,502                    | 3,376                          | 0                          | 0.00%                        | 0.00%                          |
| 18    | Supply Chains Management             | 7,350                     | 1,838                          | 831                        | 11.30%                       | 45.20%                         |
| 19    | Project Management Unit              | 177,080                   | 44,270                         | 5,656                      | 3.19%                        | 12.78%                         |
|       | <b>Total</b>                         | <b>3,802,283</b>          | <b>950,571</b>                 | <b>115,654</b>             | <b>3%</b>                    | <b>12%</b>                     |

