



PERFORMANCE MANAGEMENT AND MEASUREMENT UNDERSTANDINGS EVALUATION REPORT, 2021/2022

7th Cycle of Performance
Management Implementation

APRIL, 2023

FOREWORD



The Judiciary is established under Article 159 of the Constitution as an independent custodian of justice whose primary role is to exercise judicial authority donated by the people of Kenya. It has the mandate to deliver justice fairly with a view to protecting the rights and liberties of all while upholding the rule of law. Therefore, the Judiciary is obligated to ensure that justice is done to all irrespective of status and without delay. Over the years, the Judiciary has taken great strides in introducing robust systems and initiatives to catapult it towards attaining its mandate. Some of the notable ones include recruitment of more judges, judicial officers and staff, opening up more courts, increased application of ICT in case management and determination; and institutionalization of performance management.

The main purpose of continually implementing performance management system is to maintain high standards of service delivery in the courts, enhance access to quality justice for all including the vulnerable, affirm the rights of court users and ensure effective, efficient and expeditious adjudication and resolution of disputes. The effective implementation of the system focuses on the performance of the courts and administrative units while also casting reflections on individual judges, judicial officers and other employees' contribution towards the Judiciary's overall

performance in achieving intended results. The Judiciary performance framework comprises standardized acceptable criteria and metrics for identifying units with exemplary performance for recognition and appreciation while also unearthing those that need improvement and any impending circumstances that require to be addressed. It is envisaged that successful implementation of performance management will lead to court excellence at the same time promoting meritocracy and high productivity as hallmarks of a modern and efficient Judiciary.

The 7th cycle of the Judiciary's performance management and understandings for the financial year 2021/22 presents the results of 299 units comprising of 266 courts, 12 Tribunals, 8 Registrars, 10 directorates and the offices of the Judiciary Ombudsman, Office of the Chief Registrar of the Judiciary and the Kenya Judiciary Academy. This report shows key performance highlights and indicators which denote which courts and administrative units that have performed well in each category for appreciation and recognition.

During the review period, the overall performance of the Judiciary was 93.71 per cent, which marked a significant improvement over the previous year when it was at 89.03 per cent largely attributed to the effects of the COVID-19 pandemic. The performance of most courts and administrative units substantially improved with significant achievements recorded in the Environment and Land Court which moved from 85.65 per cent in 2020/2021 to 97.08 per cent in 2021/2022. Other notable indicators that recorded improvements were case clearance rate where overall performance improved from 83 per cent in 2020/2021 to 95 per cent in 2021/2021. The Social Transformation through Access to Justice indicator on elimination of cases older than 3 years that recorded a reduction of cases from 150,897 to 133,775 representing an 11 per cent reduction. Similarly cases older than 1 year were reduced by 7 per cent from 375,671 to 336,426 cases, while overall resolved cases improved from 294, 837 to 381,713 in the review period.

The results for the year under review are encouraging and are an indication that the different interventions being implemented are working towards improvements of service delivery. The commendable efforts and commitments of the judges, judicial officers and staff has enabled the Judiciary continually address the backlog as well as keep pace with filed cases which are increasing every year. As we look into the future, we will need to continue strengthening the successful interventions while adopting new ones. This will enable us to meet the aspirations contained in the new Judiciary vision of "Social Transformation through Access to Justice" which places more emphasis on implementation of people-centered justice initiatives. As we work towards this we must reorient our performance system to ensure that the justice needs of poor and vulnerable members of the society are incorporated and tracked through the Judiciary performance measurement tools.

The annual performance results in this report and in the previous ones enables the Judiciary to ascertain the progress made and also to benchmark its performance

both internally and externally in relation to standards of excellence in the dispensation of justice. Internal benchmarking enables courts and administrative units to constantly compare how well they are currently doing in relation to their performance in the past. The application of the internationally recognized standards of court excellence which are already built into the performance system allows us to compare the performance of our Judiciary to that of other regional and international judiciaries. In this regard the number of foreign delegations coming to the country to learn about our performance management system is increasing while also we have witnessed some institutions in the country visiting us with the same objective. This is a measure of confidence and trust in our performance system which we shall continue to nurture to greater heights and ensure its sustainability.

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

ACKNOWLEDGEMENTS



This evaluation report covers the 7th cycle of the Judiciary's performance management implementation for the financial year 2021/22 and presents the results of the assessment of the courts and administrative units and highlights the key achievements. The results are derived from meticulously selected indicators that encompass all aspects of the case management processes from filing to determination as well as court and administrative procedures. This is done in order to increase operational efficiency and enhance expeditious delivery of justice. In this regard, the Performance Management and Measurement Understanding (PMMU) tool used for tracking achievement consists of a combination of input, output, and outcome indicators that are essential for ensuring that available resources are optimally applied, utilization is monitored, and benefits are maximized. Through the PMMUs, the Judiciary is able to link the achievement of the core mandate targets to the unit's human resource capacity, the annual budget, service delivery standards and the efficiency of registry and administrative operations.

Performance management in the Judiciary is primarily intended to foster a culture of continuous learning and improvement and this report aptly captures several milestones achieved through various Judiciary-wide efforts while critically contrasting the performance of yesteryears. The previous cycle's performance

forms the baseline and serves as a standard against which to compare the impact of new initiatives to determine the improvements made in service delivery within the review period.

The Judiciary has made great strides in performance management implementation and the results contained in this report is testament to the progress made to date. These successes are attributed to the transformative leadership provided by the Honourable Chief Justice and President of the Supreme Court, Martha Koome whose relentless efforts and guidance has seen the Judiciary grow and expand thus affording opportunities to more people to access justice especially the vulnerable. Indeed, through her efforts, the Small Claims Court and the Sexual and Gender Based Violence Courts were established during the year. I am equally grateful to the Deputy Chief Justice and Vice-President of the Supreme Court, Lady Justice Philomena Mwilu and the entire Judiciary management for their support and commitment to its continued progress. I appreciate the President Court of Appeal, the Principal Judges, Presiding Judges, Judges, Heads of Stations, Judicial Officers, Registrars, Heads of Directorates, Departments, Staff and all other implementing units for their invaluable role in ensuring that the signed targets were implemented and assessed. Sincere appreciation to the Chief Registrar of the Judiciary, Hon Anne Amadi for her support and especially the timely release of funds for undertaking the various activities of the program during this cycle.

I am greatly indebted to the Administration of Justice and Performance Management Committee (AJPMC) charged with the responsibility of overseeing implementation of performance management in the Judiciary for their immeasurable contribution towards further entrenching the system. They traversed the country conducting the gruelling PMMUs evaluation and participated in the finalization of this evaluation report among other activities which demanded their time and effort. The members of this committee include; Hon. Justice Jairus Ngaa -Judge, High Court, Hon. Justice Stephen Radido - Judge, Employment and Labour Relations Court, Hon. Lady Justice Lucy Nyambura Gacheru -Judge, Environment and Land Court, Hon. Lady Justice Judy Omenge- Judge, Environment and Land Court, Hon. Justice Peter Mulwa- Judge, High Court, Hon. Leitizia Wachira- Registrar, Supreme Court, Hon. Moses Serem- Registrar, Court of Appeal, Hon. Kennedy Kandet - Registrar, Employment and Labour Relations Court, Hon. Rose Makungu, Registrar, Environment and Land Court, Hon. Jacinta Orwa - Senior Principal Magistrate, Hon. Joseph Were - Senior Principal Magistrate, Office of the Chief Registrar of the Judiciary, Hon. John L. Tamar, Senior Principal Magistrate, and Hon. Ishaq A. Hussein - Principal Kadhi, Rose Wachuka- Chief of Staff, Office of the Chief Justice, Muciimi Mbaka-Senior Legal Counsel - Office of the Chief Justice, Dr Masha Baraza- Office of the Deputy Chief Justice and Dr Elizabeth Kalei-Director Human Resources Management and Development.

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

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ACRONYMS

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

DEFINITION OF TERMS

- Case backlog** : A case is classified as backlog if it is not finalized or concluded within one year from the date of filing.
- Case clearance rate** : This is the rate of resolution of cases measured by the percentage of resolved cases to the filed cases within a specified period.
- Caseload** : Total number of cases handled by a court/judge/ judicial officer.
- Filed case** : Any case that is registered or filed in court of law for arbitration in a given period.
- Pending case** : Any case which is unresolved at the end of period under reference.
- Court productivity** : Refers to the number of resolved cases in a court divided by number of judges and/or judicial officers in that particular court in a given time period.

For the Court of Appeal, it refers to number of resolved cases divided by the number of benches that heard and determined matters.
- Resolved case** : Any case where a judgment or a final ruling closing the case has been made at the end of period under reference. It also means a finalized case.
- Modes of resolutions of cases** : A case may be resolved through judgments-civil, judgments-acquittals, judgments-convictions, rulings-closing cases, sentencing at plea, withdrawals, dismissals, grant confirmed, out of court settlement, consolidation, consent recorded among others
- Merit resolutions of cases** : Refers to resolved cases through full trial culminating in final Judgment or a considered ruling closing a case
- Other case resolutions** : Refers to cases that are resolved through dismissals, sentencing at plea, consent recorded closing cases, withdrawals, out of court settlement, grant confirmed or consolidated matters which are closed
- Merit productivity** : Refers to productivity that is determined and calculated using merit resolutions of cases
- Other productivity** : Refers to productivity that is determined and calculated using other modes of resolutions.

CHAPTER ONE: INTRODUCTION

1.1. Background

The Constitution of Kenya 2010 is the Supreme law which provides governance structures and legal provisions that establishes and operationalizes various public institutions. Article 159 of the Constitution is dedicated to the Judiciary and aptly captures its functions key among them that justice shall be done to all irrespective of status and that justice shall not be delayed. These two critical principles are the foundation upon which most Judiciary policies, programs and initiatives are based. The Social Transformation through Access to Justice (STAJ) and other earlier Judiciary blue prints such as Sustaining Judiciary Transformation (SJT), the Judiciary Transformation Framework (JTF) and Strategic Plans have been developed to galvanize the institution to focus on ensuring expeditious delivery of justice and improvement of service delivery to the people. A raft of interventions have been implemented over the last couple of years which encompassed recruitment of judges, judicial officers and staff; construction and refurbishment of courts, enhanced uptake of technology, opening up of new courts to increase access to justice especially for the marginalized groups, decongestion programs, service weeks, rapid result initiatives and institutionalization of performance management among others. The establishment of the Small Claims Courts (SCC) and Sexual and Gender Based Violence Courts (SGBV) to specifically deal with claims of up to Ksh 1 Million and sexual violence related cases respectively have expanded court services to address the growing needs of the society.

Enhanced accountability for results and improved productivity especially in the number and nature of cases resolved, has upscaled the efforts strengthening implementation of performance management system in the Judiciary. All courts from the apex court of the Supreme Court to the Kadhis' courts including administrative units and Tribunals all sign annual targets which are evaluated and their achievements results reported publicly. This process now in its 7th cycle has enabled the Judiciary to track progress made towards realization of various measures that define court excellence. The measurement metrics adopted are modelled alongside the International Framework for Court Excellence and customised to suit the context of the Judiciary of Kenya using the Performance Management and Measurement Understandings (PMMUs) which contains benchmarks as the yardstick of achievement. Some of the critical measures which are tracked include case clearance rate, determination of cases within 360 days of filing, backlog reduction, adoption of ADR, timely delivery of judgements, reduction of remand custody period and court file integrity. The metrics are assigned to focus on the courts meeting the set timelines for determining cases including enhancing case management, strengthening internal mechanisms and systems, improving efficiency and effectiveness in work methodologies, streamlining registries, harmonizing standards and fostering collaboration with stakeholders to enhance delivery of high quality services.

1.2. The Scope of Evaluation

The 1st cycle of PMMU implementation was in 2015/2016 when 227 units signed and were all evaluated. In 2021/2022, the 7th cycle, a total of 299 units were evaluated. Table 1 shows the units that were evaluated.

Table 1: Status of PMMUs Evaluation

Implementing Unit	Number of units Evaluated
Supreme Court	1
Court of Appeal	4
High Court Stations & Divisions	43
ELRC	9
ELC	35
Magistrates' Courts	127
Kadhis' Courts	46
Small Claims Court	1
Tribunals	12
Registrars	8
Directorates	10
Other Offices	3
Total	299

1.2.1. The Purpose of Performance Evaluation

Performance evaluation for all the courts and administration units was carried out at the end of the 2021 /2022 financial year. The main purpose was to assess the extent to which the various Judiciary units achieved the set targets in line with the goals and objectives of expeditious delivery of justice. The evaluation was also undertaken to enhance accountability, improve service delivery and to provide critical information for decision making. Specifically, the evaluation aimed at achieving the following;

- i). Establishing the overall Judiciary scorecard
- ii). Determining the performance of the courts and administrative units on the PMMUs targets
- iii). Producing objective information for policy and decision-making
- iv). Identifying innovations and best practises for replication.
- v). Recognizing and rewarding high performance
- vi). Enhancing accountability for results and providing feedback to improve service delivery.

1.2.2. The Evaluation Approach and Methodology

The 2021/2022 PMMUs evaluation covered 299 units which comprised of courts and administrative units that signed PMMUs during the year under review. All implementing units were clustered into regions and assigned to 7 teams drawn from members of AJPMC and DPOP. These teams evaluated allocated courts and administrative units using the Judiciary performance measurement tools and instruments contained in the PMMUs guidelines and procedures of 2021/22. The evaluation was participatory and openly conducted at the court station level to allow for easy perusal of all relevant materials. A further 5 teams were reconstituted that conducted the evaluation for courts in Nairobi and its environs as well as the registrars and directorates.

To enhance objectivity of the scores, the evaluation used DCRT/CTS performance data on select indicators from the Annual Caseload Statistics Report prepared by DPOP and verified by courts. The evaluation for all other indicators was informed by the evidence availed for each corresponding target and scores awarded by the evaluation team. Consideration was also given on instances where there was clear proof of extenuating factors which affected performance.

The evaluation process entailed the following steps: -

- i). Heads of implementing units availed evidence of achievement for all the indicators.
- ii). Application of the DCRT performance data generated from the system for selected indicators
- iii). Random sampling of files for other indicators not captured in DCRT
- iv). Perusal of the presented evidence by the evaluation team
- v). Deliberations on the efficacy of the evidence and agreeing on the score through consensus by both the unit representatives and the evaluation team.
- vi). Populating the scores in the automated system and computation of scores to determine actual performance per indicator
- vii). Computation of the composite score to determine the aggregate achievement of all indicators

1.2.3. Types of Performance Indicators

To enhance objectivity and fairness in analysis and grading, all indicators are classified into 3 broad categories. These are normal, declining and special indicators depending on each indicator's unique performance attributes. These classifications do not disadvantage any implementing unit in any way. The achievements under any type of indicator are computed taking into account the unique characteristics of the indicators without giving any undue advantage to any unit.

The **Normal indicators** were applied in situations where performance achievements exceeded 100 per cent. For instance, where a court targeted a case clearance rate of 105 per cent but attained 130 per cent. **Declining indicators** on the other hand represent a situations where achievement of a target was scored based on a “decrease in value” as opposed to “increase in value” so the lower the value from the target the better the performance. The reduction in remand custody period from 80 days to 50 days in magistrates’ courts was an example of declining indicators. It is was possible for a unit to score over 100 per cent in indicators of this type. The grading criteria for both normal and declining indicators are represented in Table 2.

Table 2: Grading of Normal and Declining Indicators

Performance Grade	Criteria
Outstanding	Percentage above 120
Excellent	Percentage between 101 and 119
Very Good	Percentage equal to 100
Good	Percentage between 75 and 99
Fair	Percentage between 50 and 74
Poor	Percentage below 50

Special indicators represent situations where the best achievement does not exceed 100 per cent. For instance, the indicator of hearing and determination of civil cases within 360 days of filing in both High Court and Magistrate Courts cannot exceed 100 per cent at the maximum indicating that all registered matters were concluded within that specified timeline. The grading for special indicators is shown in Table 3.

Table 3 : Grading of Special Indicators

Performance Grade	Criteria
Outstanding	Percentage equal to 100
Excellent	Percentage between 79 and 99
Very Good	Percentage between 69 & 78
Good	Percentage between 59 and 68
Fair	Percentage between 49 and 58
Poor	Percentage below 48

1.2.4. The Performance Measurement Framework

The performance measurement framework comprises a set of principles, parameters, templates and matrices that are systematically used for assessment of critical measures of court excellence and tangible service delivery outputs that defined the success of a unit. The framework was anchored on 5 tenets namely; indicators, measurement units, baselines, targets and achievement that are contained in the PMMUs tool used for evaluation.

The framework also includes the strategies and interventions that were implemented which to achieve the results.

The measurement framework was scientifically designed with performance formulae embedded in the automatic analysis system which enabled computation of overall performance of the courts, tribunals, registrars, directorates and other administrative units. The conversion of the actual scores into raw scores, computation of weighted scores and summation of these into the composite score provided the overall performance of the implementing unit. The performance of all the units were computed into a consolidated average composite score which provided the overall Judiciary scorecard during the year. The composite score summarizes information contained in diverse indicators into a single index and the lower the index the better the performance. The composite scores were then converted into percentages for clarity and understanding of the performance.

1.2.5. Filed and Resolved cases

In the FY 2021/22, a total of **403,182** cases were initiated in all the courts in the country which consisted of **256,216** criminal cases and **146,966** civil cases. The court with the highest number of filed cases was Magistrates' courts with 84 per cent of all filed cases followed by High Court with 7 per cent.

A total of **381,745** cases were resolved out of which resolutions, **231,341** were criminal and **150,404** were civil cases. The Magistrates' courts resolved the highest number of cases, 81 per cent of all resolved cases, followed by the High Court with 9 per cent. Table 4 provides details of cases filed, resolved by type and court for the period under review.

Table 4: Filed Cases and Resolved Cases

Court	Filed Cases			Resolved cases		
	Criminal Cases	Civil Cases	ALL	Criminal Cases	Civil Cases	ALL
Supreme Court	N/A	41	41	N/A	63	63
Court of Appeal	489	2,360	2,849	224	1,101	1,325
High Court	10,528	19,312	29,840	8,645	25,753	34,398
ELRC	N/A	3,518	3,518	N/A	5,662	5,662
ELC	N/A	6,427	6,427	N/A	8,284	8,284
Magistrates' Courts	245,199	91,748	336,947	222,472	86,010	308,482
Kadhis' Courts	N/A	9,017	9,017	N/A	6,540	6,540
Small Claim Court	N/A	8,729	8,729	N/A	8,484	8,484
Tribunals	N/A	5,814	5,814	N/A	8,507	8,507
All Courts	256,216	146,966	403,182	231,341	150,404	381,745

1.2.6. Case Backlog

In the Kenyan Judiciary, a case backlog is one which has remained unresolved for a period of one year or more since it was filed. As at June, 2022, the overall case backlog was 335,685 cases. This implies a decline of 7 per cent as compared to the previous year. Cases aged between 1-3 years constituted 60 per cent of the total case backlog while the remaining cases were over 3 years old. The court with the highest percentage in case backlog reduction was Supreme Court, followed by High Court at 22 per cent and 18 per cent respectively. During the same period, there was an increase in case backlog by ELC and Small Claims Court. Table 5 provides details on case backlog by age as at 30th June, 2022.

Table 5: Case backlog by court and age, 30th June, 2022

Court	June 2021	Case Backlog by Age as at 30 th June, 2022			Change in backlog (%)
	All ages	1-3 years	Over 3 years	All ages	
Supreme Court	46	28	8	36	-22
Court of Appeal	6,295	3,581	2,276	5,857	-7
High Court	63,100	31,934	19,610	51,544	-18
ELRC	11,220	6,852	3,268	10,120	-10
ELC	11,517	4,431	7,963	12,394	8
Magistrates' Courts	266,592	145,309	86,711	232,020	-13
Kadhis' Courts	2,573	2,095	242	2,337	-9
Small Claim Court*	13	1,002		1,002	7608
Tribunals	-	6,678	13,697	20,375	N/A
All Courts	361,356	201,910	133,775	335,685	-7

However Case Backlog for Small Claims Court is any case pending in the court system for over 60 days

1.2.7. STAJ Timelines on Reduction of Case Backlog

One of the indicators in STAJ is to ensure all trials do not take more than 3 years in the court system and appeals not more than 1 year (365 days). As at 30th June 2022, case backlog over 3 years was 133,775 cases translating to a reduction of 11 per cent from 150,897 as at June 2021. Generally, all courts reduced case backlog of over 3 years which is quite remarkable and efforts should be made to ensure further reductions are achieved in subsequent years. Table 6 shows the status of STAJ indicator.

Table 6 : Tracking STAJ implementation status on reduction of case backlog by court, 30th June, 2022

Court	STAJ target on reduction of case backlog older than 3 years as at 1st July 2021	Resolved backlog cases older than 3 years between 1st Jul 2021 and 30 th June, 2022	Case backlog older than 3 years as at 30 th June, 2022	change in case backlog older than 3 years between 1st July 2021 and 30 th June, 2022 (%)
Supreme Court	11	7	8	-27.00
Court of Appeal	2,620	500	2,276	-13.00
High Court	27,746	12,137	19,610	-29.00
ELRC	4,212	3,338	3,268	-22.00
ELC	6,781	3,494	7,963	12.00
Magistrates' Courts	109,223	36,435	86,711	-21.00
Kadhis' Courts	291	168	242	-17.00
Small Claim Court	13	1	2	-85.00
Tribunals	-	-	13,697	N/A
All Courts	150,897	56,080	133,775	-11.00

CHAPTER TWO: PERFORMANCE EVALUATION RESULTS, COURTS

2.1. INTRODUCTION

The performance results for courts were based on the actual achievements from the set targets of each indicator. The indicators covered core mandate of the courts and other performance measured as adopted from the International Framework of Court Excellence. The indicators were aligned to the Judiciary Strategic Plan, 2019-2023, Social Transformation through Access to Justice and other Judiciary policies and programmes.

2.1.1. Overall Judiciary Scorecard

The 2021/2022 evaluation results show an improvement from the previous years. In the year under review, the Judiciary recorded the highest performance score of 93.71 per cent, an improvement from 89.03 per cent in the previous year. High Court had the highest improvement of 15.57 per cent from 75 per cent in 2020/2021 to 90.57 per cent in 2021/2022. Employment and Labour Relations Court and Environment and Land Court improved by 11.45 and 11.43 per cent respectively. The overall judiciary performance is shown in Table 7.

Table 7: Overall Judiciary Score card

Courts/Units	2017/18	2018/19	2019/20	2020/21	2021/22	2021/22	Performance Grade
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score (%)	
Supreme Court	98.00	64.00	88.42	100.00	100.00	3.038	Very Good
COA	92.00	77.00	79.37	94.57	86.82	3.408	Good
High Court	80.00	90.00	78.20	75.00	90.57	3.347	Good
ELRC	82.00	95.00	94.08	81.09	92.54	3.315	Good
ELC	90.00	93.00	84.54	85.65	97.08	3.241	Good
Magistrates' Courts	94.00	92.00	90.69	90.08	91.37	3.334	Good
Small Claims Court	-	-	-	-	77.81	3.555	Good
Kadhis' Courts	100.00	93.00	97.52	97.89	92.91	3.309	Good
Tribunals	-	92.00	90.56	98.38	100.00	2.936	Very Good
All Courts	92.48	91.95	89.18	88.91	93.28	3.303	Good
Administrative Units	100	97.71	97.73	91.25	100.00	3.192	Very Good
Overall - Judiciary	93.15	92.35	89.81	89.03	93.71	3.296	Good

2.1.2. Overall performance Score per performance grade

There was no “Outstanding” or “Excellent” performance grade in the review period. However, 113 implementing units had a performance grade of “Very Good” while 154 units achieved “Good” performance grade. The Supreme Court, 14 High Court Stations, 34 Magistrates’ Courts, 16 ELC and 16 Kadhis’ Courts achieved a performance grade of “Very Good”. The performance of the implementing units is presented in Table 8.

Table 8: Overall Performance Score per performance grade

Courts/Units	Very Good	Good	Fair	Poor
Supreme Court	1	0	0	0
Court of Appeal	1	2	1	0
High Court	14	22	7	0
Employment & Labour Relations Court	4	2	3	0
Environment and Land Court	16	11	8	0
Magistrates’ Courts	34	84	9	0
Kadhis’ Courts	16	27	2	1
Small Claims Court	0	1	0	0
Tribunals	11	1	0	0
Registrars	8	0	0	0
Directorates	6	3	1	0
Other Implementing Units	2	1	0	0
Total	113	154	31	1

2.2. SUPREME COURT PERFORMANCE

2.2.1. Introduction

The Supreme Court of Kenya was established under Article 163 of the Constitution. It is the highest Court in the land, and the final arbiter on interpreting the Constitution with exclusive original jurisdiction presidential election petitions. The court has both original and appellate jurisdiction, as well as the jurisdiction to give advisory opinions. It has appellate jurisdiction to hear and determine appeals from the Court of Appeal and any other court or tribunal as prescribed by national legislation. The court has two sub-registries in Mombasa and Kisumu.

2.2.2. Overall Performance, Supreme Court

For the last 2 consecutive years, the Supreme Court achieved impressive performance results. The court attained an overall performance score of 100 per cent with a performance grade of "Very Good". The court's overall performance was high compared to the Judiciary overall average performance during the 2020/21 and 2021/22 PMMUs implementation period. The trend on overall performance of the Supreme court over a period of 5 years is shown in Figure 1.

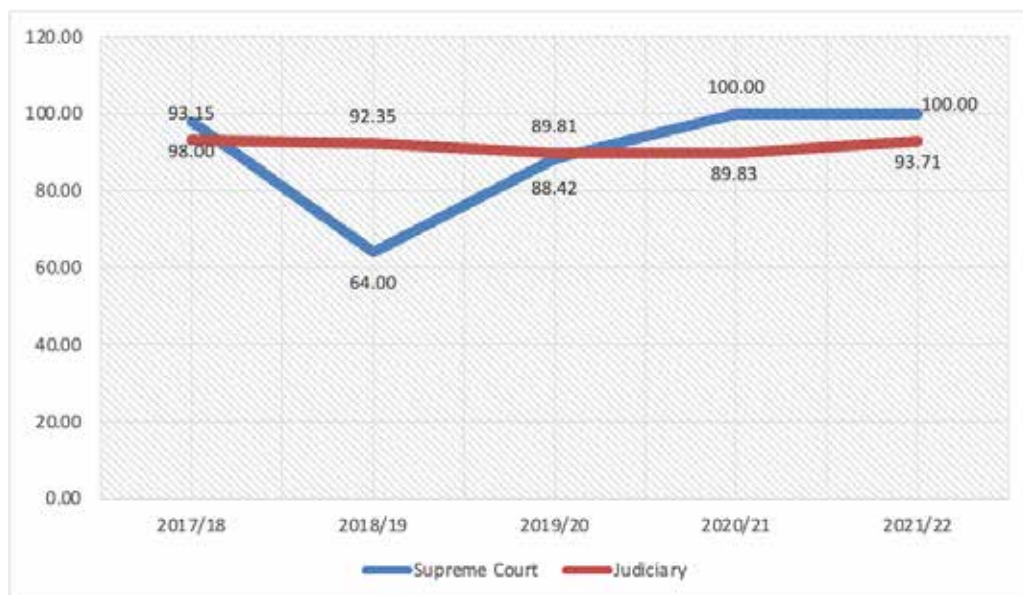


Figure 1 : Overall Performance, Supreme Court

2.2.3. Performance Trends of Supreme Court on some selected performance indicators

2.2.3.1 Productivity

Over the last five years, the Supreme Court has been experiencing mixed performance in judges' bench productivity. In 2017/18, the court achieved bench productivity of 28 cases. The highest bench productivity of 64 cases was attained during the FY 2018/19. For the last 3 consecutive years, the bench productivity declined from 54 cases in 2019/20 to 45 cases during the review period. Figure 2 provides details on trend of judges' bench productivity for a period of 5 years.

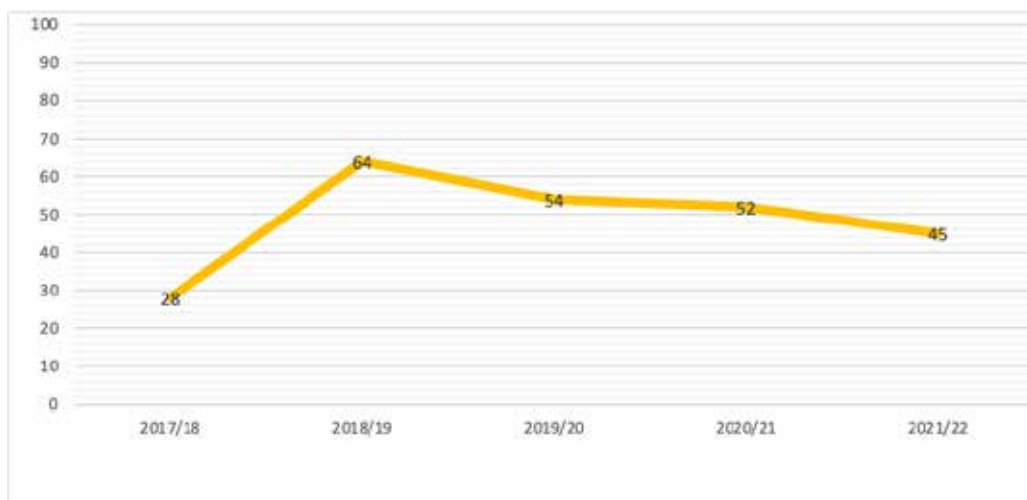


Figure 2 : Supreme Court Judge's Bench Productivity

2.2.3.2 Case Clearance Rate

Over the 5 years period, Supreme Court case clearance rate had been increasing consistently. In the review period, the court achieved a case clearance rate of 154 per cent, an increase from 132 per cent in 2020/2021.

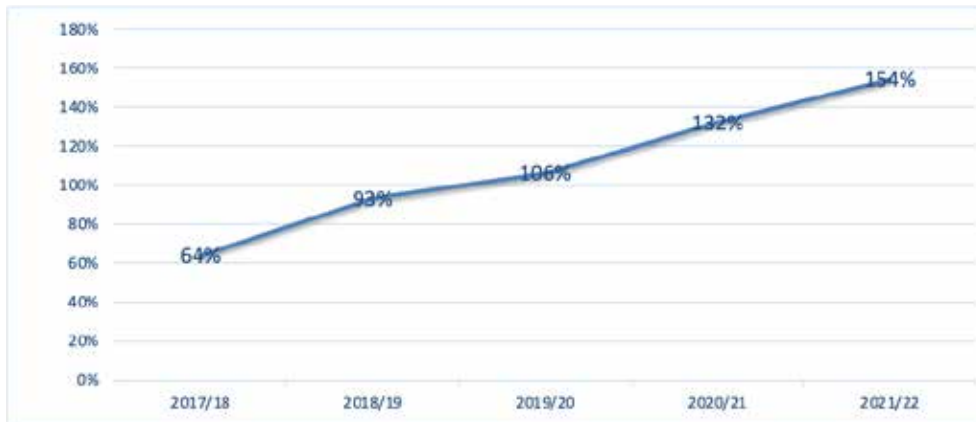


Figure 3 : Case Clearance Rate Trend

2.2.4. Performance of the Supreme Court on selected indicators

During the period under review, the Case Clearance Rate for the Supreme Court was 154 per cent while the court reduced its case backlog by 22 per cent. On advisory opinions, the court concluded 80 per cent of all the references within 90 days from close of hearing. The court delivered 63 per cent of the judgments/rulings within 90 days after close of submission. Table 9 gives a summary of the court performance.

Table 9: Supreme Court Performance on Selected Performance Indicators 2021/22

Indicator	Achievement (%)
Case Clearance Rate	154.00
Backlog reduction	-22.00
Advisory opinion -per cent of references concluded within 90 days from the close of hearing	80.00
Percentage of judgments/rulings rendered within 90 days after close of submission	63.00

2.3. COURT OF APPEAL PERFORMANCE

2.3.1. Introduction

The Court of Appeal of Kenya is established under Article 164 of the constitution of Kenya. The Court has permanent benches in Nairobi, Mombasa, Nyeri, Kisumu and Nakuru. It also has sub- registries in Eldoret, Garissa, Busia, Kisii, Meru, Malindi and Kakamega where matters are registered and judges visit on circuit. The court has jurisdiction to hear contempt of court as original jurisdiction as well as appeals from the High Court, the Environment & Land Court and the Employment & Labour Relations Court and any other court or tribunal as prescribed by an Act of Parliament.

During the period under review, Kisumu, Mombasa, Nairobi - Civil Division and Nairobi-Criminal Division signed PMMUs and were evaluated. Nyeri Court of Appeal did not signed PMMU for the period under review due to the shortage of judges.

Court of Appeal was evaluated on the following indicators:-

- i). Hearing and determination of criminal appeals within 180 days of receipt of records
- ii). Hearing and determination of civil appeals within 180 days of receipt of records
- iii). Case clearance rate
- iv). Reduction of case backlog
- v). Judge's merit bench productivity
- vi). Judge's other bench productivity
- vii). Percentage of judgements and rulings delivered within 90 days after close of submissions
- viii). Percentage of judgements and rulings delivered as first scheduled

2.3.2. Overall Performance Court of Appeal Stations

During the 2021/22 period, the court achieved a performance score of 86.84 per cent which was below the overall Judiciary performance of 93.71 per cent. Figure 4 provides a comparative overall performance trend for the Court of Appeal and the Judiciary over a period of 5 years

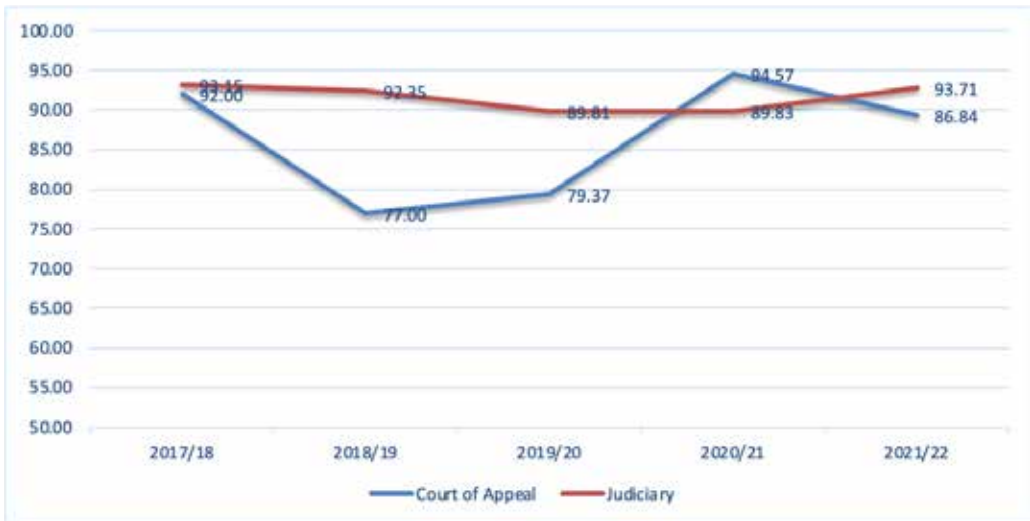


Figure 4: Court of Appeal Overall performance

2.3.3. Performance Trend of Court of Appeal on some selected performance indicators

The bench productivity for 2021/22 was 189 cases against the highest performance recorded in 2020/21 at 248 cases. The trend of bench productivity is indicated in Figure 5.



Figure 5 : Trend on bench productivity for Court of Appeal

The Court of Appeal had a case clearance rate of 47 per cent - a decline from 50 per cent achieved in 2020/2021. The highest case clearance rate was achieved in 2017/18 financial year at 59 per cent. The trend for the last 5 years is presented in Figure 6.



Figure 6 : Trend on case clearance rate for Court of Appeal

The overall performance of Court of Appeal was 89.28 per cent with a performance Grade of **“Good”**. Out of the four court stations and divisions, 1 achieved a performance grade of “very Good”, 2 achieved “Good” and 1 achieved “Fair” performance grade. Figure 7 presents the achievements of the Court of Appeal.

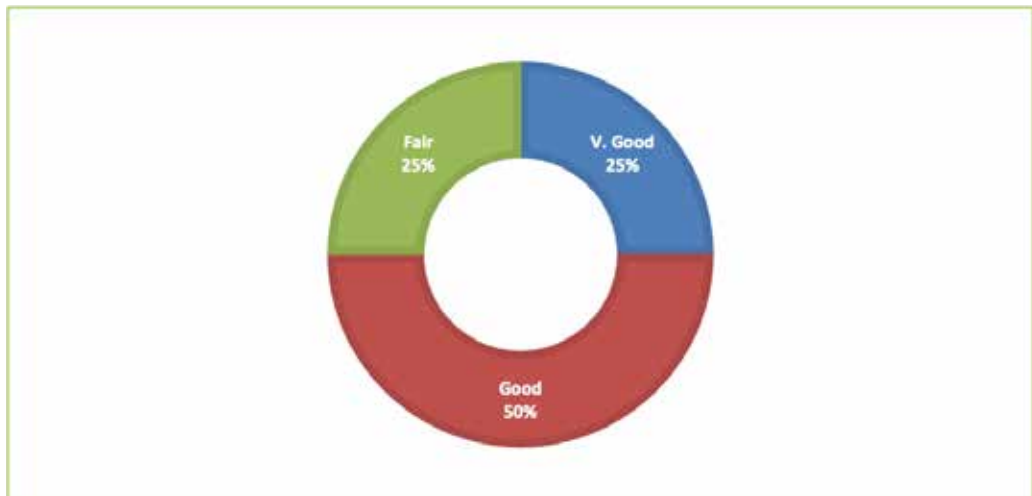


Figure 7: Overall performance of Court of Appeal

Nairobi Court of Appeal Civil Division was the best performing Division with an overall performance grade of **“Very Good”** and performance score of 100 per cent. This was followed by Mombasa at 95.68 per cent, Kisumu at 86.14 per cent and Nairobi Criminal Division at 63.60 per cent. The performance is shown in Table 10.

Table 10: Overall Court of Appeal performance

Court of Appeal Station	Composite score	Performance Score (%)	Performance Grade
Nairobi - Civil Division	3.009	100.00	Very Good
Mombasa	3.264	95.68	Good
Kisumu	3.419	86.14	Good
Nairobi - Criminal Division	3.779	63.60	Fair

2.3.4. Court of Appeal Case Clearance Rate, Criminal Cases

Kisumu Court of Appeal was the best performing court in case clearance rate, criminal cases. The court achieved a case clearance rate of 58 per cent, followed by Nairobi Court of Appeal Criminal Division with 42 per cent and Mombasa with 39 per cent. Figure 8 shows COA performance on CCR, criminal cases.

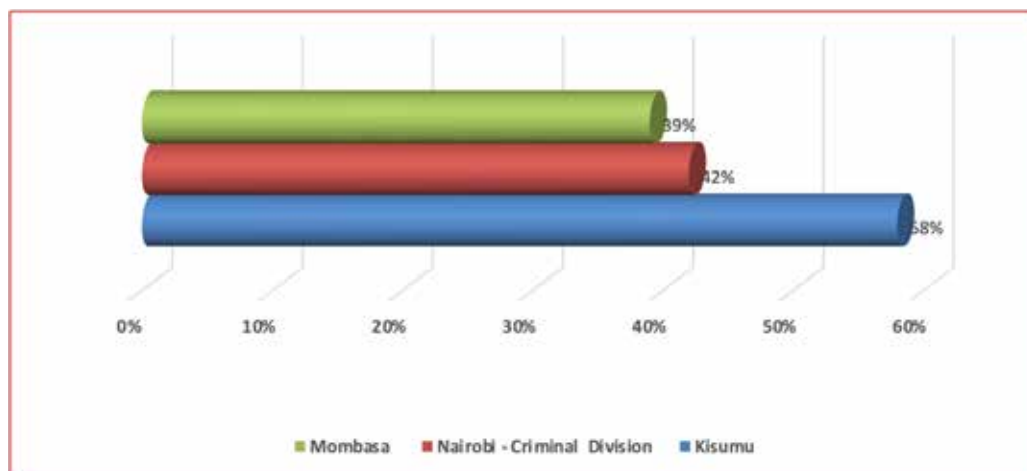


Figure 8 : Court of Appeal Case Clearance Rate for Criminal Cases

2.3.5. Court of Appeal Case Clearance Rate, Civil cases

Mombasa Court of Appeal achieved the highest civil cases clearance rate of 88 per cent followed by Nairobi Court of Appeal – Civil Division and then Kisumu with 42 and 41 per cent respectively. The Court of Appeal performance on case clearance rate, Civil cases is presented in Figure 9.

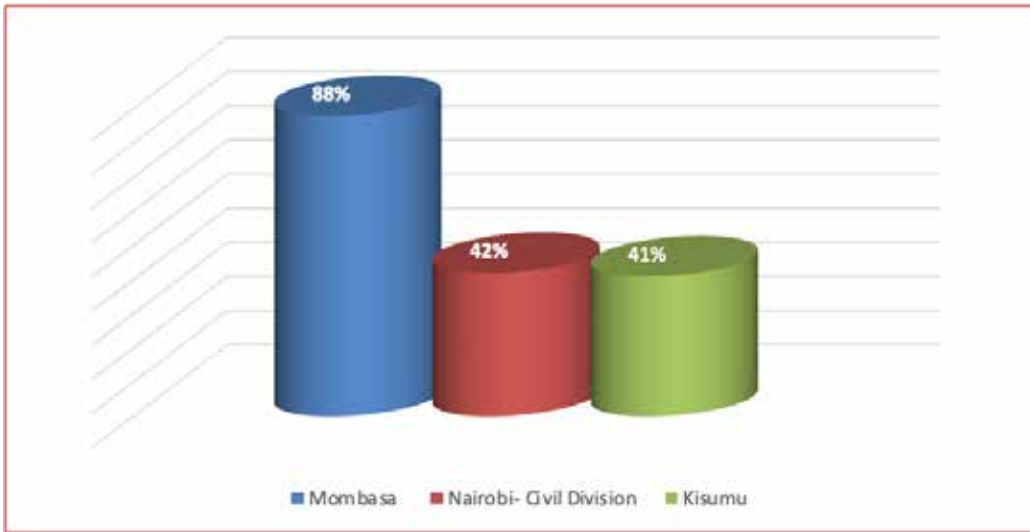


Figure 9 : Court of Appeal Case Clearance Rate for Civil cases

2.3.6.Court of Appeal Performance on Merit and Other Bench productivity

Kisumu Court of Appeal was leading on bench merit bench productivity of 180 cases followed by Nairobi Civil Division with merit bench productivity of 150 cases. On other bench productivity, Mombasa was the best at 198 cases followed by Kisumu at 110 cases. Figure 10 provides details on the best performing courts on merit and other bench productivity, Court of Appeal.

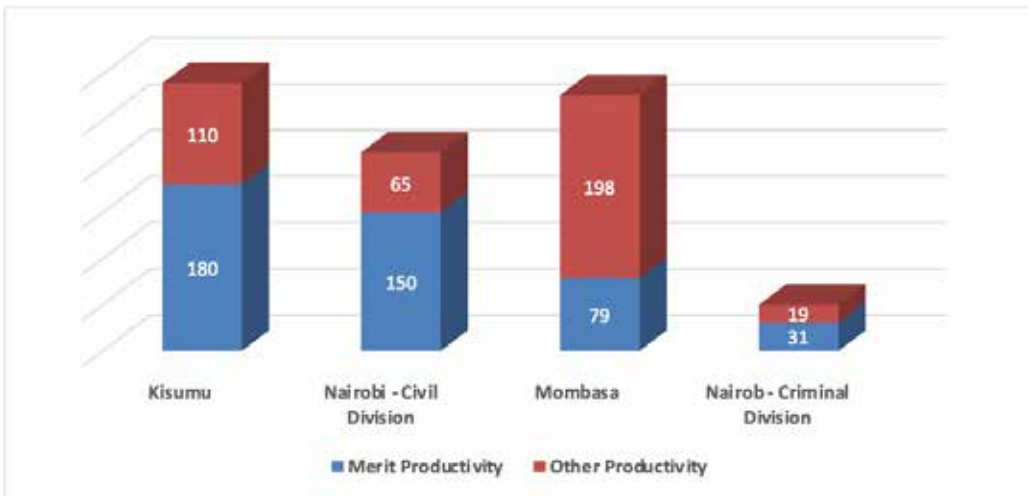


Figure 10 : Court of Appeal Performance on Judge's Merit and Other bench productivity

2.3.7. Court of Appeal performance on Reduction of Case Backlog

In the 2021/2022 review period, Court of Appeal reduced case backlog by 7 per cent. Mombasa Court of Appeal was the best performing court in backlog reduction. It reduced its case backlog by 24 per cent. Figure 11 presents performance of Court of Appeal on case backlog reduction.

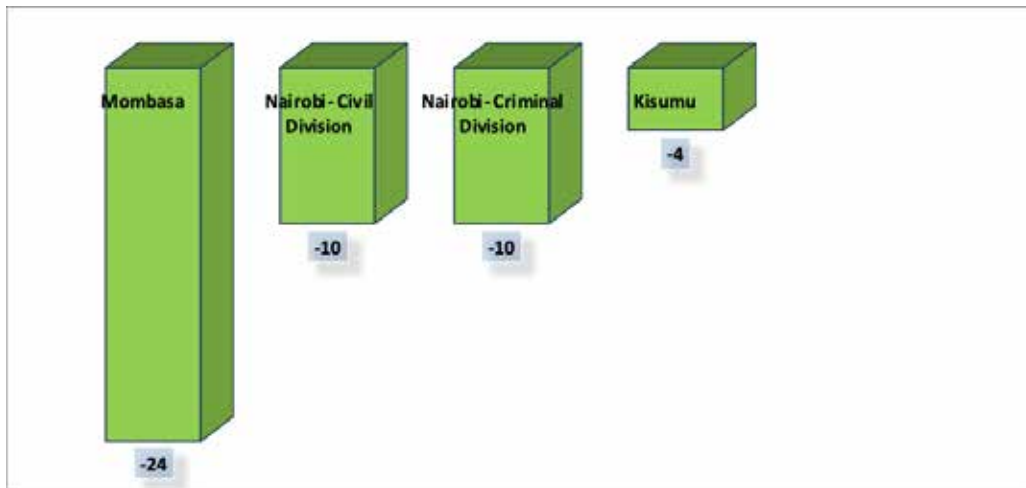


Figure 11 : Performance of Court of Appeal on case backlog reduction

2.4. HIGH COURT PERFORMANCE

2.4.1. Introduction

The High Court is one of the superior courts and is established under Article 165 of the Constitution. The court has unlimited original jurisdiction to determine all criminal and civil matters, cases concerning violation and or infringement of the bill of rights; appeals emanating from subordinate courts; interpretation of the Constitution; and supervisory jurisdiction over the subordinate courts and over any person, body or authority exercising judicial or quasi-judicial function. The Court has 45 stations and 5 sub-registries established across the country. Further, the Court has established 7 divisions in Milimani Law courts which are operationalized for efficient case management and effective adjudication of specific disputes.

The High Court PMMUs were based on various performance indicators and targets which include:

- i). Civil and Criminal cases concluded within 360 days from date of filing;
- ii). Judgments delivered within 60 days after close of submissions
- iii). Case Clearance Rate for Criminal and Civil cases;
- iv). Case Backlog Reduction;
- v). Merit and Other Productivity

During the 2021/22 PMMU evaluation, 36 High court stations and 7 Divisions were evaluated. Comparatively over the past five years, the High Court average performance of 90.57 per cent was below the overall Judiciary performance. The overall performance is shown in Figure 12.

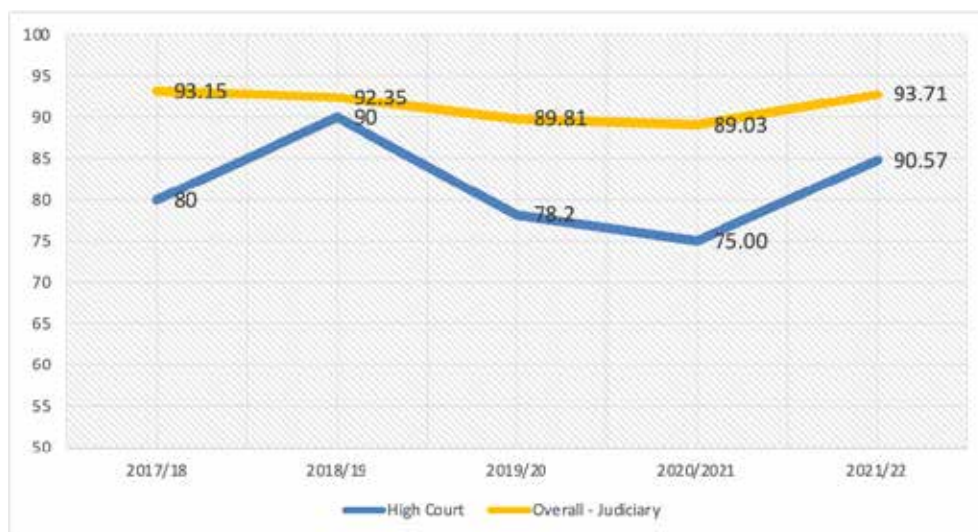


Figure 12 : Comparative analysis of Judiciary Overall Performance and High Court performance 2017/18- 2021/22

The Court registered an average case clearance rate (CCR) of 114 per cent in the past five years, with an impressive CCR of 115 per cent in 2021/22 where a total of 34,371 cases were resolved against 31,277 cases filed. This implies that except in the year 2019/20 and 2020/21

when CCR was below 100 per cent, the court has consistently reduced its pending cases. The 5 years performance trend in CCR is shown in Figure 13.

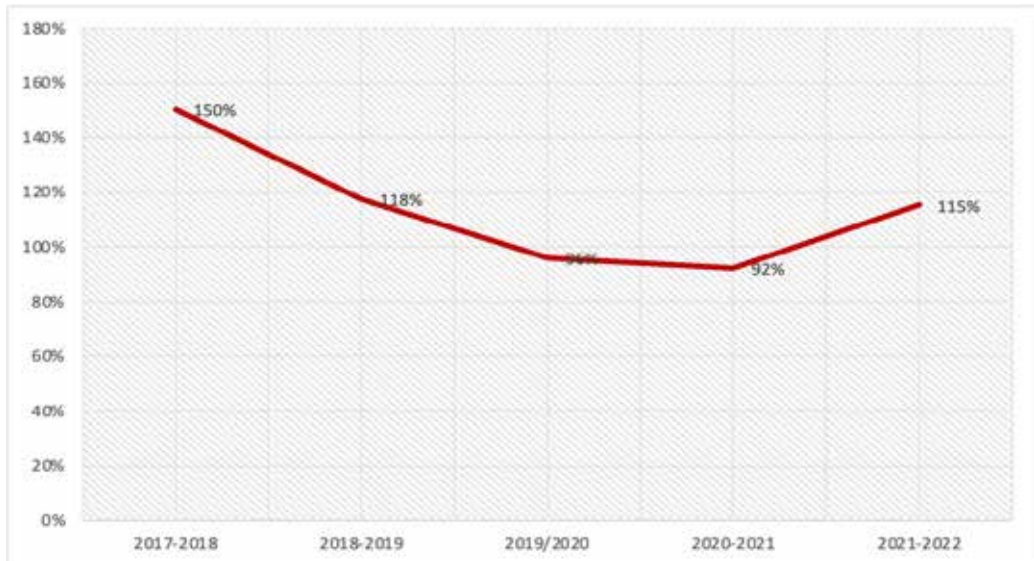


Figure 13 : Trends in CCR for periods 2017/18- 2021/22

2.4.2. Overall Performance, High Court

The performance of the 43 High Court stations ranged from “Very Good to “Fair”. There were 15 stations with a performance grade “Very Good” 22 achieved “Good” and 7 achieved a performance grade “Fair”. The proportional presentation of the evaluation results is shown in Figure 14.



Figure 14 : Overall Performance 2021/22

2.4.3. Most Improved High Court Station/ Division

Bomet High Court was the most improved court on overall performance. The court had an improved performance of 55 per cent moving from a performance grade of “Poor” of 44 per cent to “Good” of 99 per cent. The List of top ten most improved stations are shown in Table 11.

Table 11 : Most Improved High Court Station/ Division

Court	Score 2020-21	Score 2021-22	Percentage improvement
Bomet High Court	44	99	55%
Kakamega High Court	45	92	47%
Narok High Court	59	100	41%
Kajiado High Court	38	77	39%
Milimani Constitution & Human Rights Div	64	100	36%
Bungoma High Court	60	93	32%
Kapenguria High Court	55	84	29%
Migori High Court	71	100	29%
Kabarnet High Court	66	94	28%
Kitui High Court	74	100	26%

It should be recognised that, caseload may have an impact on performance of a court. This necessitated grouping of courts with relatively comparable caseload. In this regard, the High Court stations were categorized into 4 categories based on the number of cases filed and specialization as follows;

- i). Courts with filed cases above 600
- ii). Courts with filed cases between 301 and 600
- iii). Courts with filed cases below 300
- iv). Milimani High Court Divisions

2.4.4. High Court Stations with Caseload Category of above 600 Cases

This category had 12 high court stations that had filed over 600 matters in the period under review. These include Bungoma, Eldoret, Kiambu, Kisii, Kisumu, Kitale, Machakos, Makeni, Malindi, Meru, Mombasa and Nakuru High Courts.

2.4.4.1 Overall Performance of High Courts – Caseload Category of above 600 Cases

The overall performance of courts under this category shows that Kisii, Kiambu and Kisumu managed to achieve a score of 100 per cent with a performance grade of “Very Good”. Kisii High Court was the best performing court with a performance score of 100 per cent. Kiambu and Kisumu were second and third respectively as shown in Table 12.

Table 12 :Overall Performance, High Court - Caseload category of above 600 cases

High Court	Composite score	Performance score (%)	Grade
Kisii	2.983	100	Very Good
Kiambu	3.095	100	Very Good
Kisumu	3.096	100	Very Good
Makueni	3.226	98.06	Good
Eldoret	3.279	94.84	Good
Bungoma	3.312	92.90	Good
Nakuru	3.323	92.22	Good
Malindi	3.401	87.56	Good
Mombasa	3.427	85.99	Good
Machakos	3.509	81.09	Good

2.4.4.2 Hearing and Determination of Criminal Cases within 360 days - High Court, Caseload Category of above 600 Cases

High Court Stations set targets to conclude criminal cases within 360 days from the date of filing. Among this category, Kisii High court was the best where 42 per cent of criminal cases were resolved within the 360 days from the date of filing. Meru was the least performing station achieving 7 per cent. The performance of High Court stations in this category is presented in Figure 15.

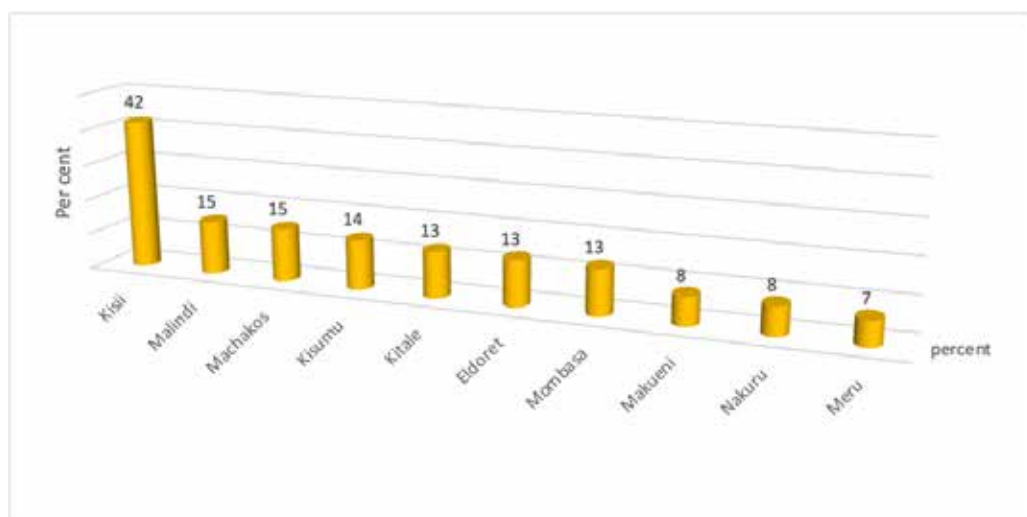


Figure 15 : Hearing and Determination of Criminal Cases within 360 days, Caseload Category of above 600 Cases

2.4.4.3 Hearing and Determination of Civil Cases within 360 days – High Court, Caseload Category of above 600 Cases

High Court Stations concluded a higher percentage of civil matters within 360 days compared with criminal cases. On average, 26.1 per cent of all civil matters were concluded within 360 days of filing. Kitale High Court heard and concluded 60 per cent of all civil cases within 360 days. The other stations that achieved more than 50 per cent were Nakuru, Kiambu and Eldoret High Court at 55 per cent, 54 per cent and 53 per cent respectively. The results are shown in Figure 16.

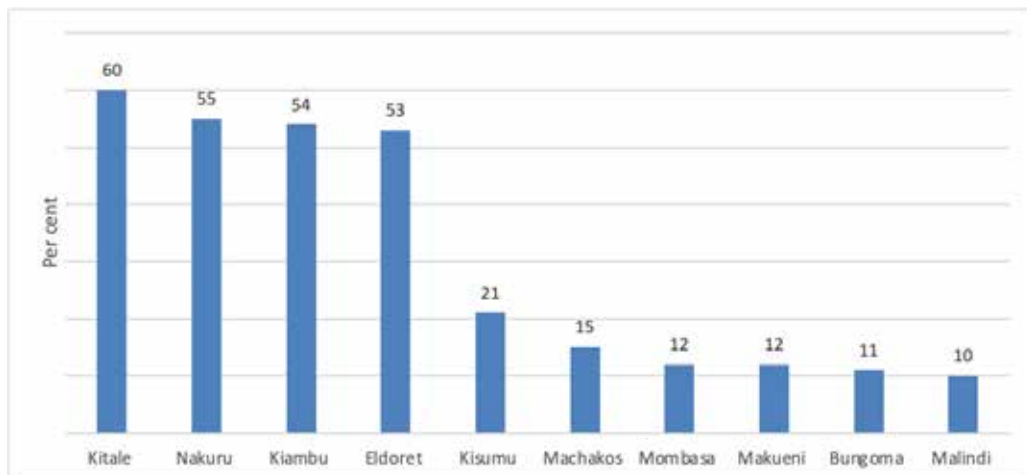


Figure 16: Hearing and Determination of Civil Cases within 360 days, Caseload Category of above 600 Cases

2.4.4.4 Case Clearance Rate, Criminal Cases – High Court Caseload Category of above 600 Cases

In this category, only Kiambu High Court concluded more criminal cases than were filed with a CCR of 106 per cent. The average CCR was 75.3 per cent implying that on overall, there were more criminal matters pending at the court as compared with the start of the year. Majority of the courts however achieved below the average CCR as shown in Table 13.

Table 13 : Case Clearance Rate, Criminal Cases – High Court Caseload Category of above 600 Cases

High Court	Achievement (%)
Kiambu	106.00
Meru	98.00
Bungoma	89.00
Kisumu	89.00
Makueni	74.00
Machakos	71.00
Mombasa	70.00
Eldoret	70.00
Nakuru	69.00
Kitale	69.00

2.4.4.5 Case Clearance Rate, Civil Cases – High Court Caseload Category of above 600 Cases

Case Clearance Rate, civil matters in this category averaged 126.9 per cent in the year under review. All the best ten performing courts had a CCR of over 100 per cent implying reduction in number of pending matters. Bungoma had the highest CCR of 211 per cent where a total of 563 cases were resolved against 267 cases filed. This is shown in Table 14.

Table 14 : Case Clearance Rate, Civil Cases – High Court Caseload Category of above 600 Cases

High Court	Achievement (%)
Bungoma	211.00
Mombasa	180.00
Nakuru	167.00
Meru	164.00
Kisumu	133.00
Makueni	130.00
Machakos	115.00
Kisii	112.00
Eldoret	105.00
Kitale	101.00

2.4.4.6 Reduction of Case Backlog – High Court, Caseload Category of above 600 Cases

Reduction of case backlog has remained one of the key areas of focus for the courts. In this category, Makueni High Court had the highest reduction of case backlog of 51 per cent. This

was followed by Kisumu and Meru High Court at 20 and 13 per cent respectively. There was an increase of case backlog at Bungoma and Kitale High Court by 1 per cent and 2 per cent respectively as shown in Figure 17

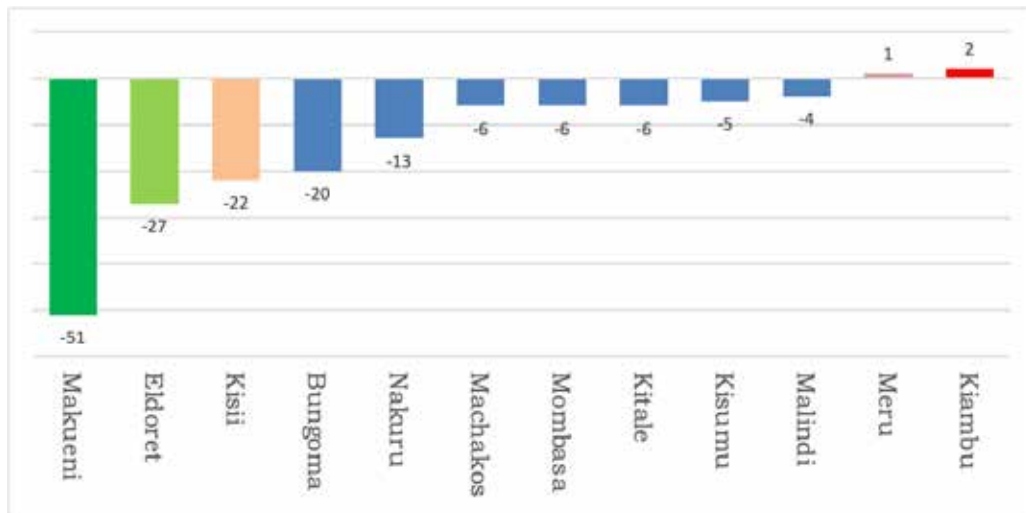


Figure 17 : Reduction of Case Backlog – High Court, Caseload Category of above 600 Cases

2.4.4.7 Judge’s Productivity - High Court, Caseload Category of above 600 Cases

Overall productivity ranged from 628 cases per Judge in Makueni to 185 in Malindi. The top 3 courts on judge’s merit productivity were Makueni, Machakos and Kisumu with a merit productivity of 407, 347 and 308 cases respectively. This is shown in Figure 18.

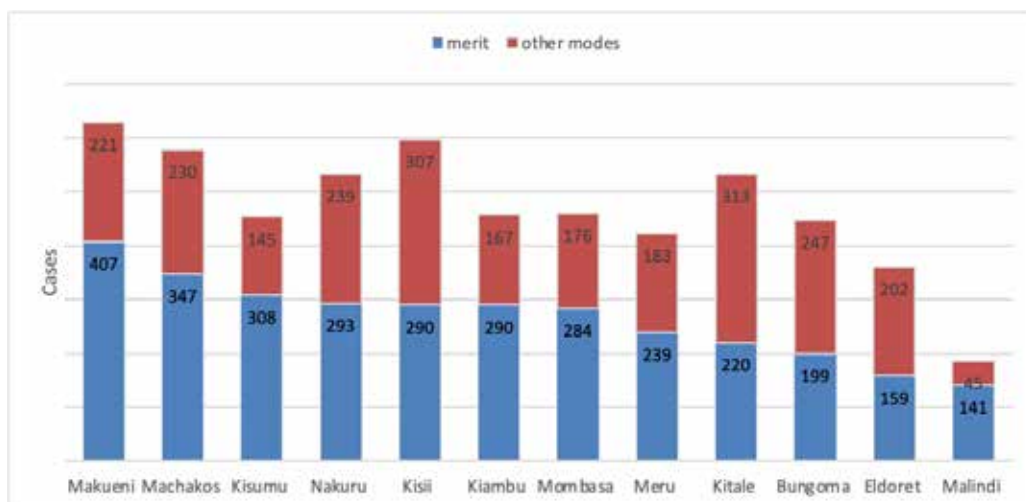


Figure 18 : Judge’s Productivity - High Court, Caseload Category of above 600 Cases

2.4.4.8 Delivery of Judgments and Rulings within 60 days of conclusion of hearing – High Court, Caseload Category of above 600 Cases

Under this category, Meru High Court delivered 85 per cent of all the judgments within 60 days followed by Malindi, Kitale and Kisii High Court at 75, 73 and 68 per cent respectively. The evaluation results are shown in Table 15.

Table 15 : Delivery of Judgments and Rulings within 60 days of conclusion of hearing – High Court, Caseload Category of above 600 Cases

High Court	Achievement (%)
Meru	85.00
Malindi	75.00
Kitale	73.00
Kiambu	68.00
Kisii	68.00
Bungoma	64.00
Makueni	64.00
Eldoret	55.00
Mombasa	54.00
Machakos	50.00

2.4.5. High Court Stations with Caseload Category between 301 and 600 Cases

This category consisted of 15 court stations namely Siaya, Migori, Kitui, Kericho, Homabay, Embu, Bomet, Voi, Muranga, Kakamega, Chuka, Naivasha, Kajiado, Nyeri and Kerugoya High Court.

2.4.5.1 Overall Performance of High Court - Caseload Category of between 301 and 600 Cases

Among the 10 best performing courts in this category, 6 scored 100 per cent with Siaya being the best followed by Migori and Kitui. Table 16 shows the overall performance of the courts.

Table 16 : Overall Performance - High courts with caseload category of between 301 and 600 filed cases.

High Court	Composite	Performance score	Grade
Siaya	2.866	100.00	Very Good
Migori	3.029	100.00	Very Good
Kitui	3.044	100.00	Very Good
Kericho	3.122	100.00	Very Good
Homabay	3.18	100.00	Very Good
Embu	3.194	100.00	Very Good
Bomet	3.21	98.98	Good
Muranga	3.308	93.15	Good
Kakamega	3.322	92.26	Good
Chuka	3.401	87.52	Good

2.4.5.2 Hearing and Determination of Criminal Cases within 360 days - High Court, Caseload Category of between 301 and 600 Cases

Siaya High Court was the best performing court with 48 per cent of all criminal cases resolved within 360 days from the date of filing followed by Embu and Homabay High Courts with 29 and 27 per cent respectively. The results are illustrated in Figure 19.

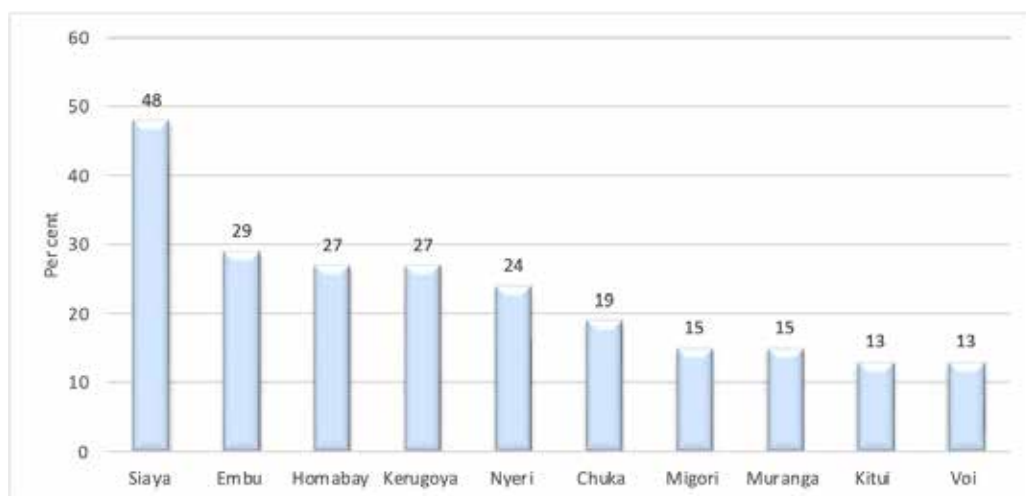


Figure 19 : Hearing and Determination of Criminal Cases within 360 days. - High Court, Caseload Category of between 301 and 600 Cases

2.4.5.3 Hearing and Determination of Civil Cases within 360 days - High Court, Caseload Category of between 301 and 600 Cases

Chuka High Court with a score of 67 per cent was the best in this category followed by Kitui and Siaya with 50 and 45 per cent respectively. The results are presented in Figure 20.

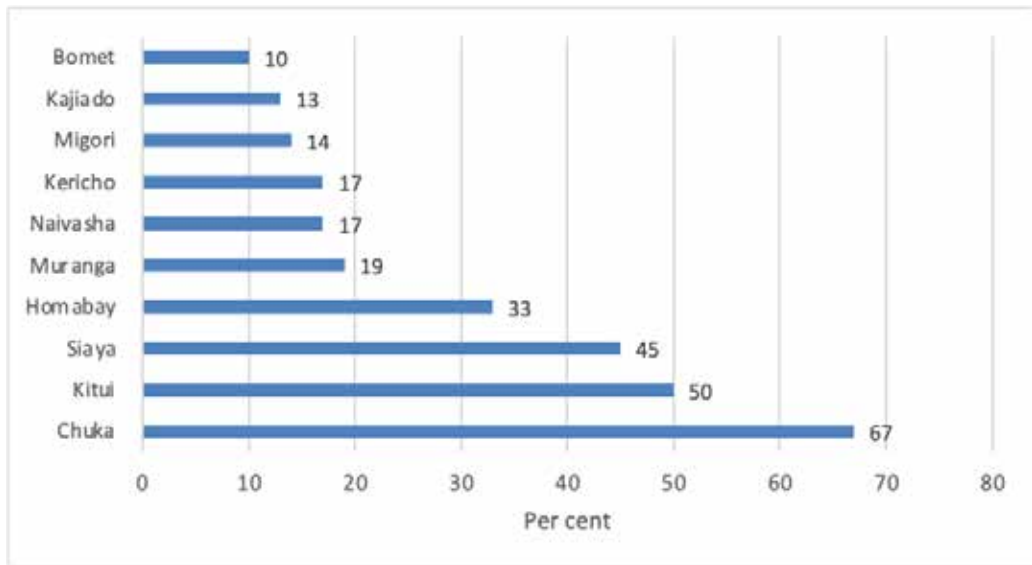


Figure 20 : Hearing and Determination of Civil Cases within 360 days

2.4.5.4 Case Clearance Rate, Criminal Cases – High Court Caseload Category of between 301 and 600 Cases

There were 7 High Court stations that attained a case clearance rate of above 100 per cent with Muranga High Court attaining the highest CCR of 203 per cent. Table 17 shows the top ten courts on case clearance rate.

Table 17 : Case Clearance Rate, Criminal cases - High Court, Caseload Category of between 301 and 600 filed cases.

High Court	Achievement (%)
Muranga	203.00
Kitui	182.00
Homabay	142.00
Siaya	138.00
Embu	110.00
Voi	109.00
Naivasha	100.00
Kerugoya	72.00
Nyeri	63.00
Kakamega	60.00

2.4.5.5 Case Clearance Rate, Civil Cases – High Court, Caseload Category of between 301 and 600 Cases

The average case clearance rate of the High Court stations under this category was 93.6 per cent with Kakamega High Court being the best with a CCR of 318 per cent followed by Embu High Court at 229 per cent and Murang'a High Court at 195 percent. The best performing courts in this category are listed in Table 18.

Table 18: Case Clearance Rate, Civil cases - High Court, Caseload Category of between 301 and 600 filed cases

High Court	Achievement (%)
Kakamega	318.00
Embu	229.00
Muranga	195.00
Naivasha	195.00
Homabay	181.00
Kitui	155.00
Migori	152.00
Nyeri	132.00
Voi	131.00
Siaya	117.00

2.4.5.6 Reduction of Case Backlog – High Court Caseload Category between 301 and 600 Cases

Most High Court stations in this category reduced case backlog during the year under review with Embu High Court being the best performing court by reducing case backlog by 87 per cent. Chuka High court was second and recorded a case backlog reduction of 76 per cent while Kitui High Court was third with a case backlog reduction of 65 per cent. Figure 21 shows the reduction of case backlog in this category.

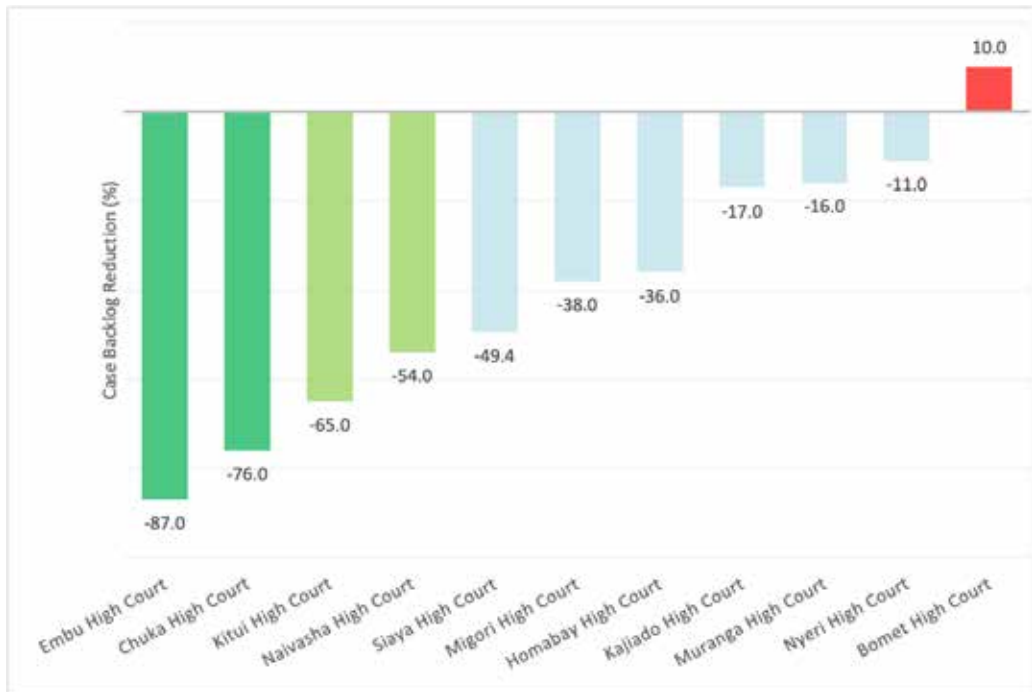


Figure 21: Reduction of Case Backlog- High court stations with caseload category of between 301 and 600 filed cases

2.4.5.7 Judge’s Productivity- High court caseload category of between 301 and 600 filed cases

The High Court stations in this category recorded high level of productivity both for merit and other productivity which contributed in reduction of case backlog. Kitui High court had the judge’s merit productivity of 449 cases with Naivasha High Court achieving 391 cases while Siaya High Court achieved a judge’s merit productivity of 334 cases. Murang’a High Court emerged the best in judge’s other productivity at 646 cases followed by Kakamega and Embu High Court at 453 and 444 cases respectively. Figure 22 shows these achievements.

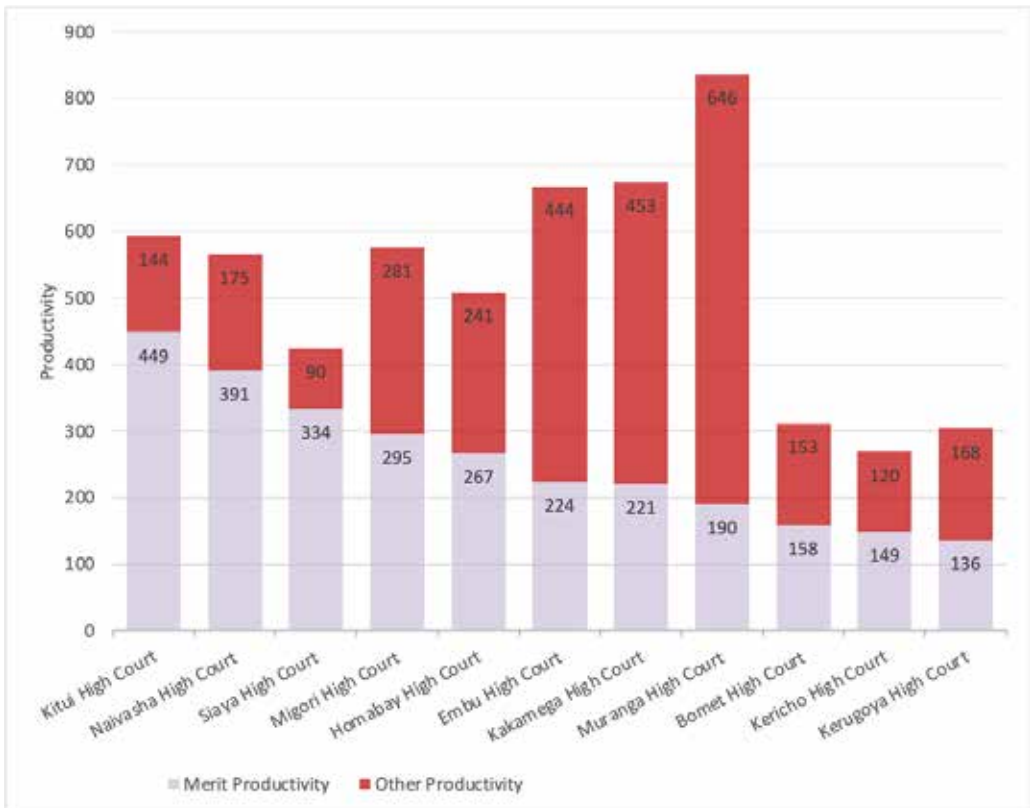


Figure 22 : Merit and other productivity - High courts with caseload category of between 301 and 600 filed cases.

2.4.5.8 Delivery of Judgments and Rulings within 60 days of conclusion of the hearing -High Court, Caseload Category of between 301 and 600 Cases

Two High Court stations, Siaya and Embu High Courts recorded delivery of all their judgements and rulings within 60 days after conclusion of hearings. Kericho and Nyeri High Courts achieved a score of 86 and 78 per cent respectively. Table 19 shows the 10 best performing High Court stations on this indicator.

Table 19: Delivery of Judgments and Rulings within 60 days of conclusion of the hearing - High Court, Caseload Category of between 301 and 600 Cases

High Court	Achievement (%)
Siaya	100.00
Embu	100.00
Kericho	86.00
Nyeri	78.00
Homabay	74.00
Muranga	71.00
Chuka	65.00
Kajiado	63.00
Bomet	63.00
Voi	57.00

2.4.6. High Court with Caseload Category of 300 Cases and Below

This category comprised of 9 courts which included; Busia, Garissa, Garsen, Kabarnet, Kapenguria, Marsabit, Nanyuki, Narok and Nyahururu.

2.4.6.1 Overall performance of High Court- Caseload Category of 300 Cases and Below

Generally, 22 per cent (2 Courts) of the 9 courts in this category attained a performance grade of "Very Good", 33 per cent of the courts achieved "Good" while 45 per cent had a performance grade of "Fair". Garsen High court was the best in this category with 100 per cent achievement with a composite score of 3.114 followed by Narok High Court with a performance score of 100 per cent and a composite score of 3.157. Table 20 illustrates the performance.

Table 20 : Overall Performance – High Court Caseload Category of below 300 Cases

High Court	Composite Score	Performance score (%)	Performance Grade
Garsen	3.114	100.00	Very Good
Narok	3.157	100.00	Very Good
Kabarnet	3.288	94.321	Good
Busia	3.409	87.071	Good
Kapenguria	3.448	84.704	Good
Garissa	3.747	65.579	Fair
Nyahururu	3.850	59.203	Fair
Marsabit	3.865	58.328	Fair
Nanyuki	3.893	56.586	Fair

2.4.6.2 Hearing and Determination of Criminal Cases within 360 days - High Court Caseload Category of 300 Cases and below

The best performing High Court in determination of criminal cases within 360 days was Busia. The court determined 62 per cent of the criminal cases within a year. It was followed by Marsabit which achieved 50 per cent and Narok High Court with 38 per cent. Figure 23 shows the performance of all the courts in this category.

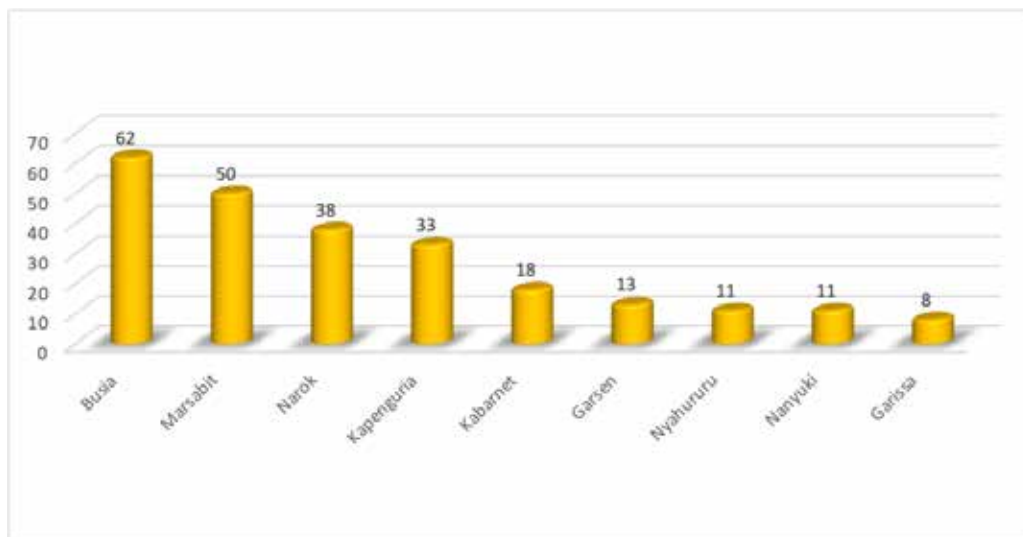


Figure 23 :Hearing and Determination of Criminal Cases within 360 days

2.4.6.3 Hearing and Determination of Civil Cases within 360 days - High Court Caseload Category of 300 Cases and below

On determination of civil cases within 360 days from the date of filing, Marsabit High Court was the best court with a score of 100 per cent. Garissa High Court scored 60 per cent while Nanyuki High Court achieved 57 per cent. Figure 24 provides details of performance of courts on determination of civil cases within 360 days.

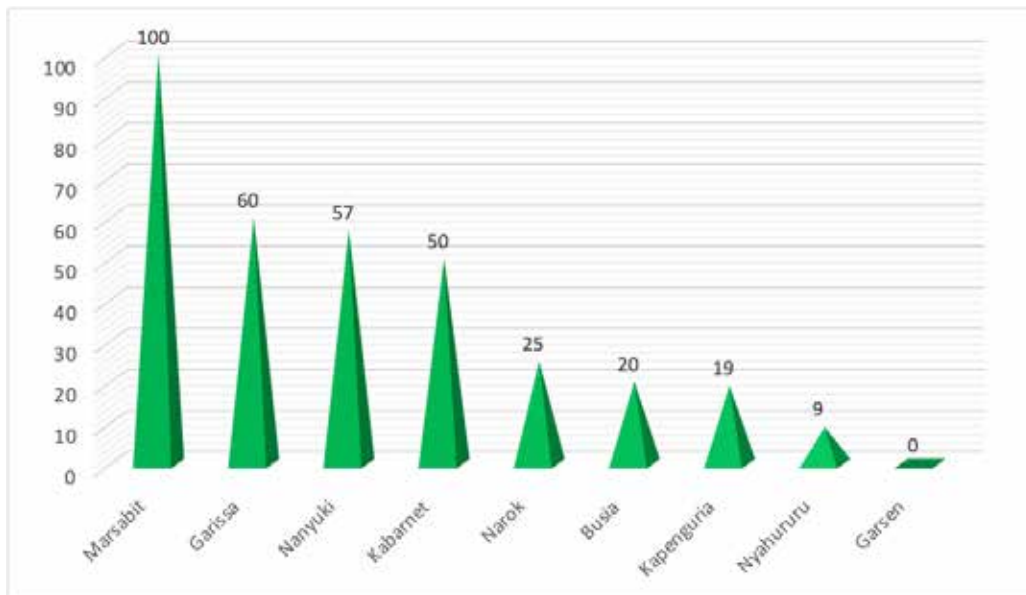


Figure 24 : Hearing and Determination of Civil Cases within 360 days

2.4.6.4 Case Clearance Rate, Criminal Cases – High Court, Caseload Category of 300 Cases and below

The High Court with the highest case clearance rate, criminal cases, was Narok High Court with the CCR of 173 per cent. Nyahururu High Court was the second with a CCR of 165 per cent followed by Garsen High Court, which achieved 113 per cent. Table 21 provides Case Clearance Rates in this category.

Table 21: Case Clearance Rate, Civil Cases – High Court, Caseload Category of 300 Cases and below

High Court	Achievement (%)
Narok	173.00
Nyahururu	165.00
Garsen	113.00
Nanyuki	109.00
Marsabit	79.00
Kabarnet	75.00
Garissa	64.00
Kapenguria	62.00
Busia	43.00

2.4.6.5 Case Clearance Rate, Civil Cases – High Court, Caseload Category of 300 Cases and below

Busia High Court achieved the highest case clearance rate of 168 per cent, civil cases. Nyahururu and Narok High Courts achieved a CCR of 143 and 136 per cent respectively. Table 22 presents CCR, civil cases for the 10 best performing High Court stations during the period under review.

Table 22: Case Clearance Rate, Civil Cases – High Court, Caseload Category of 300 Cases and below

High Court	Achievement (%)
Busia	168.00
Nyahururu	143.00
Narok	136.00
Garsen	100.00
Nanyuki	92.00
Kabarnet	78.00
Garissa	77.00
Marsabit	70.00
Kapenguria	66.00

2.4.6.6 Reduction of Case Backlog – High Court, Caseload Category of 300 Cases and below

In this category, 8 High Court stations managed to reduce case backlog. However, backlog increased in Marsabit High Court. Narok High Court reduced case backlog by 66 per cent while Kapenguria reduced by 13 per cent and Nanyuki High Court achieved a reduction of 11 per cent. Figure 25 provides details on case backlog reduction.

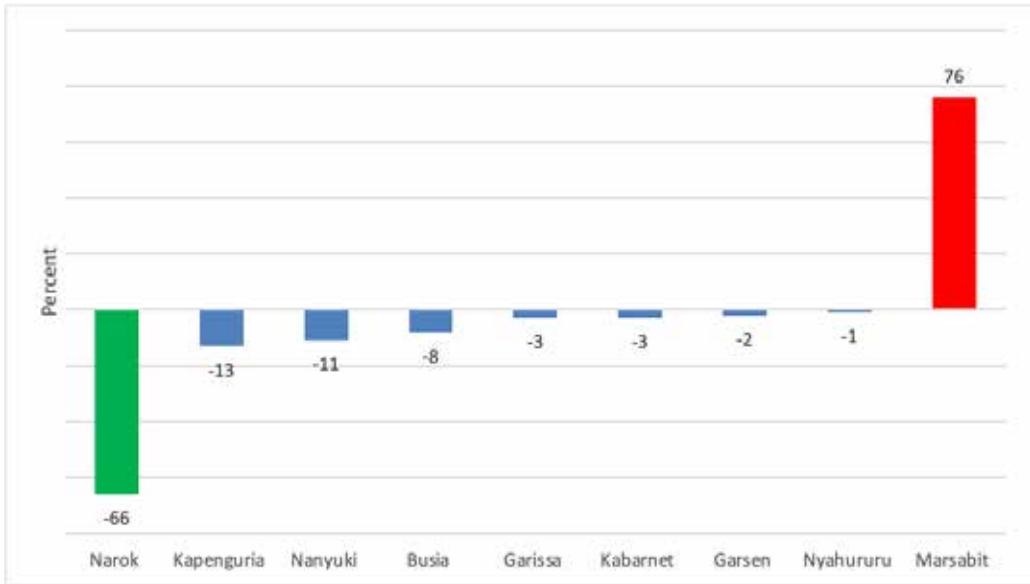


Figure 25: Reduction of case Backlog – High Court, Caseload Category of 300 Cases and below

2.4.6.7 Judge’s Productivity – High Court, Caseload Category of 300 Cases and below

On Judge’s productivity, Garsen High Court was leading in merit productivity at 141 cases. Nanyuki and Kabarnet High Courts achieved 123 and 111 cases respectively. Nyahururu High Court was the best performing court in other modes of productivity at 265 cases followed by Busia with 236 cases. The evaluation results on judge’s productivity is illustrated in Figure 26.

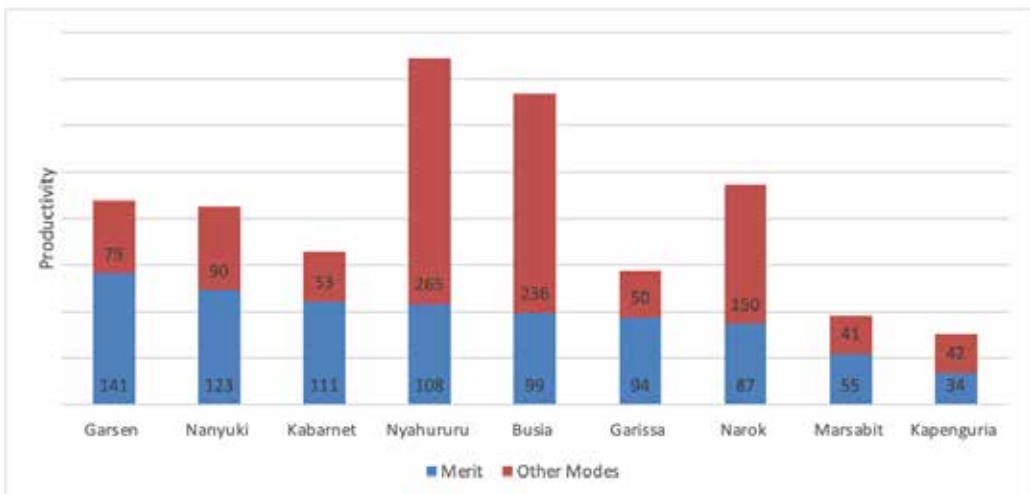


Figure 26 : Judge’s Productivity – High Court, Caseload Category of below 300 Cases

2.4.6.8 Delivery of Judgments and Rulings within 60 days of conclusion of the hearing – Caseload Category of 300 Cases and below

Busia High Court managed to deliver 99 per cent of the judgments within 60 days after close of submissions followed by Garsen and Kabarnet High Courts at 75 per cent each. Table 23 provides details of the best performing courts on delivery of judgments within 60 days.

Table 23: Delivery of Judgments and Rulings within 60 days of conclusion of the hearing - Caseload Category of 300 Cases and below

High Court	Achievement (%)
Busia	99.00
Garsen	75.00
Kabarnet	75.00
Nyahururu	73.00
Marsabit	68.00
Narok	63.00
Kapenguria	63.00
Nanyuki	55.00
Garissa	50.00

2.4.7. Milimani High Court Divisions

2.4.7.1 Overall Performance of Milimani High Court Divisions

On overall performance of the High Court Divisions, 43 per cent - 3 Division out of 7 Divisions-attained a performance grade of “Very Good” while 57 per cent achieved “Good”. The Constitutional and Human Rights Division was the best performing Division with a composite score of 2.978 and a performance grade of “Very Good”. The performance of the Divisions is shown in Table 24.

Table 24 : Overall Performance of Milimani High Court Divisions

Milimani High Court Divisions	Composite Score	Performance score (%)	Grade
Constitution and Human Rights	2.978	100.00	Very Good
Family	3.046	100.00	Very Good
Commercial and Tax	3.185	100.00	Very Good
Civil	3.234	97.581	Good
Anti -Corruption and Economic Crimes	3.255	96.271	Good
Criminal	3.290	94.208	Good
Judicial Review	3.408	87.093	Good

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

The 7 Milimani High Court Divisions handled various case types. In the Family Division, all matrimonial cases were resolved within 365 days of filing. In the Commercial Division, 33 per cent of main suits were resolved within 360 days. The results are provided in Table 25.

Table 25: Hearing and Determination of Cases within 360 days – Milimani High Court Divisions

Milimani High Court Divisions	Case Type	Achievement (%)
Family	Matrimonial Cause	100.00
Commercial and Tax	Commercial Suit	33.00
Judicial Review	Judicial Review	23.00
Constitution and Human Rights	Constitution Petition	20.00
Criminal	Murder	8.00
Anti -Corruption and Economic Crimes	Anti-Corruption Suit	6.00
Civil	Civil Suit	5.00

2.4.7.3 Case Clearance Rate – Milimani High Court Divisions

The Family Division was the best performing in case clearance rate, achieving 154 per cent while the Civil Division achieved 134 per cent. Commercial and Tax Division had a CCR of 129 per cent. Table 26 shows evaluation results on case clearance rate.

Table 26 : Case Clearance Rate– Milimani High Court Divisions

Milimani High Court Divisions	CCR(%)
Family	154.00
Civil	134.00
Commercial and Tax	129.00
Judicial Review	126.00
Anticorruption and Economic Crimes	119.00
Criminal	89.00
Constitution and Human Rights	74.00

2.4.7.4 Reduction of Case Backlog – Milimani High Court Divisions

All the Milimani High Court Divisions reduced case backlog with the Family Division achieving the highest rate of backlog reduction of 67 per cent. This was followed by Constitution and Human Rights Division at 62 per cent while the Civil Division reduced case backlog by 42 per cent. Figure 27 shows the reduction of case backlog.

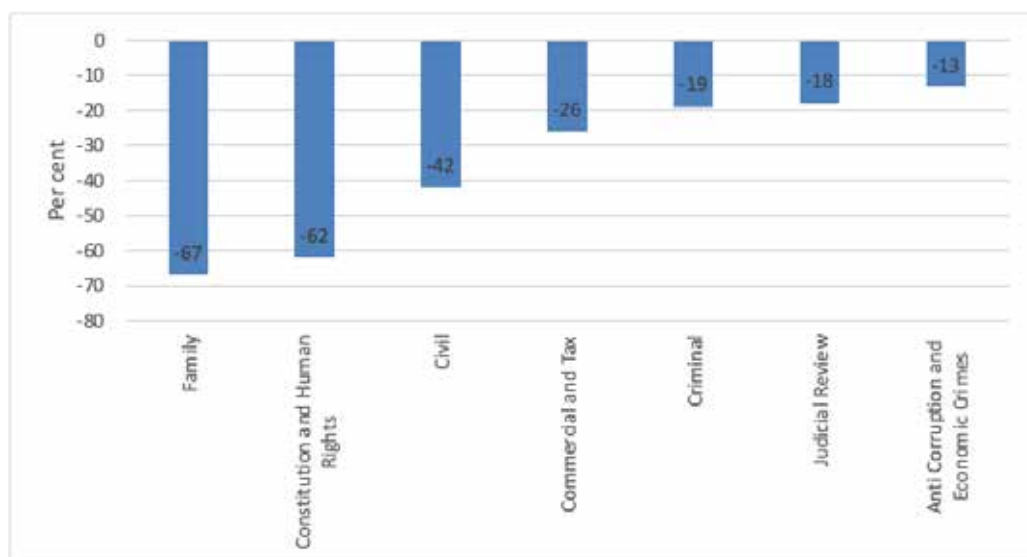


Figure 27 : Reduction of Case Backlog – Milimani High Court Divisions

2.4.7.5 Judge’s Productivity – Milimani High Court Divisions

Milimani Civil Division was the best performing court on judge’s merit productivity at 238 cases followed by the Commercial and Tax Division at 196 cases and Constitutional and Human Rights at 136 cases. On judge’s other productivity, the Family Division was the best performing with 1,230 cases resolved per judge. Table 27 presents the evaluation results on judge’s productivity.

Table 27 : Judge’s Merit and Other Productivity – Milimani High Court Divisions

Milimani High Court Divisions	Merit Productivity (Cases)	Other Productivity (Cases)
Civil	238	680
Commercial and Tax	196	391
Constitution and Human Rights	136	176
Judicial Review	136	110
Family	84	1,230
Criminal	62	105
Anticorruption and Economic Crimes	59	84

2.4.7.6 Delivery of Judgments and Rulings within 60 days of conclusion of hearing – Milimani High Court Divisions

On delivery of judgments and rulings within 60 days, the Criminal Division was the best performing and delivered 70 per cent of judgements and rulings within 60 days upon conclusion of hearing followed by Family Division at 68 per cent and Civil Division at 66 per cent. Table 28 presents the performance of courts in this category.

**Table 28: Delivery of Judgments and Rulings within 60 days of conclusion of hearing -
Milimani High Court Divisions**

Milimani High Court Divisions	Achievement (%)
Criminal	70.00
Family	68.00
Civil	66.00
Commercial and Tax	57.00
Judicial Review	55.00
Constitution and Human Rights	54.00
Anticorruption and Economic Crimes	52.00

2.5. EMPLOYMENT AND LABOUR RELATIONS COURT PERFORMANCE

2.5.1 Introduction

The Employment and Labour Relations Court (ELRC) is established under Article 162 (2) of the Constitution as a specialised superior court with the mandate to settle employment and industrial relations disputes towards securing good employment and labour relations in Kenya. There were 9 ELRC stations that signed the 2021/22 PMMUs and were evaluated. These are: Bungoma, Eldoret, Kericho, Kisumu, Malindi, Mombasa, Nairobi, Nakuru and Nyeri stations.

Performance indicators adopted in the ELRC courts include the following:

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

2.5.2 Performance Trend of ELRC Court from 2017/18 to 2021/22

Over the last 5 years, the average court performance score was 92.54 per cent, a performance grade of "Good". The Court registered a significant improvement in performance during the FY 2021/22 attributed to increase of number of judges. In the FY 2020/21, nine ELRC Judges were appointed bringing the total number of judges to 21. The ELRC 5 years' performance trend on is shown in Figure 28. .

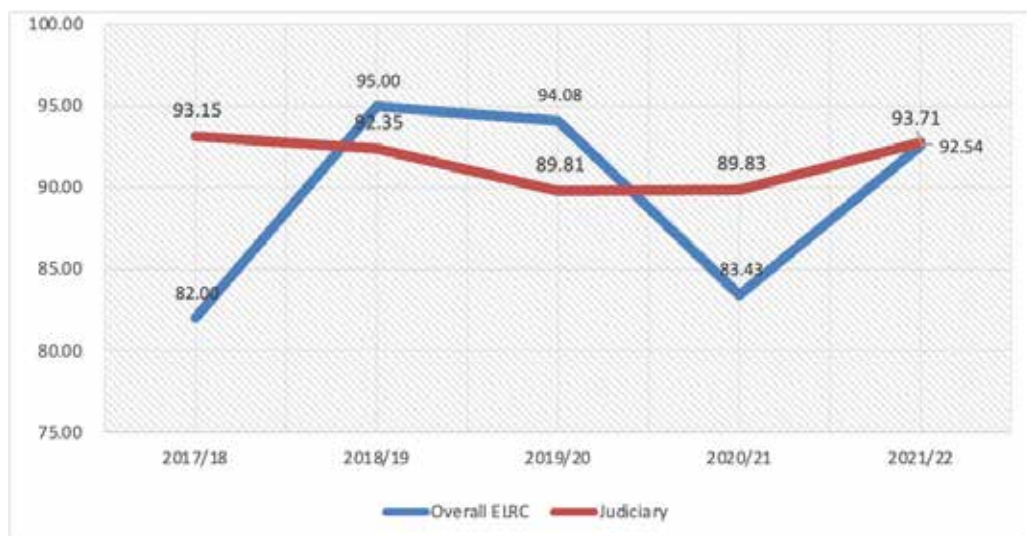


Figure 28: : ELRC Overall Performance 2017/18- 2021/22

The Court registered an average case clearance rate (CCR) of 128 per cent in the past five years, with CCR of 161 per cent in FY 2021/22. This implies that except in two years when CCR was below 100 per cent, the court has consistently reduced pending cases. The trend in CCR is shown in Figure 29.



Figure 29 : Case Clearance Rate Trend Analysis - ELRC

2.5.3 Overall Performance of Employment and Labour Relations Courts

In the year under review, the performance of ELRC courts ranged from “Fair” to “Very Good”. There were 3 courts with performance grade of “Fair”, 2 “Good” and 4 achieving “Very Good” performance grade. The evaluation results are shown in Figure 30.

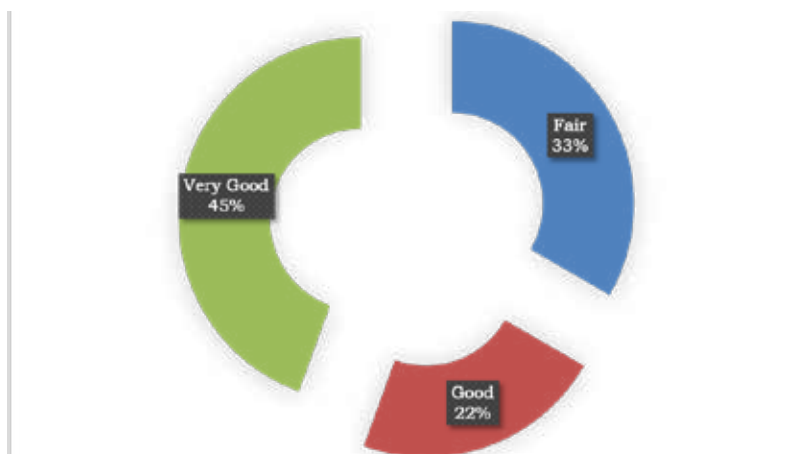


Figure 30: Overall ELRC Performance by Performance Grade

Nakuru, Malindi, Kisumu and Mombasa ELRC stations achieved a performance grade of “Very Good” at 100 per cent while Eldoret and Kericho ELRCs achieved “Good” with scores of 91.81 and 88.77 per cent respectively. Nairobi, Nyeri and Bungoma ELRCs had a performance grade of “Fair” of 71.87, 65.26 and 64.19 per cent respectively. Performance results are presented in Table 29.

Table 29: Overall Performance of ELRC

ELRC Station	Composite Score	Performance Score (%)	Performance Grade
Nakuru	2.64	100.00	Very Good
Malindi	2.88	100.00	Very Good
Kisumu	3.08	100.00	Very Good
Mombasa	3.16	100.00	Very Good
Eldoret	3.33	91.81	Good
Kericho	3.38	88.77	Good
Nairobi	3.65	71.87	Fair
Nyeri	3.75	65.26	Fair
Bungoma	3.77	64.19	Fair

2.5.4 The Most Improved Employment and Labour Relations Courts

Nakuru ELRC was the most improved court on overall performance as compared to the previous year performance. The court had an improved performance from “Fair” of 68.83 per cent to “Very Good” of 100 per cent. On the other hand, Nairobi and Nyeri ELRCs had a decline in performance by 5 and 15 per cent respectively. It is noted that Bungoma, Eldoret, Kericho and Malindi ELRCs had not been evaluated in the previous PMMU evaluation exercise. The evaluation results are shown in Table 30.

Table 30: Most Improved ELRC

ELRC Station	Performance Score, 2020/21	Performance Score, 2021/22 (%)	Change (%)
Nakuru	68.83	100.00	↑31.00
Mombasa	82.57	100.00	↑17.00
Kisumu	100.00	100.00	↑0.00
Nairobi	77.09	71.87	↓5.00
Nyeri	80.29	65.26	↓15.00

2.5.5 Hearing and Determination of Substantive Claims within 360 days from date of filing- ELRC

No court achieved their targets in hearing and determination of substantive claims within 360 days from date of filing. Nyeri ELRC was the best performing court with an achievement of 33 per cent, followed by Mombasa and Kericho ELRCs at 25 per cent and 16 per cent respectively as shown in Table 31.

Table 31: Performance on Hearing and Determination of Substantive Claims within 360 days from date of filing-ELRC

ELRC Station	Hearing & determination of substantive claims within 360 days of filing (%)
Nyeri	33.00
Mombasa	25.00
Kericho	16.00
Eldoret	14.00
Kisumu	5.00
Nairobi	4.00
Nakuru	4.00
Bungoma	0.00
Malindi	0.00

2.5.6 Case Clearance Rate – ELRC

Nakuru ELRC was the best performing court on case clearance rate. The court had a case clearance rate of 330 per cent followed by Mombasa ELRC with 258 per cent. Bungoma and Nyeri ELRCs were the only stations that did not reduce pending matters with case clearance rates of 70 and 73 per cent respectively. The performance of the ELRCs on case clearance rate is presented in Figure 31.

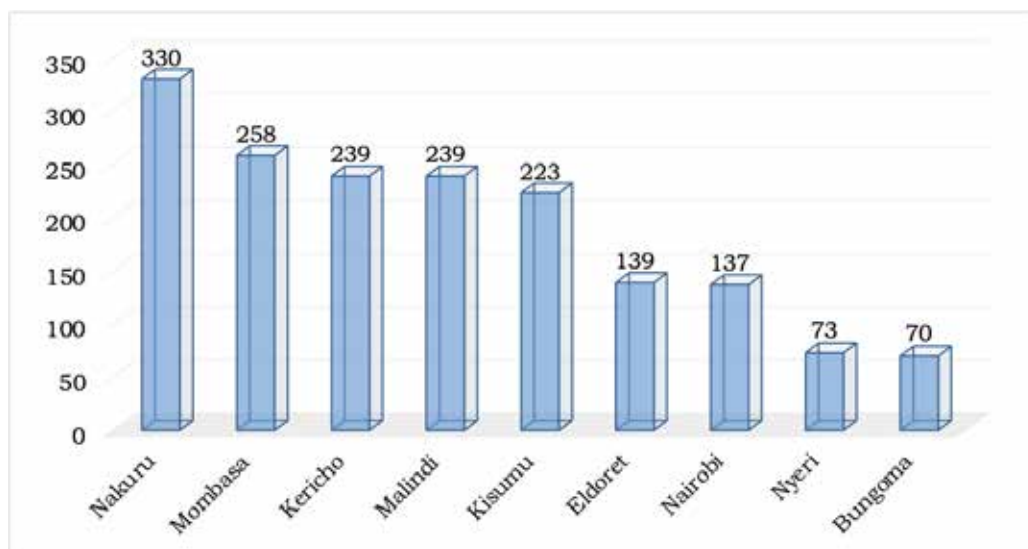


Figure 31 : ELRC Case Clearance Rate

2.5.7 Reduction of Case Backlog – ELRC

On case backlog reduction, 6 out of 9 ELRC courts were able to reduce case backlog. The court with the highest case backlog reduction was Nakuru ELRC with a reduction of 52 per cent followed by Kisumu ELRC at 43 per cent and Mombasa ELRC at 30 per cent. The evaluation results on case backlog reduction are presented in Figure 32.

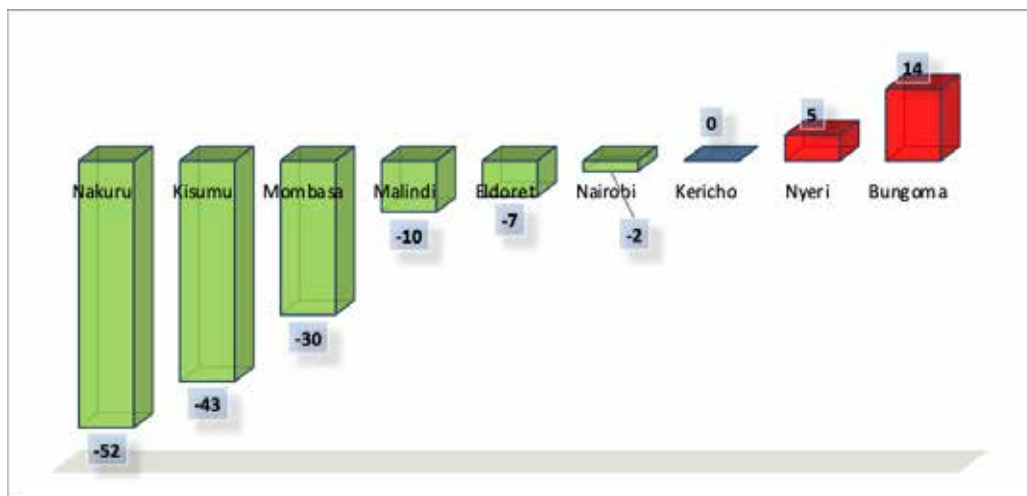


Figure 32 : ELRC Performance on Reduction of Case Backlog

2.5.8 Judges’ Merit Productivity- ELRC

Kisumu ELRC scored the highest judge’s merit productivity of 184 cases followed by Mombasa and Malindi ELRC with a judge’s merit productivity of 160 and 109 cases respectively. On judge’s other productivity, Mombasa ELRC was the best performing with other productivity of 320 cases followed by Nairobi ELRC at 176 and Nakuru ELRC at 145 cases. The evaluation results are shown in Figure 33.

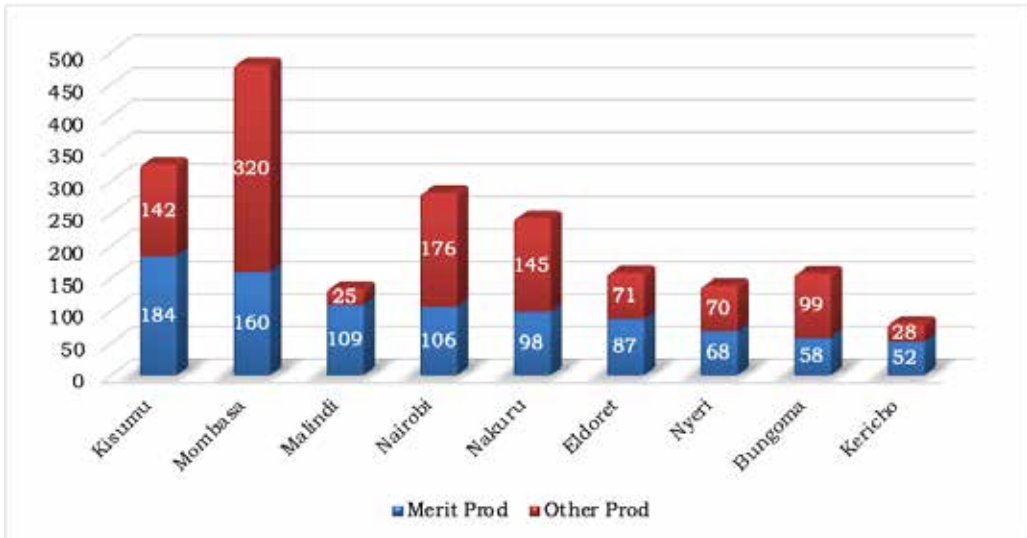


Figure 33: ELRC Judges' Productivity FY 2020/21

2.5.9 Delivery of Judgments and Rulings within 60 days of conclusion of the hearing - ELRC

Malindi ELRC was leading with an achievement of 97 per cent on delivery of judgments within 60 days from conclusion of hearing. Kericho and Nyeri ELRCs achieved 84 and 81 per cent respectively. On the other hand, Eldoret and Kisumu ELRCs delivered less than 50 per cent of the judgments within 60 days. Figure 34 provides evaluation results on delivery of judgments within 60 days.

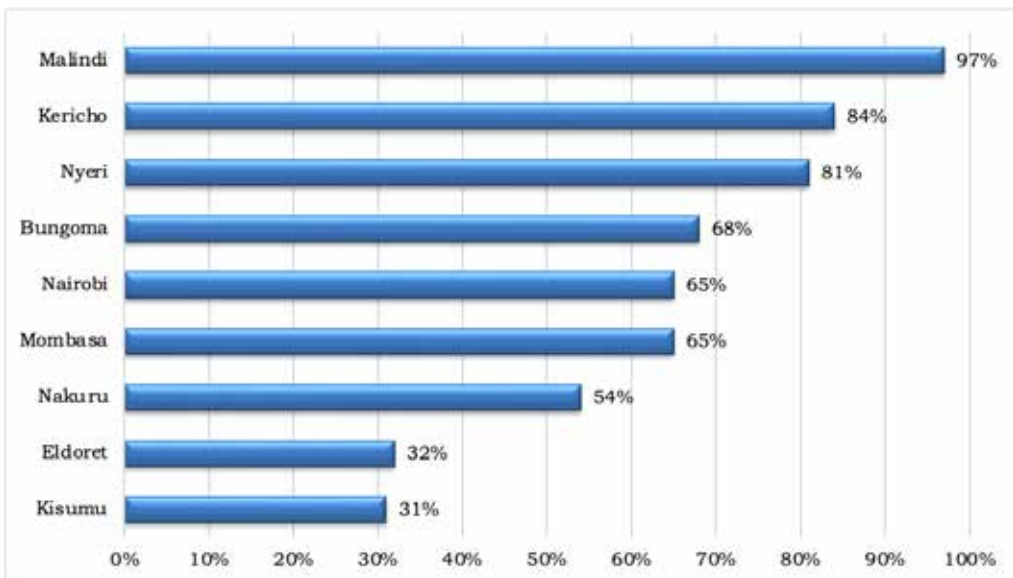


Figure 34 : ELRC Judgments and Rulings Delivered within 60 days of conclusion of the hearing

2.6. ENVIRONMENT AND LAND COURT PERFORMANCE

2.6.1 Introduction

The Environment and Land Court (ELC) is a superior court of record and has exclusive original jurisdiction to determine disputes relating to the environment and land. It also has appellate and supervisory powers over subordinate courts (including specialized tribunals) which deal with matters within the court's specialized jurisdiction. The court also has supervisory roles over public bodies making quasi-judicial decisions within its area of jurisdiction.

During the period under review, 35 ELC stations signed PMMUs and were evaluated. The following performance indicators were assessed for ELC stations;

- i). Land related matters concluded within 360 days from the date of filing
- ii). Land related judicial review cases concluded within 360 days from the date of filing
- iii). Land related constitutional petitions cases concluded within 180 days from the date of filing
- iv). Judgments and rulings rendered within 60 days after close of submission
- v). Delivery of judgments and rulings as first scheduled
- vi). Case clearance rate
- vii). Case backlog
- viii). Judge's merit productivity
- ix). Judge's other productivity

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

- i). Courts with a caseload of above 200 filed cases
- ii). Courts with a caseload of 200 filed cases and below

2.6.2 Overall Performance Trends of Environment and Land Court

During the review period, the ELC performance was above the Judiciary overall performance. The court achieved 97.08 per cent compared to the overall Judiciary performance of 93.71 per cent. This comparative analysis on overall performance of ELC is highlighted in Figure 35.



Figure 35: Comparative analysis of the Environment and Land Court and the Judiciary performance

2.6.2.1 ELC Case Clearance Rate -Trend Analysis

The case clearance rate for the Environment and Land Court was above 100 per cent over the 5 - year period and increased from 118 per cent in 2020/21 to 129 per cent in 2021/22. The trend of case ELC clearance rate is highlighted in Figure 36.

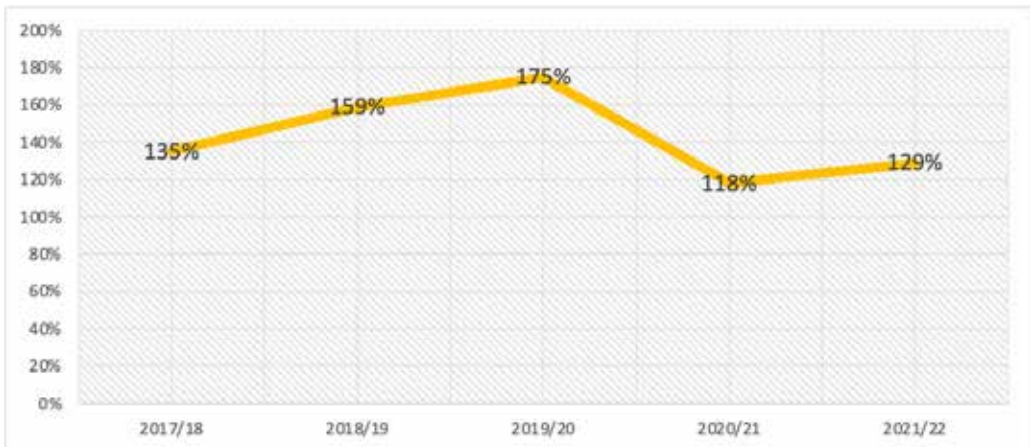


Figure 36 : Trend on ELC Case Clearance Rate

2.6.2.2 ELC Judge's Productivity

The judge's productivity had been declining over a period of 5 years. Productivity declined from 232 cases in 2017/2018 to 166 in 2021/2022. The trend of judge's productivity is highlighted in Figure 37.



Figure 37 : Trend on ELC Judge's Productivity

2.6.3 Overall Performance of the Environment and Land Court

The overall performance of ELC indicates that out of 35 stations, 16 courts (46%) achieved "Very Good", 12 courts (34%) "Good" performance grade while 7 courts (20%) achieved "Fair" performance as shown in Figure 38.

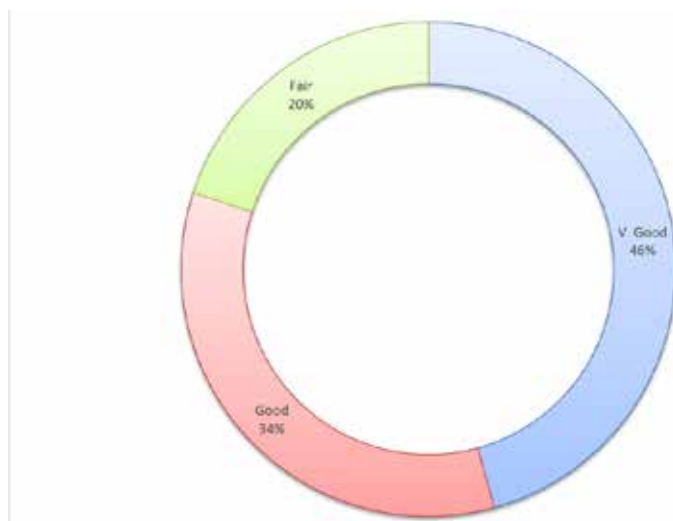


Figure 38 : Overall Performance of Environment and Land Court

2.6.4 Most Improved Environment and Land Courts

In the year under review, 13 ELC courts improved on their previous performance. The most improved court was Eldoret ELC which attained 98.63 per cent from 74.43 per cent an improvement of 24.20 per cent followed by Malindi ELC with 19.34 per cent and Kericho ELC at 17.98 per cent. The improvements are highlighted in Table 32.

Table 32 :Most Improved Environment and Land Courts

Environment & Land Court	Performance Score (%) 2020/21	Performance Score (%) 2021/22	Improvement (%)
Eldoret	74.43	98.63	24.20
Malindi	80.66	100.00	19.34
Kericho	73.08	91.06	17.98
Muranga	82.57	100.00	17.43
Kajiado	80.11	94.14	14.03
Embu	82.20	95.68	13.48
Makueni	70.98	83.86	12.88
Meru	83.49	95.92	12.43
Kitale	88.23	100.00	11.77
Kisii	91.49	100.00	8.51
Mombasa	91.74	100.00	8.26
Nyeri	94.75	100.00	5.25
Thika	98.45	100.00	1.55

2.6.5 Environment and Land Court - Caseload Category of above 200 Cases

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

This category comprised of 11 ELC Stations. Six (6) courts representing 57 per cent attained "Very Good" performance grade while 5 Courts representing 43 per cent attained "Good" performance. The performance is indicated in Figure 39.

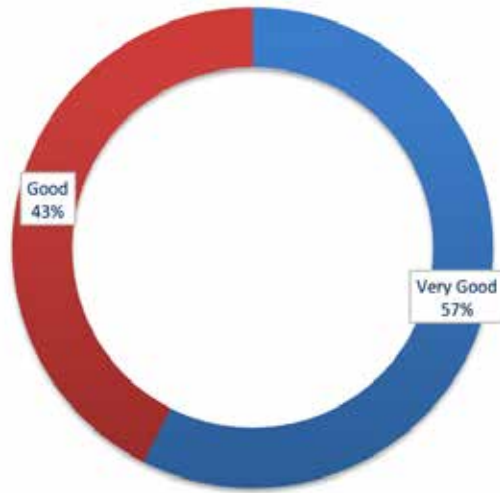


Figure 39: Overall Performance of Environment and Land Court- Caseload Category of above 200 Cases

Thika ELC was the best performing court in this category. The court achieved a performance score of 100 per cent and a composite score of 2.601, followed by Homabay and Siaya ELCs which achieved 100.00 percent each and a composite score of 2.615 and 2.782 respectively. The details on overall performance in this category are provided in Table 33.

Table 33: Overall Performance of Environment and Land Courts - Caseload Category of above 200 Cases

Environment & Land Court	Composite Score	Performance Score (%)	Performance Grade
Thika	2.601	100.00	Very Good
HomaBay	2.615	100.00	Very Good
Siaya	2.782	100.00	Very Good
Nakuru	3.041	100.00	Very Good
Kapsabet	3.059	100.00	Very Good
Mombasa	3.137	100.00	Very Good
Eldoret	3.216	98.63	Good
Meru	3.26	95.92	Good
Kajiado	3.289	94.14	Good
Milimani	3.425	85.77	Good
Machakos	3.519	79.98	Good

2.6.5.2 Hearing and Determination of ELC Matters within 360 days of filing- Caseload Category of above 200 Cases

The best performing Court on Hearing and Determination of ELC Cases within 360 days of filing was Siaya ELC. The court heard and determined 100 per cent of the cases within 360 days of filing. It was followed by Homabay and Kapsabet ELCs which achieved 98 per cent each. The performance of courts in this category is shown in Figure 40.

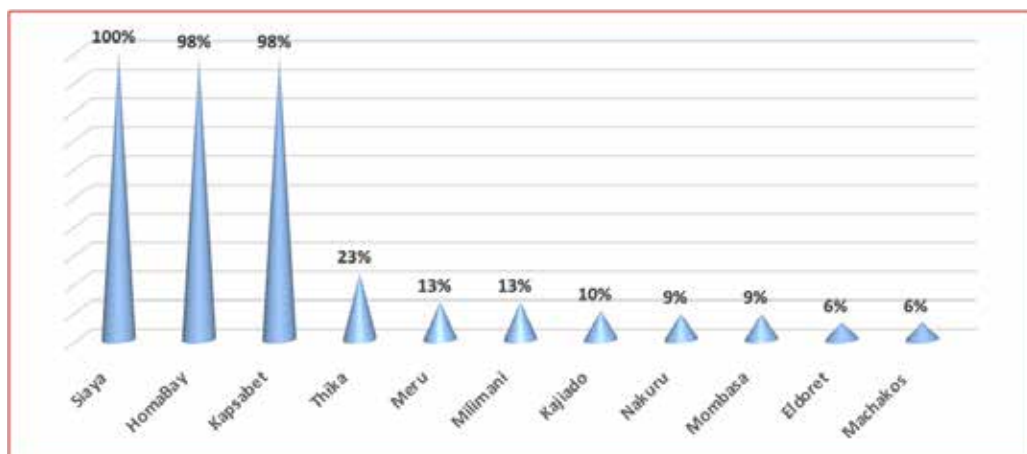


Figure 40: The performance Court on Hearing and Determination of ELC Cases within 360 days of filing

2.6.5.3 ELC Case Clearance Rate – Caseload Category of above 200 Cases

Meru ELC was the best performing Court in this category with a score of 216 per cent followed by Milimani ELC with 215 per cent and Eldoret ELC with 173 per cent. The performance of these courts on case clearance rate is shown in Figure 41.

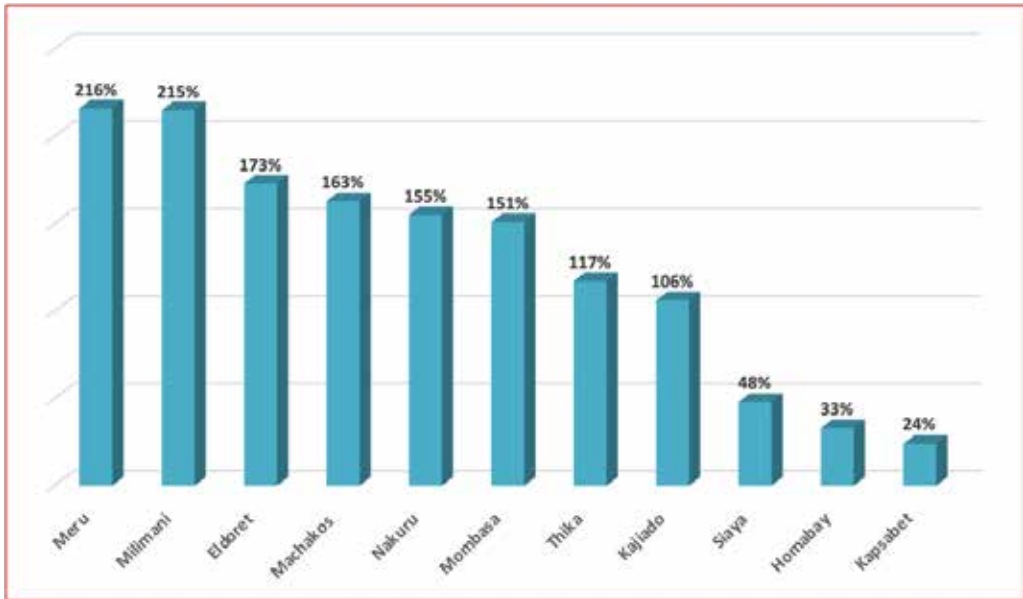


Figure 41 : ELC Case Clearance Rate – Caseload Category of above 200 Cases

2.6.5.4 Reduction of Case Backlog – ELC Caseload Category of above 200 Cases

Only 3 courts in this category reduced their case backlog. Mombasa ELC was the best performing Court in backlog reduction in 2021/22 with a backlog reduction of 45 per cent. It was followed by Thika ELC with a reduction of 34 per cent and Machakos ELC with a score of 19 per cent. Figure 42 shows the performance of ELCs on backlog reduction

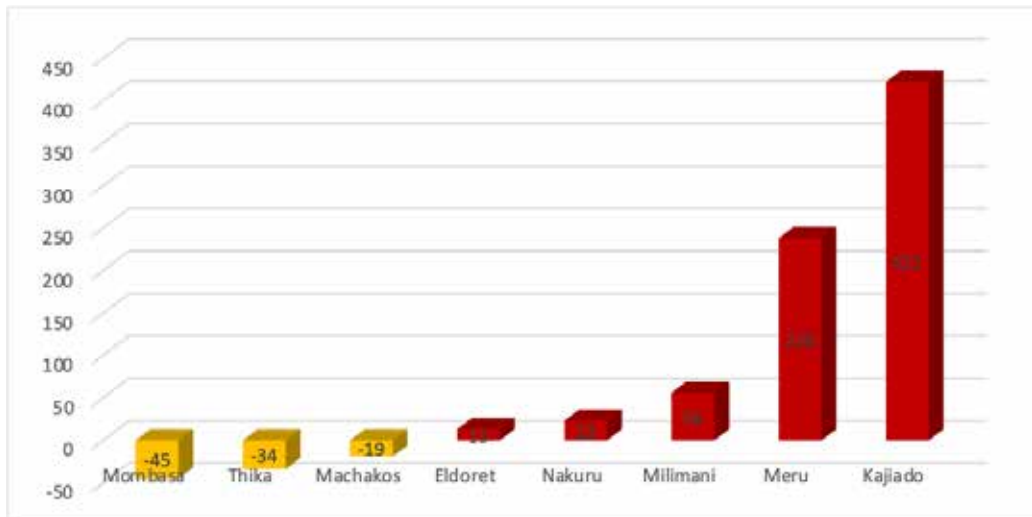


Figure 42 : ELC Reduction of Case Backlog – Caseload Category of above 200 Cases

2.6.5.5 ELC Judge’s Productivity - Caseload Category of above 200 Cases

Meru ELC had the highest judge’s merit productivity of 311 cases followed by Kajiado ELC at 148 cases and Thika with 136 cases. The ELC judge’s merit and other productivity is shown in Figure 43.



Figure 43: ELC Judge’s Merit and other Productivity - Caseload Category of 200 Cases and above

2.6.5.6 ELC Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Caseload Category of above 200 Cases

Siaya ELC was the best performing court with 99 per cent of judgments and rulings delivered within 60 days after conclusion of hearing. Homabay ELC achieved 84 per cent while Kapsabet ELC achieved 78 per cent. Table 34 shows the performance of ELCs on delivery of judgements and rulings within 60 days of conclusion of hearing.

**Table 34 :Performance on delivery of judgements and rulings within 60 days- ELC
Caseload Category of above 200 Case**

Environment & Land Court	Achievements (%)
Siaya	99.00
HomaBay	84.00
Kapsabet	78.00
Milimani	63.00
Mombasa	56.00
Nakuru	49.00
Kajiado	49.00
Meru	47.00
Eldoret	43.00
Thika	41.00
Machakos	32.00

2.6.6 Environment and Land Court - Caseload Category of 200 Cases and below

2.6.6.1 Overall performance of ELC - Caseload Category of below 200 Cases

This category comprised of 24 Environment and Land Courts which included Vihiga, Nyamira, Kitale, Kilgoris, Kwale, Kitui, Kisii, Nyeri, Malindi, Murang’a, Busia, Embu, Kericho, Bungoma, Nanyuki, Makueni, Kakamega, Migori, Kisumu, Narok, Garissa, Chuka, Kerugoya and Kisumu. Out of the 24 courts, 42 per cent (10 courts) achieved a performance grade of “Very Good” while 29 per cent (7 courts) achieved “Good” and another 29 per cent (7 courts) achieved “Fair” performance grade. The evaluation results are presented in Figure 44.

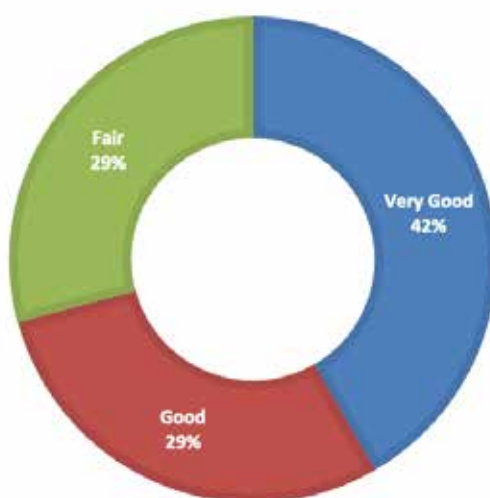


Figure 44 : Overall performance of ELC - Caseload Category of 200 Cases and below

All the top ten 10 courts in this category achieved a performance grade of “Very Good”. This is an improvement in performance as compared to the previous financial year where only 3 courts achieved “Very Good” in the same category. Vihiga ELC was the best performing court achieving 100 per cent with a composite score of 2.616 followed by Nyamira ELC with 100 per cent and a composite score of 2.724 then Kitale which also scored 100 per cent and a composite score of 2.849. The ten best performing courts in this category are presented in Table 35.

Table 35: Best Performing ELCs - Caseload Category of 200 Cases and below

Environment & Land Court	Composite Score	Performance Score (%)	Performance Grade
Vihiga	2.616	100.00	Very Good
Nyamira	2.724	100.00	Very Good
Kitale	2.849	100.00	Very Good
Kilgoris	2.903	100.00	Very Good
Kwale	3.042	100.00	Very Good
Kitui	3.048	100.00	Very Good
Kisii	3.090	100.00	Very Good
Nyeri	3.129	100.00	Very Good
Malindi	3.140	100.00	Very Good
Murang’a	3.189	100.00	Very Good

2.6.6.2 Hearing and determination of ELC Cases within 360 days of filing- ELC Caseload Category of 200 Cases and below

On hearing and determination of ELC cases within 360 days, Vihiga, Nyamira, Kilgoris, Kwale, Kitui and Nanyuki ELC heard and determined all cases within 360 days in this category. Murang’a ELC attained 26 per cent, followed by Chuka which attained 16 per cent. Figure 45 provides details of the top 10 best performing courts on hearing and determination of ELC cases within 360 days from the date of filing.

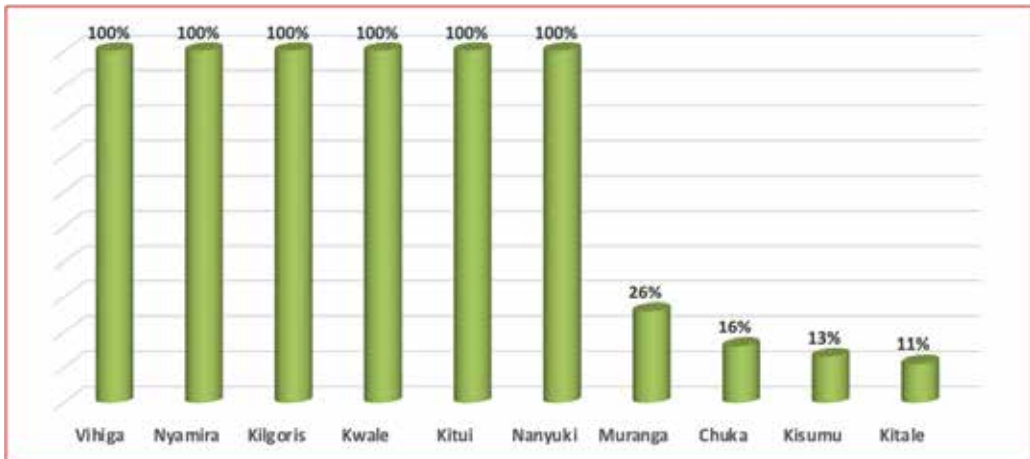


Figure 45: Hearing and determination of Cases within 360 days of filing- ELC Caseload Category of 200 Cases and below

2.6.6.3 Case Clearance Rate – ELC, Caseload Category of 200 Cases and below

On Case Clearance Rate, Kisii ELC was the best performing court. It attained a CCR of 439 per cent which was a great improvement from the previous year achievement which was 254 per cent. It was followed by Kericho and Narok ELC which achieved a CCR of 303 and 251 per cent respectively. Figure 46 presents details of CCR for the best performing courts in this category.

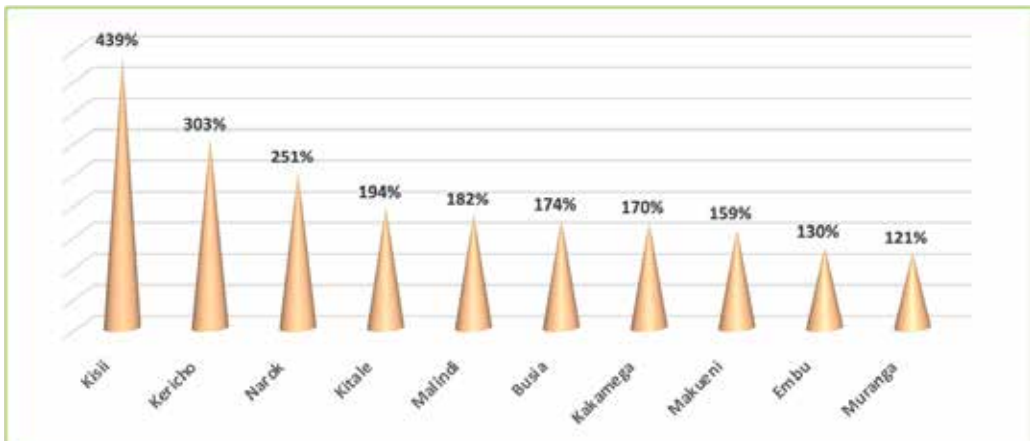


Figure 46 : Case Clearance Rate – ELC, Caseload Category of below 200 Cases

2.6.6.4 Reduction of Case Backlog – ELC, Caseload Category of 200 Cases and below

On reduction of case backlog in this category, 9 courts managed to reduce case backlog. Nyamira ELC reduced its case backlog by 100 per cent. Kitale and Kerugoya ELC reduced case backlog by 69 and 68 per cent respectively. Narok ELC on the other hand increased backlog by 13 per cent. Details on reduction of case backlog are provided in Figure 47.

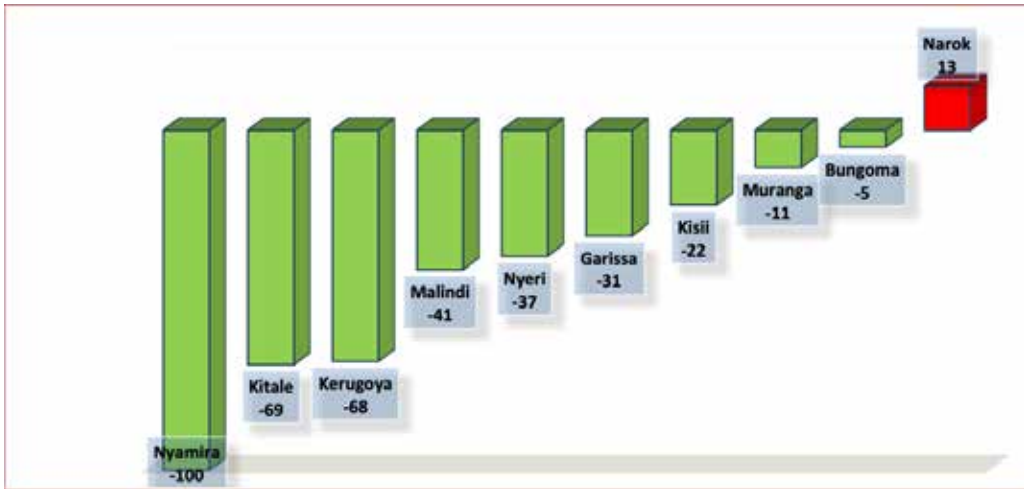


Figure 47 : Reduction of Case Backlog – ELC, Caseload Category of below 200 Cases

2.6.6.5 Judge’s Productivity – ELC Caseload Category of below 200 Cases

Malindi ELC was the best performing court on Judge’s merit productivity during the period under review. The court achieved a merit productivity of 222 cases. Kakamega ELC attained a merit productivity of 156 cases while Kitale and Busia ELCs achieved a merit productivity of 121 cases each. Details on judge’s merit and other productivity are shown in Figure 48.

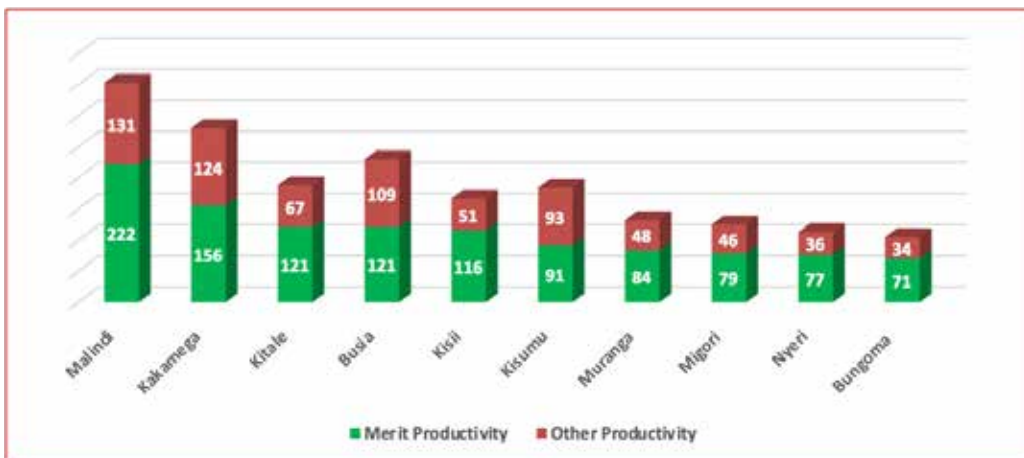


Figure 48 : Judge’s Merit and Other Productivity – Caseload Category of 200 Cases and below

2.6.6.6 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – ELC, Caseload Category of 200 Cases and below

Vihiga ELC was the best performing court on delivery of judgments within 60 days of conclusion of the hearing. The court managed to deliver all the judgments within 60 days. It was followed by Nyamira and Chuka ELC which delivered 98 and 85 per cent of the judgements within 60 days respectively. Figure 49 provides details on the best 10 courts on delivery of judgments and rulings within 60 days of conclusion.

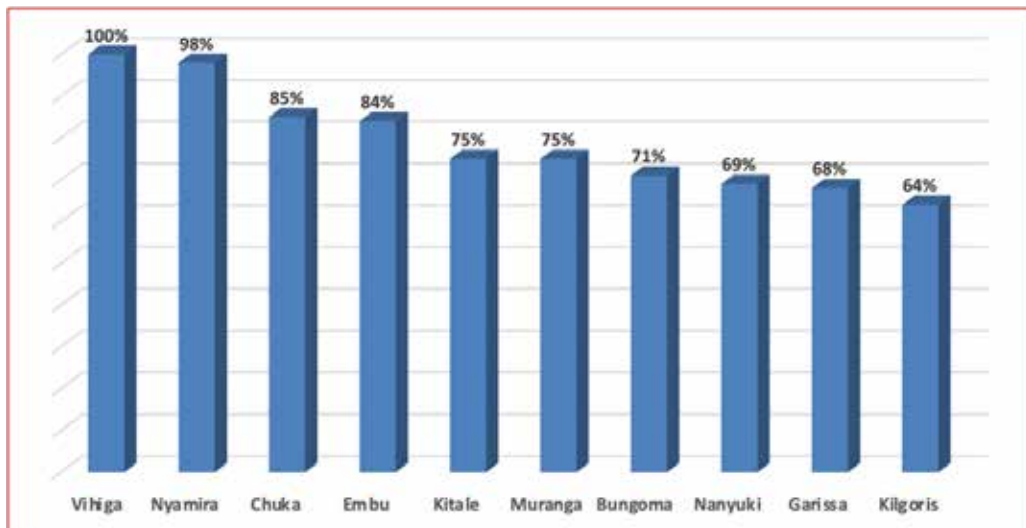


Figure 49: Best performing ELCs on delivery of judgments within 60 days of conclusion of the hearing

2.7 MAGISTRATES' COURTS PERFORMANCE

2.7.1 Introduction

Article 169 of the Constitution of Kenya establishes the Magistrates' Courts and grants them jurisdiction and powers in both criminal and civil proceedings. During the financial year 2021/2022, 127 magistrates' courts were evaluated. The evaluation of magistrates' courts was based on the following indicators, among others:

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

2.7.2 Overall Performance of Magistrates' Courts

The evaluation results indicate that 28 per cent representing 36 out of 127 evaluated magistrates' courts achieved a performance grade of "Very Good," 66 per cent (84 courts) achieved a performance grade of "Good," and 6 per cent (7 courts) achieved a performance grade of "Fair." The overall performance of the magistrates' courts is provided in Figure 50.

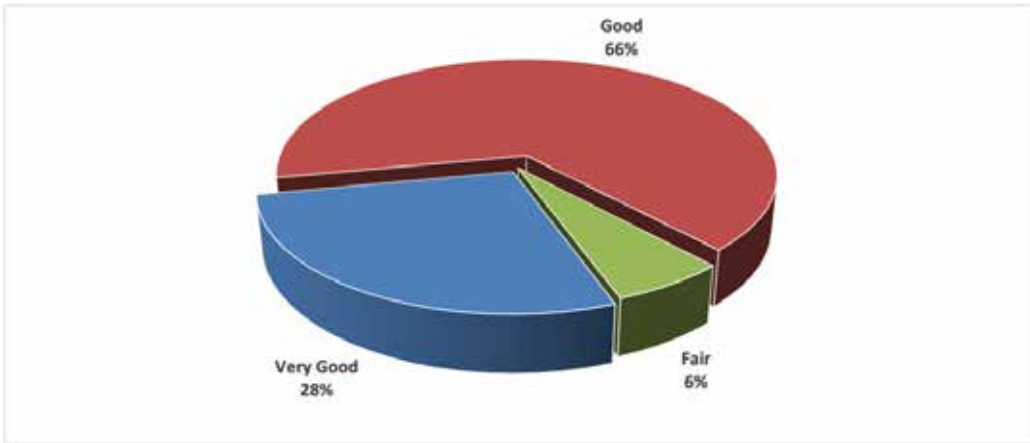


Figure 50 : Overall Performance of Magistrates' Courts

2.7.3 Performance Trend of Magistrates' Courts

Compared to the previous two years when COVID-19 affected performance, the Magistracy's overall performance improved during the review period. This is demonstrated by the rise in overall performance from 90.08 per cent in 2020/21 to 91.37 per cent in 2021/22 as depicted in Figure 51.

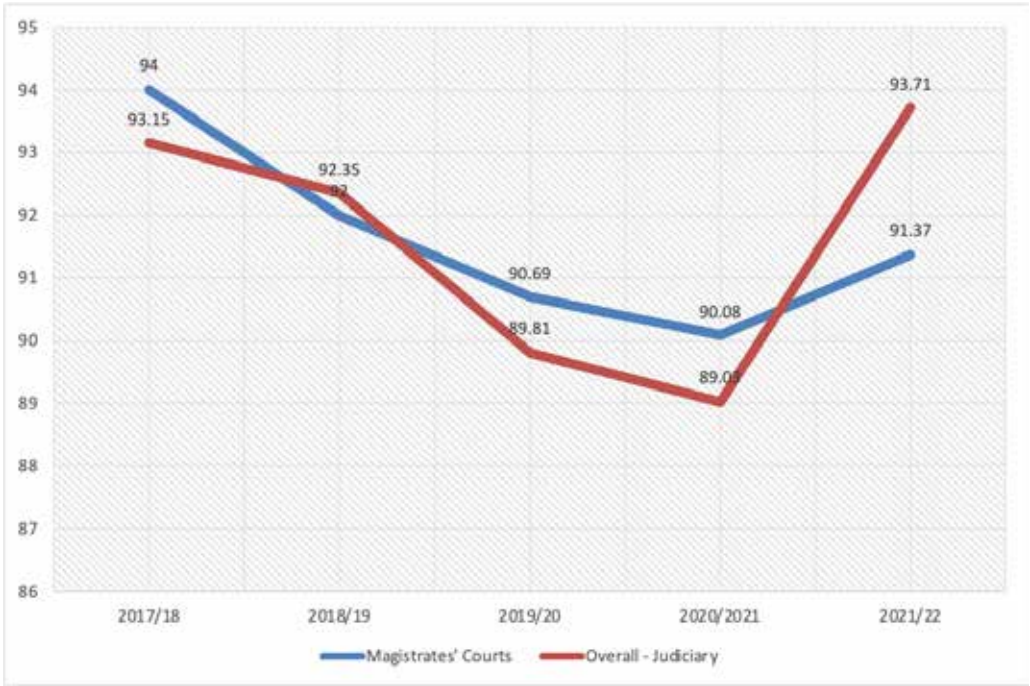


Figure 51 : Performance Trend of Magistrates' Courts

2.7.4 Most Improved Magistrates' Courts

Kakuma Magistrates' Court was the most improved court with an improvement of 38.74 per cent followed by Kakamega and Milimani Commercial Magistrates' Courts at 28.66 and 28.09 per cent, respectively. The performance of the top ten most improved courts in this category is provided in Table 36.

Table 36: Top 10 Most Improved Magistrates' Courts

Magistrates' Court	Performance Score (%) 2020/21	Performance Score (%) 2021/22	Improvement (%)
Kakuma	61.26	100.00	38.74
Kakamega	63.42	92.08	28.66
Milimani Commercial	71.91	100.00	28.09
Naivasha	72.22	100.00	27.78
Milimani - Anti Corruption	70.98	95.58	24.60
Kibera	71.66	94.24	22.58
Marimanti	59.48	81.10	21.63
Kigumo	81.28	100.00	18.72
Sirisia	73.63	92.17	18.54
Kikuyu	82.26	100.00	17.74

2.7.5 Trends in Case Clearance Rate, Magistrates' Courts

During the year, a total of 308,482 cases were resolved in the Magistrates' Courts compared to 336,947 that were filed translating to a Clearance Rate (CCR) of 92 per cent. The easing of COVID containment measures during the financial year resulted in an improvement in the case clearance rate from 82 per cent recorded in the previous year to 92 per cent in the review period. However, the achievement was below the ideal CCR of over 100 per cent required to reduce the pending cases. The trend in CCR in the last 5 years is presented in Figure 52.

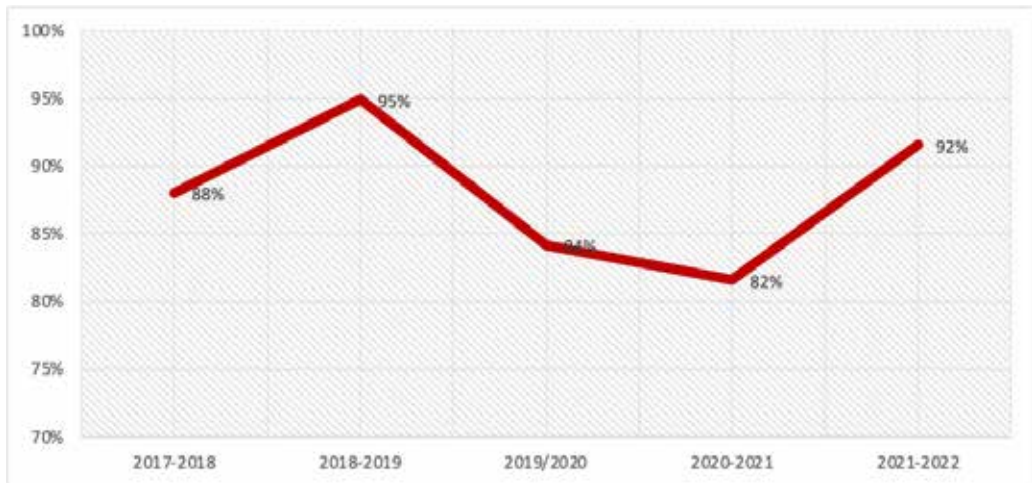


Figure 52 : Trends in Overall Case Clearance Rate of Magistrates' Courts

2.7.6 Trends in Overall Productivity of Magistrates' Courts

The overall productivity increased from 581 cases in 2020/21 to 644 cases in 2021/22, as shown in Figure 53.

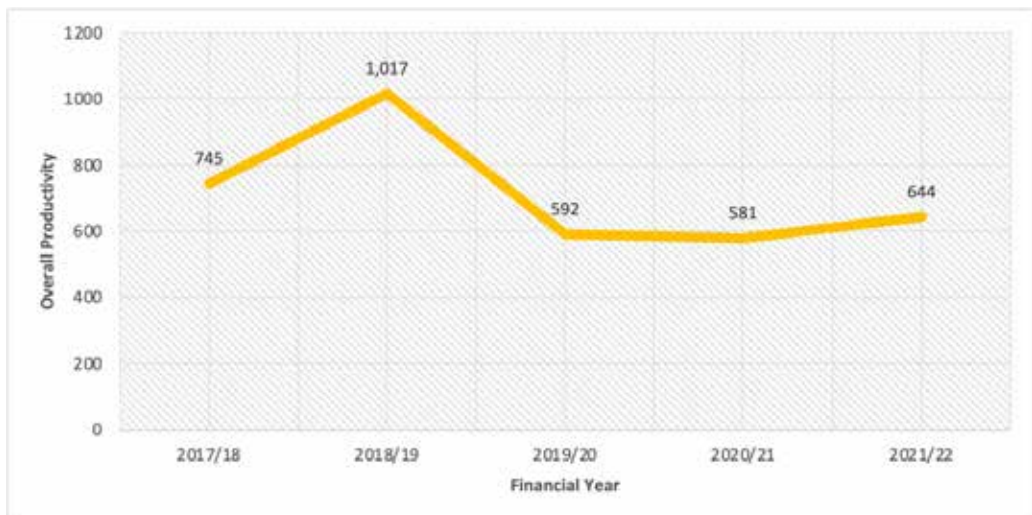


Figure 53 : Trends in Overall Productivity of Magistrates' Courts

Based on the number of filed cases during the financial year and case types handled, the Magistrates' Courts were classified into seven categories. These categories include the following;

- i). Magistrates' Courts with filed cases above 3,000 cases
- ii). Magistrates' Courts with filed cases between 2,001 and 3,000 cases
- iii). Magistrates' Courts with filed cases between 1,000 and 2,000 cases

- iv). Magistrates' Courts with filed cases 1,000 and below
- v). Magistrates' Courts handling criminal cases only
- vi). Magistrates' Courts handling children's cases only

2.7.7 Performance of Magistrates' Courts - Caseload Category of above 3,000 Cases

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

There were 30 Magistrates' Courts in the category of 3,000 cases and above. The evaluation results show that 10 courts, representing 33.33 per cent of the total, attained a performance grade of "Very Good", while 20 courts, representing 66.67 per cent, attained "Good." performance grade. Figure 54 shows the overall performance of Magistrates' Courts with more than 3,000 cases.

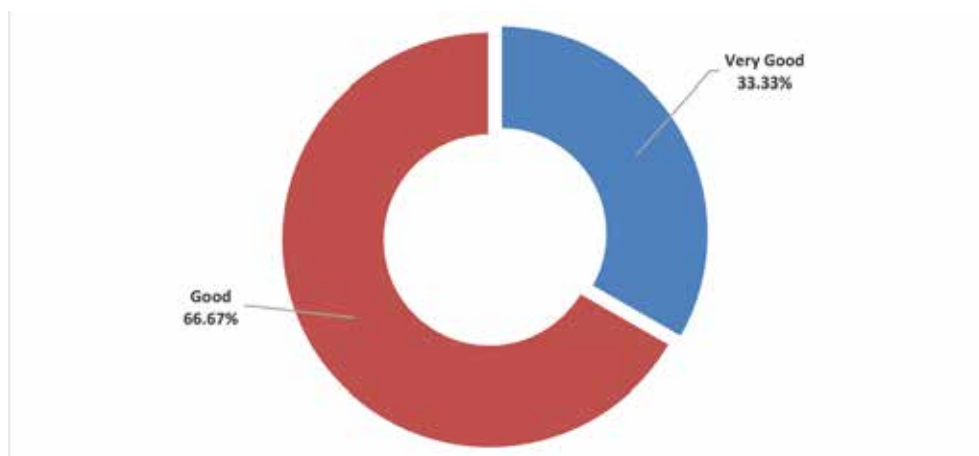


Figure 54 : Overall Performance of Magistrates' Courts - Caseload Category of above 3,000 cases

2.7.7.2 Best Performing Magistrates' Courts - Caseload Category of above 3,000 cases

In the caseload category of more than 3,000 cases, Naivasha Magistrates' Court was the best performing court followed by Engineer and Thika Magistrates' Court. As shown in Table 37, the performance grade of the top ten best performing courts was "Very Good."

Table 37: Best Performing Magistrates' Courts- Caseload Category of above 3,000 cases

Magistrates' Court	Composite Score	Performance score (%)	Performance Grade
Naivasha	2.991	100.00	Very Good
Engineer	3.012	100.00	Very Good
Thika	3.069	100.00	Very Good
Kikuyu	3.104	100.00	Very Good
Ruiru	3.128	100.00	Very Good
Milimani Commercial	3.148	100.00	Very Good
Kitale	3.166	100.00	Very Good
Molo	3.181	100.00	Very Good
Kisii	3.184	100.00	Very Good
Kajiado	3.202	100.00	Very Good

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

The best performing courts on hearing and determination of criminal cases within 360 days under this category were Ruiru and Engineer Magistrates' Courts, both achieving 93 per cent. They were followed by Kitale Magistrates' Court with an achievement of 89 per cent. The top ten performing courts in this category on hearing and determination of criminal cases within 360 days are shown in Table 38.

Table 38: Best performing courts on hearing and determining criminal cases within 360 days

Magistrates' Court	Achievement (%)
Ruiru	93.00
Engineer	93.00
Kitale	89.00
Bungoma	88.00
Kericho	87.00
Kandara	87.00
Ogembo	85.00
Molo	84.00
Kisumu	84.00
Nyeri	81.00

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

Eldoret Magistrates' Court was the best performing court with a 70 per cent success rate in hearing and deciding civil cases within 360 days of filing. It was followed by Ruiru and Narok Magistrates' Courts, which scored 63 and 59 per cent respectively. The performance of the top ten performing courts in this category is presented in Table 39.

Table 39 : Best performing court in Hearing and Determination of Civil Cases within 360 days of filing- Magistrates' Courts, Caseload Category of above 3,000 cases

Magistrates' Court	Achievement (%)
Eldoret	70.00
Ruiru	63.00
Narok	59.00
Ngong	57.00
Nakuru	56.00
Nyahururu	54.00
Kisumu	53.00
Kandara	52.00
Kiambu	50.00
Nanyuki	49.00

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

With a case clearance rate of 113 per cent, Molo Magistrates' Court was the best in this category. Engineer and Eldoret Magistrates' Court achieved a case clearance rate, criminal cases, of 105 and 104 per cent respectively. Figure 55 illustrates the performance of the leading ten courts in this category.

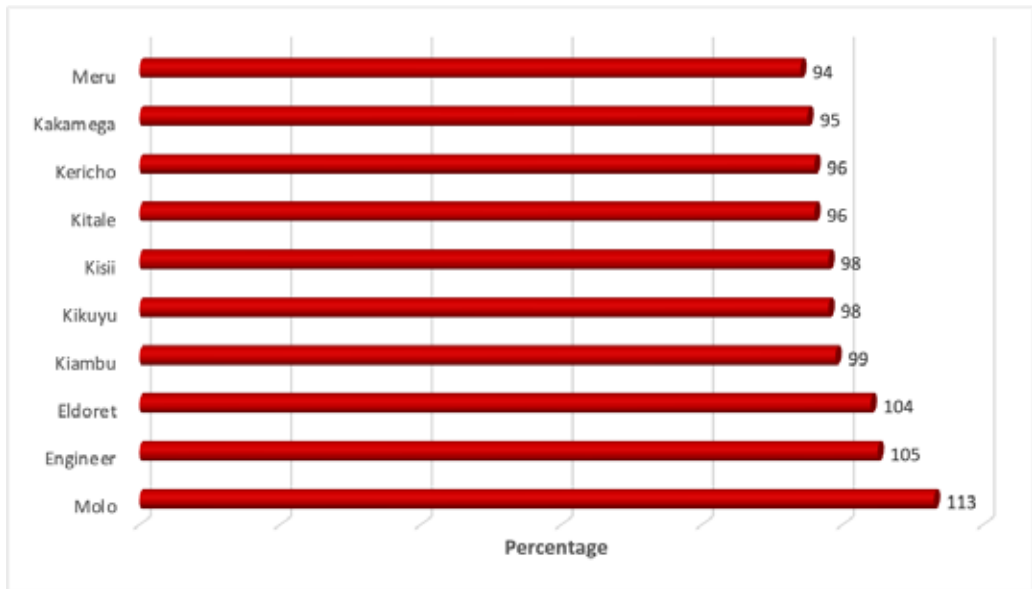


Figure 55 : Case Clearance Rate, Criminal Cases - Magistrates' Courts, Caseload Category of above 3,000 cases

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

The best performing court in this category was the Thika Magistrates' Court, which had a case clearance rate, civil cases, of 189 per cent. Engineer and Mombasa Magistrates' Court attained a case clearance rate of 159 and 138 per cent respectively. The best performing courts in this category are shown in Figure 56.

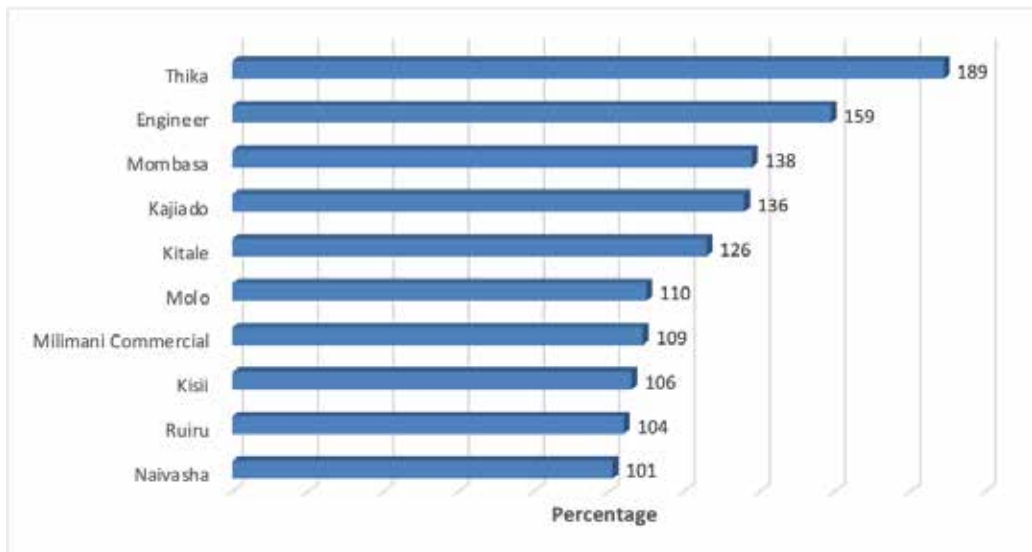


Figure 56 : Case Clearance Rate, Civil Cases - Magistrates' Courts, Caseload Category of above 3,000 cases

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

Kisii Magistrates’ Court had the highest case clearance rate, traffic cases at 109 per cent, followed by Molo Magistrates’ Court at 107 per cent and Machakos Magistrates’ Court at 102 per cent. Figure 57 depicts the performance of the courts with the highest case clearance rates in this category.

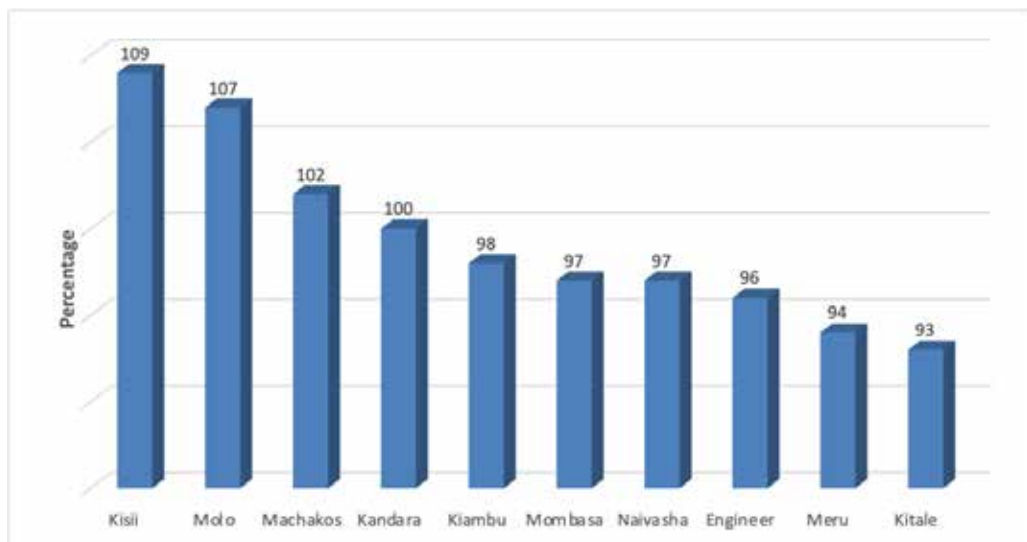


Figure 57 : Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of above 3,000 cases

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

Kiambu Magistrates’ Court had the highest case backlog reduction of 64 per cent, followed by Thika and Nyeri Magistrates’ Courts with 57 per cent and 44 per cent case backlog reduction respectively. The best performing courts on reduction of case backlog in this category are displayed in Figure 58.

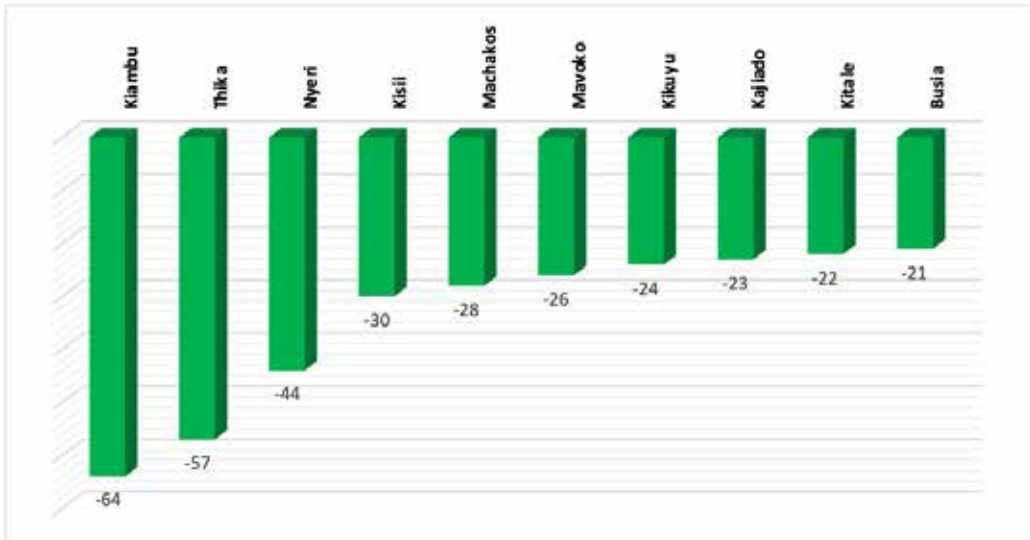


Figure 58 : Reduction of Case Backlog - Magistrates' Courts, Caseload Category of above 3,000 cases

2.7.7.9 Magistrate's Merit Productivity- Magistrates' Courts, Caseload Category of above 3,000 cases

Engineer was the best Magistrates' Court on merit productivity, with 463 cases resolved per magistrate during the year, followed by Milimani Commercial and Thika Magistrates' Courts with 284 and 247 cases respectively. The performance of the top 10 courts on productivity in this category is shown in Figure 59.

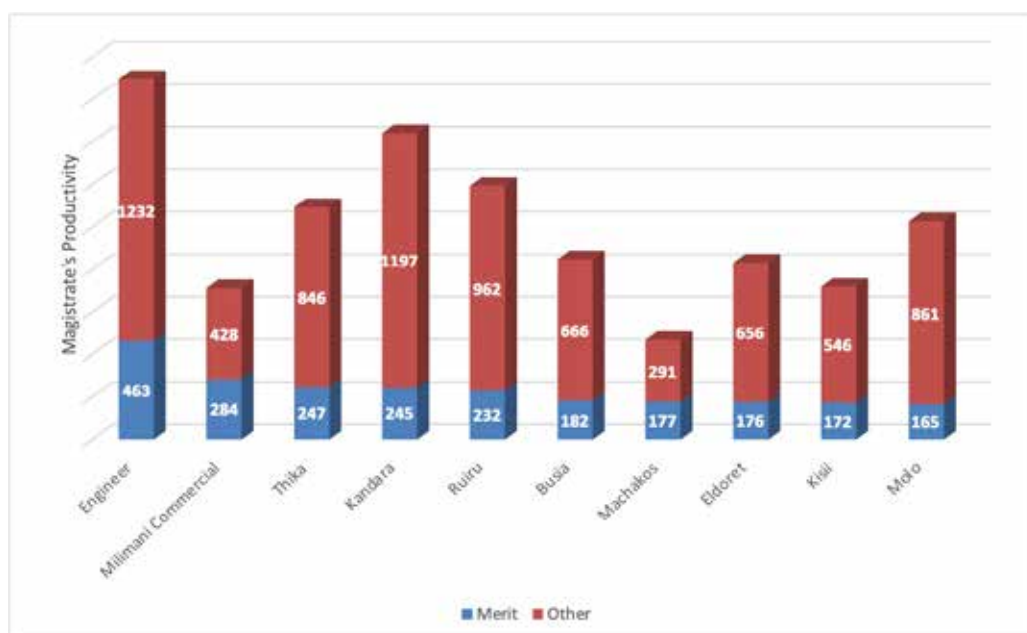


Figure 59 : Magistrate's Merit Productivity- Magistrates' Courts, Caseload Category of above 3,000 cases

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

Engineer and Kajiado Magistrates' Courts delivered 93 per cent of judgments and rulings within 60 days of the conclusion of hearings. Thika Magistrates' Court achieved 92 per cent. The performance of the top 10 best performing courts in this category is shown in Table 40.

Table 40 :Best Performing Court in Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates' Courts, Caseload Category of above 3,000 cases

Magistrates' Court	Achievement (%)
Engineer	93.00
Kajiado	93.00
Thika	92.00
Molo	90.00
Kitale	90.00
Kisii	88.00
Bungoma	88.00
Ruiru	87.00
Kakamega	87.00
Nyeri	87.00

2.7.8 Performance of Magistrates' Courts - Caseload Category of Between 2,001 and 3,000 Cases

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

There were 23 Magistrates' Courts in the caseload category of between 2,001 and 3,000 cases. The evaluation shows that 8 courts, representing 34.78 per cent of the courts in this category, achieved a performance grade of "Very Good," while 14 courts, representing 60.87 per cent, achieved a performance grade of "Good," and 1 court, representing 4.35 per cent, achieved a performance grade of "Fair." This is illustrated in Figure 60.

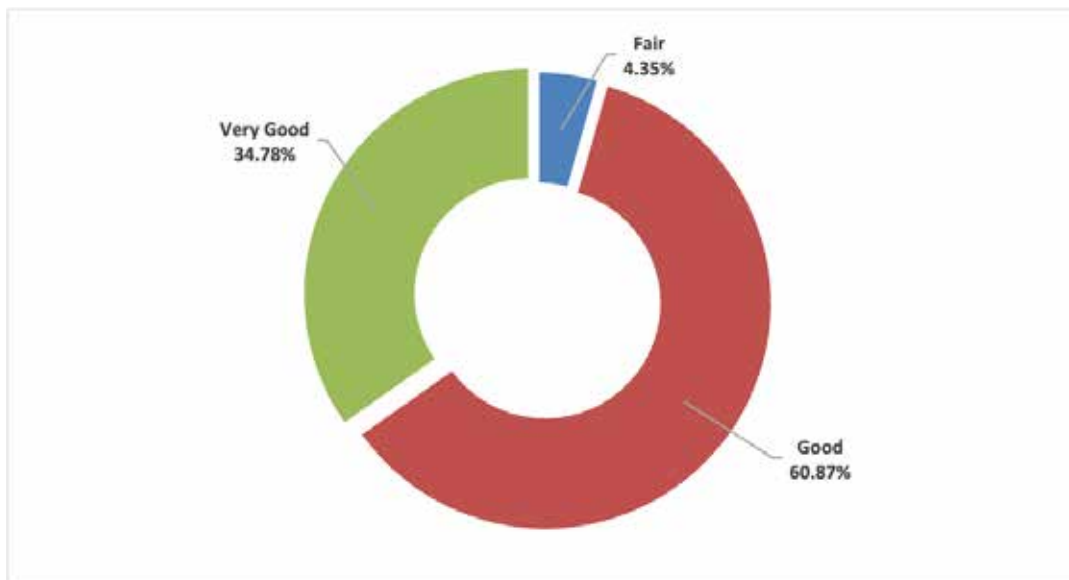


Figure 60 : Overall Performance of Magistrates' Courts - Caseload Category of Between 2,001 and 3,000 Cases

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

Bomet Magistrates' Court was the best performing in this caseload category with 100 per cent performance and a composite score of 3.092 followed by Winam and Limuru Magistrates' Courts. Overall, 8 courts attained a performance rating of "Very Good." The best performing courts in this category are listed in Table 41.

Table 41: Best Performing Magistrates' Courts – Caseload Category of Between 2,001 and 3,000 Cases

Magistrates' Court	Composite Score	Performance Score (%)	Performance Grade
Bomet	3.092	100.00	Very Good
Winam	3.105	100.00	Very Good
Limuru	3.141	100.00	Very Good
Keroka	3.152	100.00	Very Good
Kigumo	3.153	100.00	Very Good
Malindi	3.178	100.00	Very Good
Oyugis	3.193	100.00	Very Good
Muranga	3.198	100.00	Very Good
Nyamira	3.251	96.46	Good
Makindu	3.273	95.11	Good

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

The best performing magistrates' court was Bondo, which heard and determined 91 per cent of criminal cases within 360 days of filing. Gatundu and Sotik Magistrates' Court achieved 90 per cent each. The best performing courts in this category are presented in Table 42.

Table 42 : Best Performing Court in Hearing and Determination of Criminal Cases within 360 days of filing – Magistrates' Courts, Caseload Category of between 2,001 and 3,000 cases

Magistrates' Court	Achievement (%)
Bondo	91.00
Gatundu	90.00
Sotik	90.00
Keroka	88.00
Kangundo	88.00
Tigania	87.00
Bomet	86.00
Oyugis	85.00
Garissa	84.00
Nyamira	81.00

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

Garissa Magistrates' Court achieved the highest score of 86 per cent in the hearing and determination of civil cases within 360 days of filing. Winam and Maua Magistrates' Courts achieved 61 per cent each. The best courts in this category are shown in Table 43.

Table 43 : Best Performing Courts in Hearing and Determination of Civil Cases within 360 days of filing - Magistrates' Courts, Caseload Category of between 2,001 and 3,000 cases

Magistrates' Court	Performance (%)
Garissa	86.00
Winam	61.00
Maua	61.00
Kangundo	59.00
Bomet	57.00
Sotik	55.00
Kilifi	55.00
Nyamira	54.00
Keroka	52.00
Bondo	51.00

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

The best performing court was Maua Magistrates' Court, with a CCR of 125 per cent, followed by Nyando and Muranga Magistrates' Courts, with CCR of 115 and 107 per cent respectively. Figure 61 illustrates the performance of the 10 leading courts in this category.

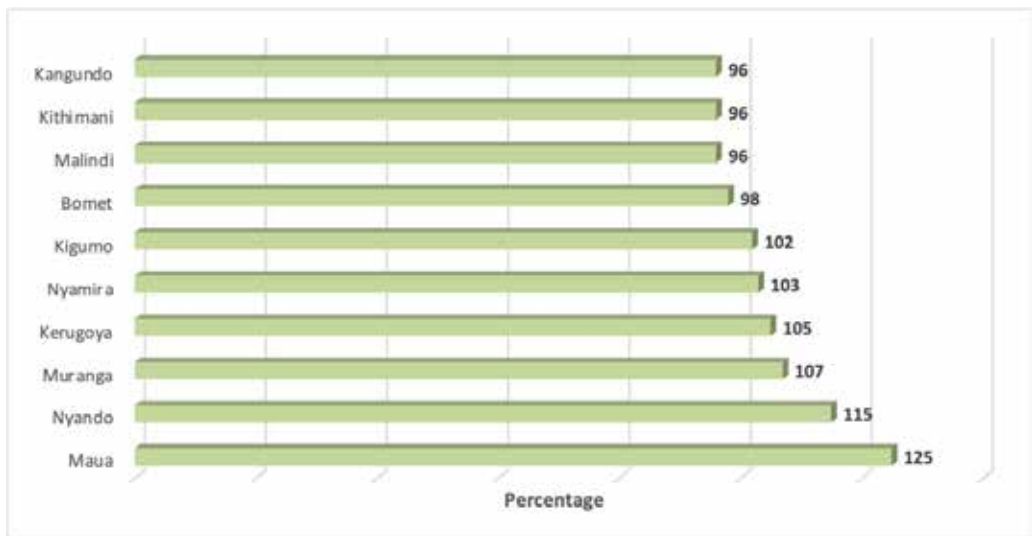


Figure 61: Case Clearance Rate, Criminal Cases – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

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

In this category, the court with the highest case clearance rate, Civil cases was Siakago Magistrates’ Court. The court had a case clearance rate of 134 per cent, followed by Tigania and Murang’a Magistrates’ Courts with a clearance rate of 128 and 119 per cent respectively. The top ten performing courts on case clearance rate in this category are shown in Figure 62.

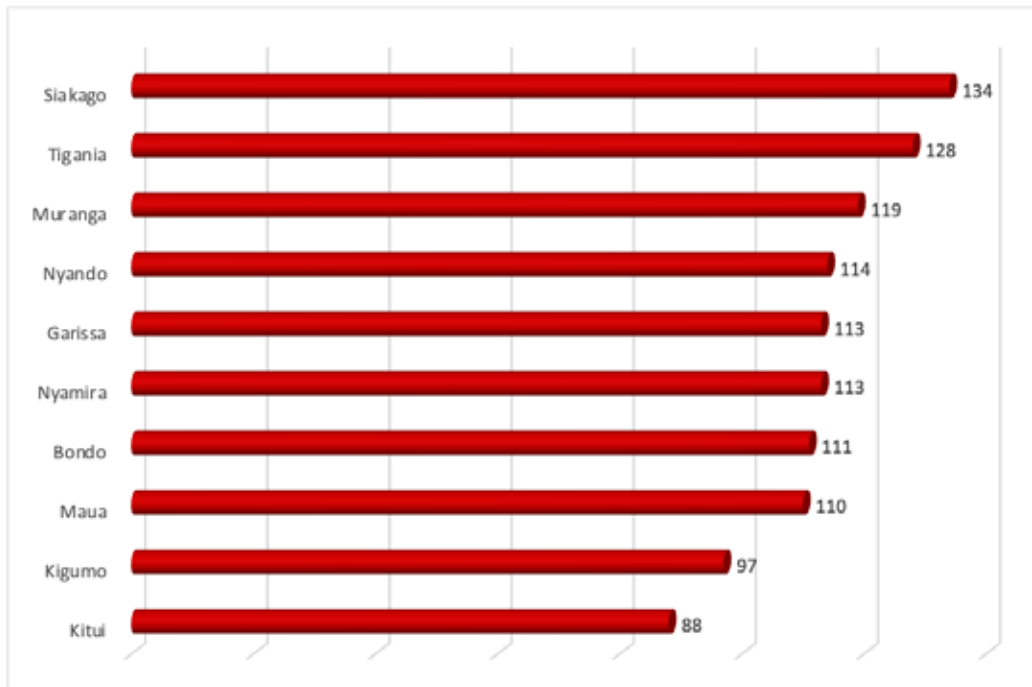


Figure 62: Case Clearance Rate, Civil Cases – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

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

Kigumo Magistrates’ Court achieved the highest case clearance rate of 122 per cent, while Maua and Siakago Magistrates’ Courts achieved a CCR of 105 and 104 per cent respectively. The top ten performing courts in this category are shown in Figure 63.

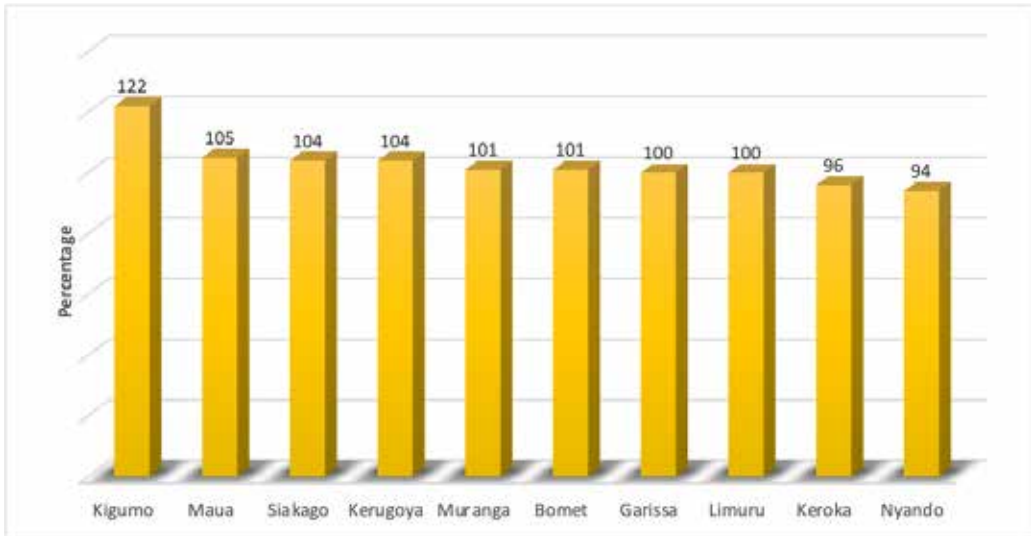


Figure 63: Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

2.7.8.8 Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

The best performing court was Keroka Magistrates’ Court, which reduced case backlog by 77 per cent followed by Siakago and Gatundu Magistrates’ Courts, which reduced backlog by 61 and 51 per cent respectively. Figure 64 lists the courts with the highest performance in this category.

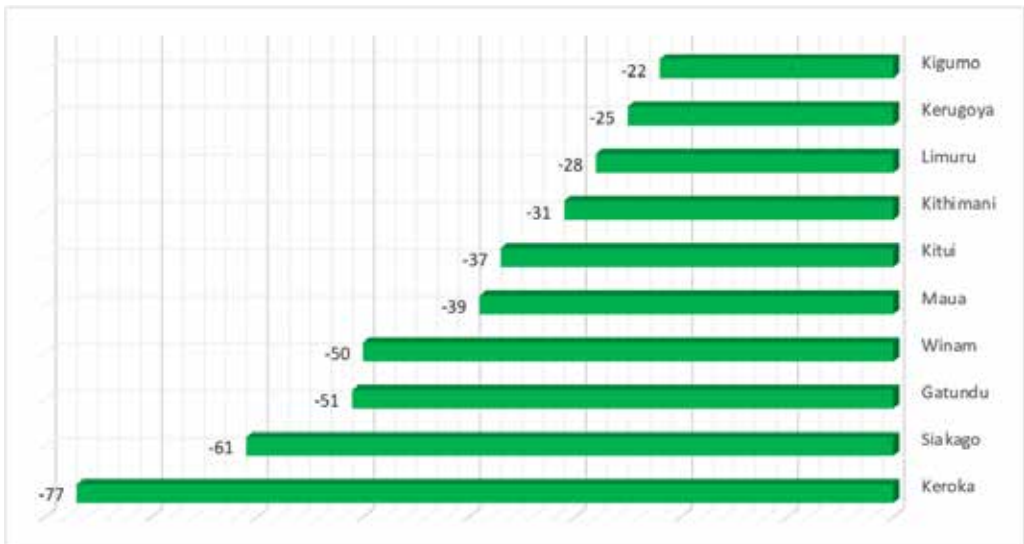


Figure 64: Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

2.7.8.9 Magistrate’s Merit Productivity- Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

The best performing court was Siakago Magistrates’ Court, with merit productivity of 259 cases. Garissa Magistrates’ Court was second with merit productivity of 239 cases, while Kilifi had 227 cases. The top 10 courts on merit productivity in this category are shown in Figure 65.

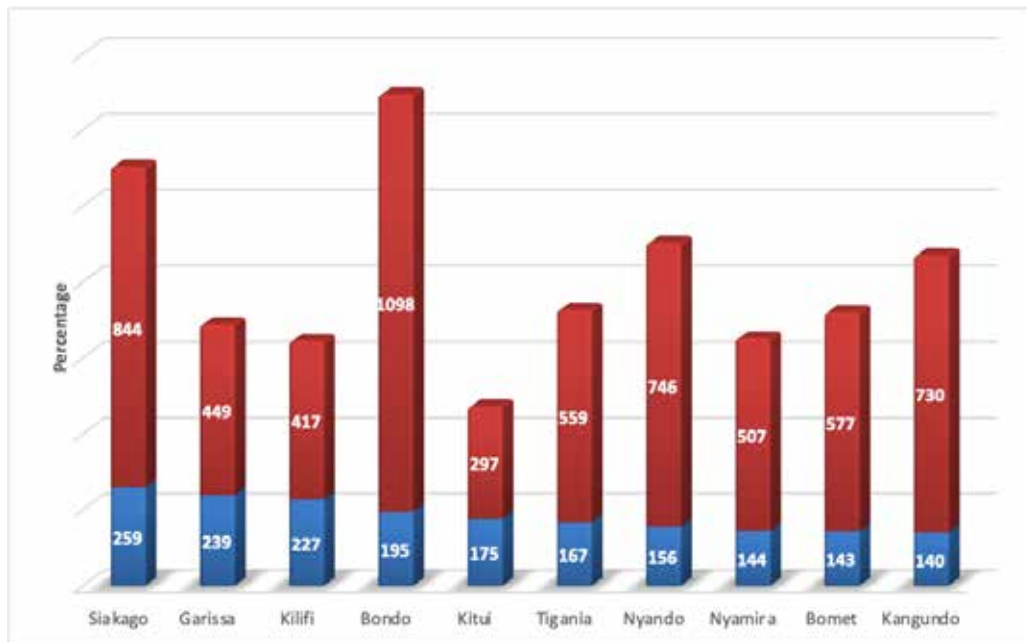


Figure 65 : Magistrate’s Merit Productivity- Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

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

With achievement of 98 per cent, Keroka Magistrates’ court was the best performing court on delivery of judgments and ruling within 60 days. Winam achieved 97 per cent while Nyando, Bomet, Gatundu, and Nyamira Magistrates’ Courts delivered 94 per cent of the judgments and ruling within 60 days. The best courts in this indicator are listed in Table 44.

Table 44 :Best Performing Courts in Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

Magistrates’ Court	Achievement (%)
Keroka	98.00
Winam	97.00
Nyando	94.00
Bomet	94.00
Gatundu	94.00
Nyamira	94.00
Tigania	92.00
Oyugis	92.00
Bondo	91.00
Limuru	91.00

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

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

There were 42 Magistrates’ Courts with caseload between 1,001 to 2,000 cases. The results of the evaluation indicate that 21 per cent (9 courts) achieved “Very Good” performance grade, while 69 per cent (29 courts) attained “Good”. Four courts (10%) achieved “Fair” performance grade. Figure 66 depicts overall performance.

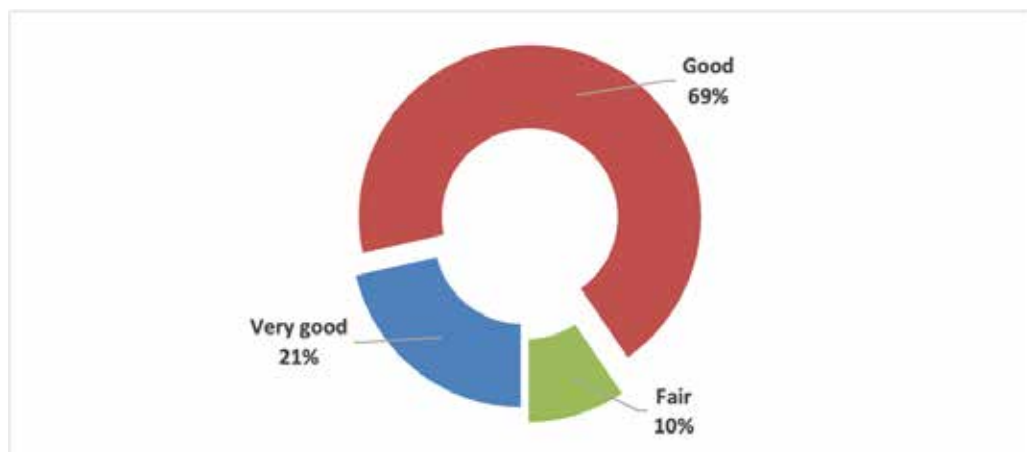


Figure 66 : Overall Performance of Magistrates’ Courts - Caseload Category of Between 1,001 And 2,000 Cases

2.7.9.2 Best Performing Magistrates' Courts – Caseload Category of Between 1,001 and 2,000 Cases

Mariakani, Kilgoris, and Webuye Magistrates' courts emerged the best performing courts in the category, achieving a performance grade of "Very Good" and composite score of 2.994, 3.012, and 3.037 respectively. The best performing courts under this category are presented in Table 45.

Table 45: Best Performing Magistrates' Courts – Caseload Category of Between 1,001 and 2,000 Cases

Magistrates' Court	Composite Score	Performance Score (%)	Performance Grade
Mariakani	2.994	100.00	Very Good
Kilgoris	3.012	100.00	Very Good
Webuye	3.037	100.00	Very Good
Wanguru	3.115	100.00	Very Good
Mukurwe-ini	3.143	100.00	Very Good
Runyenjes	3.174	100.00	Very Good
Butere	3.176	100.00	Very Good
Kilungu	3.192	100.00	Very Good
Embu	3.199	100.00	Very Good
Karatina	3.227	97.96	Good

2.7.9.3 Hearing and Determination of Criminal Cases within 360 days of filing – Magistrates' Courts, Caseload Category of between 1001 and 2,000 cases

The best performing courts in this category were Othaya, Wajir, and Kilungu Magistrates' Courts, with case clearance rate of 98, 97, and 95 per cent respectively. The evaluation results are shown in Table 46.

Table 46 : The best performing courts in Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts, Caseload Category of between 1,001 and 2,000 cases

Magistrates' Court	Achievement (%)
Othaya	98.00
Wajir	97.00
Kilungu	95.00
Makueni	94.00
Kehancha	93.00
Kabarnet	92.00
Hamisi	91.00
Eldama Ravine	91.00
Voi	90.00
Githunguri	90.00

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

The court with the best performance was Lodwar Magistrates' Court, which heard and determined 83 per cent of civil cases within 360 days of filing followed by Kapenguria Magistrates' Court (80%) and Wajir Magistrates' Court (78%). The best performing courts on hearing and determination of civil cases within 360 days are displayed in Table 47.

Table 47 : Best Performing Court in Hearing and Determination of Civil Cases within 360 days of filing- Magistrates' Courts, Caseload Category of between 1001 and 2,000 cases

Magistrates' Court	Achievement (%)
Lodwar	83.00
Kapenguria	80.00
Wajir	78.00
Mbita	67.00
Chuka	64.00
Kabarnet	63.00
Githongo	63.00
Kilgoris	61.00
Iten	60.00
Nkubu	58.00

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

The 3 courts with the highest performance were Nkubu, Chuka and Webuye Magistrates’ Courts with a case clearance, criminal matters, of 138, 135 and 125 per cent respectively. The top ten best performing courts on case clearance rate are presented in Figure 67.

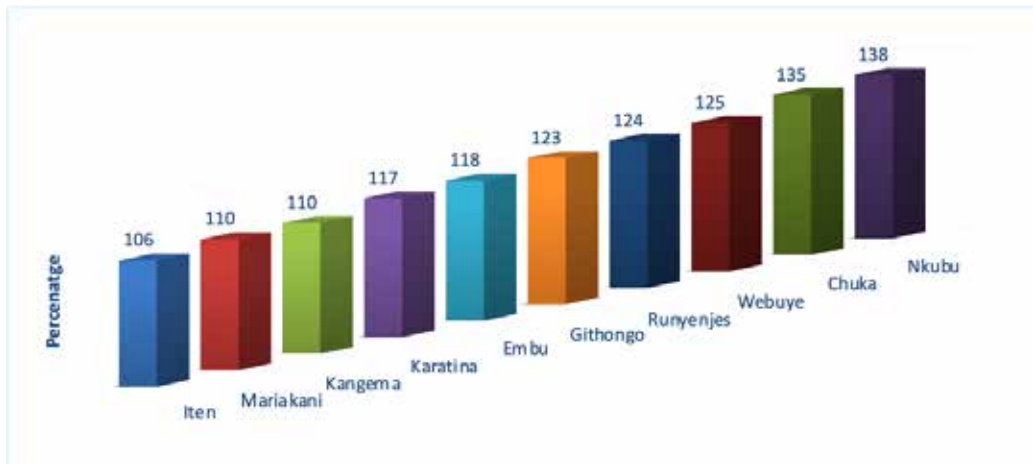


Figure 67 : Case Clearance Rate, Criminal Cases – Magistrates’ Courts, Caseload Category of between 1,001 and 2,000 cases

2.7.9.6 Case Clearance Rate, Civil Cases – Magistrates’ Courts, Caseload Category of between 1,001 and 2,000 cases

The best performing court was Migori Magistrates’ Court, with a CCR of 324 per cent, followed by Butere Magistrates’ Court with a CCR of 183 per cent. Mariakani and Voi Magistrates’ Courts achieved a CCR of 183 and 161 per cent respectively. The evaluation results are illustrated in Figure 68.

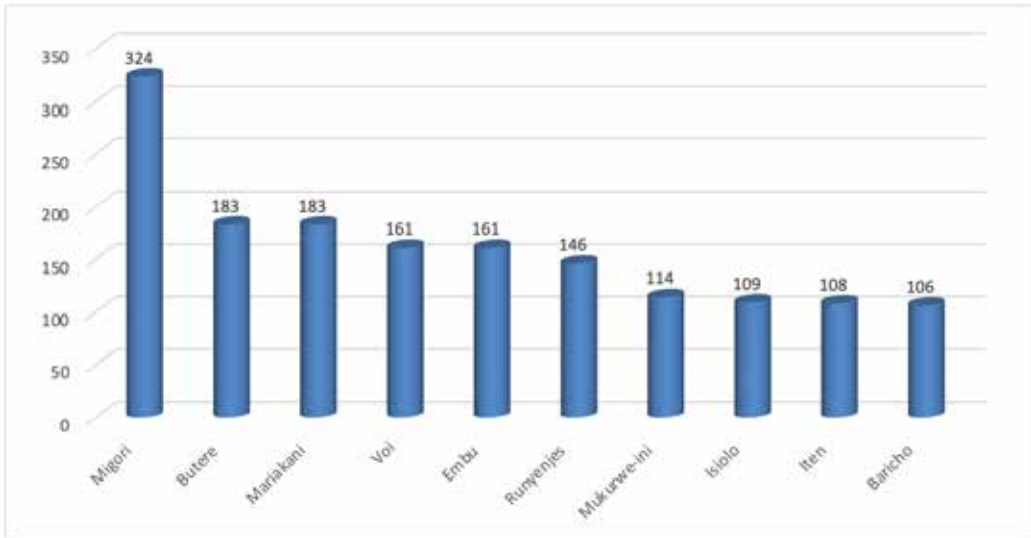


Figure 68: Case Clearance Rate, Civil Cases – Magistrates’ Courts, Caseload Category of between 1001 and 2,000 cases

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

In this category, the court with the highest CCR was Gichugu Magistrates’ Court, with a CCR of 126 per cent. Mukuweini and Eldama Ravine Magistrates’ Courts achieved a CCR of 117 and 116 per cent respectively. Figure 69 provides a summary of the ten best performing courts in this category.

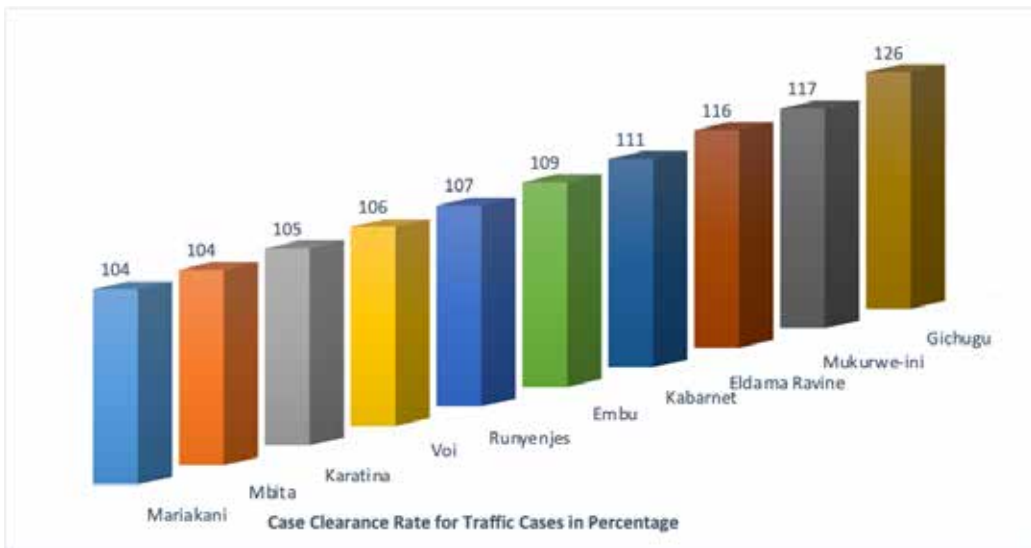


Figure 69: Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of between 1001 and 2,000 cases

2.7.9.8 Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of between 1001 and 2,000 cases

In terms of case backlog reduction, Embu Magistrates’ Court was the best performing court, reducing case backlog by 62 per cent. It was followed by Butere and Nkubu Magistrates’ Courts, which reduced case backlog by 56 per cent each, and Mariakani Magistrates’ Court achieving case backlog reduction of 42 per cent. Figure 70 enumerates the top-performing courts for this indicator.

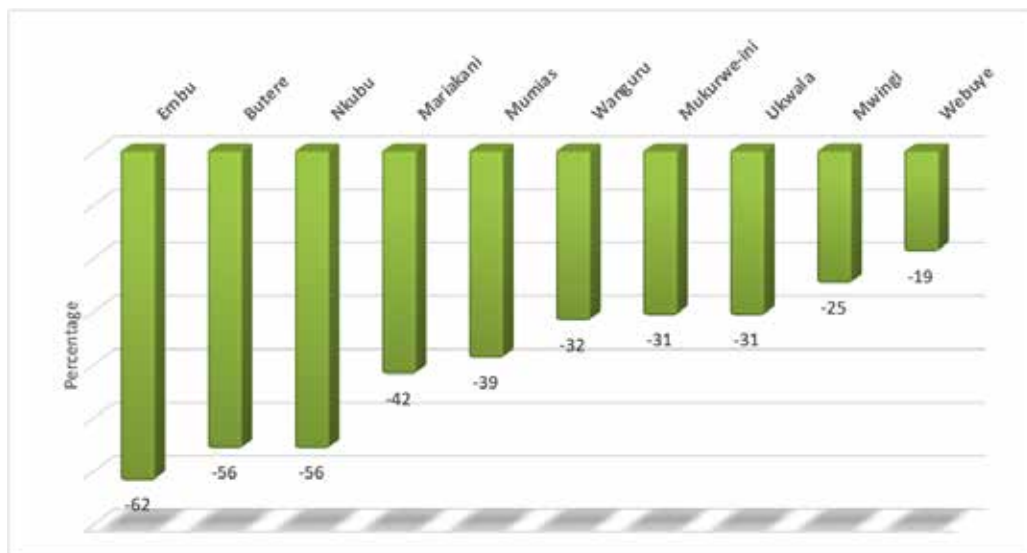


Figure 70 : Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of between 1001 and 2,000 cases

2.7.9.9 Magistrate’s Merit Productivity- Magistrates’ Courts, Caseload Category of between 1,001 and 2,000 cases

Kilungu Magistrates’ court had the highest merit productivity in this category of 289 cases per magistrate. Eldama Ravine and Mariakani Magistrates’ court achieved productivity of 273 and 235 cases respectively. The performance of 10 best performing courts is shown in Figure 71.

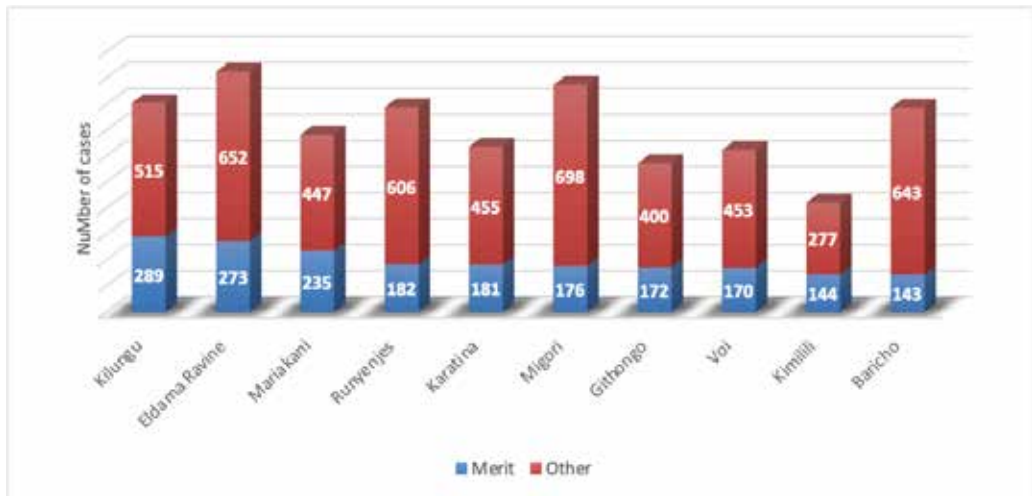


Figure 71: Magistrate's Merit Productivity- Magistrates' Courts, Caseload Category of between 1001 and 2,000 cases

2.7.9.10 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates' Courts, Caseload Category of between 1,001 and 2,000 cases

Migori and Wajir Magistrates' Courts with scores of 97 per cent each were the most efficient in delivering judgments and rulings within 60 days of the conclusion of hearings. Embu and Baricho Magistrates' Courts achieved 95 and 93 per cent respectively. The performance of top ten courts is shown in Table 48.

Table 48 :Best Performing Courts in Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates' Courts, Caseload Category of between 1,001 and 2,000 cases

Magistrates' Court	Achievement (%)
Migori	97.00
Wajir	97.00
Embu	95.00
Baricho	93.00
Mwingi	92.00
Isiolo	92.00
Karatina	92.00
Rongo	92.00
Githunguri	90.00
Othaya	90.00

2.7.10 Performance of Magistrates' Courts - Caseload Category of 1,000 Cases and Below

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

The caseload category consisted of 22 courts, 6 of which had a performance grade of "Very Good" representing 27 per cent, 14 courts (64%) had a performance grade of "Good" and 2 courts (9%) achieved a performance grade of "Fair". Figure 72 shows the overall performance grade of the courts in this category.

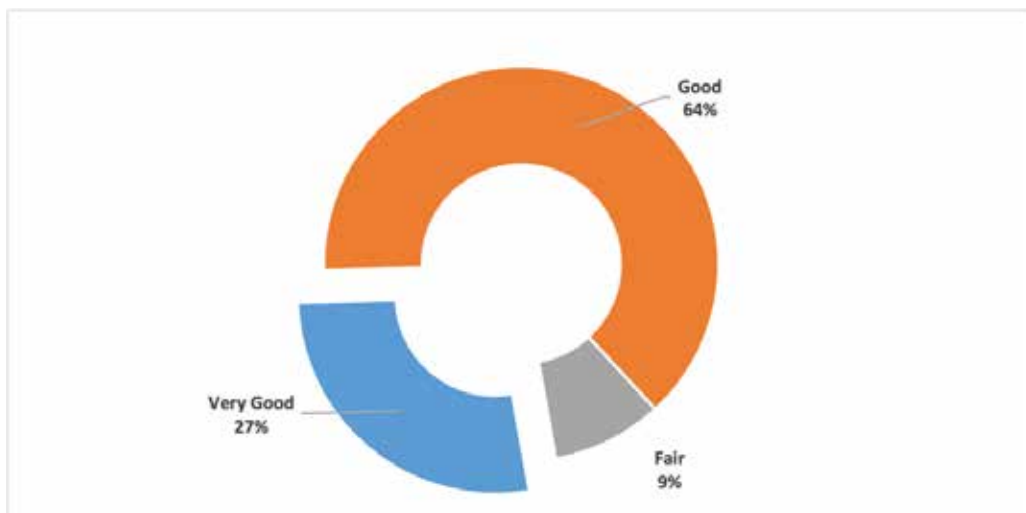


Figure 72: Overall Performance of Magistrates' Courts - Caseload Category of 1,000 and Below

2.7.10.2 Best performing Magistrates Courts - Caseload category of 1,000 cases and below

The best performing Magistrates' Court was Loitoktok with 100 per cent performance and a composite score of 2.80, followed by Tamu Magistrates' Court with a composite score of 2.91 and Ndhiwa Magistrates' Court achieving a composite score of 3.088. The top ten performing magistrates' courts are presented in Table 49.

Table 49 : Best performing magistrates court- Caseload category of 1,000 cases and below

Magistrates' Court	Composite Score	Performance Score	Performance Grade
Loitoktok	2.797	100.00	Very Good
Tamu	2.907	100.00	Very Good
Ndhiwa	3.088	100.00	Very Good
Kyuso	3.115	100.00	Very Good
Kakuma	3.120	100.00	Very Good
Garsen	3.192	100.00	Very Good
Mandera	3.234	97.53	Good
Mpeketoni	3.241	97.12	Good
Mutomo	3.246	96.80	Good
Kaloleni	3.246	96.80	Good

2.7.10.3 Hearing and Determination of Criminal Cases within 360 days of filing – Magistrates' Courts, Caseload Category of 1,000 cases and below

Wundanyi Magistrates' Court was the best on hearing and determination of criminal cases within 360 days under this category. The court concluded 97 per cent of the criminal cases within 360 days of filing followed by Mandera and Moyale Magistrates' Court at 95 per cent each. Table 50 lists the 10 best performing courts on hearing and determination of criminal cases within 360 days in this category.

Table 50 : Best Performing Court in Hearing and Determination of Criminal Cases within 360 days of filing – Magistrates' Courts, Caseload Category of 1,000 cases and below

Magistrates' Court	Achievement (%)
Wundanyi	97.00
Mandera	95.00
Moyale	95.00
Garsen	94.00
Taveta	93.00
Marsabit	92.00
Mutomo	91.00
Tamu	90.00
Marimanti	90.00
Lamu	89.00

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

During the period under review, Daadab Magistrates' Court resolved all cases within 360 days of filing, followed by Kakuma Magistrates' Court with 86 per cent and Mandera Magistrates' Court with 73 per cent as shown in Table 51.

Table 51: Best Performing Courts in Hearing and Determination of Civil Cases within 360 days of filing- Magistrates' Courts, Caseload Category of 1,000 cases and below

Magistrates' Court	Acievement (%)
Dadaab	100.00
Kakuma	86.00
Mandera	73.00
Hola	73.00
Msambweni	70.00
Wundanyi	69.00
Lamu	69.00
Sirisia	68.00
Mpeketoni	67.00
Maralal	67.00

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

The court with the highest case clearance rate was Mpeketoni, at 133 per cent, followed by Kakuma Magistrates' Court at 120 per cent. A higher case clearance rate of above 100 per cent guarantees a reduction in pending cases. Figure 73 illustrates the best performing courts in Case Clearance Rate, Criminal cases.

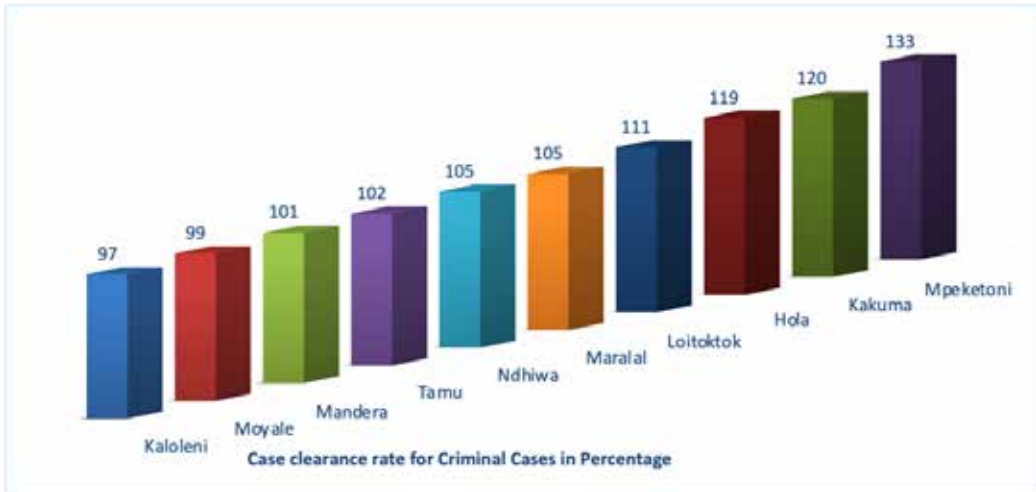


Figure 73 : Case Clearance Rate, Criminal Cases – Magistrates’ Courts, Caseload Category of 1,000 cases and below

2.7.10.6 Case Clearance Rate, Civil Cases – Magistrates’ Courts, Caseload Category of 1,000 cases and below

The court with the highest case clearance rate, civil matters was Kakuma Magistrates’ Court at 471 per cent, followed by Mandera Magistrates’ Court at 197 per cent and Moyale Magistrates’ Court at 149 per cent as shown in Figure 74.

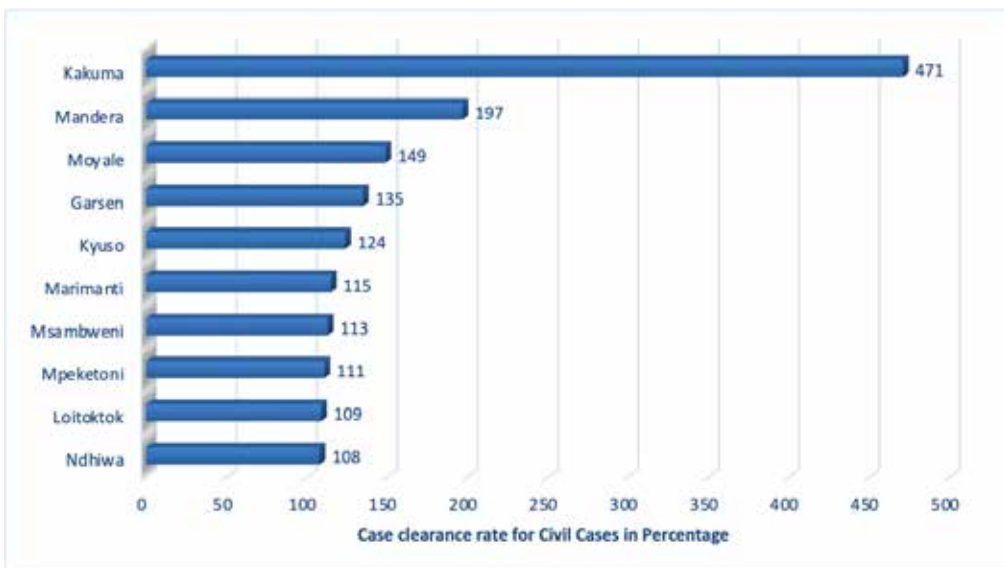


Figure 74 : Case Clearance Rate, Civil Cases – Magistrates’ Courts, Caseload Category of 1,000 cases and below

2.7.10.7 Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of 1,000 cases and below

Tamu Magistrates’ Court with a Case Clearance Rate of 117 per cent was the best performing court, followed by Hola Magistrates’ Court with 107 per cent and Kyuso Magistrates’ Court with 103 per cent. The ten best performing courts on case clearance rate, traffic cases, are displayed in Figure 75.

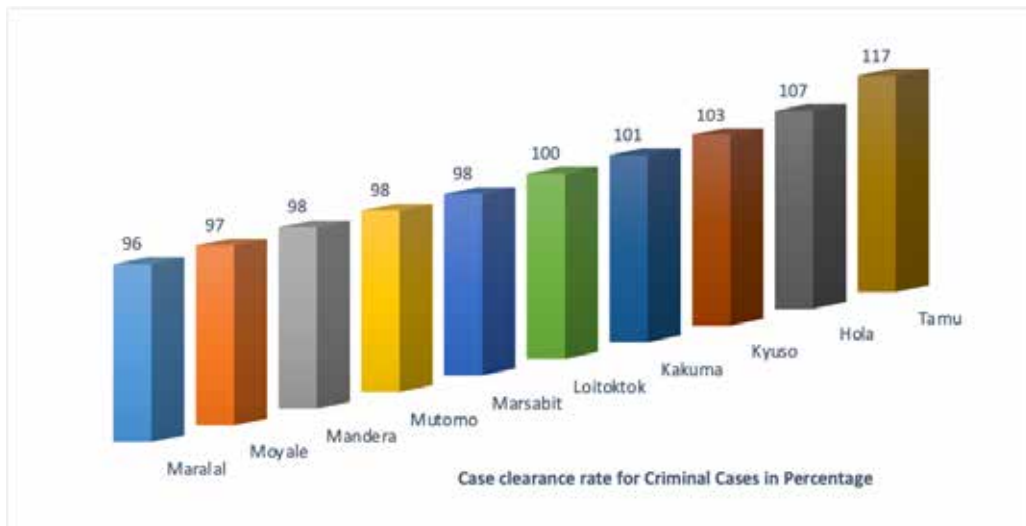


Figure 75: Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of 1,000 cases and below

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

Loitoktok Magistrates’ Court reduced case backlog by 88 per cent and was the best in this category. Ndhiwa Magistrates’ Court was second and reduced case backlog by 31 per cent while Daadab Magistrates’ Court reduced by 19 per cent. Figure 76 shows the performance of the courts on this indicator.

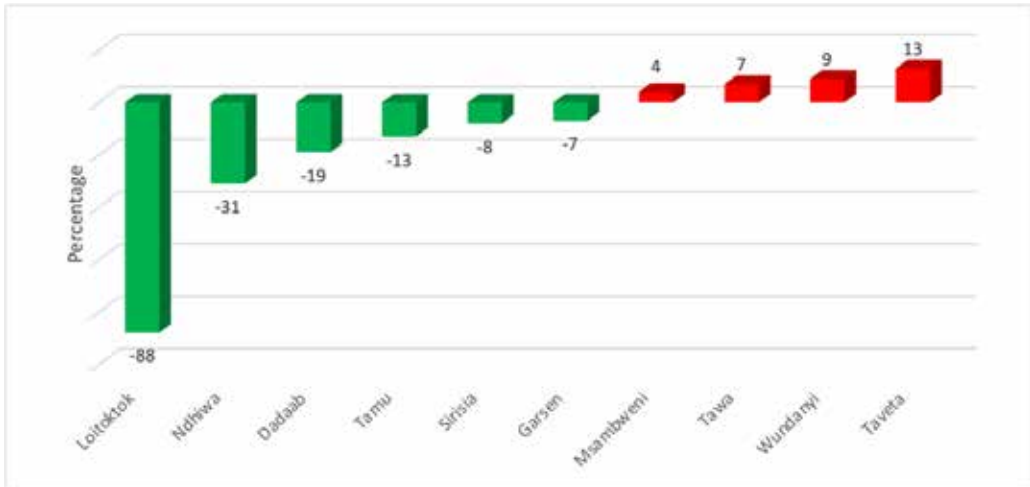


Figure 76: Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of 1,000 cases and below

2.7.10.9 Magistrate’s Merit Productivity- Magistrates’ Courts, Caseload Category of 1,000 cases and below

Kaloleni Magistrates’ Court with a magistrate’s productivity of 425 cases was the best performing court. Kakuma and Tamu Magistrates’ Courts followed with a productivity of 124 cases each. Figure 77 displays the best performing courts in this category.

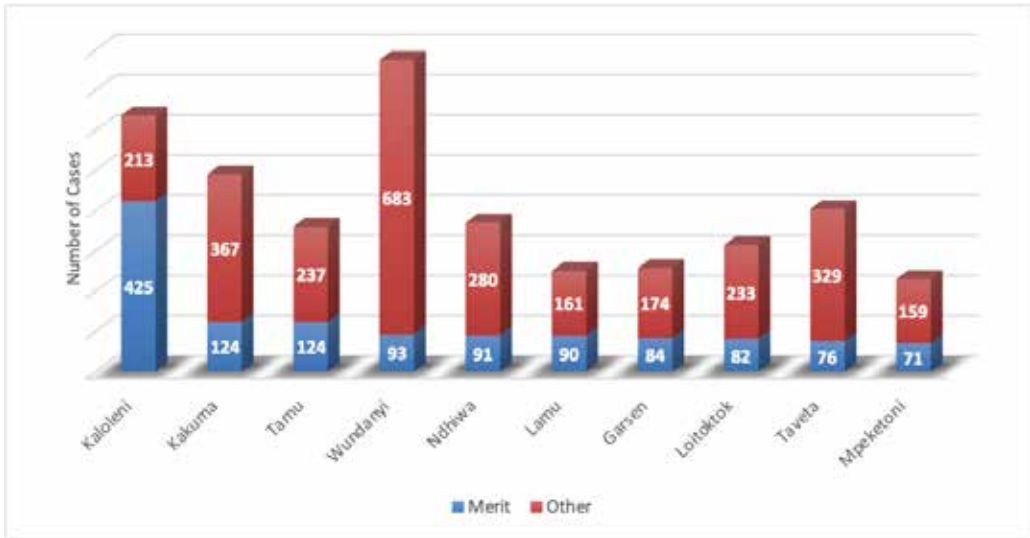


Figure 77: Magistrate’s Merit Productivity- Magistrates’ Courts, Caseload Category of 1,000 cases and below

2.7.10.10 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates’ Courts, Caseload Category of 1,000 cases and below

All judgments and rulings were rendered by the Dadaab Magistrates' Court within 60 days of conclusion of the hearing. Tamu Magistrates' Court was second with 98 per cent, followed by Wundanyi Magistrates' Court with 97 per cent. Table 52 provides performance of the top ten courts in this category.

Table 52 : Best Performing Court in Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates' Courts, Caseload Category of 1,000 cases and below

Magistrates' Court	Achievement (%)
Dadaab	100.00
Tamu	98.00
Wundanyi	97.00
Mandera	94.00
Loitoktok	94.00
Hola	93.00
Ndhiwa	92.00
Lamu	92.00
Mpeketoni	91.00
Maralal	89.00

2.7.11 Performance of Magistrates' Courts Handling Criminal Cases Only

2.7.11.1 Overall Performance of Magistrates' Courts Handling Criminal Cases Only

There were 8 magistrates' courts in this category. The results show that 28 per cent of the courts achieved a "Very Good" performance grade, 66 per cent achieved "Good" and 6 per cent achieved "Fair." The results are shown in Figure 78.

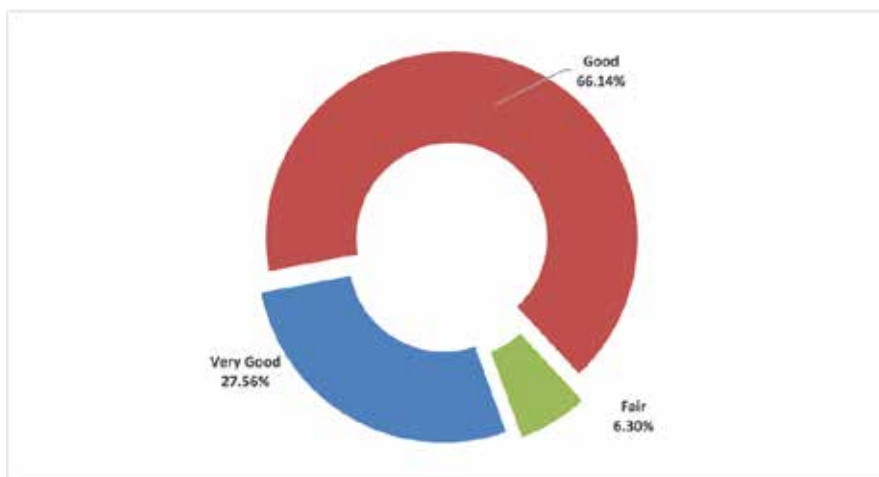


Figure 78 : Overall Performance of Magistrates' Courts Handling Criminal Cases Only

2.7.11.2 Performance- Courts Handling Criminal Cases Only

The best performing court was Kahawa Magistrates' Court with a performance grade of "Very Good" followed by Milimani Anti-Corruption Court and Kibera Magistrates' Courts. The results are presented in Table 53.

Table 53 : Performance of Magistrates' Courts - Courts Handling Criminal Cases Only

Magistrates' Court	Composite Score	Performance Score (%)	Performance Grade
Kahawa	3.203	100.00	Very Good
Milimani Anti-Corruption	3.266	95.58	Good
Kibera	3.287	94.24	Good
JKIA	3.343	90.82	Good
Makadara	3.369	89.23	Good
Milimani Chief Magistrate	3.433	85.25	Good
Shanzu	3.453	84.04	Good
Nairobi City Court	3.603	74.80	Fair

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

In this category, Kahawa Magistrate's Court was the best performing court. JKIA and Shanzu Magistrates' Court heard and determined 58 per cent of criminal cases within 360 days. The evaluation results for the courts under this category are presented in Table 54.

Table 54: Performance of Courts in Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts handling Criminal Cases Only

Magistrates' Court	Achievement (%)
Kahawa	100.00
JKIA	58.00
Shanzu	58.00
Kibera	57.00
Makadara	39.00
Milimani - Criminal	29.00
Milimani - Anti Corruption	20.00

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

The court with the highest CCR in this category was Nairobi City Court, with a CCR of 140 per cent, followed by JKIA Magistrates' Court with a CCR of 115 per cent and Kibera and Shanzu Magistrates' Courts each with a CCR of 112 per cent. The performance of courts in this category is shown in Figure 79.

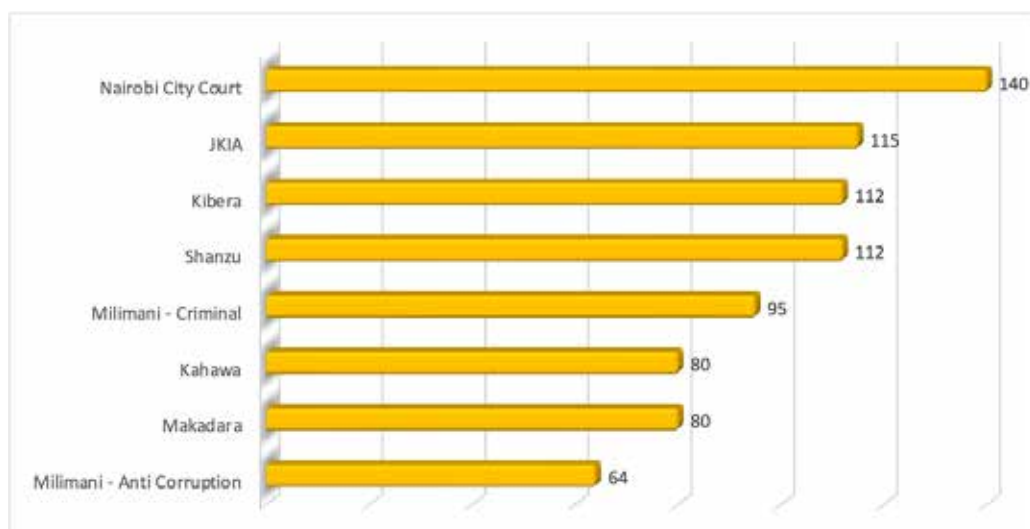


Figure 79: Case Clearance Rate, Criminal cases - Magistrates' Courts handling criminal cases only

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

JKIA Magistrates' Court was the best performing court in this category with a case clearance rate of 100 per cent followed by Kibera Magistrates' Court at 98 per cent and Milimani-Criminal Magistrates' Court at 95 per cent. Figure 80 shows the evaluation results on case clearance rate for traffic cases under this category.

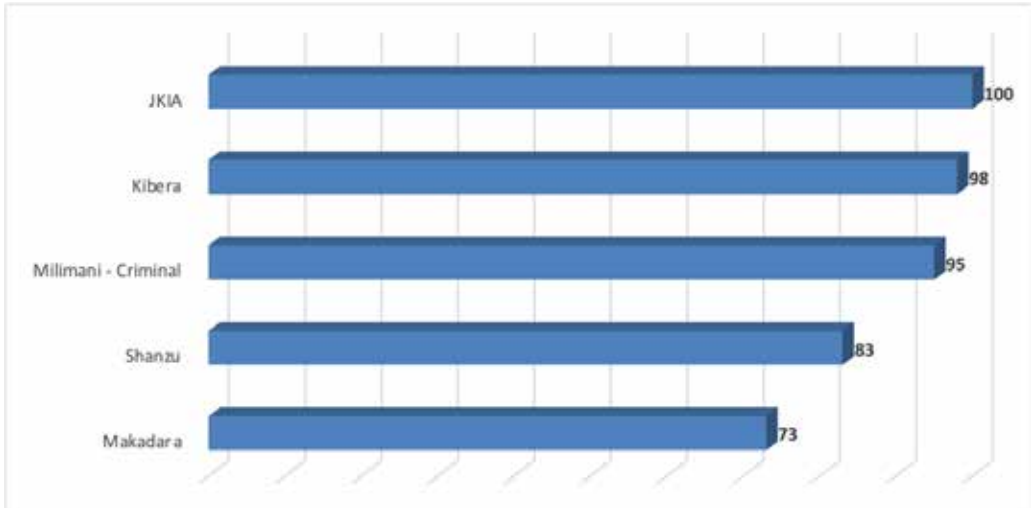


Figure 80 : Case Clearance Rate for Traffic cases - Magistrates' Courts handling Criminal Cases only

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

The court with the best performance in this category was Nairobi City Court, which reduced its case backlog by 83 per cent followed by Kibera and Makadara Magistrates' Courts at 30 and 20 per cent respectively. Figure 81 displays the performance of courts in this category on the reduction of case backlog.

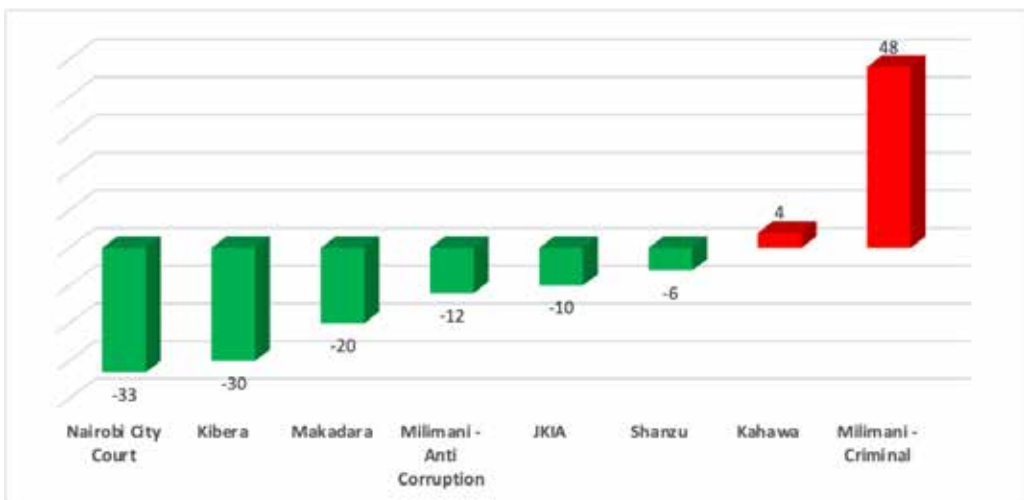


Figure 81 : Reduction of Case Backlog - Magistrates' Courts handling criminal cases only

- reduction in backlog
+ increase in backlog

2.7.11.7 Magistrate’s Productivity - Magistrates’ Courts handling Criminal Cases only

Kibera Magistrates’ Court had the highest magistrate’s merit productivity in this category with 108 cases followed by Makadara Magistrates’ Court with 98 cases and Nairobi City Court with 77 cases as shown in Figure 82.

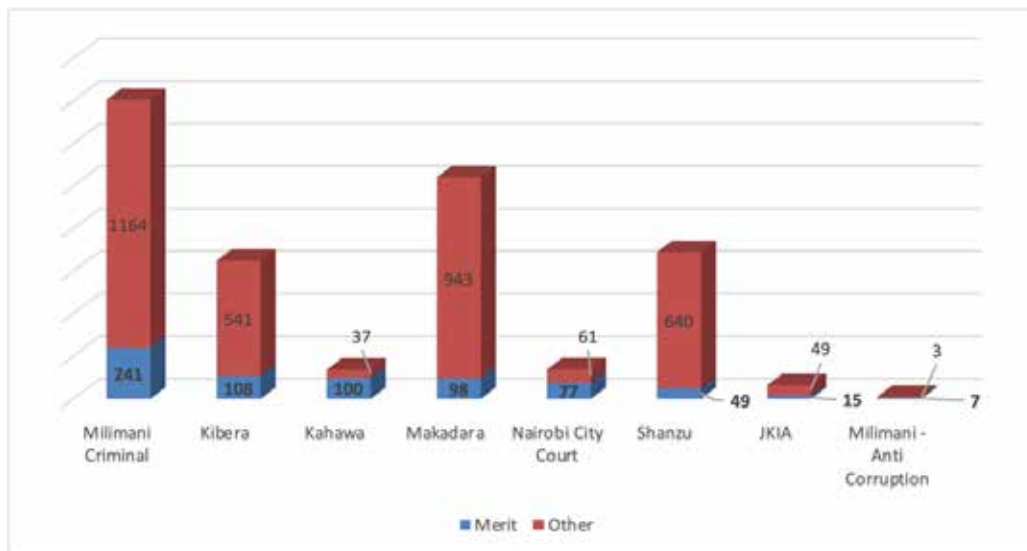


Figure 82 : Magistrate’s Merit Productivity - Magistrates’ Courts handling Criminal Cases only

2.7.11.8 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Magistrates’ Courts handling criminal cases only

The leading court in this category was Shanzu Magistrates’ Court which delivered 96 per cent of the judgments and rulings within 60 days from the conclusion of hearing. It was followed by Makadara Magistrates’ Court at 90 per cent and JKIA Magistrates’ Court and Milimani Anti-Corruption each at 87 per cent. The performance of all courts under this category is shown in Table 55.

Table 55 :Best Performing Courts in Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Magistrates’ Courts handling criminal cases only

Magistrates’ Court	Achievement (%)
Shanzu	96.00
Makadara	90.00
JKIA	87.00
Milimani - Anti Corruption	87.00
Kibera	85.00
Nairobi City Court	74.00
Milimani - Criminal	72.00
Kahawa	59.00

2.7.12 Performance of Magistrates’ Courts Handling Children Cases Only

2.7.12.1 Overall Performance - Magistrates’ Courts Handling Children Cases Only

There were 2 courts handling children matters only during the review period. These were Milimani and Tononoka Children’s Courts. The overall performance shows that Milimani Children’s court achieved “Very Good” while Tononoka achieved “Good” performance grade. The evaluation results are shown in Table 56.

Table 56 : Overall Performance - Magistrates’ Courts Handling Children Cases only

Magistrates’ Court	Composite Score	Performance Score	Performance Grade
Milimani – Children’s Court	3.07	100.00	Very Good
Tononoka	3.39	88.24	Good

2.7.12.2 Performance Trend of Courts Handling Children Cases

Overall, the performance trend analysis indicates that Milimani Children’s court attained 100 per cent which was an improvement from the previous year’s performance of 83.98 per cent while Tononoka’s performance declined from 95.12 per cent to 88.24 per cent. Figure 83 highlight the overall performance trend analysis for the courts for the last 5 years.

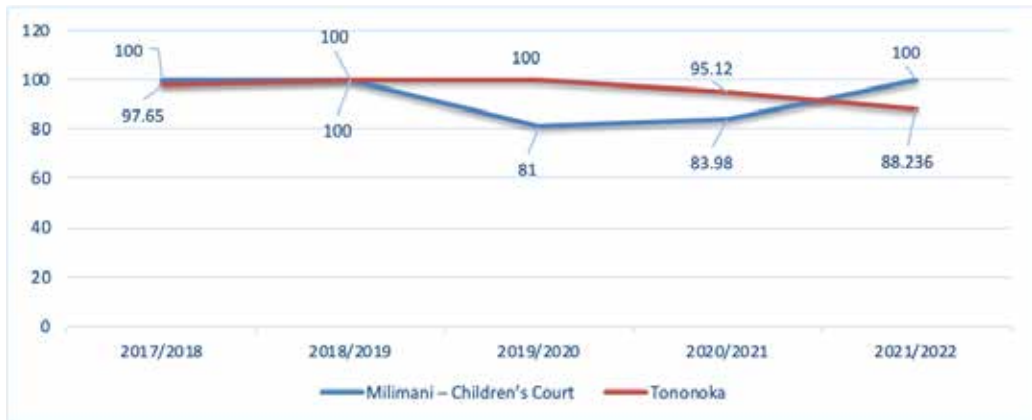


Figure 83: Overall Performance Trend for magistrate courts handling children matters

2.7.12.3 Performance on selected indicators of Magistrates' Courts handling Children Cases Only

Tononoka Childrens' Court was the best performing court on hearing and determination of both criminal and civil cases within 360 days with an achievement of 55 per cent and 78 per cent respectively while Milimani Children's Court achieved 25 per cent and 51 per cent on the same indicators. On productivity, Milimani children's court attained a magistrate's productivity of 365 cases and other productivity of 413 cases while Tononoka attained 93 and 87 cases respectively. Table 57 provides highlights of the courts' performance.

Table 57: Performance on selected indicators of Magistrates' Courts handling Children Cases only

Indicator	Actual Achievement		
	Milimani (%)	Tononoka (%)	
Hearing and Determination of Criminal Cases within 360 days of filing	25.00	55.00	
Hearing and Determination of Civil Cases within 360 days of filing	51.00	78.00	
Case Clearance Rate, Criminal Cases	170.00	74.00	
Case Clearance Rate, Civil Cases	147.00	44.00	
Reduction of Case Backlog	-48.00	+13.00	
Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing	66.00	87.00	
Magistrates' Productivity	Merit	365 cases	93 cases
	Other	413 cases	87 cases

- reduction in backlog
+ increase in backlog

2.8 SMALL CLAIMS COURT PERFORMANCE

2.8.1 Introduction

Section 4 (1) of the Small Claims Court Act of 2016 establishes the Small Claims Court with jurisdiction to deal with Civil claims with a maximum value of 1 million Kenya shillings. The court's primary goal is to enhance access to justice through swift delivery of justice as envisioned by Article 48 of the Constitution. There was only 1 small claims court that was established during the year under review and this was Milimani Small Claims Court which also set targets and was evaluated. This was the first time that such a court had been established and was being evaluated.

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

- i). Hearing and determination of Civil Cases within 60 days of filing
- ii). Delivery of Judgments & Rulings within 3 days from the date of final determination
- iii). Trial/hearings held when first listed
- iv). Case clearance rate
- v). Case backlog reduction
- vi). Judicial officer's merit and other productivity

2.8.2 Overall Performance of Milimani Small Claims Court

The evaluation results show that Milimani Small Claims Court achieved overall grade of 77.78 per cent and a performance grade of "Good". The court performed well on the indicators of case clearance rate for civil cases and on hearing and determination of civil cases within 60 days with an achievement of 100 and 92 per cent respectively. Table 58 shows a summary of the overall performance and the achievement on selected indicators for the court.

Table 58 : Overall Performance of Milimani Small Claims Court

Indicator	Achievement
Hearing and determination of Commercial cases within 60 days from date of filing	45.00%
Hearing and determination of Civil Cases within 60 days from date of filing	92.00%
Case clearance rate for Commercial Cases	50.00%
Case clearance rate for Civil Cases	100.00%
Productivity	662 cases
Composite Score	3.56

2.9 KADHIS' COURTS PERFORMANCE

2.9.1 Introduction

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

During the financial year 2021/2022, 46 Kadhis' courts PMMUs were evaluated. The evaluation of Kadhis' courts was based on the following indicators, among others:

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

2.9.2 Overall Performance of Kadhis' Courts

The results of the evaluation indicated that 54 per cent (25 courts) attained "Very Good" performance grade, 39 per cent (18 courts) achieved "Good", 4 per cent (2 courts) achieved "Fair" while 2 per cent (1 court) achieved "Poor" performance grade. This performance is shown in Figure 84.

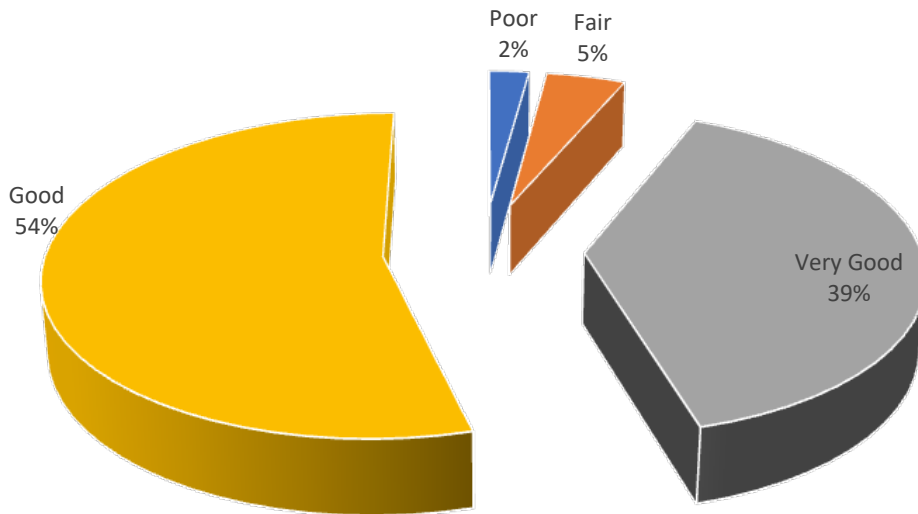


Figure 84 : Overall Performance of Kadhis' Courts

2.9.3 Performance Trend, Kadhis' Courts

The evaluation results show that the Kadhis' court's overall performance marginally declined from 97.89 per cent in the fiscal year 2020-2021 to 92.91 per cent in the period under review. The trend analysis of Kadhis' Courts' overall performance during the previous five cycles is shown in Figure 85.

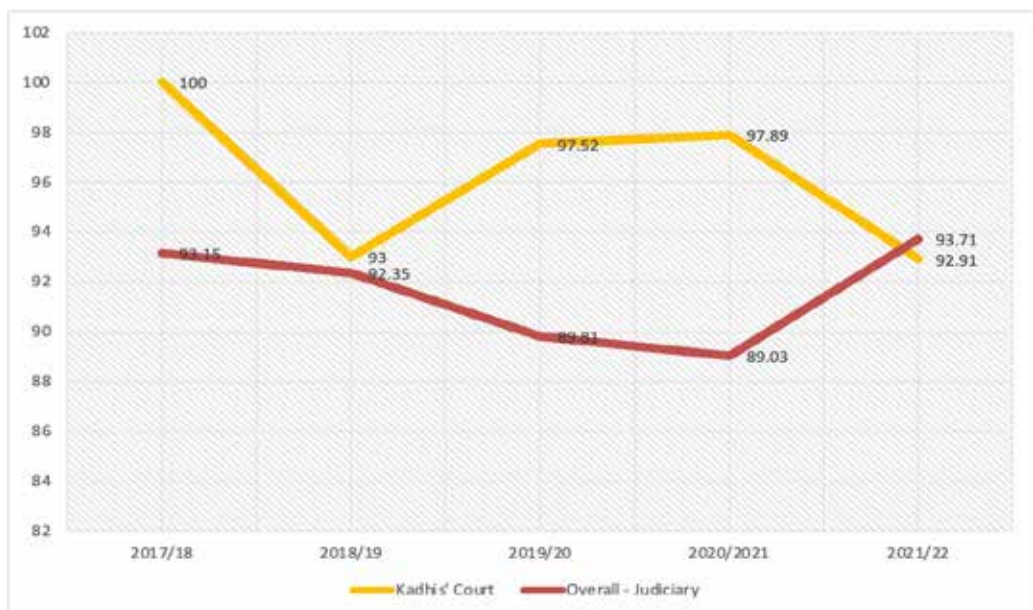


Figure 85 : Performance Trend, Kadhis' Courts

2.9.4 Most Improved Kadhis' Courts

Further analysis of the results revealed that Homabay Kadhis' Court was the most improved Kadhis court from 69.88 per cent achieved in 2020/2021 to 87.42 per cent in 2021/2022. This is an improvement of 17.54 per cent. Nakuru and Daadab Kadhis' Courts achieved an improvement of 16.38 and 16.26 per cent. The top ten most improved courts in this category are provided in Table 59.

Table 59 : Most Improved Kadhis' Courts

Kadhis' Court	Performance Score (%) FY 2020/21	Performance Score (%) FY 2021/22	Improvement (%)
Homabay	69.88	87.42	17.54
Nakuru	83.62	100.00	16.38
Daadab	83.74	100.00	16.26
Takaba	85.52	100.00	14.48
Balambala	88.78	100.00	11.22
Marsabit	72.95	83.85	10.90
Mariakani	89.65	100.00	10.35
Kericho	86.32	96.63	10.31
Msambweni	90.08	100.00	9.92
Mombasa	90.57	100.00	9.43

2.9.5 Productivity Trend, Kadhis' Court

There was a marginal drop in productivity from 136 cases resolved per Kadhi recorded in 2020/2021 to 135 cases during the review period. Figure 86 displays the trend analysis for Kadhi's productivity.

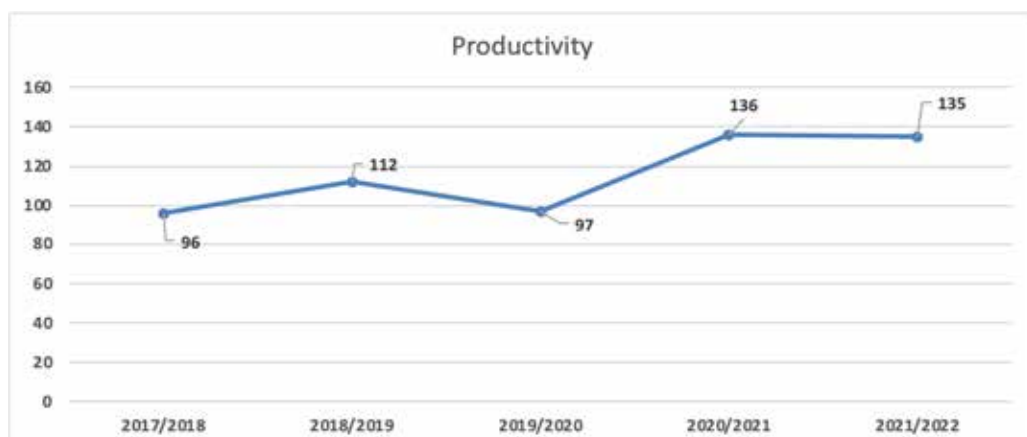


Figure 86 : Kadhi's Productivity Trend Analysis

For further analysis of the results, the Kadhis' Courts were classified into the following three categories depending on their filed cases;

- i). Kadhis' courts with caseload category of above 500 filed cases
- ii). Kadhis' courts with caseload category of between 100 and 500 cases
- iii). Kadhis' courts with caseload category of 100 cases and below

2.9.6 Performance Of Kadhis' Courts - Caseload Category Of Above 500 Cases

There were 5 Kadhi courts with a caseload of over 500 cases: These included Garissa, Kwale, Kakuma, Mombasa and Nairobi.

2.9.6.1 Overall Performance of Kadhis' courts - Caseload Category of above 500 cases

Under this category 3 out of 5 courts representing 60 per cent achieved a performance grade of "Very Good" while 40 per cent (2 Courts) achieved a performance grade of "Good" as displayed in Figure 87.

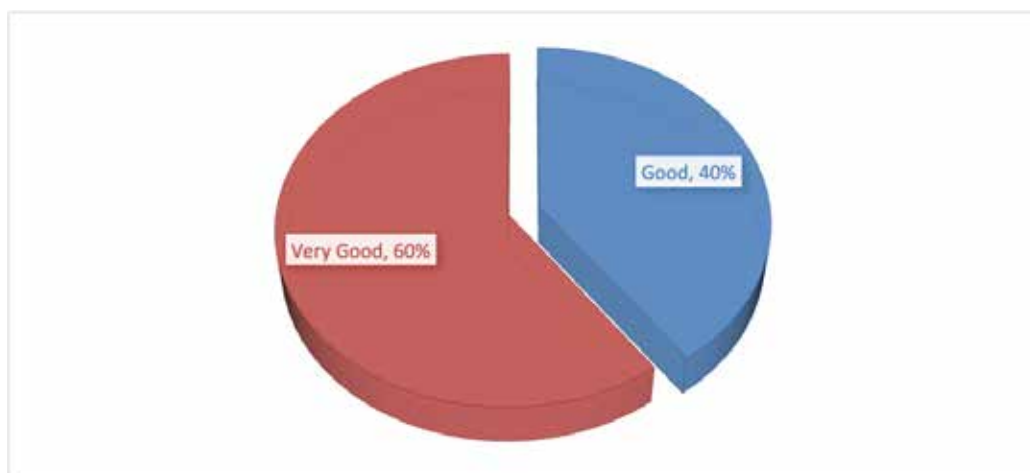


Figure 87: Overall Performance of Kadhis' courts - Caseload Category of above 500 cases

Mombasa Kadhis' Court emerged the best in this category with an achievement of "Very Good" with a score of 3.086, followed by Kwale Kadhis' Court at 3.117. Nairobi Kadhis' court achieved a performance grade of "Good" at 3.18. Table 60 provides a summary of the overall performance of Kadhis' courts with a caseload of above 500.

Table 60: Overall performance of Kadhis' Courts- Caseload Category of above 500 cases

Kadhis' Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Mombasa	3.086	100.00	Very Good
Kwale	3.117	100.00	Very Good
Nairobi	3.180	100.00	Very Good
Kakuma	3.314	92.78	Good
Garissa	3.368	89.52	Good

2.9.6.2 Hearing and Determination of Matrimonial, Divorce, Succession and Matters of Personal Status concluded within 360 days from date of filing - Caseload Category of above 500 cases

In this category, Kwale Kadhis' Court concluded 96 per cent of its cases within 360 days from the date of filing. It was followed by Garissa and Mombasa Kadhis' Courts at 91 and 83 per cent respectively. The findings on hearing and determination of cases within 360 days in this category are as illustrated in Figure 88.

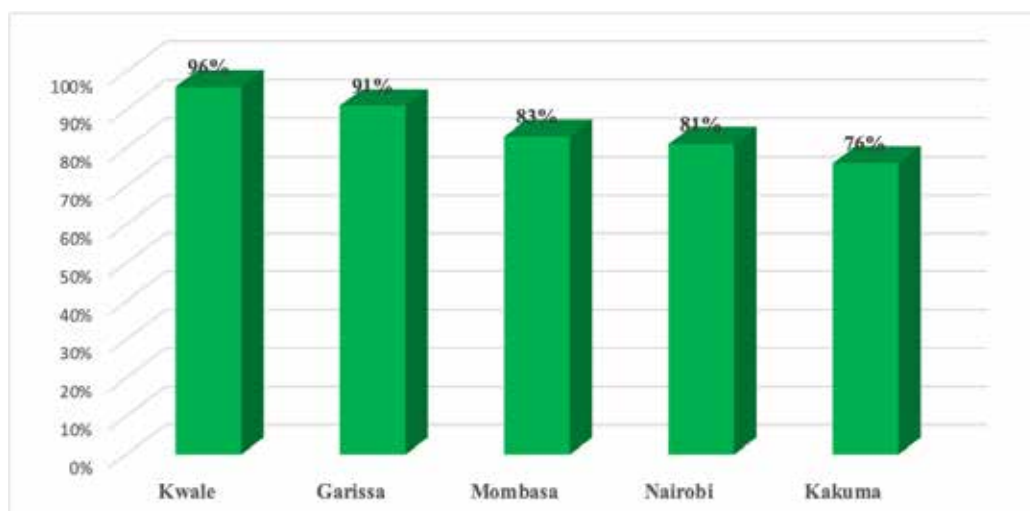


Figure 88: Kadhis' Court Performance on hearing and Determination of Cases within 360 Days

2.9.6.3 Case Clearance Rate, Kadhis' Courts - Caseload Category of above 500 cases

All the courts in this category achieved a clearance rate of below 100 per cent. This implies that pending cases increased in these courts. The achievements of the courts in this category are as presented in Figure 89.

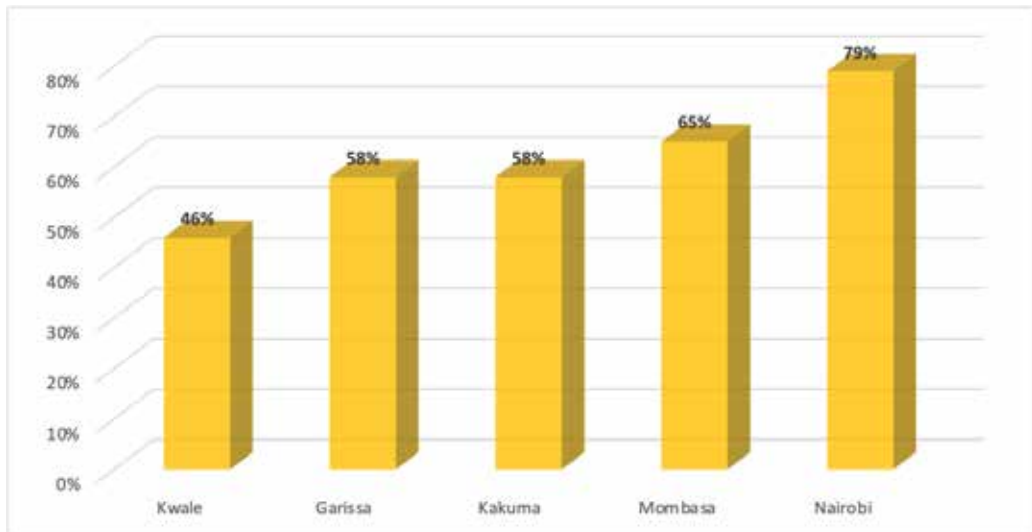


Figure 89: Kadhis' Courts Case Clearance rate - Caseload above 500

2.9.6.4 Reduction of Case Backlog, Kadhis' Courts - Caseload Category of above 500 cases

All the courts in this category managed to reduce case backlog. Garissa Kadhis' Court was the best performing and reduced case backlog by 11 per cent followed by Mombasa at 9 per cent, Kakuma and Nairobi Kadhis' Courts at 4 per cent each. Kwale Kadhis' Court reduced case backlog by 3 per cent. Figure 90 illustrates case backlog reduction for the courts in this category.

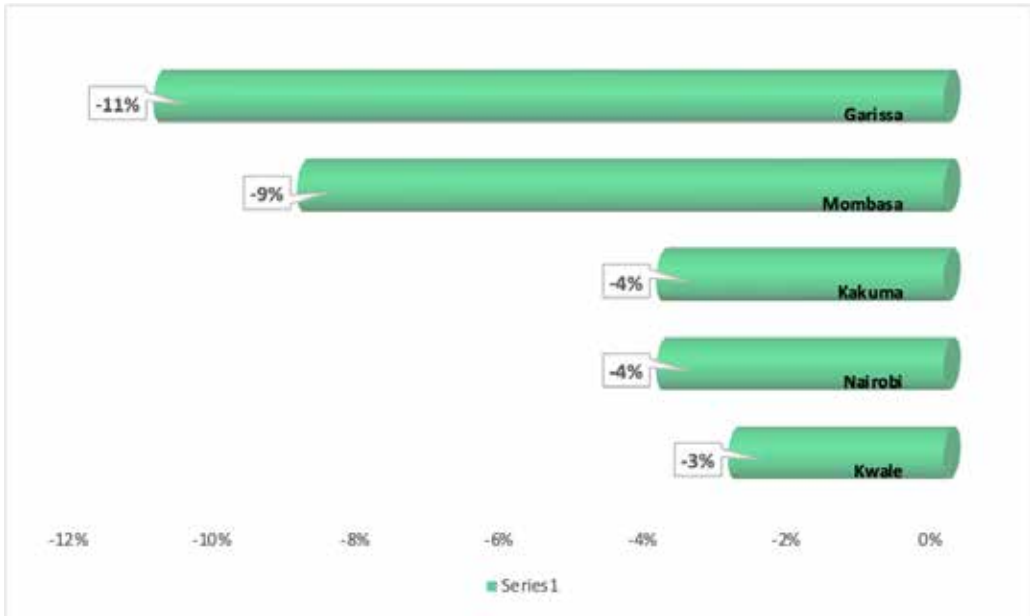


Figure 90: Kadhis' Courts Performance on reduction of Case backlog

2.9.6.5 Kadhi's Productivity - Caseload Category of above 500 cases

Mombasa Kadhis' court had the highest merit productivity in this category with 792 cases, followed by Nairobi Kadhis' Court at 557 cases. On other productivity, Nairobi Kadhis' Court had the highest achievement at 491 cases. Figure 91 illustrates productivity in Kadhis' Courts with a caseload of above 500 cases.

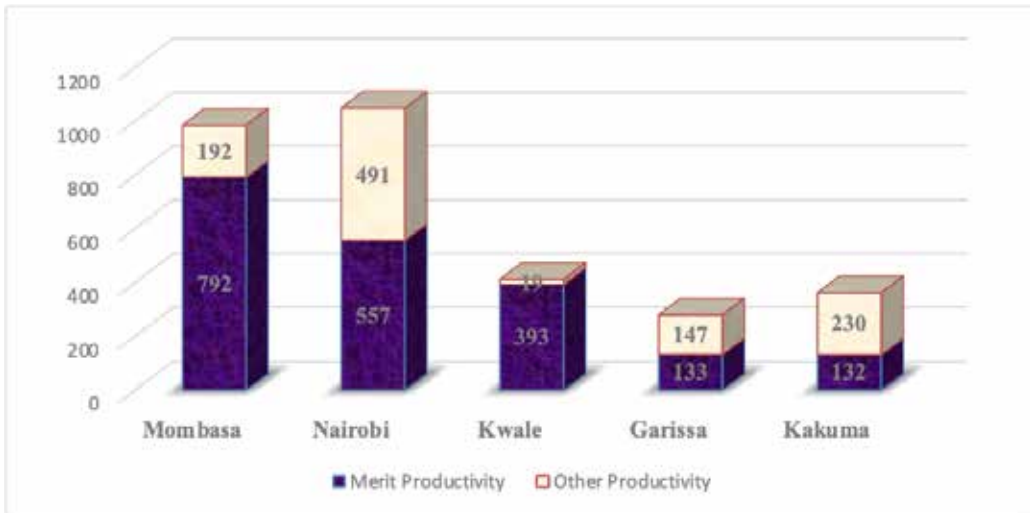


Figure 91: Kadhi's Productivity

2.9.6.6 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of above 500 cases

Three courts in this category met the statutory requirement of delivering judgments and rulings within 60 days of conclusion of the hearing. These were Kakuma, Kwale and Mombasa Kadhis' Courts. Figure 92 provides the achievement of Kadhis' courts in delivery of judgments and rulings within 60 days.

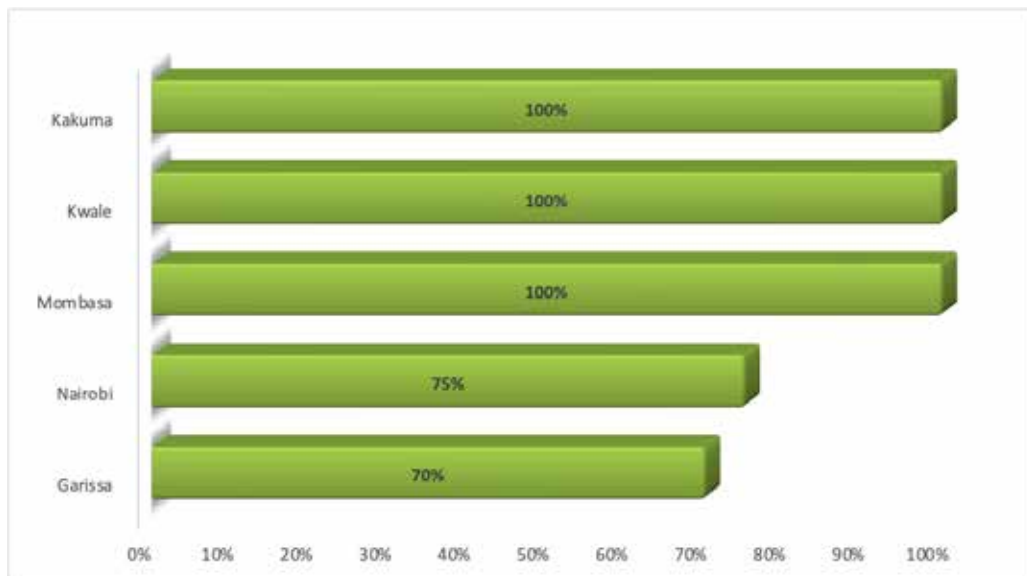


Figure 92: Delivery of Judgements & Rulings - Kadhis' Courts Caseload above 500

2.9.7 Performance of Kadhis' Courts - Caseload Category of 100-500 Cases

There were 17 Kadhis courts with a caseload of between 100 and 500 cases. These courts are Bungoma, Daadab, Elwak, Garsen, Ijara, Isiolo, Kilifi, Lamu, Malindi, Mandera, Mariakani, Merti, Moyale, Msambweni, Takaba, Wajir and Witu Kadhis' court.

2.9.7.1 Overall Performance of Kadhis' Courts - Caseload Category of 100- 500 cases

Nine out of 17 courts in this category achieved a performance grade of 'Very Good', 7 courts achieved a grade of "Good" while 1 court achieved a performance grade of "Fair". Figure 93 provides the achievements of these courts.

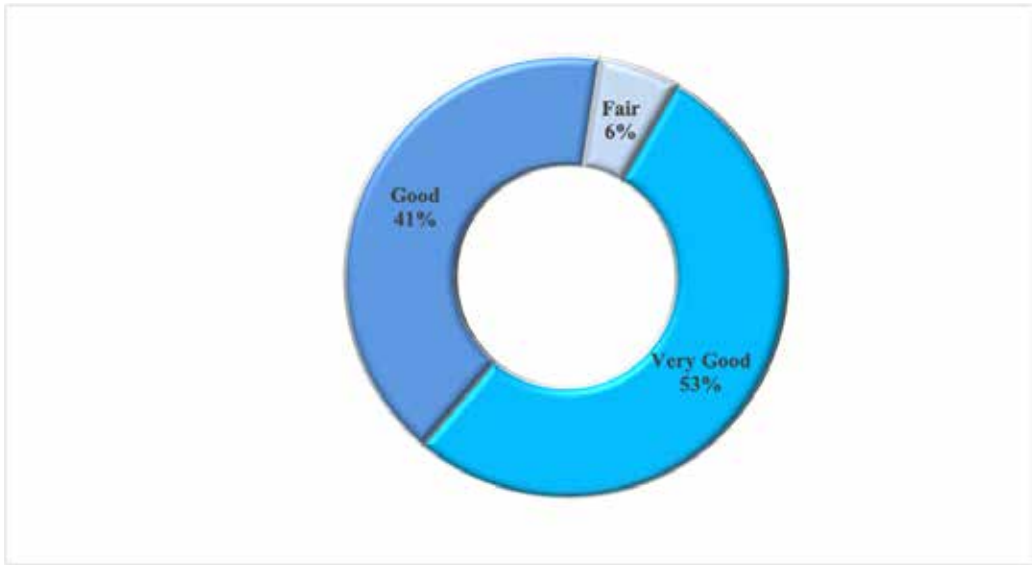


Figure 92: Overall Performance of Kadhis' Courts - Caseload Category of 100- 500 cases

Malindi Kadhis' Court was the best performing in this category with 100 per cent achievement and a composite score of 3.001 followed by Moyale at 100 per cent and a composite score of 3.024 as shown in Table 61.

Table 61: Overall Performance of Kadhis' Courts Caseload category 101-500

Kadhis' Court	Composite Score	Performance Score (%)	Performance Grade
Malindi	3.001	100.00	Very Good
Moyale	3.024	100.00	Very Good
Garsen	3.043	100.00	Very Good
Wajir	3.083	100.00	Very Good
Msambweni	3.121	100.00	Very Good
Mariakani	3.134	100.00	Very Good
Dadaab	3.142	100.00	Very Good
Witu	3.183	100.00	Very Good
Takaba	3.203	99.79	Good
Kilifi	3.245	97.17	Good

2.9.7.2 Hearing and Determination of Matrimonial, Divorce, Succession and Matters of Personal status concluded within 360 days from date of filing – Caseload Category of 100-500 cases

Three Kadhis' courts in this category were able to hear and determine all the divorce and succession cases within 360 days. The 3 courts were Witu, Bungoma and Elwak Kadhis' Courts, which attained 100 per cent on this indicator. Figure 94 illustrates hearing and determination of cases within 360 days for best 10 courts in this category.

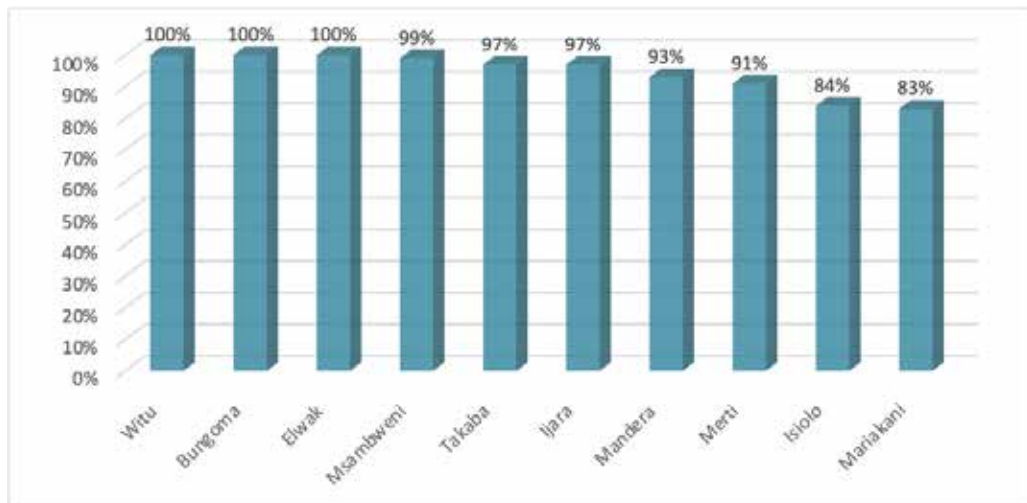


Figure 94: Hearing and Determination of Kadhis' Courts Cases within 360 Days, Caseload Category 100-500 Cases

2.9.7.3 Case Clearance Rate, Kadhis' Courts – Caseload Category of 100-500 cases

Moyale, Kilifi, Witu and Merti Kadhis' court achieved a case clearance rate of over 100 per cent. This is indicative of the courts' abilities to cope with their work load. Overall, ten courts in this category had an achievement of 90 per cent and above on case clearance rate as presented in Figure 95.

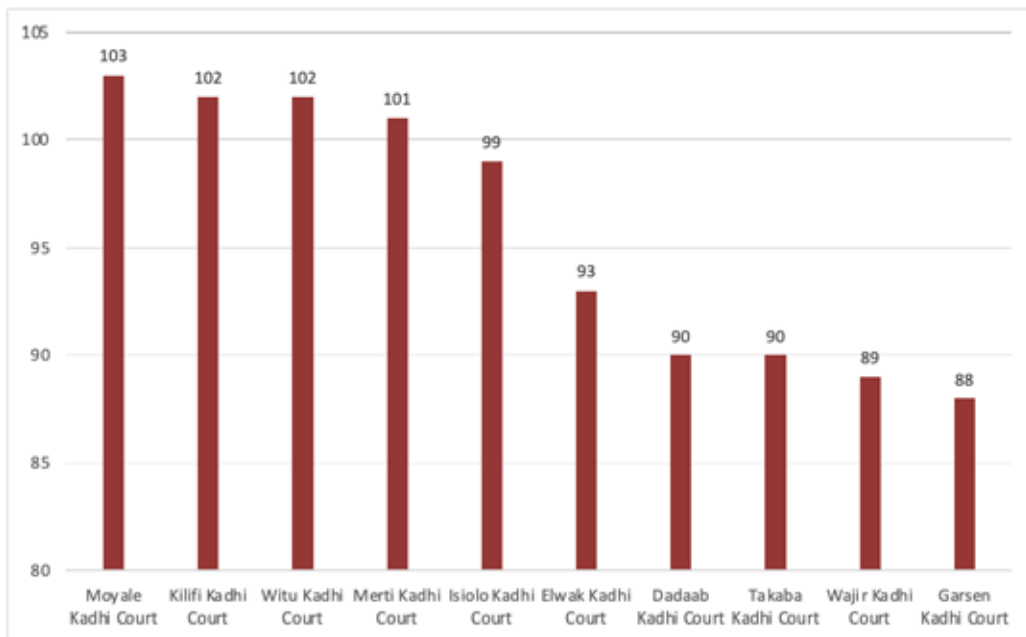


Figure 95: Case Clearance Rate Kadhis' Courts - Category of Caseload 101-500

2.9.7.4 Reduction of Case Backlog, Kadhis' Courts - Caseload Category of 100-500 cases

Eight courts in this category managed to reduce backlog. Malindi Kadhis' court managed to reduce all case backlog, followed by Moyale Kadhis' Court which reduced case backlog by 71 per cent. Case backlog reduction in this category by the best 10 performing courts is as illustrated in Figure 96.

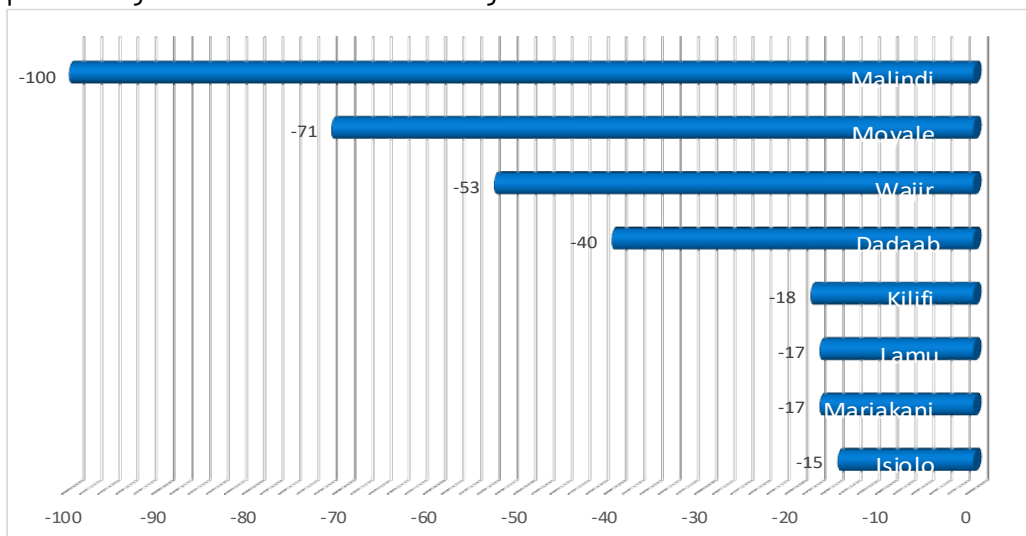


Figure 96: Reduction of Case Backlog- Caseload 100-500

2.9.7.5 Kadhi's Productivity - Caseload Category of 100-500 cases

Isiolo Kadhis' Court had the highest Kadhi's merit productivity in this category with 120 cases, followed by Wajir at 114. Isiolo Kadhis' Court had the highest achievement in Kadhi's other productivity of 178 cases, followed by Wajir Kadhis' Court at 166 cases. Figure 97 illustrates productivity in Kadhis' Courts with a caseload of between 100 and 500 cases.

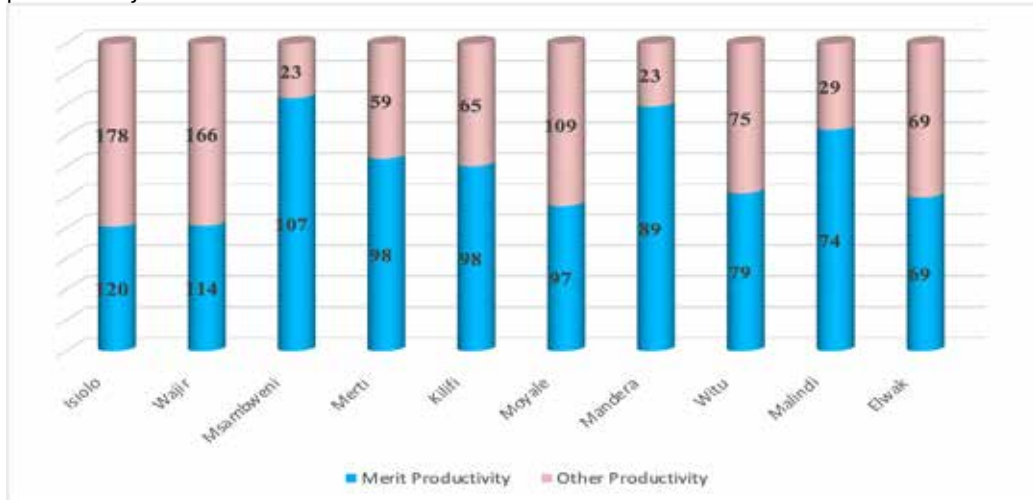


Figure 97: Kadhi's Productivity- Caseload 100-500

2.9.7.6 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of 100-500 cases

More than 10 courts in this category achieved 100 per cent on delivery of judgments and rulings within 60 days of conclusion of the hearing. Table 62 provides the achievement of the Kadhis' courts on delivery of judgments and rulings within 60 days under this category.

Table 62: Delivery of Judgments and Rulings within 60 days of conclusion of Hearing - Kadhis' Courts

Kadhis' Court	Achievement (%)
Wajir	100.00
Isiolo	100.00
Lamu	100.00
Msambweni	100.00
Dadaab	100.00
Kilifi	100.00
Mariakani	100.00
Merti	100.00
Witu	100.00
Malindi	100.00
Takaba	100.00
Bungoma	100.00
Garsen	100.00
Ijara	94.00
Mandera	93.00
Moyale	89.00
Elwak	60.00

2.9.8 Performance of Kadhis' Courts - Caseload Category of 100 Cases and Below

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

There were 24 Kadhis' courts in this caseload category where filed cases were less than 100 representing 52 per cent of all Kadhis courts. The evaluation results indicate that 25 per cent of the courts in this category achieved a performance grade of "Very Good" while 67 per cent had a performance grade of "Good". One court (4%) achieved "Fair" while another court achieved a performance grade of "poor". Figure 98 illustrates the overall performance of courts in this category.

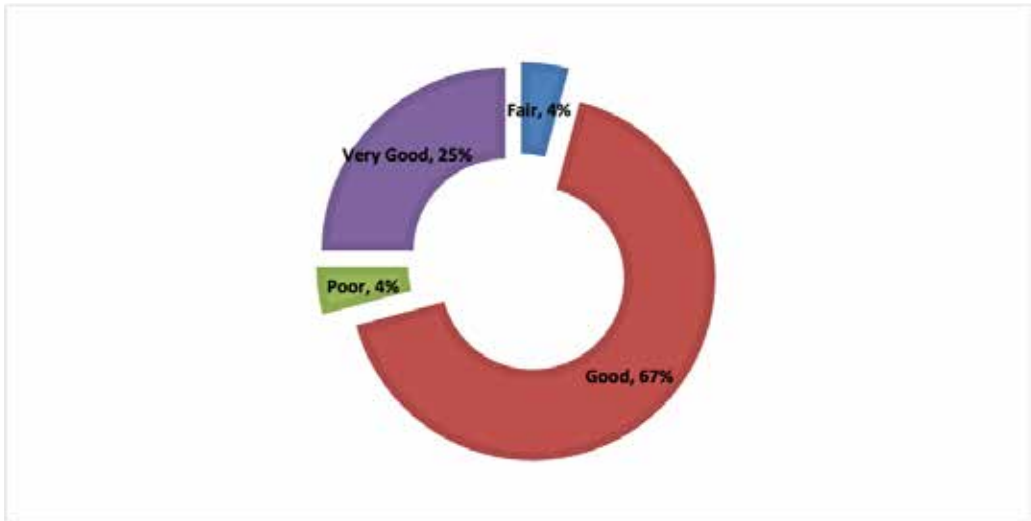


Figure 98: Overall performance of Kadhis' Courts with caseload of Below 100

The best performing Kadhis' court under this category was Voi Kadhis' Courts with 100 per cent achievement and a composite score of 3.015, followed by Kakamega and Bura Fafi Kadhis' Courts also with 100 per cent and 3.104 and 3.126 composite score respectively. Table 63 lists the scores and performance grade of the top ten best performing Kadhis' courts.

Table 63: Overall Performance Caseload Below 100

Kadhis' Court	Composite Score	Performance Score (%)	Performance Grade
Voi	3.015	100.00	Very Good
Kakamega	3.104	100.00	Very Good
Bura Fafi	3.126	100.00	Very Good
Nyeri	3.162	100.00	Very Good
Balambala	3.177	100.00	Very Good
Busia	3.208	100.00	Very Good
Hola	3.217	98.57	Good
Eldoret	3.227	98.00	Good
Kericho	3.250	96.63	Good
Bute	3.313	92.79	Good

2.9.8.2 Hearing and Determination of Matrimonial, Divorce, Succession and Matters of Personal Status concluded within 360 days from date of filing - Caseload Category of 100 cases and below

The best performing Kadhis' Court on hearing and determination of civil cases within 360 days under this category were Vihiga, Homa Bay, Kericho, Busia, Balambala and Bura Fafi, all achieving 100 per cent. The top ten best performing Kadhis' Courts in this category are shown in Figure 99.

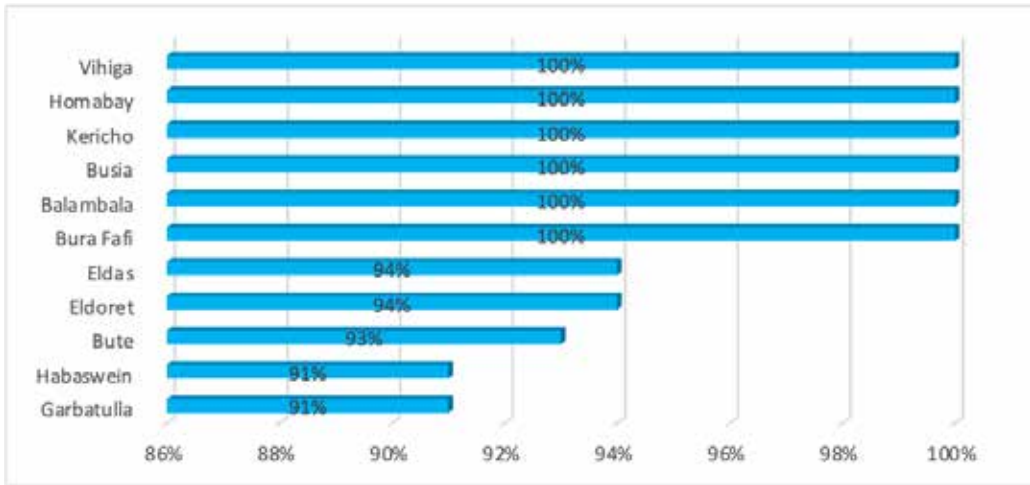


Figure 99: Best Performing Kadhi courts on Hearing and Determination of Civil Cases within 360 days of filing - Caseload Category

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

Modogashe Kadhis' Court, with a case clearance rate of 163 per cent, was the best performing Kadhis' court in this category. Kakamega and Bute Kadhis' Courts came in second and third with a performance score of 114 and 109 per cent respectively. The leading courts in this indicator are illustrated in Figure 100.

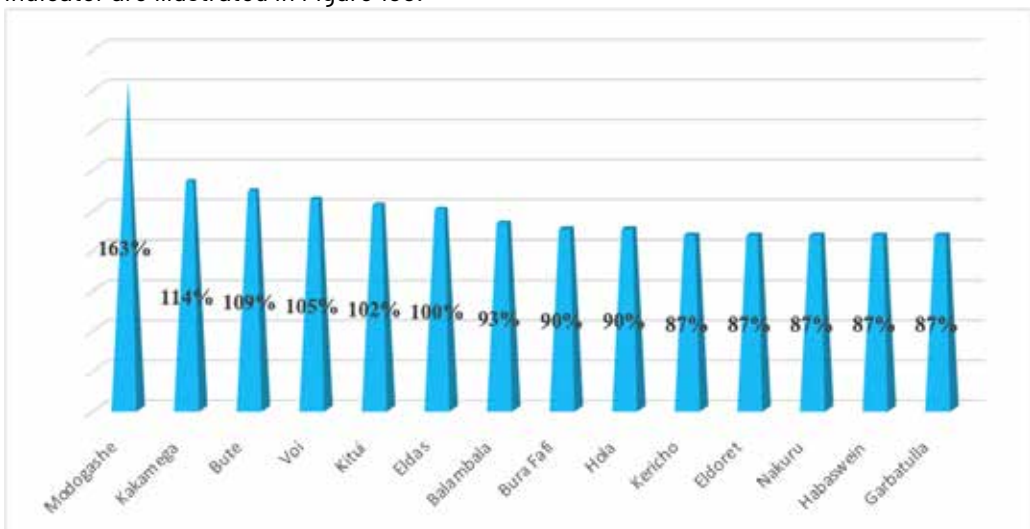


Figure 100: Case Clearance Rate Caseload Below 100

2.9.8.4 Reduction of Case Backlog – Caseload Category of less than 100 cases

Voi and Kakamega Kadhis’ Courts managed to reduce all the case backlog. The best performing courts on reduction of case backlog in this category are displayed in Figure 101.

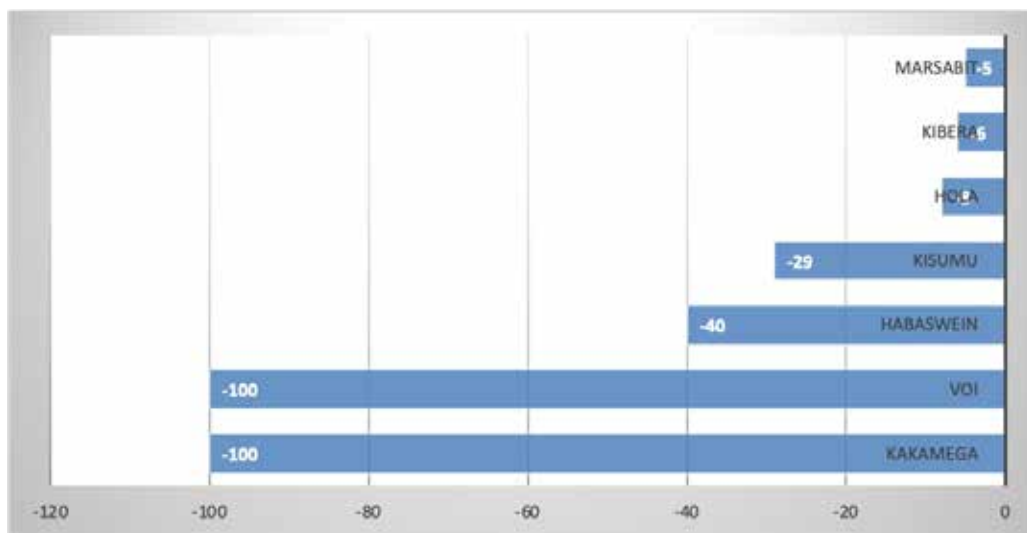


Figure 101: Best Performing Kadhi Courts in Backlog Reduction – Case Category Below 100

2.9.8.5 Kadhi’s Productivity – Caseload Category of 100 cases and below

Voi Kadhis’ Court was the best performing in this category with a merit productivity of 71 cases. This was followed by Garbatulla, Eldoret and Kitui Kadhis’ Courts with a productivity of 46, 37 and 34 cases respectively. On the other hand, Bute Kadhis’ Court had the highest other productivity at 46 cases. The performance of top 10 best performing Kadhis’ Courts on productivity in this category is shown in Figure 102.

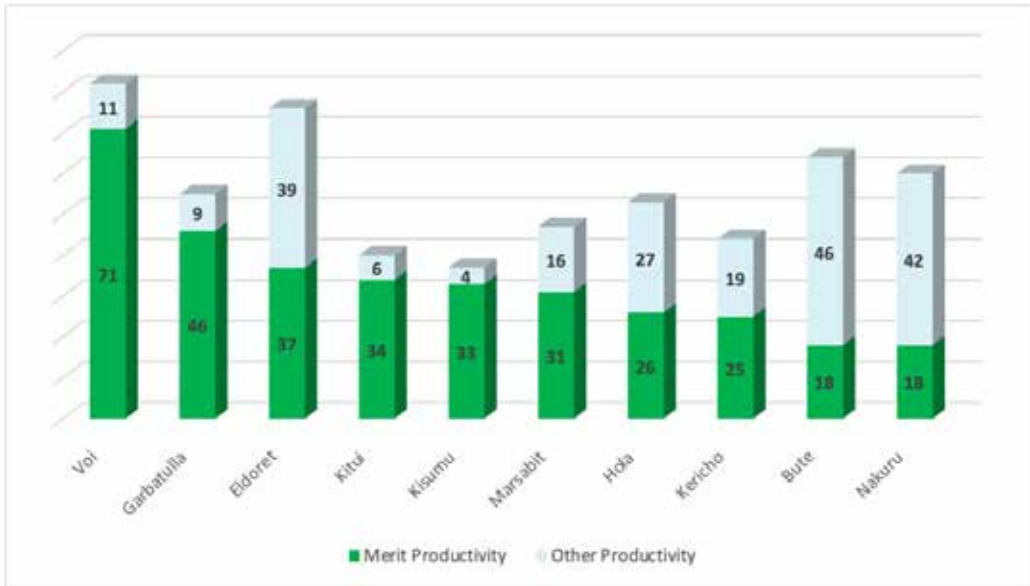


Figure 102: Best performing Kadhis' productivity, Caseload category of 100 and below

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

Courts are required to deliver judgments and ruling within 60 days of conclusion of hearing and final submissions. Kisumu, Marsabit, Kericho, Bute, Kajiado, Bura Fafi and Kakamega Kadhis' court managed to deliver all their judgments within the stipulated time frames. Nyeri, Eldoret and Nakuru Kadhis' Courts achieved 98, 97 and 95 per cent respectively. The results are provided in the figure 103.

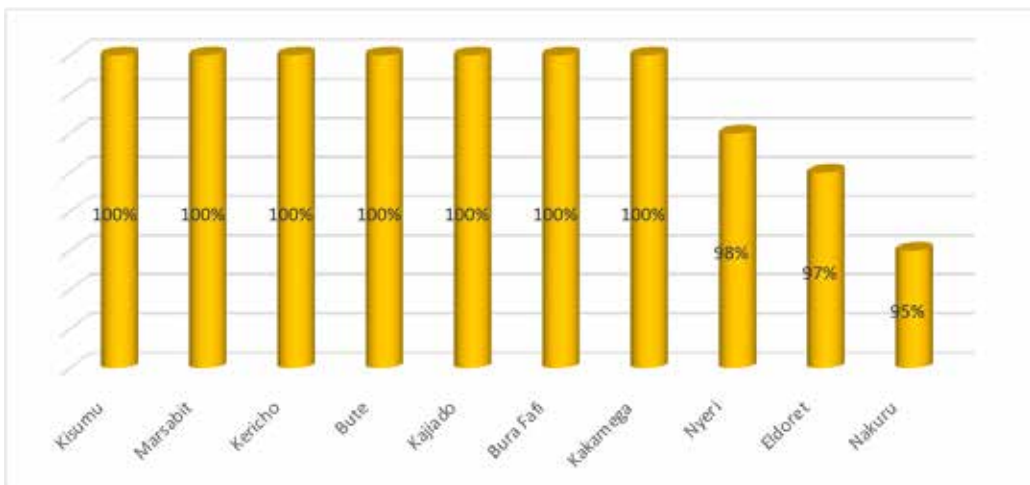


Figure 103: Delivery of judgments and rulings within 60 days of conclusion of Hearing: Kadhis' Courts Caseload category of Below 100 cases

2.10 TRIBUNALS PERFORMANCE

2.10.1 Introduction

Tribunals exercise quasi-judicial functions that augment the mainstream courts in the expeditious administration of justice. In Kenya, Tribunals don't have jurisdiction on criminal matters as provided for in the penal code. During the period under review, 12 Tribunals compared to 13 in the previous period, negotiated and signed PMMUs during the seventh cycle of performance management implementation. These included; Business Premises Rent, the National Environment, the Sports Disputes, the Industrial Property, the Rent Restrictions, the Communication and Multi-Media Appeals, the Micro and Small Enterprises, the Cooperative, the Political Parties Dispute, the HIV/AIDS, the Legal Education Appeals, and the Transport Licensing Board Appeals.

Some of the tribunals' performance indicators that were evaluated included;

- i). Hearing and determination of cases within 360 days of filing
- ii). Case clearance rate
- iii). Reduction of backlog
- iv). No. of cases concluded (Productivity)
- v). Delivery of Judgments/ Rulings within 60 days from date of conclusion of hearing

2.10.2 Overall Performance of Tribunals

The evaluation results indicate that 11 out of 12 Tribunals representing 92 per cent attained "Very Good" performance grade compared to 46 per cent in the preceding year while 1 tribunal (8%) achieved "Good" performance grade as indicated in Figure 104.

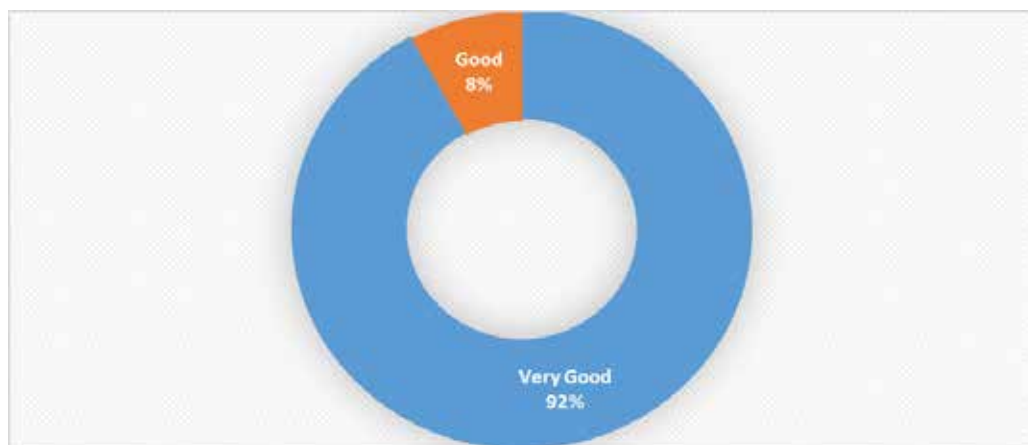


Figure 104 : Overall Performance of Tribunals

2.10.3 Most Improved Tribunal

The Rent Restriction Tribunal was the most improved Tribunal from the previous year with an achievement of 100 per cent up from 70.55 per cent. This was an improvement of 29.45 per cent. It was followed by Communications and Multimedia Appeals Tribunal and Business Premises Rent Tribunal at 19.15 and 11.28 per cent respectively. Table 64 provides the performance improvement of the Tribunals.

Table 64: Most Improved Tribunals

Tribunal	Performance Score 2020/21 (%)	Performance Score 2021/22 (%)	Performance Grade 2021/22	Improvement (%)
Rent Restriction	70.55	100.00	Very Good	29.45
Communications and Multimedia Appeals	80.85	100.00	Very Good	19.15
Business Premises Rent	88.72	100.00	Very Good	11.28
Micro and Small Enterprises	96.72	100.00	Very Good	3.28
Transport Licensing Appeals Board	100.00	100.00	Very Good	0.00
Sports Disputes	100.00	100.00	Very Good	0.00
Political Parties Disputes	100.00	100.00	Very Good	0.00
HIV and AIDS	100.00	100.00	Very Good	0.00
Legal Education Appeals	100.00	100.00	Very Good	0.00
Co-operative	100.00	100.00	Very Good	0.00
National Environment	100.00	100.00	Very Good	0.00
Industrial Property	98.63	96.273	Good	-2.36

The tribunals were classified into two categories based on the filed cases for in depth analysis and presentation of results. These included;

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

2.10.4 Tribunals with Caseload Category of Above 500 Filed Cases

2.10.4.1 Overall Performance of Tribunals with Caseload Category of over 500 Cases

There were 3 Tribunals in this category which included; The Rent Restriction, Business Premises Rent and the Co-operative Tribunal. All the 3 Tribunals in this category achieved a performance score of 100 per cent with the Rent Restriction Tribunal being the best performing with a composite score of 2.793 as shown in Table 65.

Table 65: Overall Performance of Tribunals- Caseload Category of over 500 cases

Tribunal	Composite Score	Performance Score (%)	Performance Grade
Rent Restriction	2.79	100.00	Very Good
Business Premises Rent	2.87	100.00	Very Good
Co-operative	3.14	100.00	Very Good

2.10.4.2 Performance of Tribunals on Hearing and Determination of Filed Cases within 360 days of filing, Caseload Category of above 500 Cases

Both the Rent Restriction and Business Premises Rent Tribunals achieved 90 per cent on hearing and determination of filed cases within 360 days while the Cooperatives Tribunal scored 50 per cent as shown in Figure 105

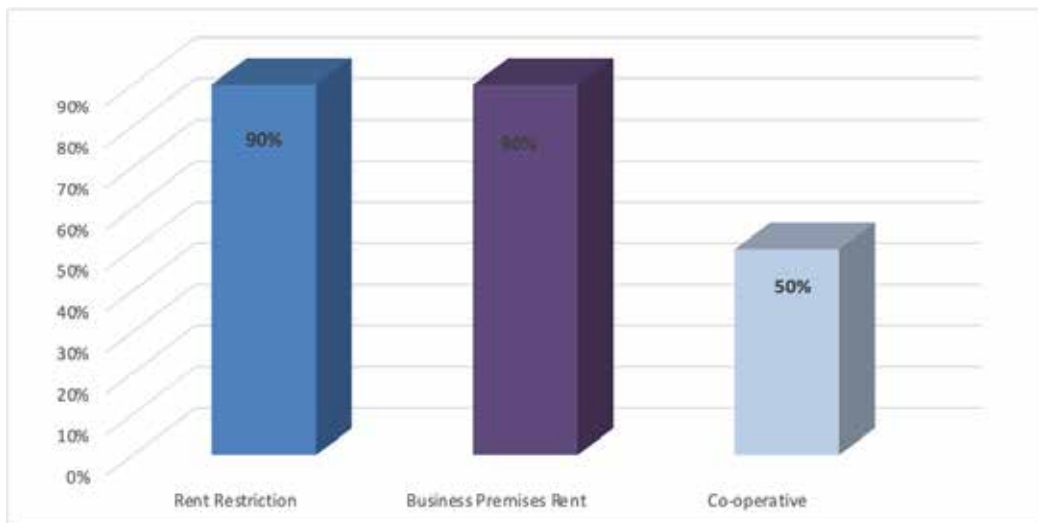


Figure 105 : Performance of Tribunals on Hearing and Determination of Filed Cases within 360 days of filing, Caseload Category of above 500 Cases

2.10.4.3 Performance of Tribunals on Case Clearance Rate, Caseload Category of over 500 Cases

The Business Premises Rent Tribunal was the best performing on case clearance rate under this category with an achievement of 215 per cent, followed by the Cooperative Tribunal with a score of 178 per cent and Rent Restriction Tribunal with 72 per cent. Table 66 presents the achievement of the 3 Tribunals.

Table 66: Performance of Tribunals on Case Clearance Rate

Tribunal	Achievements(%)
Business Premises Rent	215.00
Co-operative	178.00
Rent Restriction	72.00

2.10.4.4 Performance of Tribunals on Case Backlog Reduction, Caseload Category of over 500 Cases

All the Tribunals in this category managed to reduce case backlog with the Business Premises Rent Tribunal reducing case backlog by 53 per cent while the Co-operative and Rent Restriction Tribunals reducing case backlog by 10 and 5 per cent respectively as shown in Table 67.

Table 67: Performance of Tribunals on Case Backlog Reduction

Tribunal	Achievement (%)
Business Premises Rent Tribunal	-53.00
Co-operative Tribunal	-10.00
Rent Restriction Tribunal	-5.00

2.10.4.5 Performance of Tribunals on Productivity -Caseload Category of over 500 Cases

Business Premises Rent Tribunal emerged the best-performing on productivity in this category by achieving a productivity of 4,859 cases followed by Rent Restriction and Co-operative Tribunal with 1,618 and 1,548 cases respectively as shown in Figure 89

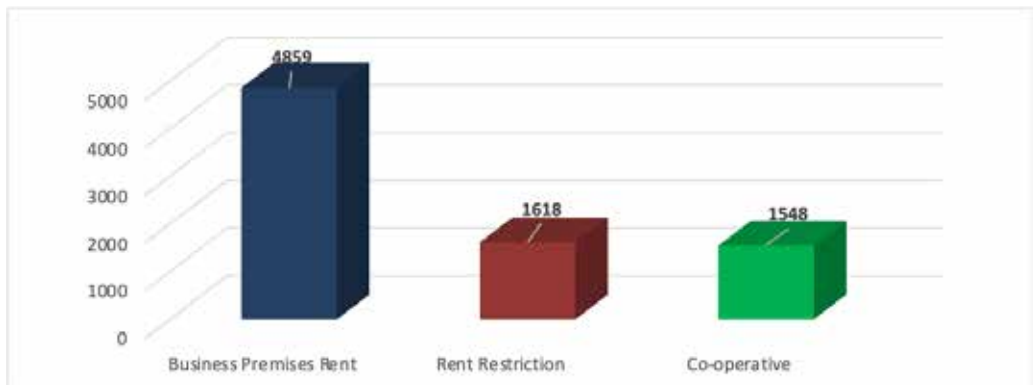


Figure 106 : Performance of Tribunals on Productivity Caseload Category of over 500 Cases

2.10.4.6 Performance of Tribunals on Delivery of Judgments/Rulings within 60days from date of conclusion of Hearing-Caseload Category of over 500 Cases

Under this category, Rent Restriction Tribunal delivered 76 per cent of the judgments and rulings within 60 days followed by Business Premises Rent Tribunal and Co-operative Tribunals at 75 and 33 per cent respectively as shown in Table 68.

Table 68: Performance of Tribunals on Delivery of Judgements/Rulings

Tribunal	Achievements(%)
Rent Restriction	76.00
Business Premises Rent	75.00
Co-operative	33.00

2.10.5 Tribunals with Caseload Category of 500 Filed Cases and Below

2.10.5.1 Overall performance of Tribunals with Caseload Category of 500 Cases and below

There were nine (9) Tribunals in this category with the Transport Licensing Appeals Board Tribunal emerging the best with 100 per cent achievement and a composite score of 2.630. The Sports Disputes and Communications and Multimedia Appeals Tribunals also with 100 percent achieved composite scores of 2.660 and 2.792 and emerged second and third respectively. The Overall performance of the 9 Tribunals in this category are presented in Table 69.

Table 69: Overall Performance of Tribunals with Caseload Category of 500 Cases and below

Tribunal	Composite Score	Performance Score (%)	Performance Grade
Transport Licensing Appeals Board	2.63	100.00	Very Good
Sports Disputes	2.66	100.00	Very Good
Communications and Multimedia Appeals	2.79	100.00	Very Good
Political Parties Disputes	2.87	100.00	Very Good
Micro and Small Enterprise	2.90	100.00	Very Good
HIV and AIDS	2.91	100.00	Very Good
Legal Education Appeals	3.07	100.00	Very Good
National Environment	3.14	100.00	Very Good
Industrial Property	3.25	96.27	Good

2.10.5.2 Performance of Tribunals on Hearing and Determining of Filed Cases within 360 days of filing, Caseload Category of 500 Cases and below

Five (5) out of nine Tribunals in this category achieved 100 per cent in Hearing and Determination of cases within 360 days of filing. These included; Micro and Small Enterprise; Legal Education Appeals; HIV and AIDS; Sports Disputes and Political Parties Disputes Tribunals . The other Tribunals including Transport Licensing Appeals Board; Industrial Property and the National Environment Tribunals achieved 90 per cent, 67 per cent and 58 per cent respectively. The achievement of the Tribunals on this indicator are as shown in Figure 107.

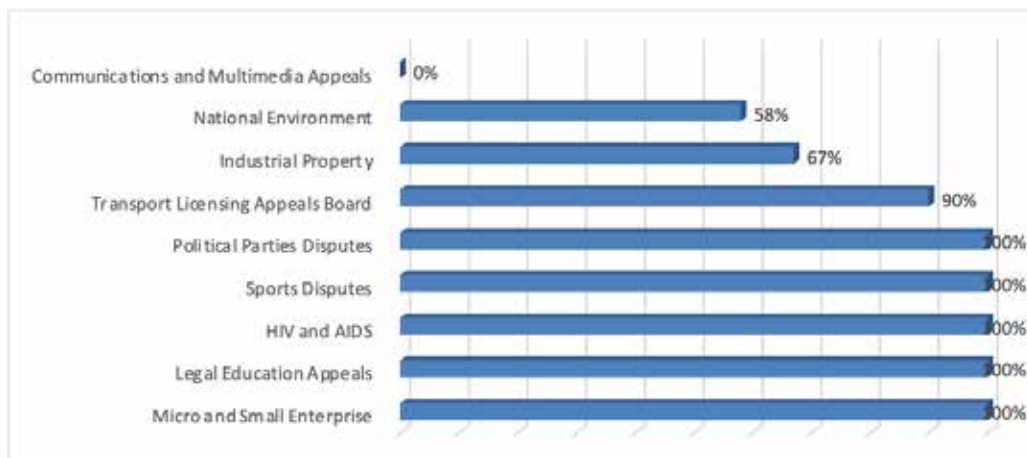


Figure 107 : Performance of Tribunals on Hearing and Determining of Filed Cases within 360 days of filing, Caseload Category of 500 Cases and below

2.10.5.3 Performance of Tribunals on Case Clearance Rate, Caseload Category of 500 Cases and below

The Micro and Small Enterprise Tribunal was the best with a case clearance rate of 443 per cent under this category followed by the Communications and Multimedia Appeals Tribunals with a case clearance rate of 250 per cent and the Political Parties Disputes Tribunal emerged 3rd with a score of 215 per cent. Figure 91 presents the achievement of the tribunals in this indicator.

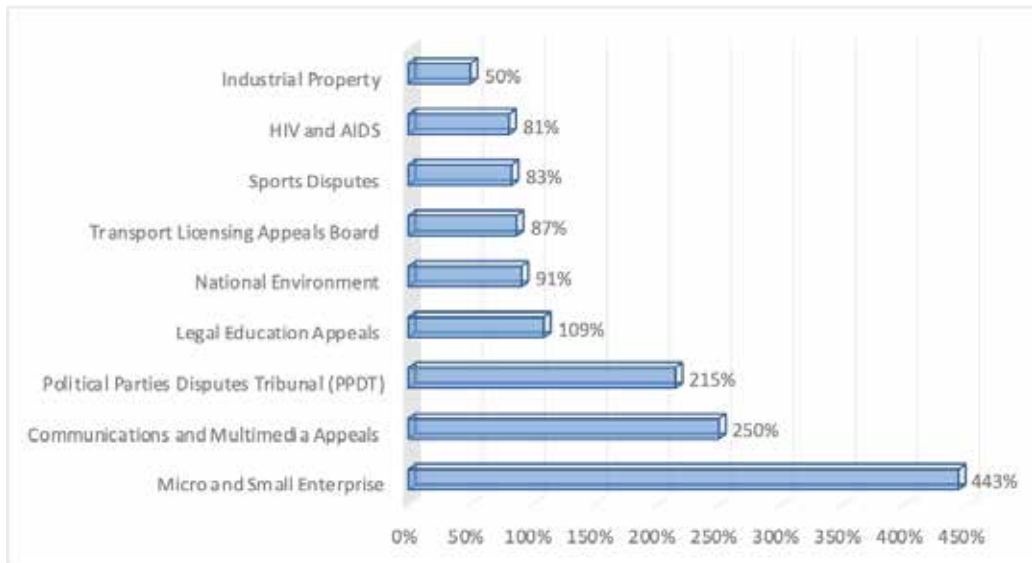


Figure 108 : Performance of Tribunals on Case Clearance Rate, Caseload Category of 500 Cases and below

2.10.5.4 Performance of Tribunals on Case Backlog Reduction, Caseload Category of 500 Cases and below

All the Tribunals in this category reduced their respective case backlog with four (4) Tribunals achieving 100per cent. These include Communications and Multimedia Appeals; Micro and Small Enterprises; HIV and AIDS; and Political Parties Disputes. The other remaining 5 reduced backlog in varying levels as shown in Table 70.

Table 70: Performance of Tribunals on Case Backlog Reduction

Tribunal	Backlog Reductions (%)
Communications and Multimedia Appeals	-100.00
Micro and Small Enterprise	-100.00
HIV and AIDS	-100.00
Political Parties Disputes	-100.00
National Environment	-53.00
Transport Licensing Appeals Board	-50.00
Sports Disputes	-40.00
Industrial Property	-21.00

2.10.5.5 Performance of Tribunals on Productivity Caseload Category of 500 Cases and below

The Political Parties Disputes Tribunal was the best performing Tribunal on productivity under this category achieving a productivity of 252 cases, followed by the Sports Dispute Tribunal with 45 cases and Legal Education Appeals Tribunal with a productivity of 36 cases. The high productivity in the Political Parties Disputes Tribunal may be attributed to the electioneering period which resulted in many disputes being resolved within a short period of time. The achievements of these tribunals on productivity in this category is presented in Table 71.

Table 71: Performance of Tribunals on Productivity Caseload of 500 Cases and below

Tribunal	Achievement (Cases)
Political Parties Disputes	252
Sports Disputes	45
Legal Education Appeals	36
HIV and AIDS	34
Micro and Small Enterprise	31
Transport Licensing Appeals Board	26
National Environment	21
Communications and Multimedia Appeals	5
Industrial Property	2

2.10.5.6 Performance of Tribunals on Delivery of Judgments/Rulings within 60 days from date of conclusion of the hearing- Caseload Category of 500 Cases and below

Four (4) Tribunals including Micro and Small Enterprise; Transport Licensing Appeals Board; HIV and AIDS; Political Parties Disputes achieved 100 per cent on delivery of judgments and rulings within 60 days from the conclusion of the hearing. The performance of Tribunals in this category on this indicator is shown in Table 72.

Table 72: Performance of Tribunals on Delivery of Judgments/Rulings

Tribunal	Achievements(%)
Micro and Small Enterprise	100.00
Transport Licensing Appeals Board	100.00
HIV and AIDS	100.00
Political Parties Disputes	100.00
Sports Disputes	91.00
Legal Education Appeals	80.00
National Environment	70.00
Industrial Property	67.00
Communications and Multimedia Appeals	0.00

CHAPTER THREE: PERFORMANCE OF ADMINISTRATIVE UNITS

3.0 Introduction

The administrative units consist of the Office of the Chief Registrar, Judiciary Ombudsman, Kenya Judiciary Academy, 8 offices of the Registrars and 10 Directorates. These units play a facilitative and enabling role to the courts and Tribunals in their duty of disputes resolution.

3.1 Office of the Chief Registrar of the Judiciary

The Office of Chief Registrar is the administrative arm of the Judiciary. It is in charge of overseeing and facilitating the Judiciary's operations and duties, including managing its budget, personnel and resources.

The OCRJ commitments were evaluated against the objectives established during the review period, and the results show that the office achieved a performance grade of "Very Good" with a performance score of 100 per cent up from 95 per cent attained in 2020/21. This represents a 5 per cent increase over the previous year. The performance trend is shown in Table 73.

Table 73: Trend of OCRJ performance

Perspective	2019/2020	2020/2021	2021/2022	
	Performance score (%)	Performance score (%)	Performance score (%)	Perform grade
Core business	100.00	100.00	100.00	Very good
Financial perspective	100.00	100.00	100.00	Very good
Customer perspective	100.00	100.00	100.00	Very good
Innovation & learning	81.00	35.19	100.00	Very good
Internal Process	100.00	97.00	100.00	Very good
Overall	100.00	95.00	100.00	Very good

During the review period, OCRJ made considerable progress toward its goals and objectives. Under its Core mandate, the office had 15 key indicators. Ten critical performance indicators were met 100 per cent, including facilitating courts in interventions for expeditious disposal of cases, increased accountability in revenue management, and improved registrar and directorate performance. Table 74 highlights the performance of OCRJ under core mandate.

Table 74: OCRJ Core mandate performance

Indicator	Performance (%)	Performance Grade
Access to Justice	95.00	Very good
Expeditious Disposal of Court Cases	100.00	Very good
Improve the services offered at the Advocates Section	100.00	Very good
Operationalise the Sexual Offenders Register	100.00	Very good
Development of court infrastructure	84.00	Good
Improved employee levels and capacity	100.00	Very good
Increase funding for Judiciary	80.00	Good
Improve budget absorption rate	94.00	Very good
Enhanced Accountability in Revenue Management	100.00	Very good
Compliance with Public Procurement Regulations	100.00	Very good
Timely approval of funding/budget request and programmes/activities	100.00	Very good
Improved Project Completion rate and timelines	100.00	Very good
Compliance with audit recommendations	100.00	Very good
Improvement of Performance of Registrars and Directorates	100.00	Very good
Policy development and implementation	88.00	Good

3.2 Performance of Offices of Registrars

The Registrars' Offices in the Judiciary are responsible for maintaining and managing the court records, handling court fees and fines, managing court orders, issuing court processes and providing administrative support to the Judiciary.

Eight offices of Registrars set targets and signed 2021/2022 PMMUs. The results show that all the Offices achieved a performance of 100 per cent.

The best performing of office was the Registrar High Court with an achievement of 2.917 composite score with a "Very Good" performance grade followed by Registrar Court Appeal at 3.056 and Registrar ELRC at 3.007. Table 75 shows the detailed trend of performance of the Offices of Registrars.

Table 75: Overall performance, Offices of Registrars

Office of Registrar	2019/20	2020/21	2021/22		
	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
High Court	100.00	92.42	2.917	100.00	Very Good
Court of Appeal	98.00	96.66	3.056	100.00	Very Good
Employment and Labour Relations Court	100.00	97.65	3.007	100.00	Very Good
Magistrates' Courts	100.00	100.00	3.079	100.00	Very Good
Small Claims Court	-	-	3.075	100.00	Very Good
Tribunals	100.00	90.38	3.077	100.00	Very Good
Supreme Court	98.00	100.00	3.100	100.00	Very Good
Environment and Land Court	92.00	90.88	3.124	100.00	Very Good
All Registrars	98.53	95.68	3.055	100.00	Very Good

3.2.1. Core Mandate

The core mandate indicators for the registrars include; Access to Justice, Court Infrastructure, Expeditious Disposal of Cases, Court Files Integrity and Trial and Delivery Date Certainty.

The PMMUs assessment results show that all Registrars performed well under the core mandate perspective. Overall, the performance improved by 23 per cent compared to the previous period. The Office of the Registrar High Court had the highest weighted score of 2.671 on core mandate, followed by Registrar Magistrates' Courts at 2.880. Table 76 details the Registrars' Offices Core mandate achievements.

Table 76: Registrars Core mandate Performance

Office of Registrar	Performance score (%)	Performance score (%)	2021/2022		
	2019/2020	2020/2021	Composite Score	Performance score (%)	Performance Grade
High Court	100.00	85.40	2.776	100.00	Very good
Magistrates Courts	99.00	90.60	2.8817	100.00	Very good
Small Claims Court			2.99	100.00	Very good
Environment and Land Court	100.00	92.80	3.001	100.00	Very good
Tribunals	100.00	77.50	3.01	100.00	Very good
Supreme Court	100.00	95.50	3.01	100.00	Very good
Court of Appeal	95.00	96.66	3.02	100.00	Very good
Employment and Labour Relations Court	100.00	93.70	3.03	100.00	Very good
All registrars	99.00	77	2.964	100.00	Very good

3.2.2. Access to Justice

On Access to Justice, the Registrars undertook to support reviewing court fees, facilitating court circuits and mobile courts, reviewing of rules and procedures, equitable distribution of officers and staff, support case backlog reduction strategies, facilitate Alternative Dispute Resolution and Court Annexed Mediation among others. The performance evaluation report shows that all the Registrars achieved 100 per cent with a performance grade of “Very good”.

Table 77: Registrars access to Justice performance

Office of Registrar	Performance score (%)	Performance score (%)	2021/2022		
	2019/2020	2020/2021	Composite Score	Performance score (%)	Performance Grade
Supreme Court	88.00	100.00	3.000	100.00	Very Good
High Court	100.00	97.00	3.097	100.00	Very Good
Employment and Labour Relations Court	100.00	100.00	3.002	100.00	Very Good
Environment and Land Court	100.00	95.00	3.000	100.00	Very Good
Magistrates' Courts	100.00	100.00	3.053	100.00	Very Good
Tribunals	100.00	79.00	3.023	100.00	Very Good
Court of Appeal	100.00	100.00	3.034	100.00	Very Good
Small Claims Court	N/A	N/A	3.000	100.00	Very Good

3.2.3. Court Infrastructure

Registrars facilitate courts in providing basic infrastructure facilities to enhance the efficient and effective administration of justice. These include court rooms, chambers, offices and other equipment. The Registrars' Offices committed to supporting the review/development of case management tools, the construction of buildings and equipping of courts. The evaluation results of the performance on court infrastructure are highlighted in Table 78.

Table 78: Registrars Court Infrastructure performance

Office of Registrar	2019/2020	2020/2021	2021/2022		
			Composite Score	Performance Score (%)	Performance Grade
High Court	100.00	100.00	3.000	100.00	Very Good
Employment and Labour Relations Court	100.00	100.00	3.000	100.00	Very Good
Environment and Land Court	100.00	100.00	3.000	100.00	Very Good
Tribunals	100.00	100.00	3.000	100.00	Very Good
Court of Appeal	100.00	81.00	3.000	100.00	Very Good
Small Claims Court	N/A	N/A	3.000	100.00	Very Good
Supreme Court	100.00	100.00	3.000	100.00	Very Good
Magistrates Courts	100.00	96.00	3.060	100.00	Very Good

3.2.4. Expeditious Disposal of Justice

The Registrars' Offices play an important part in expediting the administration of justice. During the review time, Registrars committed to assisting with the implementation of a case management system, reduction of case backlog through service weeks, justice at last, ADR, and CAM. All the Registrars achieved a performance grade of "Very Good" with Registrar High Court being the best by achieving 118 per cent with an overall weighted score of 2.04 followed by Registrar Magistrates' courts with 110 per cent and a weighted score of 2.3. The performance of all the registrars is shown in Table 79.

Table 79: Offices of the Registrars performance on Expeditious Disposal of Cases

Office of Registrar	2019/2020	2020/2021	2021/2022		
			Composite Score	Performance Score (%)	Performance Grade
High Court	84.00	100.00	2.040	118.00	Very Good
Magistrates Courts	81.00	50.00	2.300	110.00	Excellent
Supreme Court	92.00	73.00	3.000	100.00	Very Good
Employment and Labour Relations Court	99.00	50.00	3.000	100.00	Very Good
Environment and Land Court	98.00	100.00	3.000	100.00	Very Good
Tribunals	75.00	100.00	3.000	100.00	Very Good
Court of Appeal	65.00	100.00	3.000	100.00	Very Good
Small Claims Court	N/A	N/A	3.000	100.00	Very Good

3.2.5. Court File Integrity

The indicator on court file integrity focuses on judicial records management, file retrieval, file content reliability and file organization and completeness. The Registrars’ Offices committed to ensuring that courts follow registry manual procedures by conducting trainings, colour coding, indexing, updating records and keeping files for various matters among other targets. Seven of the Registrars achieved a performance grade of “Very Good” as shown on Table 80.

Table 80: Offices of the Registrars’ Performance on Court File Integrity

Office of Registrar	2019/2020	2020/2021	2021/2022		
			Composite Score	Performance Score (%)	Performance Grade
Supreme Court	100.00	100.00	3.000	100.00	Very Good
High Court	100.00	100.00	3.000	100.00	Very Good
Employment and Labour Relations Court	100.00	100.00	3.000	100.00	Very Good
Tribunals	100.00	100.00	3.000	100.00	Very Good
Court of Appeal	100.00	94.08	3.000	100.00	Very Good
Small Claims Court	N/A	N/A	3.095	100.00	Very Good
Environment and Land Court	100.00	87.31	3.200	100.00	Very Good
Magistrates’ Courts	100.00	100.00	3.346	91.00	Good

3.2.6. Performance in Other Perspectives

The other perspectives evaluated included Finance, customer, innovation, learning and internal process. Financial indicators required registrars to guarantee budget compliance, use of funds in accordance with annual work plans and compliance with financial and accounting regulations and processes. Registrars were tasked to increase court users’ and customers’ satisfaction indexes by assisting courts in the establishment of customer care desks, training employees on customer care and implementing court user recommendations.

Registrars focused on improving employees’ capacity and ability to improve their performance, as well as devising and implementing innovative practices that enhance the expeditious delivery of justice in courts and administrative units. The registrars were required to assist in providing training to court staff and judicial officials to improve their skills and ensure courts develop new ways of providing services. On internal process, registrars were to improve the working environment and other internal work processes that motivate employees at the workplace, such as work environment improvement, employee satisfaction and wellness, drug and alcohol abuse prevention, gender mainstreaming, and corruption eradication.

The indicators were evaluated against the signed PMMUs targets, and Table 81 provides achievements on the financial, customer, innovation and learning, and internal process indicators' performance and the results show that most of them need to improve on the innovation and learning indicator.

Table 81: Registrars Other perspective performance

Office of Registrar	Performance (%) - Finance	Performance (%) - Customer	Performance (%) -Innovation	Performance (%) -Internal
Supreme Court	100.00	100.00	42.24	100.00
High Court	100.00	100.00	62.31	100.00
Employment and Labour Relations Court	100.00	76.76	100.00	100.00
Environment and Land Court	100.00	94.45	62.31	100.00
Magistrates' Courts	100.00	100.00	42.24	100.00
Tribunals	100.00	100.00	75.00	100.00
Court of Appeal	100.00	100.00	100.00	100.00
Small Claims Court	100.00	87.31	87.31	100.00

3.3 Performance of Semi-Autonomous Judiciary Agencies

3.3.1 Kenya Judiciary Academy

The Kenya Judiciary Academy (KJA) is an institution established to provide training and professional development of judges and judicial officers. It is established under the Judiciary Training Institute Act, 2012.

The academy's main responsibility is creating and delivering training courses for judges, magistrates, and other judicial officers. These courses cover a broad range of subjects, such as leadership, ethics, case management and contemporary legal education. The KJA also conducts research and publishes reports on Kenya's judicial system issues and jurisprudence.

The overall performance shows a favourable trend in the academy's performance from 2019/2020 to 2020/2021, with scores remaining constant at 100 per cent. However, the Academy's performance declined in 2021/2022 with a performance score of 81 per cent from 100 per cent recorded in the previous year. The performance of key perspectives is highlighted in Table 82.

Table 82: KJA Overall Performance

Perspective	Performance score (%) 2019/2020	Performance score (%) 2020/2021	2021/2022		
			Composite score	Perform score (%)	Perform grade
Core Mandate	100.00	100.00	3.536	79.00	Good
Financial perspective	100.00	100.00	3.535	100.00	Very good
Customer perspective	100.00	100.00	3.200	100.00	Very good
Innovation & learning	37.00	81.00	4.000	50.00	Fair
Internal Process	100.00	100.00	3.360	90.00	Good
Overall	100.00	100.00	3.509	81.00	Good

3.3.2 The KJA performance on Core Mandate

KJA attained an average performance score of 79 per cent and a performance grade of "Very Good" on the indicators under core mandate as illustrated on Table 83.

Table 83: KJA performance on Core mandate

Indicator	Performance (%)	Performance Grade
Develop course specific training curricula and manuals in line with KJA curriculum	0.00	Poor
Develop annual training master calendar	95.00	Very good
Operationalize the e-learning platform for training modules	100.00	Very good
Develop self-paced learning modules for the e-learning platform	0.00	Poor
Implement the master calendar	100.00	Very good
Hold Annual colloquia for Judges and Judicial officers	100.00	Very good
Monitor and evaluate training programs	60.00	Fair
Finalize Development of Partnership and Linkages Policy	100.00	Very good
Finalize development of Methodology for Training of Judicial Trainers	75.00	Good
Finalize development of Trainings Monitoring and Evaluation Framework	75.00	Good
Develop Curriculum for Training at KJA	80.00	Good
Finalize development of Judicial Performance Evaluation Tool (JPE)	50.00	Fair
Maintenance Strengthening of Partnerships and Linkages	100.00	Very good
Coordinate implementation of Performance Management Systems	100.00	Very good
Development of ERP System and ICT Policy at KJA	80.00	Good

3.3.3 Office of Judiciary Ombudsman

During the financial year under review, the Ombudsman’s Office negotiated and signed a PMMU with an agreement to implement programs and interventions aimed at meeting the targets of addressing various complaints aimed at improving service delivery. The Office achieved a performance score of 100 per cent with a performance grade of “Very Good”. This is an improvement over the previous year when it attained 99.6 per cent. Table 84 shows the office’s performance trend and achievements for the last 3 years.

Table 84: OJO Overall Performance Trend

Perspective	Performance score 2019/2020	Performance score 2020/2021	2021/2022		
			Composite score	Performance score (%)	Performance grade
Core Mandate	74.00	97.00	3.198	100.00	Very good
Financial perspective	85.00	100.00	3.030	100.00	Very good
Customer perspective	100.00	71.00	4.000	50.00	Fair
Innovation & learning	62.00	100.00	3.000	100.00	Very good
Internal Process	50.00	100.00	3.000	100.00	Very good
Overall	76.00	99.60	3.191	100.00	Very good

3.3.4 OJO Performance on Core mandate

The Office of the Judiciary Ombudsman attained 100 per cent on core mandate indicators which was an improvement from 97 per cent achieved in the previous year as shown in Table 85.

Table 85: OJO Core Mandate Performance

Indicator	Percentage Performance	Performance Grade
Reported Missing court files actioned – percentage of reported missing court files addressed.	96.00	Very good
Reported cannibalized court files actioned – percentage of report cannibalized court files addressed.	100.00	Very good
Reported corruption cases actioned Percentage of reported corruption cases actioned.	100.00	Very good
Reported Delayed Judgments actioned- Percentage of reported delayed judgments and rulings delivered/ referred to JSC for further action.	100.00	Very good
Report delayed cash bail refunds actioned -Percentage_ of reported delayed cash bails addressed.	80.00	Good
Reported delayed orders actioned- Percentage of reported delayed orders addressed.	95.00	Very good
Reported complaints on slow service and poor service actioned– Percentage of reported complaints on slow services resolved.	77.00	Good
Reported delay payments to suppliers– Percentage of reported. delayed payments to suppliers addressed.	100.00	Very good
Reported Internal Judiciary Complaints actioned– Percentage of reported internal judiciary complaints resolved	81.00	Good
Improve the success rate of solving complaints	36.67	Poor
Assessment Of courts compliance in dealing with mal administration of justice	100.00	Very good
Public Engagement and Sensitization	100.00	Very good
Timely communication of complaints resolutions / recommendations	100.00	Very good

3.4 Performance of Directorates

3.4.1 Overall Performance of Directorates and Departments

The 2021/2022 PMMUs were signed and implemented by a total of 10 Directorates and Administrative Units. The overall performance score for the Directorates was 92.66 per cent, with a performance grade of “Good,” which was an increase from 89.71 per cent attained in 2020/2021. The best performing Directorate was Supply Chain Management, which achieved 100 per cent with a performance grade “Very Good” and composite score of 3.067 followed by Internal Audit & Risk Management, which also attained 100 per cent with a composite score of 3.1. Table 86 summarizes the Directorates’ performance.

Table 86: Overall Performance of Directorates and Departments

Directorate	2018/19	2019/20	2020/21	2021/2022		
				Composite Score	Performance score (%)	Performance Grade
Supply Chain Management	100.00	100.00	100.00	3.090	100.00	Very Good
Internal Audit & Risk Mgt	100.00	100.00	94.00	3.100	100.00	Very Good
Public Affairs & Communication	100.00	100.00	100.00	3.142	100.00	Very Good
Finance and Accounts	-	100	100.00	3.169	100.00	Very Good
Human Resource & Administration	72.00	97.71	96.54	3.199	100.00	Very Good
Administration and security service	-	86.57	100.00	3.232	97.63	Good
Building Services	98	85.34	59.72	3.455	85.98	Good
Library Services	100.00	99.06	61.00	3.511	80.94	Good
Information & Comm. Technology	90.00	73.32	73.14	3.969	50.43	Fair
All Directorates	73.33	93.56	89.71	3.295	92.66	Good

3.4.2 Directorates’ Performance on Core Mandate

The performance on the core mandate show that 5 Directorates attained “Very Good” performance grade, 3 attained “Good” while 1 recorded “Fair”. The Internal Audit & Risk Management was the best performing Directorate on core mandate with 100 per cent achievement and a composite score of 3.00. The performance of the Directorates on the core mandate is shown in Table 87.

Table 87 : Directorates' Performance on Core Mandate

Directorate	Performance Score (%) 2018/2019	Performance Score (%) 2019/2020	Performance Score (%) 2020/2021	2021/2022		
				Composite Score (%)	Performance Score (%)	Performance Grade
Internal Audit & Risk Management	100.00	100.00	97.00	3.00	100.00	Very Good
Finance and Accounts	-	100.00	100.00	3.01	100.00	Very Good
Supply Chain Management	100.00	100.00	100.00	3.02	100.00	Very Good
Public Affairs & Communication	92.00	100.00	100.00	3.06	100.00	Very Good
Administration and security service	-	100.00	100.00	3.13	100.00	Very Good
Library Services	100.00	100.00	64.00	3.41	87.00	Good
Building Services	100.00	100.00	54.00	3.44	85.00	Good
Human Resource & Administration	100.00	100.00	100.00	3.49	82.00	Good
Information & Comm. Technology	100.00	100.00	72.00	4.00	50.00	Fair
All Units	99.00	100.00	99.00	3.284	94.00	Good

3.4.3 Performance on other perspectives

3.4.3.1 Financial Perspective

In 2021/2022 PMMUs, the Directorates committed to ensuring compliance with the budget, annual work plans, financial regulations and procedures. The overall performance increased to 100 per cent from 99 per cent in the previous period. Table 88 shows the detailed performance of the directorates under financial perspective.

Table 88 : Financial Perspective

Directorate				2021/2022		
	2018/2019	2019/2020	2020/2021	Composite Score	Performance Score (%)	Performance Grade
Human Resource & Administration	100.00	100.00	100.00	3.003	100.00	Very good
Supply Chain Management	100.00	100.00	100.00	3.006	100.00	Very good
Internal Audit & Risk Management	100.00	100.00	100.00	3.020	100.00	Very good
Public Affairs & Communication	92.00	100.00	100.00	3.024	100.00	Very good
Finance and Accounts	-	100.00	100.00	3.048	100.00	Very good
Building Services	100.00	100.00	87.00	3.056	100.00	Very good
Library Services	100.00	100.00	100.00	3.070	100.00	Very good
Administration and security service	-	100.00	100.00	3.186	100.00	Very good
Information & Comm. Technology	100.00	100.00	100.00	3.584	76.00	Good
All Units	99.00	100.00	99.00	3.111	100.00	Very Good

3.4.3.2 Customer Perspective

The customer perspective focuses on the ability to provide high-quality, efficient services that result in customer satisfaction. In this respect, the Directorates signed commitments to guarantee compliance with the service delivery charter standards and implement recommendations from court users/customers feedback that affect the services they provide. Under this perspective, the Directorates' performance increased to 91.86 per cent from 84.78 achieved in the previous year. Table 89 shows the performance of Directorates on Customer perspective.

Table 89 :Customer Perspective

Directorate	2018/19	2019/20	2020/21	2021/2022		
				Composite Score	%	Grade
Administration and security service	-	100.00	97.00	3.00	100.00	Very Good
Internal Audit & Risk Mgt	100.00	100.00	97.00	3.00	100.00	Very Good
Public Affairs & Communication	100.00	100.00	100.00	3.00	100.00	Very Good
Supply Chain Management	94.64	100.00	100.00	3.00	100.00	Very Good
Human Resource & Administration	81.15	100.00	100.00	3.08	100.00	Very Good
Building Services	97.15	100.00	37.00	3.12	100.00	Very Good
Finance and Accounts	-	100.00	100.00	3.34	91.00	Good
Information & Comm. Technology	100.00	75.00	63.00	3.396	87.55	Good
Library Services	100.00	100.00	37.00	5.00	10.00	Poor
All Units	96.13	97.22	84.78	3.326	91.86	Good

3.4.3.3 Innovation and Learning Perspective

The innovation and learning perspective is primarily concerned with developing novel and creative ways to improve service delivery, as well as building employee capacity to improve their skills. Majority of the directorates did not have any innovation and therefore performed poorly in this indicator. The results are shown in Table 90.

Table 90: Innovation & Learning Perspective

Directorate	2018/2019	2019/2020	2020/2021	2021/2022		
				Composite Score	Performance Score (%)	Performance Grade
Supply Chain Management	75.00	62.31	100.00	3.50	81.15	Good
Finance and Accounts	-	95.68	42.00	3.96	52.46	Fair
Building Services	100.00	40.23	75.00	4.00	50.00	Fair
Human Resource & Administration	22.00	50.00	46.00	4.00	50.00	Fair
Internal Audit & Risk Management	50.00	30.15	50.00	4.00	50.00	Fair
Library Services	50.00	43.57	42.00	4.00	50.00	Fair
Public Affairs & Communication	50.00	50.00	62.00	4.00	50.00	Fair
Administration and security service	-	10.00	10.00	4.25	40.23	Poor
Information & Comm. Technology	93.50	34.18	42.00	4.67	23.30	Poor
All Units	62.92	46.24	50.62	4.042	48.61	Poor

3.4.3.4 Internal Processes Perspective

The Directorates set targets for improving internal processes such as employee wellness, improving Employee Satisfaction and Work Environment and implementing corruption prevention and reduction strategies within the offices. The results show that 9 directorates achieved 100 per cent with a performance grade of “Very Good” while 2 attained “Good” performance grade. There was also an increase in overall performance in internal process perspective from 91.62 per cent achieved in 2020/2021 to 97.55 per cent in the year under review. Table 91 shows the comprehensive performance of Directorates in the internal processes indicators.

Table 91 :Internal Processes Perspective

Directorate	2019/2020	2020/2021	2021/2022		
			Performance Score	Performance Score (%)	Grade
Administration and security service	100.00	87.00	3.00	100.00	Very good
Building Services	100.00	87.00	3.00	100.00	Very good
Internal Audit & Risk Management	100.00	100.00	3.00	100.00	Very good
Public Affairs & Communication	100.00	87.00	3.00	100.00	Very good
Supply Chain Management	-	100.00	3.00	100.00	Very good
Human Resource & Administration	100.00	94.00	3.10	100.00	Very good
Information & Records Management Unit	100.00	75.00	3.40	87.31	Good
Finance and Accounts	100.00	87.00	3.54	78.45	Good
Information & Comm. Technology	53.93	82.00	4.00	50.00	Fair
All Units	94.24	91.62	3.23	97.55	Good

3.5 Directorate of Planning and Organizational Performance

The Directorate’s mandate is to coordinate the implementation of performance management systems in the Judiciary. Specifically, the directorate coordinates the planning, monitoring, and evaluation of Judiciary programs and projects; advises on economic planning matters in the Judiciary to ensure conformity with national priorities, objectives and strategies, and provides relevant support to the courts; conducts research, and collects, analyses, and disseminates case load data and statistics, coordinates organizational performance and the implementation of quality management systems as well as promoting innovations to improve service delivery.

3.5.1.1 Overall DPOP Performance

The evaluation results indicate that for the period under review, the directorate achieved 100 per cent with a composite score of 3.089 and “Very Good” performance

grade. DPOP has consistently performed very achieving “Very Good” over the last 6 cycles. Table 92 summarizes the directorate’s performance by perspective.

Table 92 :Overall DPOP Performance

Perspective	2018/19	2019/20	2020/21	2021/2022		
				Composite score	Performance Score (%)	Performance Grade
Core Mandate	100.00	100.00	100.00	3.102	100.00	Very good
Financial Mandate	100.00	100.00	100.00	3.000	100.00	Very good
Customer Perspective	90.00	100.00	100.00	3.000	100.00	Very good
Innovation & Learning	94.00	120.00	62.00	3.000	100.00	Very good
Internal Processes	100.00	100.00	87.00	3.264	95.68	Good
All Indicators	100.00	100.00	100.00	3.073	100.00	Very Good

3.5.2 Performance on core mandate

Under the core mandate, the directorate committed to implement 8 key result areas which include; Institutionalizing performance management in the Judiciary, improving data management, institutionalizing monitoring and evaluation, coordinating strategic planning, research and development, quality management systems, and court user and employee feedback. The performance of the directorate on these key perspectives including trend analysis is highlighted in the Table 93.

Table 93 : DPOP Performance on Core Mandate

Perspective	2018/2019	2019/2020	2020/2021	2021/2022	
				Performance Score (%)	Performance Grade
Institutionalizing of Performance Management in the Judiciary	97.00	100.00	100.00	100.00	Very good
Enhancement of data management in the Judiciary	75.00	100.00	100.00	96.63	Good
Institutionalizing Monitoring & Evaluation in the Judiciary	65.00	67.60	56.00	84.23	Good
Strategic Planning in the Judiciary	100.00	100.00	100.00	100.00	Very good
Research and Development.	-	100.00	100.00	100.00	Very good
Quality Management System in the Judiciary	100.00	81.50	100.00	100.00	Very good
Automation	100.00	100.00	-	-	-
Court user & Employee feedback	80.00	100.00	100.00	100.00	Very good
All indicators	88.00	94.00	100.00	100.00	Very Good

CHAPTER FOUR: INNOVATIONS AND BEST PRACTICES

INNOVATIONS

1. Office of the Registrar Small Claims Court

Decree Calculator

a) Introduction

Lengthy and complex court processes have been identified to be among key barriers in access to justice in Kenya, ultimately undermining the rule of law and human rights protection. One of the main objectives of the small claims courts as established under the Small Claims Act 2016 was to overcome these barriers and to enhance the right of access to justice as envisioned under Article 48 of the Constitution through simplification of procedure, timely disposal of proceedings, fairness of process and reasonable court fees.

A decree is the final determination in a case which allows the judgement debtor (the holder of the decree) to commence the process of enjoying the fruits of their judgement. It includes the costs prescribed by the Advocate Remuneration Order and computed based on various case events and activities.

The Small Claims Court as is the case with other courts has a limited number of staff with the necessary training and experience on computation of the decretal sum and costs awarded once a case has been concluded. This has contributed to inordinate delay in issuing litigants with the decree document upon application and in turn delays the execution of the decree. This is also compounded by the fact that the court receives a considerable number of applications for decree on a daily basis.

b) Description of Innovation

Technology has been identified as one of the key factors that can be leveraged to address barriers to access to justice and improve service delivery through automation of key registry processes. To address the challenge of extensive delays in processing decrees, the Milimani SCC automated the process of requesting and preparation of decrees through the development of an online "**Decree Calculator**". This is a web-based application that requires the user to fill out a form with the relevant details after which it calculates costs, interests and generates a decree in PDF format.

c) Impact

Using the *Decree Calculator*, a decree can be generated within a fraction of the time compared to the previous periods. In addition, using the *Calculator* is simple such that any registry staff can be able to use it with only minimal training.

d) Replicability

The *Decree Calculator* can be embedded in the e-filing system to enable litigants to be able to generate decrees remotely as well as promote transparency in the calculation of decrees.

2. Office of the Judiciary Ombudsman

Mahakama Popote: An Initiative to Resolve Disputes Exeditiously

a) Introduction

The Judiciary plays an integral role in achieving economic growth and social stability through dispute resolution. The Judiciary Vision, the Social Transformation through Access to Justice (STAJ), is centred towards delivering a justice system that is accessible, efficient, expeditious and cost-effective. This can only be achieved if systemic barriers to justice are removed such as high cost of litigation, delays in hearing and determination of cases, increased caseload compared to the number of judicial officers, inadequate staffing and infrastructure. Due to these barriers, there has been an increased perception of corruption amongst the public resulting in poor institutional performance.

The Office of the Ombudsperson (OJO), after receiving numerous complaints from the public, sought to remedy the above-mentioned barriers by developing a solution, '**Mahakama Popote**'.

b) Description

According to the published Judiciary caseload statistics reports in the State of the Judiciary Administration Report (SOJAR), it was evident that there were courts with extremely high workload whereas some had less. Virtual courts and e-filing have made it practical and possible to leverage ICT as a tool to access justice. OJO has collaborated with the Registrars and courts to implement *Mahakama Popote*, an initiative where courts with a lower workload handle matters virtually from courts with a relatively high workload.

The initiative was piloted in Milimani Commercial Courts and Mombasa Law Courts. The Milimani Commercial Court was assisted by the judicial officers in Loitokitok, Wajir, Kakuma, Dadaab, Lodwar and Moyale Law Courts. The Mombasa Law Courts were assisted by judicial officers in Mpeketoni, Garsen, Taveta and Lamu Law Courts.

c) Impact

The initiative has improved access to justice by fast tracking the hearing and determination of cases which has brought justice closer to the public. Inordinate delays in hearing and determination of cases due to high cases filed vis a vis the judicial officers have been reduced. This is because the judicial officers in courts with less workload were able to handle matters from the other courts with high workload. Further, the implementation of the initiative is improving equity in work distribution and increased productivity amongst judicial officers.

Additionally, the initiative has proved to be cost-effective measures in respect of the litigants and the Judiciary. Litigants do not over utilise their resources since their matters are handled expeditiously. On the other hand, the Judiciary is able to use the limited human and infrastructural resources at its disposal to settle disputes.

d) Replicability

The *Mahakama Popote* initiative can be replicated across courts in the country since it enhances efficiency and effectiveness in service delivery. Additionally, it is a cost saving measure in respect of litigants and improves court user satisfaction.

3. Directorate Planning and Organisational Performance

Performance Management Evaluation System

a) Introduction

The institutionalisation of Performance Management and Measurement Understandings (PMMUs) has now been fully embraced by various implementing units in the Judiciary. Performance management was introduced in the Judiciary in 2015 as a system of planning and measuring key priorities of the institution mainly based on critical indicators of court excellence. Performance evaluation is a systematic way of assessing achievement made towards expected results. It is a quantifiable expression of achievement that indicates at what level, services are provided. Implementing units are assessed at the end of the financial year during which achievement is measured against set targets.

The Judiciary Performance Management and Evaluation System (JPMES) is an evolutionary tool that has been developed to enhance the evaluation of Performance Management and Measurement Understanding (PMMU) and improve the quality of service delivery in DPOP. The system has been built using open source technologies and is designed to simplify the process of performance evaluation and reporting.

b) Description

Prior to the implementation of JPMES, the Judiciary relied on a manual platform for performance evaluation and analysis of scores where data was captured manually across all courts and administrative units. In this manual platform, Performance Coordination Division Team faced several key challenges which include; process being time-consuming, error-prone due to large volume of data involved, difficult to supervise and monitor progress in data entry and high cost implications for the Directorate while trying to mitigate errors done in the data entry.

c) Impact

JPMES has enhanced accuracy by ensuring consistent and accurate evaluations by using standardised criteria, avoiding manual errors, and providing real-time data analysis. It has also increased efficiency by streamlining the performance evaluation process, reducing the time and effort required for data entry and analysis. Notably

the system can handle large volumes of data allowing for scaling for performance evaluation process as more units entrench performance management.

The performance evaluation system has had a positive impact by improving the efficiency, accuracy and fairness of performance evaluation process and supporting better decision-making and process development.

d) Replicability

JPMES is a simple and effective system that can be replicated in all courts and administrative units implementing performance management, notably when self-evaluation is executed. The system will be useful to other institutions and agencies integrating performance paradigms.

4.2 GOOD PRACTICES

1. Sports Disputes Tribunals

MOU with Kituo cha Sheria

a) Introduction

The Sports Disputes Tribunal was established by the Sports Act 2015 to, among others, hear and determine cases on Anti-doping rules violations as defined by the Anti-Doping Act No.5 of 2016 (Revision 2020). Since the enactments of the Anti-Doping Act, the Tribunal started receiving anti doping cases against litigants who were mostly indigent and lacked the legal know-how for self representation.

b) Description

By recognizing the right of access to justice as a fundamental human right, the Kenya Constitution safeguards this right by guaranteeing justice for all persons regardless of status. This is in line with the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems which identifies legal aid both in criminal and civil cases as an essential element of a fair, humane and efficient justice system that is based on the rule of law.

In its endeavour to promote access to justice, the Sports Disputes Tribunal in conjunction with Kituo cha Sheria (Kituo), a national human rights non-governmental organisation, has established a system of legal aid or pro bono representation through a Memorandum of Understanding (MOU) for referral of sports rights matters to the Kituo who offers services to indigent clients with matters in the Tribunal.

Among the pro bono services offered include court representation, drafting of pleadings, coaching for self-representation, capacity building for paralegals and public on the area of sports law and community outreach to enhance a sports culture especially within vulnerable communities.

c) Impact

Provision of legal rights by Kituo has gone a long way in breaking the barriers that prevent individuals from accessing the legal system, such as the cost of legal representation and the complexity of legal procedures enabling them to enforce their rights.

d) Replicability

This initiative can be replicated in all courts; courts can partner with organisations to provide legal aid to indigent persons.

2. CAMAT

Shared e-platform Model/Shared Services Platform

a) Introduction

Access to information is a fundamental human right, and disseminating information is critical to ensuring that the intended audience is fully informed about the subject matter. The Communications and Multimedia Appeals Tribunal (CAMAT) was established by Section 102 (1) of the Kenya Information and Communication Act of 1998 ('the Act'). The Tribunal's primary functions are to hear complaints from aggrieved parties about any publications or the conduct of a journalist or media enterprise; appeals by a person who is dissatisfied with the Media Council or the Communications Authority of Kenya ('the Authority'); and complaints from any citizen who is dissatisfied with an action or decision made by licensees who provide telecommunications services under the Act.

Since the institutionalisation of performance management in the Judiciary, various implementing units have endeavoured to enhance quality service delivery, but this has not been without its fair share of challenges. Information asymmetry in the registry has made it difficult for staff to sieve information at a glance and record court activities and its daily operations; thus, a platform was required to bridge the gap. It is against this background that CAMAT created a platform where all registry staff and tribunal members can access information on different activities conducted by the tribunal. This initiative is consistent with one of STAJ's outcomes of having an informed and empowered citizenry that understands their rights, the law, and mechanisms for obtaining justice by providing litigants with real-time information.

b) Description

CAMAT established a platform where all registry staff and members can access various activities posted for easy access to information about court activities, cause lists, reports and any other information that may be required. This has made it easier for the Tribunal members and staff to obtain real-time information on Tribunal proceedings and to effectively communicate with litigants seeking information on the status of their matters.

This innovation falls under initiatives that improve efficiency and effectiveness in service delivery.

c) Impact

Real-time information can now be shared across the board, and all registry staff and members are kept up to date on proceedings in the tribunal.

d) Replicability

The use of the Shared services e-platform model can be implemented in all court registries and Tribunals while ensuring that it is done professionally and improved to include the other key Judiciary strategies. Additionally, the enhanced shared e-platform services can be made available to all tribunals and courts.

3. Tononoka Law Courts

“Games Room for Minors”

a) Introduction

The Social Transformation through Access to Justice (STAJ) has identified children as a vulnerable group with the right to access justice. In this respect, courts that handle children matters should be child-friendly in order to improve the court user satisfaction.

Tononoka Law Courts is designated as a Children’s Court handling matters where children are either in “Conflict with the Law” (delinquents) or are in need of “Care and Protection”. The litigants in the Court are predominantly children aged 17 years and below.

b) Description

Minors waiting to attend court sessions more often than not, get anxious and or nervous in Court or when placed in confinement under guard of the court orderlies/ police. This often resulted in the minors getting agitated and feisty and quite a handful in restraining them.

The games room provides a much-needed distraction and helps to reduce their anxiety levels. By providing a safe and fun environment, children feel more relaxed and at ease, which contributes to a better overall experience in court. In addition, the games room provides them with a fun and engaging activity that helps to pass the time and reduce the perceived wait time.

c) Impact

By the introduction of the games room with various board and card games, the children get engaged, channelling their fervent energy constructively. This has helped manage and tame their energy, thereby aiding in lowering the anxiety and stress in the children prior to court hearings.

d) Replicability

All courts handling children matters can emulate the same to help the courts curb anxiety among minors attending courts.

4. Tononoka Law Courts

Changing/Nursing Room for Lactating Mothers

a) Introduction

Tononoka Law Courts is designated as a children's court handling matters where children are either in "conflict with the law" (delinquents) or are in need of "care and protection". As such, there are various instances where mothers with young babies accompany their children to court.

The Court sought to create an environment that is family-friendly to encourage mothers to attend court sessions with dignity. Previously, mothers would breastfeed their children in the corridors or in open court. In addition to this, it was difficult for parents to change their children from their soiled clothes as there were no rooms to do so. This was unhygienic and a violation of privacy.

b) Description

Tononoka Law Courts addressed this issue by introducing nursing rooms where parents were able to nurse their children and/or change them in privacy and in a hygienic environment. It promotes the dignity of court users. Dedicated nursing rooms provide a secure and quiet environment for nursing mothers to breastfeed and change their children.

c) Impact

Through the introduction of nursing/changing rooms, mothers can now nurse or change their children in privacy and in a more hygienic environment. This has made it easier for mothers to attend court proceedings and participate in legal matters, as they no longer have to worry about finding a private place to nurse or express-milk during their time in court.

d) Replicability

All court stations should incorporate nursing/changing rooms especially in stations that handle children's matters.

5. Lamu and Witu Kadhis' Courts

Pre-Marital Counselling

a) Introduction

The Kadhis' Court's jurisdiction has the power to determine questions on Muslim Law relating to personal status, marriage, divorce or inheritance in proceedings where all parties are Muslims.

In conducting their duties, the Court has experienced a rise in the registration of both marriage and divorce matters in recent years compared to the past. This rise of divorce cases has brought about concern and has necessitated the need to identify ways to deal with this critical issue. To ameliorate this, the Courts identified the root causes and developed a solution.

b) Description

In Lamu and Witu Kadhis' Courts, the initiative of pre-marital counselling was introduced before solemnization of marriages to reduce the rate of divorces. This is because one of the Judiciary's roles is to maintain social stability and protect the social fabric of society.

Pre-marital counselling, being a form of couples' therapy, is used to help partners prepare and build a strong foundation for marriage. It intends to help partners discuss important issues before marriage and address the challenges of divorce. Further, it is used to identify potential conflict areas and equip partners with tools to navigate them successfully.

c) Impact

The initiative promotes customer satisfaction as it enhances the understanding between partners and it ensures that the parties are in consensus before solemnization of the marriage.

Additionally, it has equipped the parties with constructive communication skills, development of conflict resolution skills, elimination of dysfunctional behaviour are the key outcomes that litigants gain from the initiative which enhances customer satisfaction.

d) Replicability

The above good practice can be replicated in all Kadhis' Courts.

6. Kangema Law Courts

Plaint Template

a) Introduction

The Judiciary through STAJ has a keen and special focus on ensuring that vulnerable groups and individuals such as women and children whose rights have been disregarded or minimised, need to access the judicial systems easily and efficiently in order to claim their rights and interests.

In respect of children matters, women from poor economic backgrounds found it difficult to initiate their proceedings in respect of maintenance and/or custody due to lack of funds to engage an advocate to draft their plaint.

b) Description

The Kangema Magistrates' Court collaborated with the Department of Children Services in Kangema to develop a plaint template. This template is made available at the registry and issued where judicial staff are satisfied that the would be Plaintiff is indigent. The plaint template is the standard form in respect of maintenance and/or custody proceedings. It is of note that it does not give undue advantage to the plaintiff.

The innovation guarantees that the barriers to justice are eliminated and that the welfare of the child is safeguarded.

c) Impact

The initiative has eased the process of case filing. Through this initiative, the vulnerable parties, specifically women from poor economic backgrounds, who had found it difficult to initiate proceedings for the maintenance and/or custody of their children can now easily, through the plaint template, file their cases. The litigant has the ability to institute matters in the Children's Court without any costs incurred upon them.

Moreover, the initiative has enforced partnerships with other stakeholders in the justice chain through the collaboration with the Kangema's Department of Children Service.

d) Replicability

This initiative can be replicated in all courts handling children matters in respect of maintenance and/or custody.

7. Registrar Court of Appeal

PDF Record of Appeal

a) Introduction

The Judiciary Strategic Plan 2019 -2023 was developed to provide a platform for judicial transformation in respect of service delivery. The Strategic Plan highlighted that all courts should adopt effective records management practices. This led to the introduction of the e-filing system in the Judiciary which plays a significant role in case management.

In this respect, the Courts of Appeal realised a gap in its records management practices. The Court of Appeal had been experiencing difficulties in the identification of documents filed for appeal once they were scanned. After identifying the gaps, the Registrar Court of Appeal developed a solution to the e-filing system by indexing the specific document in the PDF record of appeal.

b) Description

Counsel and litigants file electronic cases to the court and the same files are forwarded to the Honourable judges and Senior Legal researchers. Before the introduction of the new E-filing system, there was a difficulty in the identification of the memorandum of appeal, affidavits and other filings in the documents and as a result it became a time consuming exercise. The initiative of indexing the specific documents in the PDF record of appeal ensured that documents filed by counsel and litigants are reconstructed for an orderly flow and ultimately easy to trace individual documents.

The new index thus solves the issue of specific document location in the court file. The new index is enabled by creating a hyperlink to the specific document (motion, ruling, proceedings). This means that to get to a document in the file, you click a specific text icon in the index.

c) Impact

The initiative has made it easier to access the documents in the record of appeal, speeding up the process of document retrieval. The system has also enabled for the reorganisation of documents scanned and uploaded by counsel and litigants through the e-filing portal.

As a result of this initiative, Judges and legal researchers do not need to scroll through entire records trying to locate a specific document in the e-file.

d) Replicability

The PDF Record of Appeal can be replicated in all court stations. All court levels face similar challenges with the e-filing system of having disorganised documents, documents uploaded with no logical flow and difficulties in identifying specific documents in the file.

8. Directorate of Information and Communications Technology

Judgment Barcode

a) Introduction

The Judiciary's core mandate is to hear and determine cases. This involves delivery of judgements and/or rulings. Judges and Judicial Officers are expected to deliver the same without delay to ensure that justice is not delayed. This creates a legitimate expectation amongst the public, especially the litigants to access judgements and/or rulings for their own use and that the orders are a true reflection of the Court's decisions.

The Directorate of Information and Communications Technology (DICT) initiated a best practice to ensure that delivery of judgements and/or rulings are done in an efficient and effective manner. Additionally, the initiative promotes transparency and accountability as the orders meted out can be authenticated.

b) Description

Before the intervention, production of orders took quite some time which would hinder parties to a matter from effecting the same. Delays were caused due to lengthy manual processes and limited staffing resources. Additionally, once the orders were produced, there were challenges of verification of their authenticity.

In promotion of the Social Transformation through Access to Justice (STAJ), DICT leveraged on technology and sought to digitise the process by making it available for a Judge or Judicial Officer to append their signature digitally to the order. The Directorate went further and included a barcode which would guarantee their authentication to the public. This feature was integrated into the Case Tracking System and e-filing. This initiative is available in Courts that have an e-filing system.

c) Impact

The initiative has improved efficiency and effectiveness in service delivery by expediting the processes of production of judgements and/or rulings. Additionally, it has improved the court user satisfaction by ensuring that court users are protected from fraudulent practices.

d) Replicability

The initiative can be replicated in all Courts with the caveat being Courts with an e-filing system. It is therefore imperative that the Judiciary ensures that e-filing is rolled out in all Courts.

9. Taveta Law Courts

E-Cause feed Website

a) Introduction

The Social Transformation through Access to Justice seeks to ensure that customer service becomes an integral part of the judicial processes. The vision lays emphasis on higher standards of service delivery and calls for a revamp of customer service facilities to ensure that they are effective and efficient in dealing with public enquiries and complaints. On leveraging technology, the vision lays emphasis on entrenching virtual courts services, e-filing, case tracking and automated feedback and updated mechanisms to litigants.

Taveta law courts did not have a website to enhance communication with the litigants and stakeholders. Some litigants used to travel long distances as long as over 20 kilometres to come to the court to make enquiries on the mention and hearing dates for their cases. There was limited online presence for the court and few options for giving immediate feedback on services offered.

b) Description

The website is one of the initiatives developed to leverage technology to enhance litigant interactions with the Taveta Law Courts, especially accessing information on court services and providing immediate feedback.

The e-causefeed is a lightweight static website that is specifically designed to provide information about Taveta law courts including physical location, mandate, contact address, social media accounts, partners, stakeholders and services offered. It allows litigants and stakeholders to get background information of Taveta law courts, download weekly cause lists in real time and provide online feedback on quality of services offered by the court.

c) Impact

The e-cause feed has enhanced communication and interactions with litigants, stakeholders and court users thus improving service delivery. The litigants have been able to download the weekly cause list in real time using a user-friendly website even at the comfort of their homes just by click of a button. It has helped reduce cost as litigants no longer need to travel long distances just to confirm mention or hearing dates. By using the online feedback tab, the court users have been able to provide timely feedback regarding services offered which has enabled the court to improve on areas where concerns have been raised and also maintain those with accolades.

d) Replicability

The initiative can be replicated in all courts across the country including Tribunals and Directorates.

10. Naivasha, Bomet & Mombasa Law Courts

Archives Management System

a) Introduction

Access to justice is an important issue in many international justice systems. Increasingly, technology is seen as a potential catalyst for access to justice, especially in terms of improving the justice sector. Major tasks associated with court functions are registration, identification and tracking of cases.

Effective file management is therefore critical to ensuring that storage and retrieval of information is done efficiently and securely in accordance with government policies and regulations. In the recent past, storage management has evolved with the implementation of Archive Management System, which is used to capture case details on closed files (criminal or civil) and also manages to keep track of all the closed files coming in and out in real time reports.

The process of receiving and recording concluded court files has been manual and tedious as this has not been factored in the Case Tracking System platform. Further, the appraisal process has been time consuming, repetitive and prone to errors.

b) Description

Mombasa, Naivasha and Bomet Law Courts have created a web-based archive management system that captures case details and file categories, as well as their disposal life cycle status. This platform was developed in partnership with other stakeholders in the justice chain to bridge the gap with CTS and is one of the best practices as it ensures that the implementing units have a good and well-structured archiving system in place.

The system keeps real-time and detailed record of all closed files and records, including the person, time and date. The reporting encourages the continuous placement of records for disposal, significantly lowering the costs of funding activities that would otherwise be utilized for disposal.

c) Impact

The practice has allowed courts to effectively manage file archiving and save money and time when performing complex activities to determine statistics on closed files. Handover inaccuracies have also decreased as a result of automation, and records of closed files that were previously stored in manual registers are now stored in the system.

d) Replicability

This practice can be replicated across archive departments and the module can also be integrated into the Case Tracking System (CTS) to improve its efficiency.

11. Makadara Magistrates' Court

Separation of General Criminal and Petty Crimes Registries

a) Introduction

Registries play a crucial role in enabling the court to meet the expectations of the various litigants who come to court to seek services. In line with the above, courts have been striving to curb obstacles which hinder or derail access to justice in order to serve the citizens efficiently and effectively.

Makadara Magistrates' Court is one of the courts that serves an expansive jurisdiction within Nairobi County. The Court handles purely criminal matters which include: general criminal cases, petty crimes, children matters among others. The increase in the number of cases filed in courts across the country is mirrored in the increase in cases at Makadara Law Courts. This has resulted in registry congestion which has negatively impacted service delivery, propagated poor records management and is insensitive to the vulnerable, such as children in conflict with the law.

Makadara Magistrates' Court has incorporated the use of a separate criminal registry to now include a registry of petty cases. It improves service delivery and records management in the criminal registry. This practice is also in line with STAJ as the vision has identified the expeditious adjudication of minor criminal offences as a priority project.

b) Description

Makadara Law Courts previously had a single registry serving a huge number of litigants for both general criminal cases and petty offences. The huge caseload and long queues prompted the station to subdivide the main criminal registry into two separate registries that is general criminal and petty offences registries. This has reduced overcrowding at the registry and improved service delivery by expediting petty criminal offences and improving record management.

c) Impact

This practice has improved service delivery by expediting resolution of minor crimes and other criminal matters while also improving record management. Furthermore, the substantial majority of litigants in the registry has been effectively reduced, resulting in fewer instances of overcrowding.

d) Replicability

This practice can be replicated in other courts handling comparable criminal cases like Makadara Law Courts, such as Kibera Law Courts, Kiambu Law Courts, Shanzu Law Courts, and Milimani Criminal Division. The same can be applied in courts that handle civil cases such as Milimani Commercial Magistrates' courts.

12. Kenya Judiciary Academy

Automated Training Master Calendar

a) Introduction

Training of Judges and Judicial Officers is integral to improved governance within the Judiciary and in promotion of cultural change and transformational leadership and management. The Kenya Judiciary Academy (KJA) is tasked with ensuring that training is mandated to facilitate the training of Judges and Judicial Officers.

Previously, KJA had to send training master calendar to Judges and Judicial Officers via email and follow up with phone-calls to find out what training they were interested. Due to the lengthy back and forth processes, Judges and Judicial Officers would be notified a week or few days before of their upcoming training which would cause disruptions in the court diary and inconvenience court users as the courts were not able to publish timely adjournments. This process had proved to be inefficient and time intensive.

KJA engaged DICT to develop a tool that addressed the inefficiencies and automate the process.

b) Description

The automated master calendar for training through the e-learning portal on the KJA website. Once the training calendar is approved, it is uploaded into the system with the various training available in the respective financial year. The Judges and Judicial Officers are then given one month to select their preferred training(s) through the portal to which they have login access.

The Judges and Judicial Officers are able to ascertain the number of participants in every training as well as the slots allocated per training. They are only able to view the training relevant to them. If a training is fully booked, it is made unavailable for selection. Additionally, they are able to enrol and de-list themselves from training within the enrolment period.

c) Impact

This innovation has improved the efficiency and effectiveness of service delivery. The Judges and Judicial Officers are able to block out their diaries and give sufficient notices of adjournment which would ensure that members of the public are not inconvenienced. The academy can also quickly view and create different reports on training materials chosen by participants.

d) Replicability

The innovation can be replicated by DICT and DHRM as they carry out training occasionally.

CHAPTER FIVE: CHAPTER FIVE: GENERAL OBSERVATIONS AND RECOMMENDATIONS

1. Performance Management and Evaluation

Performance and service delivery - There was positive feedback on PMMU implementation as most courts and administrative units had formed internal teams to help in tracking achievement of various indicators. The continued focus on critical measures of excellence has led to notable achievements on case disposal. The courts that were ranked highly in performance had implemented good strategies that yielded results.

Scheduling of Evaluation, Negotiation & Target Setting - PMMUs evaluation and target setting exercise was undertaken in the 2nd quarter, 2021/2022. This led to delay in implementation of performance targets as well as cascading of performance targets to individual staff PAS targets. There is need to secure funds in advance to be able to undertake this activity during the 1st quarter.

Participation and involvement of Judges, Judicial Officers and Staff - Most of the courts/implementing Units showed good cooperation and support during the PMMU evaluation and target setting. Support was provided in pulling out sampled files, registers as well as having robust discussions by the individual Judges and Judicial Officers on strategies to improve performance of the court stations.

Revision of indicators - It was observed that some indicators may need to be reviewed to help the units to focus more on tangible outputs. Some of these indicators include urgent applications concluded within 30 days for magistrate courts, submission of cause list to Kenya law within 7 days in advance and taxation within 60 days from filing among others. There is a need for a consultative AJPMC meeting to discuss and possibly revise indicators in order to ensure continued improvement of the performance management evaluation and target setting exercise.

Target Setting: Less competitive target setting affected the quality of achievements. There is need to strengthen target setting process to ensure that high standards are set across all units. This may entail setting common targets for courts with similar characteristics such as caseload and development of standards or benchmarks to be applied to all units.

Weighting of indicators: Most of the courts were focusing more on older cases than those newly filed matters. Therefore, more weight need to be placed on case backlog reduction as opposed to similar weight to the two indicators.

Documentation of evidence – Most implementing units did not have their PMMUs evaluation evidence well documented and this led delayed the exercise. Where evidence was well organized the evaluation was completed in good time.

2. Records Management

Record keeping – Courts and implementing units that kept records of their activities had their achievements easily assessed. Various stations had done commendable work of collating the relevant documentary evidence. Further, implementing units were encouraged to document their activities and comply with the requirement of submitting the relevant progress reports. However, cash bail records and registers had not been maintained properly which affected the cash bail refunds. There is need for proper documentation and tracking to ensure timely issue of cash refunds.

Court registers – Most courts' registers were not well updated and up to date. There is need for continuous sensitization on proper registers maintenance as well as having standard registers to streamline the process.

Submission of records of appeal – There is a shortage of secretaries in the courts who are integral in typing of court records of appeal. This has created delays in submission of records of appeals to High Courts and Courts of Appeal. Consideration be made on recruitment of more secretaries or alternative interventions be put in place to fast track the typing.

Implementation of the registry manual procedures – Most provisions of the registry manuals are still not being adhered to by most courts. Majority of courts still face challenges in getting information from prisons for the filling of forms for compilation of the Register for Convicted Sexual Offenders. Written requests have to be followed up with physical visits to collect the information. Some of the courts, especially those that were newly established, did not understand the process of filling and submission of the forms hence the need for further sensitization.

Sexual Offenders Register – Most courts either do not have a register or do not update it while others do not submit their Sexual Offenders Register to the Office of the Chief Registrar as required. There is a need to sensitize the courts on the importance of the register and/or have policy guidelines on submission of the same.

3. Data Management

Data accuracy of filed/registered cases – The data collected by courts is crucial in decision making process in the Judiciary. Additionally, it is important in PMMUs evaluation and target setting exercise. Therefore, it is important that courts ensure that the data in the manual registers is consistent with what is submitted using DCRT/CTS which affects data accuracy. There is a need for the courts to address gaps in data entry, collation, analysis and dissemination. Data inaccurately captured affects the credibility and objectivity of the decision-making process and the evaluation exercise. There is a need for courts in conjunction with DPOP and ICT to reconcile the data in the registers and the DCRT data.

DCRT and e-filing system/CTS – It was noted that there was some variation of data captured in the DCRT and CTS. The variation of data were noted on multiple registration of cases in the system, system skipping some numbers, cases staying active after judgements were delivered and lack of recording of case backlog. It was highlighted that there is need for Staff to be trained on data capture in the CTS. The court stations need to liaise with DPOP to clean up data variances. Additionally, ICT need to improve the system to eliminate the errors and be responsive to the issues raised.

4. Case Management

Publication of cause list seven days in advance – There has been a challenge across most courts on publishing cause lists 7 days in advance. Majority of the courts prepare their cause lists and publish them on Friday for the subsequent week. There is a need to employ new strategies to effectively meet the indicator such as preparing a monthly cause list and sending addendums where necessary. There is a need to effectively communicate to the courts how to effectively meet this indicator.

Remand custody period – Most courts were unable to hear consecutively to cases of persons in remand who cannot post bail or bond due to the caseload and inadequate number of Judges and Judicial Officers hence most these accused persons stay in remand for long.

Delays in civil matters – Most civil cases delay in court due to multiple adjournments by advocates and court users. In addition to the adjournments, civil cases are delayed due to too many filed applications.

Delays in hearings and judgements – Some Courts have experienced delays in hearing and conclusion of matters due to Rapid Results Initiatives. The Judicial

Officers while reducing case backlog of other court stations, inadvertently, cause an increase in pending matters in their respective stations.

5. Alternative Dispute Resolution Mechanisms

Alternative Dispute Resolution (ADR) – ADR was not being uniformly implemented across courts. The ELC court was also having challenges of referring its matters to ADR. Some courts were not deliberately referring matters but argued that matters settled through consent be counted. There is need to ensure clarity on this indicator and also ensure that courts open registers for matters referred to ADR.

6. Service Improvement innovations

Innovation and Learning – Implementing units require sensitization on innovations and the criteria used as most of them found it challenging to come up with one. Further sensitization should be done on the innovations for replication. Courts and implementing units should be afforded other opportunities to showcase their innovations.

Compliance with Service Delivery Charters – It was observed that implementation and measurement of service delivery charter standards was not clear. There is a need for developing common criteria for measurement of these standards. This will enhance uniformity in evaluation.

Corruption Eradication – Most courts only focused on sensitization on corruption eradication and had not implemented tangible strategies for combating corruption. The implementation and evaluation of this indicator need to be streamlined and interventions harmonized. There should be a register for recording feedback from the suggestion boxes and other sources to show how the issues raised had been addressed.

7. Administrative Functions

Resource allocation – There is a shortage of both human and financial resources in the courts and some administrative units. This affected operations and service delivery. There is need to enhance resources courts and administrative units.

Maintenance of assets, property and equipment – Most courts do not keep proper records of assets that are purchased or repaired. There is a need to have a well maintained list of all assets/property/equipment purchased and repaired during the financial year including proper labelling and assigning responsibility.

Audit report – Most courts had not been audited during the evaluation period while others were last audited 4 years ago. In some instances, where an audit was conducted, the stations had not received their respective final reports and were therefore unable to address audit issues. Guidance need to be given on standard way of evaluating this indicator. The Directorate of Audit and Risk Management should also ensure timely submission of audit reports to the units.

Court infrastructure - Some courts are operating in very poor infrastructure without adequate court rooms and chambers such as Lamu Magistrates' Court while some are housed in borrowed premises. A few courts such as Ndiwa Magistrates' Court and part of Kisii Law Courts have asbestos which affects the health and safety of Judges, Judicial Officers and Staff. These courts should be given priority in the new budgetary allocations for new constructions and rehabilitations.

8. Training and Career Progression

Competence development – Most training in the Judiciary has been focused on sensitization of Judiciary processes, programmes and projects. Courts are not able to effect training of staff and have raised concerns of the few numbers trained. This may be attributed to the limited budget under the Judiciary Training Committee. There is need to enhance budgetary allocations to have more judicial staff trained.

APPENDICES

Annex 1: Court of Appeal Performance on Select Indicators

Court of Appeal	Criminal Appeals-per cent of appeals concluded within 180 days from date of receipt of records of Appeal	Civil Appeals-per cent of appeals concluded within 180 days from date of receipt of records of Appeal	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kisumu Court of Appeal	30	5	41	58	-4	180	110	3.579	76.85	Good
Mombasa Court of Appeal	17	18	88	39	-24	79	198	3.264	95.79	Good
Nairobi Court of Appeal - Civil Division	N/A	11	42	42	-10	150	65	3.009	100.00	Very Good
Nairobi Court of Appeal - Criminal Division	10	N/A	-	42	-10	31	19	3.779	63.60	Fair

Annex 2: High Court Performance on Select Indicators

High Court	Percentage of Constitutional Petitions concluded within 180 days from date of filing	Percentage of Judicial Review cases concluded within 180 days from date of filing	Percentage of Criminal cases concluded within 360 days from date of filing	Percentage of civil cases including contested Succession causes concluded within 360 days from date of filing	Percentage of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Percentage of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Reduced no. of days spent in remand custody	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Bomet	13	33	0	10	33	10	271	63	98	40	10	158	153	3.21	98.98	Good
Bungoma	19	17	7	11	43	85	201	64	211	89	-20	199	247	3.31	92.90	Good
Busia	61	14	62	20	50	75	65	99	168	43	-8	99	236	3.41	87.07	Good
Chuka	60	100	19	67	17	4	181	65	70	53	-76	107	93	3.40	87.52	Good
Eldoret	14	9	13	53	50	33	236	55	105	70	-27	159	202	3.28	94.83	Good
Embu	20	17	29	8	60	100	195	100	229	110	-87	224	444	3.19	100.00	Very Good
Garissa	55	0	8	60	13	5	33	50	77	64	-3	94	50	3.75	65.58	Fair
Garsen	38	-	13	0	0	25	183	75	100	113	-2	141	79	3.11	100.00	Very Good

High Court	Percentage of Constitutional Petitions concluded within 180 days from date of filing	Percentage of Judicial Review cases concluded within 180 days from date of filing	Percentage of Criminal cases concluded within 360 days from date of filing	Percentage of civil cases including contested Succession causes concluded within 360 days from date of filing	Percentage of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Percentage of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Reduced no. of days spent in remand custody	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Homabay	6	100	27	33	67	79	144	74	181	142	-36	267	241	3.18	100.00	Very Good
Kabarnet	-	0	18	50	0	13	173	75	78	75	-3	111	53	3.29	94.32	Good
Kajiado	0	0	0	13	100	57	150	63	37	47	-17	92	132	3.57	77.16	Good
Kakamega	11	43	6	0	33	9	188	52	318	60	-6	221	453	3.32	92.26	Good
Kapenguria	0	0	33	19	100	43	198	63	66	62	-13	34	42	3.45	84.70	Good
Kericho	71	100	4	17	0	54	353	86	105	42	-6	149	120	3.12	100.00	Very Good
Kerugoya	3	25	27	4	6	13	259	53	101	72	-7	136	168	3.84	59.75	Fair
Kiambu	43	36	0	54	17	54	190	68	54	106	2	290	167	3.10	100.00	Very Good
Kisii	55	25	42	0	83	75	76	68	112	36	-22	290	307	2.98	100.00	Very Good
Kisumu	10	57	14	21	30	20	365	47	133	89	-5	308	145	3.10	100.00	Very Good
Kitale	18	0	13	60	0	8	215	73	101	69	-6	220	313	3.60	75.30	Good

High Court	Percentage of Constitutional Petitions concluded within 180 days from date of filing	Percentage of Judicial Review cases concluded within 180 days from date of filing	Percentage of Criminal cases concluded within 360 days from date of filing	Percentage of civil cases including contested Succession causes concluded within 360 days from date of filing	Percentage of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Percentage of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Reduced no. of days spent in remand custody	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kitui	8	44	13	50	88	62	289	41	155	182	-65	449	144	3.04	100.00	Very Good
Lodwar	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	N/A	N/A
Machakos	32	27	15	15	67	63	165	50	115	71	-6	347	230	3.51	81.09	Good
Makueni	0	0	8	12	34	18	180	64	130	74	-51	407	221	3.23	98.06	Good
Malindi	69	50	15	10	50	54	214	75	51	62	-4	141	45	3.40	87.56	Good
Marsabit	25	100	50	100	22	29	134	68	70	79	76	55	41	3.87	58.33	Fair
Meru	30	11	7	10	48	20	824	85	164	98	1	239	183	3.92	54.46	Fair
Migori	62	44	15	14	78	80	113	33	152	43	-38	295	281	3.03	100.00	Very Good

High Court	Percentage of Constitutional Petitions concluded within 180 days from date of filing	Percentage of Judicial Review cases concluded within 180 days from date of filing	Percentage of Criminal cases concluded within 360 days from date of filing	Percentage of civil cases including contested Succession causes concluded within 360 days from date of filing	Percentage of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Percentage of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Reduced no. of days spent in remand custody	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Milimani - Anti Corruption and Economic Crimes	N/A	N/A	N/A	N/A	N/A	N/A	N/A	52	N/A	N/A	-13	59	84	3.26	96.27	Good
Milimani - Civil	N/A	N/A	N/A	5	6	N/A	N/A	66	134	N/A	-42	238	680	3.23	97.58	Good
Milimani - Commercial and Tax	N/A	N/A	N/A	N/A	N/A	N/A	N/A	57	129	N/A	-26	196	391	3.19	100.00	Very Good

High Court	Percentage of Constitutional Petitions concluded within 180 days from date of filing	Percentage of Judicial Review cases concluded within 180 days from date of filing	Percentage of Criminal cases concluded within 360 days from date of filing	Percentage of civil cases including contested Succession causes concluded within 360 days from date of filing	Percentage of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Percentage of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Reduced no. of days spent in remand custody	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Milimani - Constitution and Human Rights	N/A	N/A	N/A	N/A	N/A	N/A	N/A	54	N/A	N/A	-62	136	176	2.98	100.00	Very Good
Milimani - Criminal	N/A	N/A	8	N/A	N/A	60	101	70	-	89	-19	62	105	3.29	94.21	Good
Milimani - Family	N/A	N/A	N/A	N/A	N/A	N/A	N/A	68	154	N/A	-67	84	1230	3.05	100.00	Very Good
Milimani - Judicial Review	N/A	N/A	N/A	N/A	N/A	N/A	N/A	55	N/A	N/A	-18	136	110	3.41	87.09	Good
Mombasa	14	24	13	12	20	63	259	54	180	70	-6	284	176	3.43	85.99	Good
Muranga	5	67	15	19	12	0	298	71	195	203	-16	190	646	3.31	93.15	Good

High Court	Percentage of Constitutional Petitions concluded within 180 days from date of filing	Percentage of Judicial Review cases concluded within 180 days from date of filing	Percentage of Criminal cases concluded within 360 days from date of filing	Percentage of civil cases including contested Succession causes concluded within 360 days from date of filing	Percentage of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Percentage of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Reduced no. of days spent in remand custody	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Naivasha	17	0	11	17	11	8	330	21	195	100	-54	391	175	3.47	83.55	Good
Nakuru	21	9	8	55	14	43	265	48	167	69	-13	293	239	3.32	92.22	Good
Nanyuki	0	0	11	57	0	6	268	55	92	109	-11	123	90	3.89	56.59	Fair
Narok	30	0	38	25	0	36	137	63	136	173	-66	87	150	3.16	100.00	Very Good
Nyahururu	45	33	11	9	5	0	194	73	143	165	-1	108	265	3.85	59.20	Fair
Nyamira	-	-	-	-	-	-	-	-	-	-	-	-	-	4.80	18.06	Poor
Nyeri	18	9	24	8	4	3	178	78	132	63	-11	118	106	3.58	77.05	Good
Siaya	82	83	48	45	100	100	78	100	117	138	-49	334	90	2.87	100.00	Very Good
Vihiga	-	-	-	-	-	-	-	-	-	-	-	-	-	4.80	18.06	Poor
Voi	17	50	13	0	5	32	579	57	131	109	-1	76	29	3.42	86.35	Good

Annex 3: Employment and labour Relations Courts Performance on Select Indicators

ELRC	Percentage of ELRC Petitions concluded within 360 days from date of filing	Percentage of ELRC Appeals concluded within 180 days from date of filing	Percentage of substantive claims determined within 360 days of filing	Percentage of ELRC Judicial Reviews concluded within 90 days from date of filing	Percentage of judgements/rulings delivered within 60 days of conclusion of the hearing	CCR	Percentage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Bungoma	43	0	0	0	68	70	14	58	99	3.77	64.19	Fair
Eldoret	30	-	14	0	32	139	-7	87	71	3.33	91.81	Good
Kericho	100	28	16	0	84	239	0	52	28	3.38	88.77	Good
Kisumu	12	50	5	100	31	223	-43	184	142	3.08	100.00	Very Good
Malindi	33	56	6	60	97	239	-10	109	25	3.07	100.00	Very Good
Mombasa	9	3	25	89	65	258	-30	160	320	3.16	100.00	Very Good
Nairobi	32	50	4	50	65	137	-2	106	176	3.65	71.87	Fair
Nakuru	14	38	4	-	54	330	-52	98	145	2.64	100.00	Very Good
Nyeri	39	33	33	0	81	73	5	68	70	3.75	65.26	Fair

- + Increase in backlog
- Reduction in backlog

Annex 4: Environment and Land Courts Performance on Select Indicators

ELC	Percentage of ELC cases concluded within 360 days from date of filing	Percentage of Land related constitutional petitions concluded within 180 days from date of filing	Percentage of Judgments and rulings of delivered within 60 days of conclusion of the hearing	Percentage of Judicial Review concluded within 360 days from date of filing	Percentage of ELC Appeals from subordinate courts concluded within 360 days	Case clearance rate	Percentage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Bungoma	6	0	71	0	55	103	-5	71	34	3.61	75.02	Good
Busia	3	33	13	50	28	174	107	121	109	3.24	97.51	Good
Chuka	16	0	85	70	84	119	67	42	21	3.65	71.80	Fair
Eldoret	6	13	43	43	5	173	13	84	96	3.22	98.63	Good
Embu	11	0	84	36	8	130	36	57	92	3.26	95.77	Good
Garissa	5	0	68	0	63	94	-31	23	11	3.70	68.57	Fair
Homabay	98	60	84	86	92	33	-	83	14	2.62	100.00	Very Good
Kajiado	10	0	49	100	32	106	422	148	133	3.29	94.25	Good
Kakamega	8	0	45	25	41	170	60	156	124	3.37	89.48	Good

ELC	Percentage of ELC cases concluded within 360 days from date of filing	Percentage of Land related constitutional petitions concluded within 180 days from date of filing	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Percentage of Judicial Review concluded within 360 days from date of filing	Percentage of ELC Appeals from subordinate courts concluded within 360 days	Case clearance rate	Percentage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kapsabet	98	25	78	100	100	24	-	24	51	2.96	100.00	Very Good
Kericho	4	0	47	0	0	303	81	60	131	3.24	97.10	Good
Kerugoya	7	0	41	0	11	101	-68	54	42	3.85	59.46	Fair
Kilgoris	100	50	64	100	92	38	-	18	14	2.90	100.00	Very Good
Kisii	7	0	60	30	19	439	-22	116	51	3.18	100.00	Very Good
Kisumu	13	0	32	20	13	92	32	91	93	3.66	71.28	Fair
Kitale	11	13	75	0	45	194	-69	121	67	2.85	100.00	Very Good
Kitui	100	75	63	100	100	56	0	28	47	3.04	100.00	Very Good
Kwale	100	50	27	100	100	13	0	12	10	3.04	100.00	Very Good
Machakos	6	7	32	21	19	163	-19	74	147	3.52	80.46	Good
Makueni	10	11	44	18	0	159	1153	67	82	3.46	84.23	Good
Malindi	7	9	60	43	40	182	-41	222	131	3.14	100.00	Very Good

ELC	Percentage of ELC cases concluded within 360 days from date of filing	Percentage of Land related constitutional petitions concluded within 180 days from date of filing	Percentage of Judgments and rulings delivered within 60 days of conclusion of the hearing	Percentage of Judicial Review concluded within 360 days from date of filing	Percentage of ELC Appeals from subordinate courts concluded within 360 days	Case clearance rate	Percentage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Meru	13	3	47	17	14	216	238	311	157	3.26	96.01	Good
Migori	4	0	54	50	0	116	91	79	46	3.62	73.70	Fair
Milimani	13	13	63	30	32	215	0	121	146	3.43	86.08	Good
Mombasa	9	10	56	29	13	151	-45	63	74	3.14	100.00	Very Good
Muranga	26	0	75	100	26	121	-11	84	48	3.19	100.00	Very Good
Nakuru	9	13	61	27	33	155	23	117	45	3.04	100.00	Very Good
Nanyuki	100	0	69	100	100	21	-	9	19	3.44	85.40	Good
Narok	9	0	37	9	36	251	13	44	62	3.70	68.61	Fair
Nyahururu	9	0	39	100	19	67	0	41	19	3.99	50.53	Fair
Nyamira	100	100	98	0	100	52	-	46	28	2.72	100.00	Very Good
Nyeri	6	0	34	0	16	101	-37	77	36	3.13	100.00	Very Good
Siaya	100	86	99	100	100	48	0	55	69	2.78	100.00	Very Good

ELC		360 days from date of filing	Percentage of Land related constitutional petitions concluded within 180 days from date of filing	Percentage of judgments and rulings delivered within 60 days of conclusion of the hearing	Percentage of Judicial Review concluded within 360 days from date of filing	Percentage of ELC Appeals from subordinate courts concluded within 360 days	Case clearance rate	Percentage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Thika		23	18	41	41	23	117	-34	136	128	2.64	100.00	Very Good
Vihiga		100	0	100	0	100	68	-	38	13	2.62	100.00	Very Good

Annex 5: Magistrates' Courts Performance on Select Indicators

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Baricho	82	23	93	161	76	106	67	-9	143	643	3.29	94.17	Good
Bomet	86	57	94	161	98	77	101	-5	143	577	3.21	98.86	Good
Bondo	91	51	91	59	95	111	91	32	195	1098	3.37	89.23	Good
Bungoma	88	46	88	96	80	46	86	-11	118	353	3.51	80.89	Good
Busia	68	32	79	219	81	67	73	-21	182	666	3.57	77.27	Good
Butali	81	43	86	154	63	20	84	-6	39	451	3.64	72.16	Fair
Butere	82	29	89	172	93	183	87	-56	125	650	3.18	100.00	Very Good
Chuka	70	64	89	248	135	70	88	-13	82	335	3.62	73.63	Fair
Dadaab	81	100	100	31	66	8	0	-19	11	68	3.54	79.12	Good
Eldama Ravine	91	38	77	125	93	90	116	1	273	652	3.42	86.30	Good
Eldoret	65	70	74	63	104	77	93	-13	176	656	3.25	96.58	Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Embu	73	33	95	150	118	161	109	-62	107	480	3.20	100.00	Very Good
Engineer	93	46	93	50	105	159	96	0	463	1232	3.00	100.00	Very Good
Gariisa	84	86	74	46	95	113	100	7	239	449	3.40	87.34	Good
Garsen	94	55	80	60	67	135	85	-7	84	174	3.16	100.00	Very Good
Gatundu	90	44	94	192	76	68	67	-51	85	558	3.38	88.56	Good
Gichugu	88	34	88	96	100	96	126	10	126	544	3.40	87.63	Good
Githongo	86	63	89	74	123	81	63	7	172	400	3.63	73.04	Fair
Githunguri	90	38	90	233	78	97	101	-14	129	536	3.40	87.46	Good
Hamisi	91	47	83	121	89	42	89	2	100	447	3.39	88.38	Good
Hola	88	73	93	57	119	55	107	35	53	159	3.31	93.05	Good
Homabay	79	49	89	34	92	87	59	-18	76	227	3.32	92.21	Good
Isiolo	73	51	92	185	77	109	71	-5	102	469	3.58	76.77	Good
Iten	89	60	86	52	106	108	96	2	134	711	3.40	87.40	Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
JKIA	58	N/A	87	102	115	N/A	100	-10	15	49	3.31	93.07	Good
Kabarnet	92	63	86	63	87	78	111	61	132	349	3.33	92.05	Good
Kahawa	100	-	59	121	80	-	-	4	100	37	3.20	100.00	Very Good
Kajiado	79	34	93	124	78	136	69	-23	139	631	3.20	100.00	Very Good
Kakamega	70	38	87	157	95	72	90	-18	76	398	3.32	92.25	Good
Kakuma	82	86	85	84	120	471	101	19	124	367	3.12	100.00	Very Good
Kaloleni	80	57	85	87	97	101	91	93	425	213	3.25	96.86	Good
Kandara	87	52	86	172	92	65	100	7	245	1197	3.32	92.25	Good
Kangema	83	40	89	154	110	75	100	10	105	421	3.20	100.00	Very Good
Kangundo	88	59	61	184	96	80	91	7	140	730	3.46	83.77	Good
Kapenguria	89	80	83	33	99	43	94	1	50	461	3.44	85.05	Good
Kapsabet	78	33	73	174	90	86	83	-3	107	842	3.40	87.75	Good
Karatina	68	43	92	91	117	88	105	-14	181	455	3.18	100.00	Very Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kehancha	93	56	72	67	80	90	93	12	68	677	3.32	92.53	Good
Kericho	87	40	81	65	96	76	87	-7	100	664	3.38	88.56	Good
Keroka	88	52	98	99	92	40	96	-77	109	789	3.11	100.00	Very Good
Kerugoya	68	37	80	165	105	83	104	-25	81	296	3.51	81.02	Good
Kiambu	59	50	82	176	99	80	98	-64	118	591	3.28	94.68	Good
Kibera	57	-	85	205	112	-	98	-30	108	541	3.25	96.56	Good
Kigumo	67	40	80	188	102	97	122	-22	138	1092	3.15	100.00	Very Good
Kikuyu	46	40	86	137	98	89	81	-24	130	790	3.08	100.00	Very Good
Kilgoris	84	61	82	70	69	55	79	-1	40	339	3.14	100.00	Very Good
Kiilifi	69	55	78	178	70	72	77	-6	227	417	3.54	78.96	Good
Kilungu	95	35	79	46	82	90	93	-8	289	515	3.34	91.52	Good
Kimilili	71	43	72	60	97	59	95	-19	144	277	3.31	92.84	Good
Kisii	75	25	88	80	98	106	109	-30	172	546	3.18	100.00	Very Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kisumu	84	53	77	184	72	79	66	-5	98	239	3.40	87.82	Good
Kitale	89	44	90	93	96	126	93	-22	138	722	3.17	100.00	Very Good
Kithimani	80	23	88	250	96	84	83	-31	88	964	3.55	78.52	Good
Kitui	68	40	63	80	84	88	86	-37	175	297	3.44	85.27	Good
Kwale	57	46	53	51	87	76	92	-9	105	189	3.28	95.03	Good
Kyuso	79	59	83	139	94	124	103	38	50	107	3.12	100.00	Very Good
Lamu	89	69	92	76	80	51	93	33	90	161	3.36	89.94	Good
Limuru	74	35	91	184	79	66	100	-28	133	589	3.14	100.00	Very Good
Lodwar	80	83	87	49	95	43	95	8	66	255	3.34	91.39	Good
Loitoktok	82	67	94	31	111	109	100	-88	82	233	2.80	100.00	Very Good
Machakos	80	40	84	122	81	84	102	-28	177	291	3.50	81.49	Good
Makadara	39	-	90	211	80	-	73	-20	98	943	3.37	89.47	Good
Makindu	76	36	58	175	74	85	91	-22	108	485	3.27	95.21	Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Makueni	94	48	90	70	100	46	86	-15	101	156	3.42	86.39	Good
Malindi	50	42	63	160	96	79	83	-16	106	279	3.18	100.00	Very Good
Mandera	95	73	94	60	101	197	98	139	52	293	3.20	100.00	Very Good
Maralal	85	67	89	76	105	82	96	72	50	255	3.55	78.89	Good
Mariakani	63	41	87	104	110	183	104	-42	235	447	2.94	100.00	Very Good
Marimanti	90	48	79	148	93	115	77	17	57	407	3.50	81.55	Good
Marsabit	92	64	83	73	95	97	98	16	36	279	3.59	76.01	Good
Maseno	74	38	86	185	92	100	92	1	63	541	3.43	85.72	Good
Maua	55	61	84	81	125	110	105	-39	122	590	3.29	93.95	Good
Mavoko	76	33	86	125	86	85	81	-26	156	670	3.24	96.96	Good
Mbita	89	67	81	114	102	71	104	7	42	475	3.56	78.04	Good
Meru	78	40	74	164	94	80	94	-14	109	327	3.58	76.92	Good
Migori	84	11	97	131	83	324	70	39	176	698	3.23	97.56	Good

Magistrates' Court	Percentage of Criminal cases -per cent of cases concluded within 360 days of filing	Percentage of Civil cases -per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Milimani Commercial	N/A	25	42	N/A	N/A	109	N/A	-16	284	428	3.15	100.00	Very Good
Milimani - Anti Corruption	N/A	N/A	87	34	N/A	N/A	N/A	-12	7	3	3.43	86.06	Good
Milimani - Children	25	51	66	83	170	147	0	-48	365	413	3.07	100.00	Very Good
Milimani - Criminal	29	-	72	324	95	-	95	48	241	1164	3.43	85.59	Good
Molo	84	43	90	114	113	110	107	-17	165	861	3.18	100.00	Very Good
Mombasa	61	24	77	122	82	138	97	-6	158	425	3.50	81.68	Good
Moyale	95	65	76	94	99	149	97	1700	31	285	3.32	92.44	Good
Mpeketoni	88	67	91	90	133	111	71	135	71	159	3.19	100.00	Very Good
Msambweni	74	70	86	162	87	113	86	4	69	260	3.46	83.74	Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Mukurwe-ini	86	42	80	55	104	114	117	-31	116	450	3.11	100.00	Very Good
Mumias	81	32	78	67	84	69	65	-39	133	248	3.30	93.84	Good
Muranga	80	40	87	171	107	119	101	-12	94	408	3.20	100.00	Very Good
Mutomo	91	66	71	61	92	58	98	14	53	353	3.25	96.92	Good
Mwingi	74	41	92	358	100	80	96	-25	133	647	3.45	84.64	Good
Nairobi City Court	0	89	74	68	1400	354	-	-33	77	61	3.57	77.25	Good
Naivasha	76	40	83	238	87	101	97	-19	158	517	2.99	100.00	Very Good
Nakuru	67	56	73	123	58	50	93	-4	119	531	3.39	87.95	Good
Nanyuki	77	49	85	94	91	65	82	-8	143	561	3.53	79.65	Good
Narok	80	59	77	67	65	57	77	-7	47	533	3.43	85.85	Good
Ndhiwa	59	31	92	67	105	108	90	-31	91	280	3.08	100.00	Very Good
Ngong	79	57	73	138	76	46	85	-7	79	945	3.68	69.42	Fair

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Nkubu	74	58	56	94	138	92	97	-56	116	613	3.30	93.43	Good
Nyahururu	70	54	82	142	83	69	70	-13	73	523	3.55	78.76	Good
Nyamira	81	54	94	101	103	113	87	-15	144	507	3.25	96.53	Good
Nyando	69	47	94	85	115	114	94	-11	156	746	3.23	97.58	Good
Nyeri	81	37	87	120	79	75	79	-44	123	306	3.39	88.34	Good
Ogembo	85	48	79	176	87	54	84	-3	123	1042	3.67	70.27	Fair
Othaya	98	17	90	86	91	42	91	-15	34	517	3.43	85.81	Good
Oyugis	85	41	92	186	81	53	88	-19	96	402	3.17	100.00	Very Good
Rongo	79	44	92	106	80	99	79	-12	132	382	3.43	85.61	Good
Ruiru	93	63	87	231	76	104	85	435	232	962	3.13	100.00	Very Good
Runyenjes	78	45	87	43	124	146	107	203	182	606	3.17	100.00	Very Good
Shanzu	58	-	96	134	112	-	83	-6	49	640	3.59	76.25	Good
Siakago	73	36	79	171	92	134	104	-61	259	844	3.30	93.58	Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Siaya	74	52	84	118	90	54	88	6	76	359	3.57	77.13	Good
Sirisia	83	68	59	158	85	56	86	-8	54	281	3.32	92.34	Good
Sotik	90	55	77	116	92	58	89	6	97	945	3.47	83.35	Good
Tamu	90	56	98	26	102	97	117	-13	124	237	2.90	100.00	Very Good
Taveta	93	61	88	55	84	62	85	13	76	329	3.69	68.87	Fair
Tawa	80	54	79	120	61	46	73	7	56	145	3.76	64.63	Fair
Thika	77	32	92	90	94	189	86	-57	247	846	3.01	100.00	Very Good
Tigania	87	49	92	117	84	128	88	10	167	559	3.66	70.75	Fair
Tononoka	55	78	87	-	74	44	-	13	93	204	3.39	88.51	Good
Ukwala	80	51	75	111	84	38	58	-31	55	281	3.66	70.96	Fair
Vihiga	78	36	89	184	74	57	70	-5	108	322	3.58	77.04	Good
Voi	90	41	82	101	92	161	106	-10	170	453	3.33	91.54	Good
Wajir	97	78	97	46	89	93	87	4	62	429	3.30	93.37	Good

Magistrates' Court	Percentage of Criminal cases - per cent of cases concluded within 360 days of filing	Percentage of Civil cases - per cent of cases concluded within 360 days of filing	Percentage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Percentage reduction of Case backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Wanguru	78	51	84	141	102	85	86	-32	123	713	3.12	100.00	Very Good
Webuye	65	46	89	31	125	63	97	-19	109	534	3.04	100.00	Very Good
Winam	75	61	97	97	94	74	92	-50	122	479	3.11	100.00	Very Good
Wundanyi	97	69	97	99	93	91	95	9	93	683	3.27	95.33	Good

Annex 6: Kadhi Courts Performance on Select Indicators

Kadhis' Court	Percentage of matrimonial, divorce, succession and matters of personal status concluded within 360 days of filing	Percentage of judgments and rulings delivered within 60 days of conclusion of the hearing	Case Clearance Rate	Percentage reduction of backlog	Merit Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Balambala	100	33	93	200	10	3.18	100.00	Very Good
Bungoma	100	100	20	-	8	3.45	84.42	Good
Bura/Fafi	100	100	90	0	13	3.13	100.00	Very Good
Busia	100	75	82	-	16	3.21	100.00	Very Good
Bute	93	100	109	500	18	3.31	92.80	Good
Dadaab	80	100	90	-40	25	3.14	100.00	Very Good
Eldas	94	64	100	5	3	3.57	77.20	Good
Eldoret	94	97	87	-	37	3.23	98.00	Good
Elwak	100	60	93	-	69	3.42	86.72	Good
Garbatulla	91	78	85	200	46	3.36	89.71	Good
Garissa	91	70	58	-11	133	3.37	89.52	Good
Garsen	76	100	88	-	49	3.04	100.00	Very Good
Habaswein	91	83	87	-40	13	3.53	79.66	Good
Hola	81	93	90	-8	26	3.22	98.58	Good
Homabay	100	73	64	-	7	3.40	87.42	Good
Ijara	97	94	81	40	31	3.68	69.59	Fair
Isiolo	84	100	99	-15	120	3.34	91.21	Good
Kajiado	86	100	31	0	15	3.49	82.05	Good
Kakamega	67	100	114	-100	10	3.10	100.00	Very Good
Kakuma	76	100	59	-4	132	3.31	92.60	Good
Kericho	100	100	87	0	25	3.25	96.63	Good
Kibera	70	90	76	-6	13	3.50	81.44	Good
Kilifi	71	100	102	-18	98	3.25	96.89	Good
Kisumu	82	100	66	-29	33	3.34	91.10	Good
Kitui	77	68	102	-	34	3.43	85.98	Good

Kadhis' Court	Percentage of matrimonial, divorce, succession and matters of personal status concluded within 360 days of filing	Percentage of judgments and rulings delivered within 60 days of conclusion of the hearing	Case Clearance Rate	Percentage reduction of backlog	Merit Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kwale	96	100	46	-3	393	3.12	100.00	Very Good
Lamu	59	100	61	-17	55	3.25	96.75	Good
Machakos	90	15	53	0	11	3.72	67.07	Fair
Malindi	80	100	72	-100	74	3.00	100.00	Very Good
Mandera	93	93	77	136	89	3.39	88.00	Good
Mariakani	83	100	17	-17	29	3.13	100.00	Very Good
Marsabit	80	100	53	-5	31	3.46	83.85	Good
Merti	91	100	101	100	98	3.46	83.77	Good
Meru	84	71	85	-	15	3.48	82.92	Good
Modogashe	88	55	163	100	17	3.37	89.69	Good
Mombasa	83	100	65	-9	792	3.09	100.00	Very Good
Moyale	82	89	103	-71	97	3.02	100.00	Very Good
Msambweni	99	100	70	5	107	3.12	100.00	Very Good
Nairobi	81	75	79	-4	557	3.18	100.00	Very Good
Nakuru	82	95	87	0	18	3.41	87.28	Good
Nyeri	83	98	82	13	13	3.16	100.00	Very Good
Takaba	97	100	90	200	32	3.20	100.00	Very Good
Vihiga	100	0	0	0	0	4.11	45.79	Poor
Voi	74	93	105	-100	71	3.02	100.00	Very Good
Wajir	76	100	89	-53	114	3.08	100.00	Very Good
Witu	100	100	102	500	79	3.18	100.00	Very Good

Annex 7: Tribunals Performance on Selected Indicators

Tribunals	Percentage of Urgent applications concluded within 45 days of filing (No application)	Percentage of filed cases/Appals concluded within 360 days of filing	Percentage of judgments/rulings-delivered 60 days of conclusion of the hearing	Case clearance rate	Percentage reduction of backlog	Merit and Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Business Premises Rent Tribunal	N/A	N/A	75	215	-53	4859	2.87	100.00	Very Good
Co-operative Tribunal	50	50	33	178	-10	1548	3.14	100.00	Very Good
Communications and Multimedia Appeals Tribunal	100	0	0	250	-100	5	2.79	100.00	Very Good
HIV and AIDS Tribunal	100	100	100	81	-100	34	2.91	100.00	Very Good
Industrial Property Tribunal	100	67	67	50	-21	2	3.46	83.83	Good
Legal Education Appeals Tribunal	N/A	100	80	109	-	36	3.07	100.00	Very Good
Micro and Small Enterprise Tribunal	0	100	100	443	-100	31	2.90	100.00	Very Good
Political Parties Disputes Tribunal (PPDT)	80	100	100	122	-100	252	2.87	100.00	Very Good
Rent Restriction Tribunal	22	90	76	72	-5	1618	2.79	100.00	Very Good
Sports Disputes Tribunal	54	100	91	83	-40	45	2.66	100.00	Very Good
The National Environment Tribunal	90	58	70	91	-53	21	3.14	100.00	Very Good
Transport Licensing Appeals Board Tribunal	-	90	100	87	-50	26	2.63	100.00	Very Good

Annex 8: Administrative Units Performance

Implementing Unit	2019/2020			2020/2021			2021/2022		
	Composite Score	Performance score (%)	Performance Grade	Composite Score	Performance score (%)	Performance Grade	Composite Score	Performance score (%)	Performance Grade
OCRJ	3.03	100.00	Very Good	3.25	96.54	Good	3.06	100.00	Very Good
PERFORMANCE OF SEMI-AUTONOMOUS JUDICIARY AGENCIES									
KJA	3.14	100.00	Very Good	3.17	100.00	Very Good	3.51	80.71	Good
OJO	3.60	76.43	Fair	3.20	99.55	Good	3.19	100.00	Very Good
PERFORMANCE OF OFFICES OF REGISTRARS									
Supreme Court	3.05	100.00	Very Good	3.13	100.00	Very Good	3.10	100.00	Very Good
Court of Appeal	3.12	100.00	Very Good	3.25	96.66	Good	3.06	100.00	Very Good
High Court	3.08	100.00	Very Good	3.20	100.00	Very Good	2.92	100.00	Very Good
Employment & Labour Relations	3.03	100.00	Very Good	3.13	100.00	Very Good	3.01	100.00	Very Good
Environment & Land Court	3.05	100.00	Very Good	3.33	91.62	Good	3.12	100.00	Very Good
Magistrates' Courts	3.12	100.00	Very Good	3.04	100.00	Very Good	3.08	100.00	Very Good
Tribunals	3.10	100.00	Very Good	3.25	96.54	Good	3.08	100.00	Very Good

Implementing Unit	2019/2020			2020/2021			2021/2022		
	Composite Score	Performance score (%)	Performance Grade	Composite Score	Performance score (%)	Performance Grade	Composite Score	Performance score (%)	Performance Grade
PERFORMANCE OF DIRECTORATES & UNITS									
Small Claims Court							3.08	100.00	Very Good
Building Services	3.19	100.00	Very Good	3.84	59.72	Fair	3.46	84.03	Good
Human Resource & Administration	3.15	100.00	Very Good	3.25	96.54	Good	3.20	100.00	Very Good
ICT	3.62	73.32	Fair	3.62	73.14	Fair	3.97	51.91	Fair
Internal Audit and Risk Management	3.07	100.00	Very Good	3.30	94.00	Good	3.10	100.00	Very Good
Library Services	3.19	100.00	Very Good	3.82	61.00	Fair	3.51	80.56	Good
Planning and Organizational Performance	3.00	100.00	Very Good	3.16	100.00	Very Good	3.08	100.00	Very Good
Public Affairs & Communication	3.06	100.00	Very Good	3.17	100.00	Very Good	3.14	100.00	Very Good
Supply Chain Management	3.08	100.00	Very Good	3.09	100.00	Very Good	3.09	100.00	Very Good
Finance & Accounts	3.09	100.00	Very Good	3.16	100.00	Very Good	3.17	100.00	Very Good
Administration & Security Services	3.41	86.57	Good	3.20	100.00	Very Good	3.23	97.99	Good

