Abridged Version

REPUBLIC OF KENYA

THE JUDICIARY



The State of the Judiciary & the Administration of Justice

Annual Report

2025/2026



Theme:

Expanding the Judicial Footprint and Strengthening Capacity for Effective Justice Delivery

Social Transformation *through* Access to Justice

The State of the Judiciary and the Administration of Justice Annual Report 2025/2026

Abridged Version

VISION

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



MISSION

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

Foreword from the Chief Justice



I am pleased to present the State of the Judiciary and the Administration of Justice Report (SOJAR) for the Financial Year 2025/26 to Parliament and to the people of Kenya. This Report is an important instrument of public accountability through which the Judiciary accounts for the exercise of judicial authority entrusted to us by the people under the Constitution. It provides an account of our performance, the reforms undertaken, the challenges encountered, and the progress made towards ensuring that justice is accessible, timely, efficient, inclusive and responsive to the needs of every person who turns to our courts and tribunals.

The period under review was characterised by a deliberate effort to expand the judicial footprint and strengthen institutional capacity for effective justice delivery. This reflects the central aspiration of our 'Social Transformation through Access to Justice' (STAJ) Blueprint to move towards a people-centred justice system that considers the entire justice journey and the lived experience of the court user. Accordingly, our interventions during the year focused on bringing justice closer to the people, improving timeliness, strengthening human and institutional capacity, deepening the use of technology, expanding multiple pathways to justice, and reinforcing integrity and accountability across the institution.

I am encouraged that the Judiciary sustained a strong trajectory in case resolution. During FY 2025/26, 561,580 cases were filed and 576,702 were resolved, yielding an overall Case Clearance Rate of 103 per cent. For the second consecutive year, the Judiciary resolved more cases than were filed, contributing to a reduction in the overall pending caseload. The pending caseload declined by approximately 2.5 per cent, from 595,076 matters at the beginning of the year to 579,954 at its close. Importantly, backlog exceeding one year also declined substantially across the courts to which that measure applies, falling by 15.8 per cent. These results demonstrate the value of sustained performance management, targeted case-management interventions and the dedicated work of Judges, Judicial Officers and staff. At the same time, the continuing presence of case backlog, particularly in some superior and appellate courts, reminds us that aggregate clearance rates alone cannot define success. Our focus must increasingly be on the age, complexity and actual journey of individual cases, and on ensuring that every court user receives justice within a reasonable time.

We continued to make important progress in bringing justice closer to the people. Two new Court of Appeal stations were established in Kakamega and Meru, while a new sub-registry was established at Embu. Five additional Magistrates' Courts became operational, bringing the national total to 148, while fifteen additional Small Claims Courts expanded that Court's footprint to 55 stations. Two further tribunals were operationalised under the Judiciary, increasing the number of transited tribunals to 28. These developments were complemented by court circuits, mobile courts, Tribunals' shared services and other flexible arrangements designed to overcome distance and geographical barriers. The rapid expansion of the Small Claims Court is particularly significant because it gives individuals and enterprises a simpler and expeditious mechanism for resolving civil and commercial disputes.

Our commitment to a multi-door approach to justice also deepened during the year. Court-Annexed Mediation was extended to all 47 counties, following the establishment of 42 additional mediation registries, bringing the national total to 128. Alternative Justice Systems continued to take root as constitutionally recognised pathways for resolving disputes in ways that are accessible, culturally responsive and capable of preserving relationships and social harmony. AJS mechanisms operated in 29 court stations, additional registries were established, and County Action Plans and

AJS suites were expanded to more counties. These developments affirm our conviction that access to justice does not require every dispute to travel through conventional litigation; rather, people should have access to an appropriate pathway capable of delivering fair, timely and sustainable resolution.

Technology has remained a powerful enabler of our transformation. Through Mahakama Popote, judicial capacity was deployed virtually across court stations so that the location of a Judicial Officer need not determine whether a litigant receives a timely hearing. During the year, 31,187 matters were referred through this initiative and 22,516 were resolved. We also strengthened digital infrastructure and connectivity, expanded court-facing digital systems, continued the digitisation of court records and transcription services, and deepened administrative automation through the Jumuika Enterprise Resource Planning system. By the close of the reporting period, 183 courts and offices were connected to the Judiciary network. The Judiciary Contact Centre and customer relationship management systems further strengthened our ability to engage with court users and respond to their needs.

The year also marked an important strengthening of our human capital and judicial capacity. Fifty-three Judges were appointed across the Supreme Court, Court of Appeal, High Court and Environment and Land Court, while additional Magistrates were recruited and Judicial Officers and staff progressed through promotions and career-development opportunities. Yet the Report also underscores a continuing challenge: as at June 30, 2026, the Judiciary had 8,017 employees against an approved establishment of 12,079 positions. Significant vacancies remain among Judges, Magistrates, Registrars and Legal Researchers. Addressing these gaps, while investing in the professional development, welfare, safety and psychosocial wellbeing of our people, is essential if the gains in service delivery are to be sustained.

We have equally continued to strengthen governance, integrity and institutional accountability. Performance management is increasingly being supported by evidence and data to inform deployment, workload allocation and resource decisions. Court Integrity Committees, complaints-handling mechanisms and collaboration with institutions such as the Ethics and Anti-Corruption Commission have continued to reinforce our zero-tolerance approach to corruption and misconduct. We have also strengthened institutional preparedness to discharge our constitutional responsibilities in the electoral cycle ahead, while continuing to defend judicial independence, constitutionalism and the rule of law.

These advances have, however, been achieved against continuing resource constraints. The Judiciary's budgetary allocation increased to KSh27.15 billion in FY 2025/26, representing an important improvement over the previous financial year. Nonetheless, the allocation remained below the resources required to meet our growing infrastructure, staffing, technological and operational needs, leaving an estimated funding gap of KSh12.95 billion. Adequate and sustainable resourcing of the Judiciary is a constitutional imperative because the ability of the courts to deliver timely and accessible justice depends on the human, physical and technological capacity available to them. The Judiciary will therefore continue engaging Parliament, the Executive and other stakeholders on sustainable financing consistent with the institutional and financial independence contemplated by the Constitution.

The achievements recorded in this Report demonstrate that the transformation envisaged by STAJ is steadily taking root, even as the work of social transformation remains ongoing. I extend my appreciation to the Honourable Judges, Judicial Officers and Judiciary staff whose dedication, resilience and commitment have made these gains possible. I also thank the Judicial Service Commission, Parliament, the Executive and our justice-sector partners for their continued collaboration and support. Above all, I thank the people of Kenya, from whom judicial authority derives, for their continued engagement and trust in the Judiciary. We remain committed to strengthening the Judiciary as an independent institution of excellence that delivers justice fairly, efficiently and accessibly to every person.

HON. JUSTICE MARTHA K. KOOME, EGH

CHIEF JUSTICE AND PRESIDENT OF THE SUPREME COURT OF KENYA

STATE OF THE JUDICARY AND THE ADMINISTRATION OF JUSTICE REPORT 2025/2026

AT A GLANCE

Reducing Case Backlog



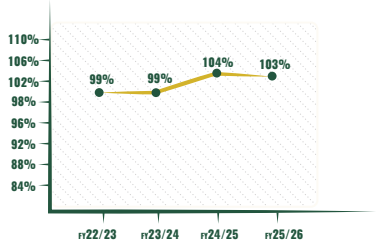


561,580 | **576,702**

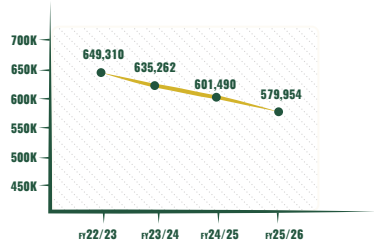
CASE CLEARANCE RATE

103%

TREND OF CASE CLEARANCE RATE



TREND OF PENDING CASES



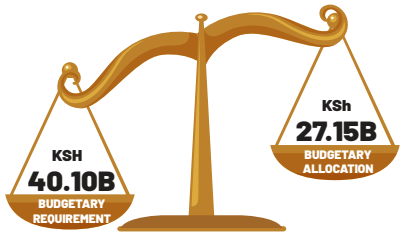
Backlog older than 1 year is **down 15.8%** from 405,486 to 341,412 (64,074 fewer)

Strengthened Financial Mechanisms

Budget Allocation FY 2025/26

Ksh 27.15B

Judiciary share of the National Budget is 0.93% against a 3% Target

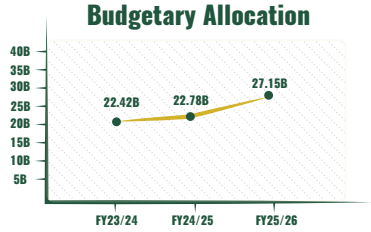


Funding Gap

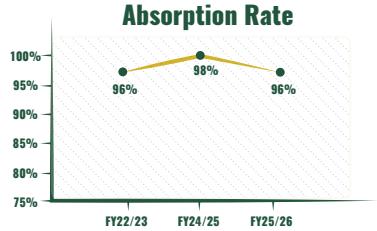
Ksh 12.95B

(32%)

Budgetary Allocation



Absorption Rate



Expanding Doorways of Justice

NEW 2 COA stations (Kakamega, Meru) + 1 sub-registry

NEW 5 Magistrates Courts Total: 148

NEW 15 Small Claims Courts Total: 55

NEW 2 Tribunals Operationalised Total: 28

NEW 42 CAM registries Total: 128 In all Counties

New 3+ AJS registries | **New 3+** ELRC Sub-registries | **New 1+** ELC station (Limuru) + 2 sub-registries

MAHAKAMA POPOTE

31,187 Cases Referred | **22,516** Cases Resolved | **276** Judicial Officers

71 MOBILE COURTS

10,557 CASES FILED

8,837 CASES RESOLVED

STATE OF THE JUDICARY AND THE ADMINISTRATION OF JUSTICE REPORT 2025/2026

AT A GLANCE

Accountability in the Judiciary



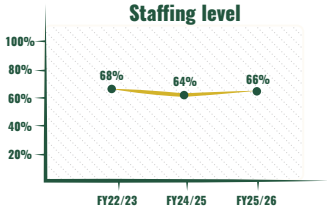
Complaints and Enquiries
1,243 Total Handled
89% Concluded

Petitions against Judges
127 New
259 Total Handled
168 Concluded

Displinary Cases
Judicial Officers: **16** Total Handled, **7** Concluded
Staff: **80** Total Handled, **27** Concluded

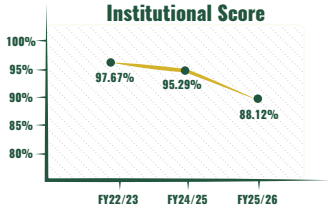
Overall Staff Complement

8,017
Against an establishment of 12,079



Judges	241
Magistrates	637
Kadhis	45
Tribunal members	124
Registrars	48
Law Clerks and Legal Researchers	259
Staff	6,663

Performance Management (FY 2024/25 cycle)



Staff Appraisal
97% Compliance
94.4% Mean Score

PMMU Grade distribution

Grade	Units	Share
Very Good	94	26.8%
Good	244	69.5%
Fair	13	3.7%
Poor	0	0%

Leveraging Technology For Delivery Of Justice

749,522
Cases Files digitised in total (192,633 this year)

4.9M
Digitised Documents (PDF) across 121 stations

Connectivity

183 Courts & Offices Connected
25 Backup Links
4,736 Users served at Huduma Centre Judiciary Desk

Systems Enhanced
E-filing
CTS **Jumuika**
JAMS

New Systems
Urithi
Hakimu AI
Haki Centre

CHAPTER 1

Governance & Strategy Implementation

The State of the Judiciary and Administration of Justice (SOJAR) Report is published pursuant to Section 5(2)(b) of the Judicial Service Act and provides an account of Judiciary performance during FY 2025/26.

Guided by the Constitution and the Social Transformation through Access to Justice (STAJ) Blueprint, the Judiciary implemented its transformation agenda under the theme Expanding the Judicial Footprint and Strengthening Capacity for Effective Justice Delivery.

Leadership and Governance of the Judiciary



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

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

Leadership, governance and accountability in the Judiciary ran through established structures for shared leadership, including the Judiciary Leadership Team, the Judiciary Management Committee, the Leadership and Management Teams and the Court Users Committees

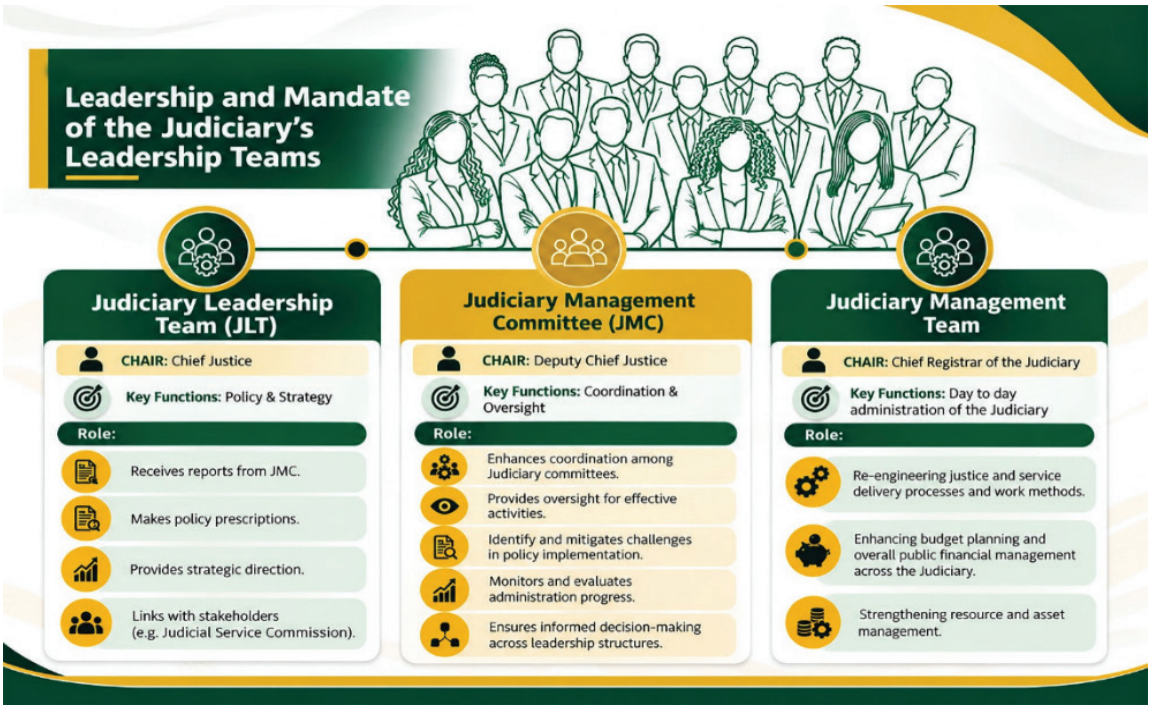


Figure 1.1:1 – Leadership & Mandate of the Judiciary's Leadership Teams



Strategic Priorities and Institutional Transformation

The STAJ Blueprint guided the Judiciary's work in FY 2025/26. The year's theme was Expanding the Judicial Footprint and Strengthening Capacity for Effective Justice Delivery, and the interventions fell under nine key areas:

- As part of improving access to justice and people-centred services, the Judiciary expanded Alternative Justice Systems and court-annexed mediation and widened its response to gender-based violence. This brought services closer to communities that face barriers of distance, cost and complex procedure. The work responded to rising Small Claims Court filings, prison congestion and the needs of children, women and other vulnerable groups.
- In institutional leadership and human capital development, leadership changed hands at two superior courts. Justice Daniel Musinga completed his term as the third President of the Court of Appeal on May 24, 2026; during his term the Court grew from 13 to 42 Judges and opened full stations in Kakamega and Meru. Justice Gatembu Kairu, elected on June 22, 2026, took office on July 16, 2026. At the Employment and Labour Relations Court, Justice Byram Ongaya was elevated to the Court of Appeal after a term in which the Court's pending cases fell by half, from 9,896 to 4,942. Justice Monica Mbaru was installed as the fourth Principal Judge on March 27, 2026. Across the institution, new Judges and Magistrates were appointed and training and succession planning were stepped up to address the backlog and rising demand.
- On staff welfare, the Judiciary held its Sports Day and the first International Day for Judicial Well-Being. The main gain of the year was the Judges' Retirement Benefits Act, signed into law in



March 2026, which closed a gap left open since the Kotut (1992) and Kwach (1998) reports. Under the Act, serving Judges keep their defined benefits. New Judges join a contributory scheme, paying 7.5 per cent of basic salary, with the Government paying 15 per cent. Retired Judges, including those who retired after 2010, receive medical cover.

- To improve governance and performance management, the Judiciary carried out its performance evaluation exercises and began developing a Case Weighting Framework. The framework will give objective data for staffing, budgeting and allocating work across court stations.
- In promoting integrity, transparency and anti-corruption, the Judiciary held Court Dialogue Days, gave the Court Integrity Committees a bigger role and ran daily integrity briefings at stations. With the Ethics and Anti-Corruption Commission, it acted on findings from procedural audits of registries. With UNODC, it built its capacity to prevent, detect and respond to corruption risks.
- To uphold constitutionalism, judicial independence and the rule of law, the Judiciary launched the Judiciary Committee on Elections Operational Plan 2025–2029, which prepares the courts to handle electoral disputes fairly and on time before the next general election.
- In building future justice leaders through advocacy, every Supreme Court Judge lectured at a law school. The Supreme Court's annual Moot Court Competition set students problems in human rights, administrative law, refugee law and artificial intelligence.
- Through international cooperation and judicial diplomacy, the Judiciary worked with UNODC (through the PLEAD Programme), UN Women and the Ford Foundation on technical support and training. It hosted the 14th World Conference of the International Association of Refugee and Migration Judges, which opened on November 17, 2025, and the Africa Chief Justices' ADR Forum. Delegations from Zambia, Malawi, Zanzibar and Nigeria came on benchmarking visits. On May 13, 2026, the President launched Justice Njoki Ndung'u's candidature for the International Criminal Court (2027–2036 term) ahead of the December 2026 election.
- In its engagement with national justice stakeholders, the Judiciary and the National Assembly held their first joint colloquium in Mombasa on August 22, 2025, under the theme "Social Transformation through Institutional Comity". The Chief Justice was Chief Guest at the Law Society of Kenya Annual Conference in Diani from August 12 to 16, 2025. Coordination with other justice-sector agencies ran through the NCAJ at national level and through Court Users Committees and Bench–Bar meetings at station level.



September 11, 2025: Deputy Chief Justice Philomena Mwilu joined by Supreme Court Judge Dr Smokin Wanjala and ELC Judge Boaz Olao and judicial staff on the first day of the Judiciary Sports Day at Utalii Sports Grounds, Nairobi.



August 22, 2025: Chief Justice Martha Koome and Speaker of the National Assembly Rt. Hon. (Dr.) Moses Wetang'ula arrive at the Joint National Assembly and Judiciary Forum in Mombasa. The occasion brought together two arms of government entrusted with consequential constitutional responsibilities. The joint forum embodied the spirit of the Constitution: collaborative constitutionalism. The constitutional architecture deliberately balanced institutional independence with interdependence, requiring separation of powers, but also dialogue, collaboration, and checks and balances. The theme of the engagement was, 'Social Transformation through Institutional Comity'.

Excellence and Recognition

The Judiciary and its personnel received national and international recognition for excellence in judicial service and administration.

- African Bar Association Medal of Merit for Judicial Excellence to the Supreme Court of Kenya
- Law Society of Kenya awards Judge of the Year: Justice John Onyiego.
- Law Society of Kenya awards Judicial Officer of the Year: Elizabeth Tanui.
- Nairobi Legal Awards / LSK Nairobi Branch awards Judge of the Year to Hon Justice Bahati Mwamuye
- Nairobi Legal Awards / LSK Nairobi Branch awards Judicial Officer of the Year: Hon Festus Terer
- FIDA—Kenya awards Outstanding Jurist Award: Justice Jacqueline Kamau.
- The Platform for Law, Justice, and Society in partnership with Strathmore Law School awards C.B. Madan Award: Justice Chacha Mwita.
- National honours awarded to 19 judiciary personnel.

Admissions, Certifications, and Oaths of Office

The Judiciary continued to discharge its statutory mandate relating to admission to the legal profession and administration of oaths of office.

- 1,499 Advocates admitted to the Bar.
- 19,429 Digital Practising Certificates issued to advocates.
- 1,403 Advocates appointed as Commissioners for Oaths.
- 851 Advocates appointed as Notaries Public.
- Rank of Senior Counsel conferred by H.E. the President on 54 Advocates.



December 11, 2025: Dr Muthomi Thiankolu, SC, signs the Roll of Senior Counsel before Chief Registrar Winfridah Mokaya at State House at a ceremony during which His Excellency President William Ruto conferred the rank of Senior Counsel on 54 Advocates.

CHAPTER 2

Courts Dispute Resolution

This chapter presents a summary of the Judiciary's performance in managing and disposing of cases during FY 2025/26. It highlights overall caseload performance, court-level case clearance, filing and pending-case trends, geographic distribution of filings, pending cases and backlog, adjournments, children in court processes, and the gender profile of court users.

Overall Judiciary Caseload Performance

As at June 30, 2025, the Judiciary reported 598,628 pending cases. An inventory audit undertaken during FY 2025/26 identified 3,552 cases that had already been resolved but remained reflected in the pending caseload. This resulted in an adjusted pending caseload of 595,076 cases as at July 1, 2025.

During FY 2025/26, the Judiciary received 561,580 new cases, bringing the total caseload to 1,156,656 cases. The courts resolved 576,702 cases, exceeding new filings by 15,122 cases and achieving a Case Clearance Rate (CCR) of 103 per cent.

The pending caseload consequently declined by 15,122 cases (2.5 per cent) to 579,954 cases as at June 30, 2026.

Case filings and resolutions varied across court levels. The Magistrates' Courts accounted for 399,922 filings, representing 71.2 per cent of all cases filed during the year. The Small Claims Courts recorded the highest CCR at 120 per cent, followed by Tribunals (114 per cent), Kadhis' Courts (108 per cent) and ELRC (104 per cent). The Court of Appeal and ELC each recorded a CCR of 89 per cent, while the High Court recorded 96 per cent.

COURT	Pending Cases as at June 30, 2025	Cases Filed during FY2025/26	Cumulative Caseload during FY2025/26	RESOLVED CASES							Pending Cases as at June 30, 2026	CCR
COURT	Pending Cases as at June 30, 2025	Cases Filed during FY2025/26	Cumulative Caseload during FY2025/26	Less than 1 Yr	1-2 yrs	2-3 yrs	3-4 Yrs	4-5 Yrs	Over 5 Years	Total	Pending Cases as at June 30, 2026	CCR
Supreme Court	70	75	145	58	16	-	-	-	-	74	71	99%
Court of Appeal	12,743	7,510	20,253	2,230	830	776	686	647	1,516	6,685	13,568	89%
High Court	67,543	48,437	115,980	29,072	8,189	3,425	1,311	828	3,916	46,741	69,239	96%
ELRC	5,267	6,017	11,284	3,137	1,169	631	319	216	767	6,239	5,045	104%
ELC	17,702	10,531	28,233	3,852	1,866	965	491	425	1,770	9,369	18,864	89%
Magistrates Courts	447,735	399,922	847,657	279,822	50,579	24,222	13,439	9,752	25,736	403,550	444,107	101%
Kadhis Courts	3,702	15,727	19,429	13,652	2,690	343	75	25	129	16,914	2,515	108%
Small Claims Court	28,973	60,155	89,128	47,002	22,226	2,007	629	150	12	72,026	17,102	120%
Tribunals	11,341	13,206	24,547	7,098	894	1,174	1,590	437	3,911	15,104	9,443	114%
Total	595,076	561,580	1,156,656	385,923	88,459	33,543	18,540	12,480	37,757	576,702	579,954	103%

Table 2.2:3 - Distribution of resolved cases by age and court level, FY 2025/26

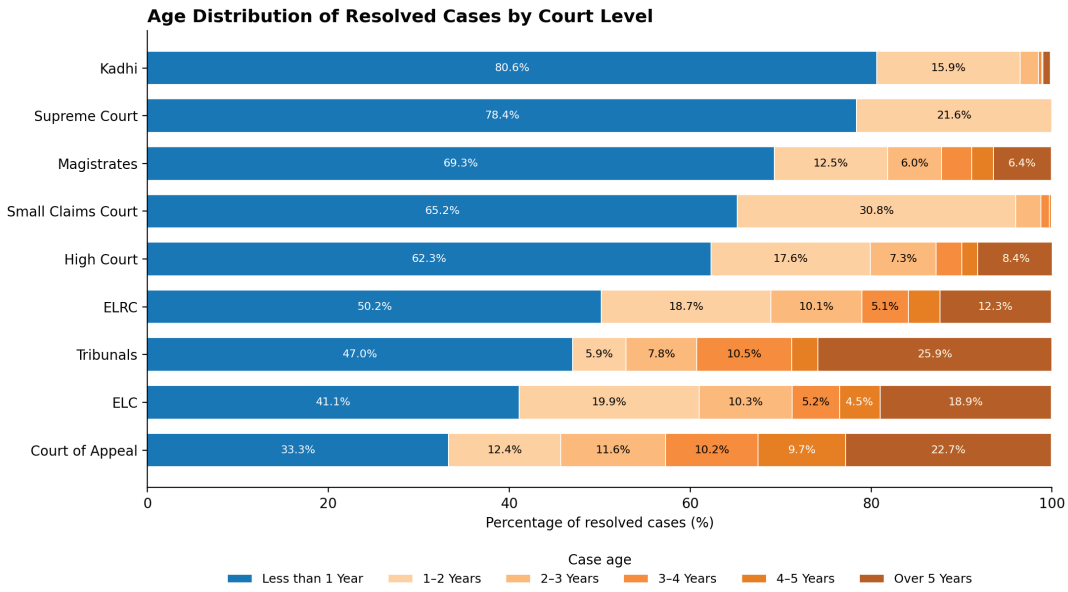


Figure 2.1:1 - Distribution of Resolved Cases by Age and Court Level, FY 2025/26

Trends in Caseload Performance

Between FY 2019/20 and FY 2025/26, case filings increased by 66 per cent, from 337,510 to 561,580. Over the same period, case resolutions increased by 99 per cent, from 289,728 to 576,702. Pending cases peaked at 686,499 in FY 2020/21 before declining to 579,954 in FY 2025/26, representing a 15.5 per cent reduction from the peak.

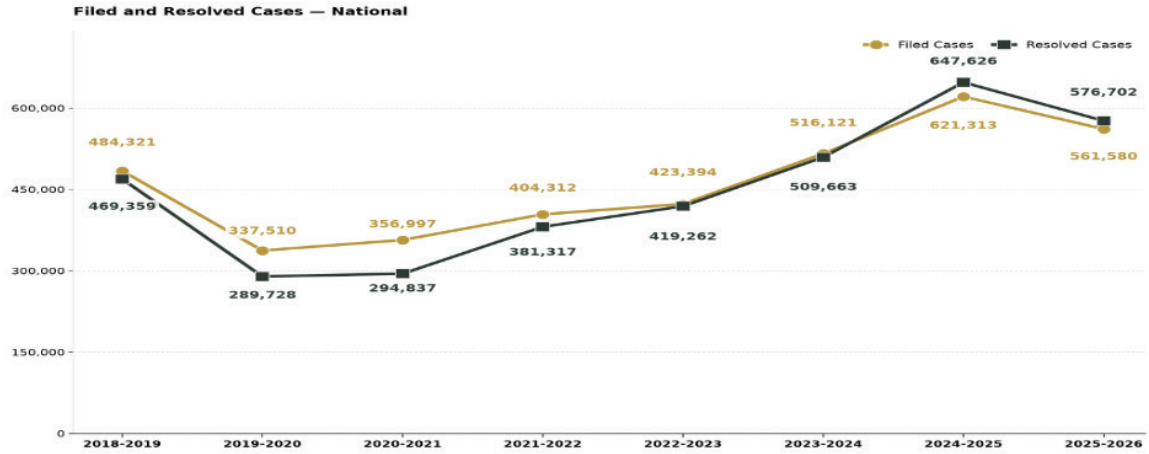


Figure 2.2:1 - Trends in Filed and Resolved Cases, FY 2018-19 to 2025-26

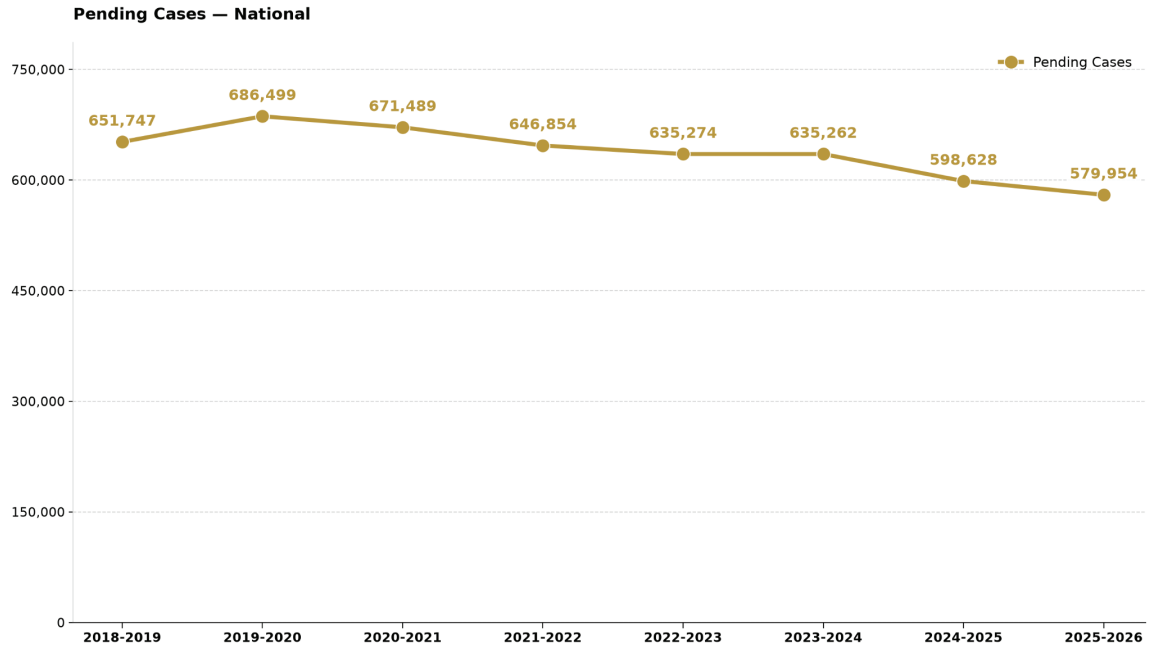


Figure 2.2:2 - Trends in Pending Cases, FY 2018-19 to 2025-26

The trend shows that case resolutions grew faster than filings over the review period, contributing to a sustained decline in pending cases.

Pending Cases and Backlog

Despite achieving a CCR above 100 per cent, the Judiciary continued to face a substantial backlog, with 58.9 per cent (341,412 cases) of pending cases classified as backlog. The Magistrates' Courts accounted for 80.3 per cent of backlog cases, followed by the High Court at 11.9 per cent.

More than half of these cases had remained unresolved for over three years, highlighting the continuing challenge of addressing older cases.

Table 2.2:4 - Distribution of Pending Cases and Backlog by Court Level, as at June 30, 2026

Court Level	Pending Cases				
	Less than 1 Year	Backlog			Total
		1–3 Years	Over 3 Years	Total Backlog	Total
Supreme Court	60	11	0	11	71
Court of Appeal	6,246	3,130	4,192	7,322	13,568
High Court	28,566	20,559	20,114	40,673	69,239
ELRC	1,919	2,825	301	3,126	5,045
ELC	6,922	4,933	7,009	11,942	18,864
Magistrates' Courts	169,930	132,596	141,581	274,177	444,107
Small Claims Courts	17,102	–	–	–	17,102
Tribunals	5,829	1,653	1,961	3,614	9,443
Kadhis' Courts*	1,968	345	202	547	2,515
Total	238,542	166,052	175,360	341,412	579,954

Note: A dash (–) indicates no backlog reported in the corresponding age category.

Geographic Distribution of Filed Cases

Nairobi County recorded the highest number of filings (140,213 cases), accounting for 25.0 per cent of all filings. Other high-volume counties included Kiambu (41,750 cases), Nakuru (30,444), Mombasa (25,155), Machakos (24,146), Kisumu (20,694), Uasin Gishu (19,677), and Meru (18,951). Together, the eight leading counties accounted for 57.2 per cent of all cases filed during the year.

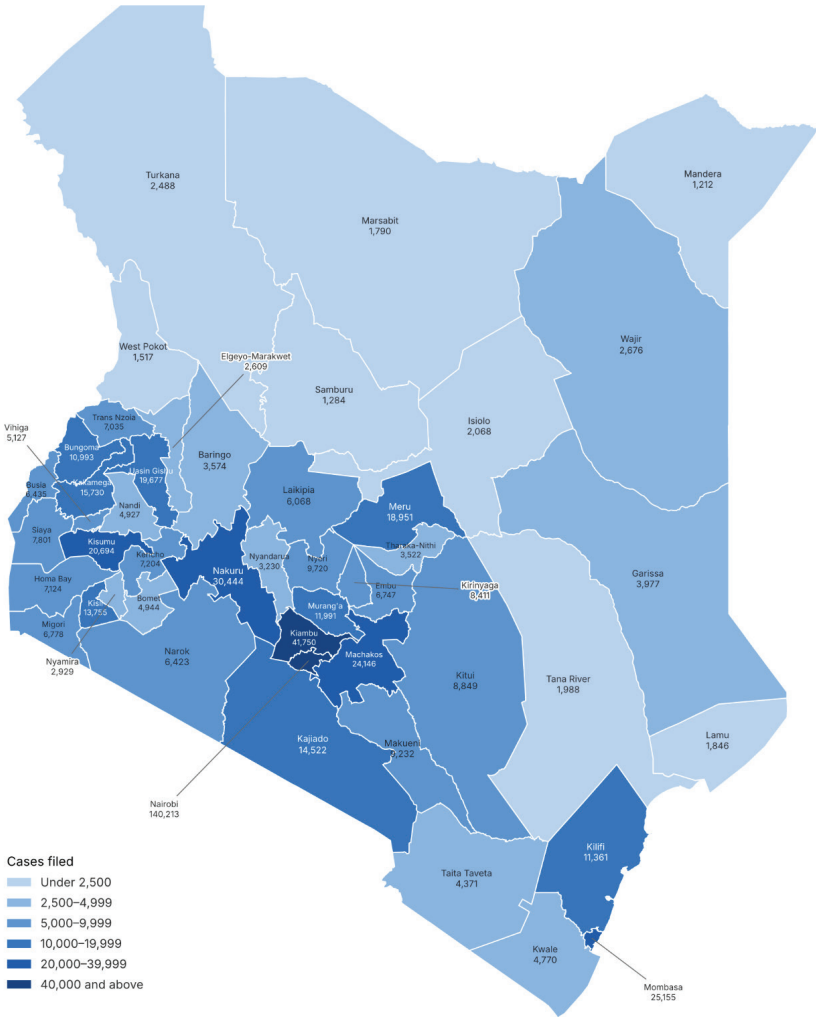


Figure 2.4:1 - Distribution of Filed Cases by County, FY 2025/26

Adjournments

The Judiciary recorded an overall adjournment rate of 7 per cent during FY 2025/26, down from 8 per cent in FY 2024/25. A total of 274,478 adjournments were recorded. Internal factors accounted for 53.4 per cent, while external factors accounted for 46.6 per cent.

The leading cause was absence of witnesses, accounting for 29,440 adjournments (10.7 per cent).

Note: Percentages are expressed as a share of the 274,478 adjournments recorded in FY 2025/26.

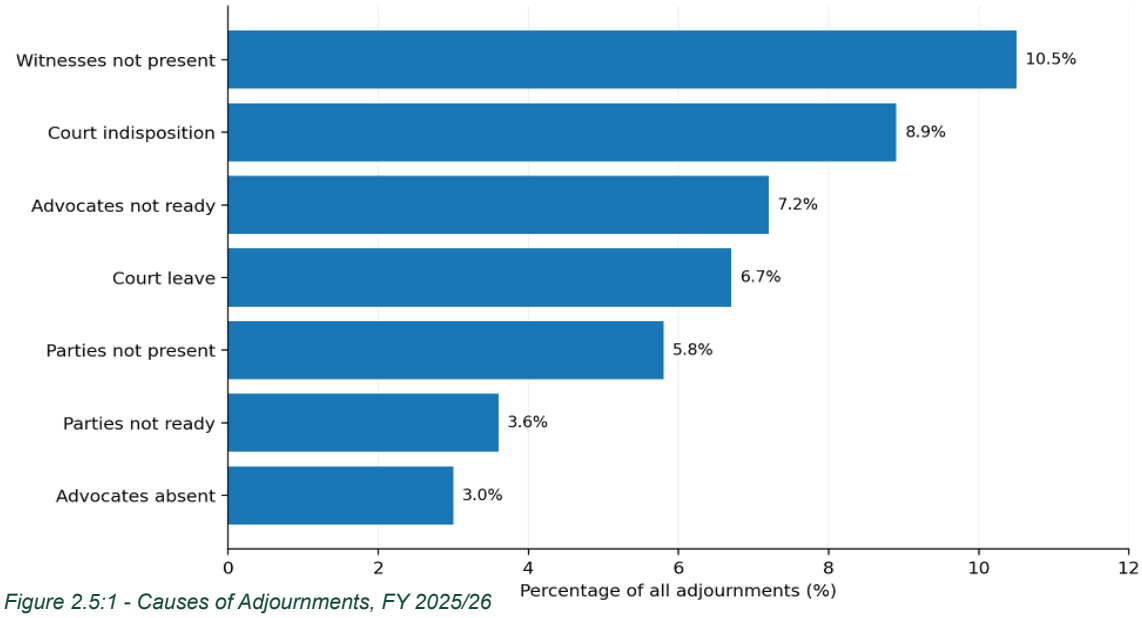


Figure 2.5:1 - Causes of Adjournments, FY 2025/26

Individual Performance of Judges & Judicial Officers

This year, for the first time, the report sets out the recorded output of each Judge, Magistrate, Kadhi and Small Claims Court Adjudicator. Each court station's performance is shown first, followed by the officers based there. Their output is drawn from the Case Tracking System and counts judgments delivered, rulings that closed a case, interlocutory rulings and other resolutions.

In reviewing the individual performance reports, it is important to note that station and individual figures will not add up to the same totals. A station counts each case once, when it is resolved, including cases concluded during circuits and by Deputy Registrars. A Judge or Judicial Officer's individual figures count every decision they make, including interlocutory rulings in cases that are still running. They also count work done at other stations through Rapid Results Initiatives, service weeks and Mahakama Popote. Bench decisions are shown separately, because they are the collective work of the Judges on the bench.

It is also important to note that the figures are not a ranking. They do not measure case complexity or the quality of decisions. Nor do they capture the time officers spend leading stations, serving as Deputy Registrars or Adjudicators, or working in administrative offices. Some officers also served only part of the year, including Judges sworn in on May 4, 2026 and Magistrates who were appointed to the superior courts.

The full station-by-station schedule is in the full report.

Children in Court Processes

During FY 2025/26, the courts received 15,272 cases involving children and resolved 16,010 cases. Children in Contact with the Law (CCL) accounted for 93 per cent of child-related filings, while Children in Conflict with the Law (CICL) accounted for 7 per cent.

Category	Filed Cases	Resolved Cases
Children in Conflict with the Law	1,072	981
Children in Contact with the Law	14,200	15,029
Total	15,272	16,010

Table 2.7:1 - Cases Involving Children, FY 2025/26

The courts resolved more child-related cases than were filed during FY 2025/26, with cases involving Children in Contact with the Law accounting for the overwhelming majority of the child caseload.

Gender Profile of Court Users

Court-user data show a marked gender difference across case types. Male litigants constituted the majority of individual court users, particularly in criminal, traffic and election-offence proceedings. Organisations also represented a substantial share of parties in civil matters.

Party Category	Male	Female	Organization
Applicants / Plaintiffs	54,837	26,488	48,731
Respondents / Defendants	185,300	77,922	104,890

Table 2.8:1 - Gender Profile of Recorded Parties in Civil and Other Cases, FY 2025/26

Male litigants accounted for the majority of individual court users, while organisations remained significant users of court services, particularly in civil matters.

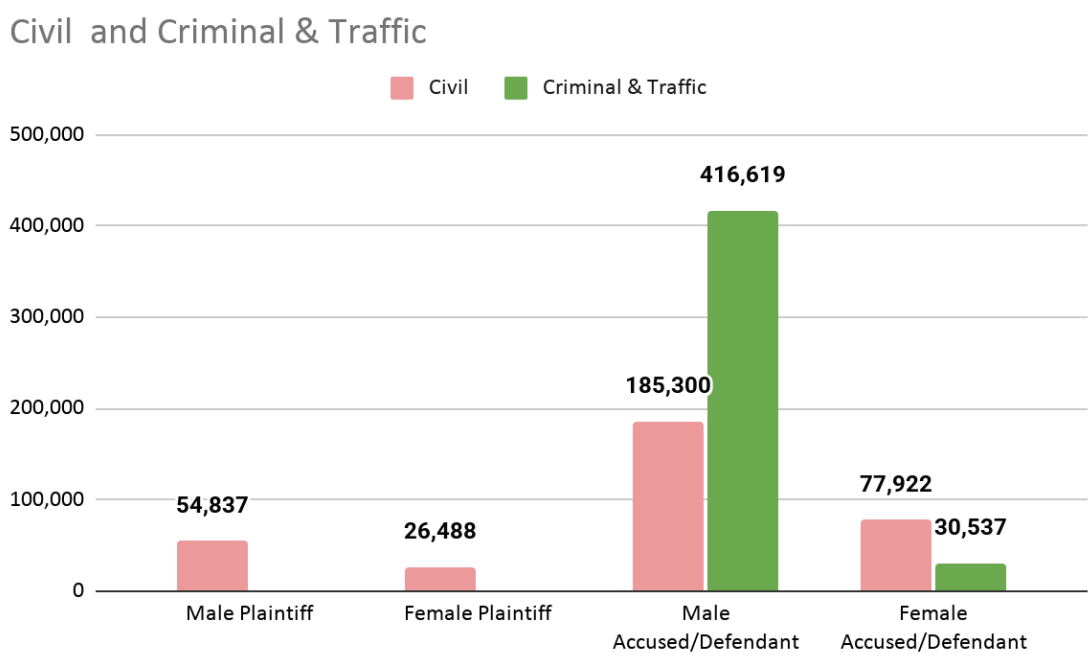


Figure 2.6:1 - Gender Profile of Parties in Criminal and Traffic Cases during FY2025/26

Alternative Forms of Dispute Resolution

The Judiciary continued to promote Court-Annexed Mediation (CAM) and Alternative Justice Systems (AJS) as accessible, timely and cost-effective mechanisms for dispute resolution. These complementary processes enhanced access to justice, reduced case-processing time and enabled parties to resolve disputes outside the traditional adversarial process.

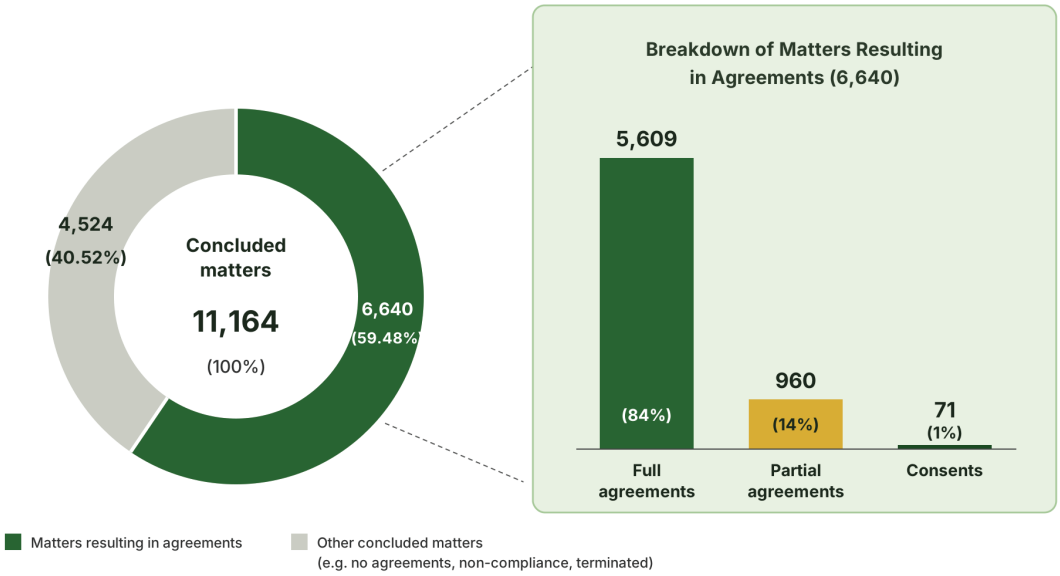
Court-Annexed Mediation

Court-Annexed Mediation recorded strong growth during FY 2025/26, reflecting increased utilisation of mediation as an alternative dispute resolution mechanism. 11,650 cases were referred to Court-Annexed Mediation, representing a 77 per cent increase from 6,573 referrals in FY 2024/25. During the same period, 11,164 cases were concluded, translating to an overall conclusion rate of 96 per cent.

Beyond the number of cases settled, Court Annexed Mediation facilitated the resolution of disputes of substantial monetary value. Of the KSh 21.78 billion worth of matters referred to mediation, approximately KSh 14.73 billion was covered by settlement agreements, equivalent to about 62 per cent of the value referred. Table 2.4:1 presents the monetary value of matters referred and settlement agreements across the different court levels.

Court Type	Total Value of Referred Matters (KSh)	Total Value of Settlement Agreements (KSh)
Court of Appeal	100,480,000	100,000,000
High Court	12,728,659,424	7,519,515,899
ELRC	129,728,748	47,532,896
ELC	1,266,678,496	449,689,999
Magistrates' Courts	7,475,457,673	5,573,346,460
Small Claims Court	5,000,000	1,000,000,000
Kadhis' Courts	39,732,256	21,438,825
Tribunals	33,184,516	17,689,662
All Courts	21,778,921,113	14,729,213,742

Table 2.4:1 - Value of Matters Referred and Settlement Agreements



Settlement agreement rate: 59.48%

(6,640 out of 11,164 concluded matters)

Figure 2.10:1 - Court Annexed Mediation settlement rate

Alternative Justice Systems

Alternative Justice Systems continued to provide communities with accessible and culturally responsive dispute-resolution mechanisms, complementing formal court processes.

Indicator	FY 2025/26
Matters recorded	2,780
Matters resolved	2,107
Case Clearance Rate (CCR)	76%

Magistrates' Courts accounted for the largest share of AJS matters, while walk-in cases recorded the highest performance, achieving a Case Clearance Rate of 91 per cent.

CHAPTER 3

Expanding Access to Justice

Guided by Article 48 of the Constitution and the STAJ Blueprint, the Judiciary implemented a range of initiatives aimed at bringing justice services closer to the people, reducing delays, expanding dispute-resolution pathways and enhancing access for vulnerable and underserved communities.

Expansion of Courts and Sub-Registries

The Judiciary expanded its physical footprint through the establishment of courts and their sub-registries, and the operationalization of tribunal services aimed at bringing justice closer to court users.

Table 3.1:1 - Courts and Sub-Registries Established in FY 2025/26

Court	FY 2024/25		Established in FY 2025/26		Total as at June 30, 2026	
Court	Stations	Sub-registries	Stations	Sub-registries	Stations	Sub-registries
Supreme Court	1	2	-	-	1	2
Court of Appeal	6	7	2	1	8	6
High Court	47	7	-	-	47	7
ELRC	10	11	-	4	10	15
ELC	40	5	1	2	41	7
Magistrates' Courts	143	-	5	-	148	-
Kadhis' Courts	47	-	-	2	45	2
Small Claims Courts	40	-	15	-	55	-



May 21, 2026: JSC Vice Chair Isaac Ruto and Commissioner Fatuma Sichale with Tribunals Registrar Ann Asugah during the launch of the Nyeri Tribunals Shared Services at the Tana Water Works Development Agency Building, Nyeri.

Court Circuits and Mobile Justice Services

The Judiciary continued to deploy court circuits and mobile courts to extend judicial services to underserved and hard-to-reach communities.

- 63 court circuits conducted, resolving 7,557 cases.
- 71 mobile courts handled 10,557 matters and resolved 8,837 cases.
- Launch of the Lunga Lunga Mobile Court under Msambweni Law Courts.

Timely Resolution of Cases

The Judiciary implemented targeted initiatives to improve case turnaround times, reduce delays and enhance utilisation of judicial resources.

- Mahakama Popote: 31,187 matters referred and 22,516 resolved.
- 23 Service Weeks conducted, resolving 5,444 cases.
- Completion of part-heard matters following judicial transfers.
- Constitution of 26 special benches, nine of which completed assigned matters.

Prison Decongestion

The Judiciary collaborated with justice-sector stakeholders to reduce prison congestion and facilitate review of eligible criminal cases. As part of prison decongestion, 1,725 cases were reviewed and 1,329 inmates released, across 48 stations countrywide.

Multi-Door Approaches to Justice

The Judiciary strengthened mediation and Alternative Justice Systems to provide faster, less adversarial and more accessible dispute-resolution mechanisms.

Court-Annexed Mediation

- 42 new mediation registries established.
- Nationwide coverage achieved in all 47 counties.
- 61 mediators accredited.

Alternative Justice Systems

- New AJS mechanism established in Maralal.
- AJS County Action Plans launched in Mombasa, Garissa and Embu.
- 13 new AJS registries established.
- 750 elders and practitioners trained.
- AJS expanded to 29 court stations.

Enhancing Access for Vulnerable Groups

The Judiciary implemented targeted interventions to address barriers faced by vulnerable and marginalised groups.

- Continued operation of 13 Gender Justice Courts.
- Launch of AJS Guidelines for Children's Matters.
- Refugee justice initiatives implemented with the Refugee Consortium of Kenya.
- KSh 161.3 million disbursed for pro bono legal aid.

Accessibility and Digital Inclusion

The Judiciary strengthened physical, technological and communication accessibility to ensure equitable access to justice services.

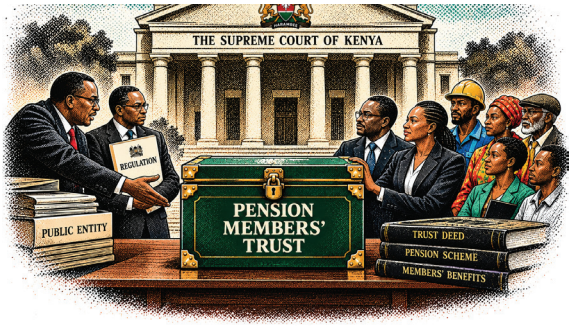
- Accessibility ramp constructed at Butali Law Courts.
- Rollout of the Urithi Succession Dashboard.
- Expansion of virtual registries, digital hubs and assisted e-filing services.
- Translation of selected court information into Kiswahili and Braille.
- Launch of the ELC Pro Se Litigants' Manual.

CHAPTER 4

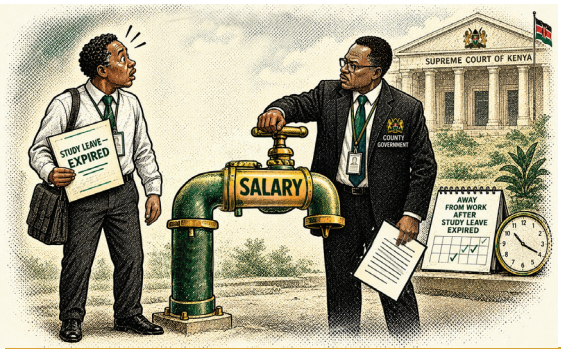
Jurisprudence

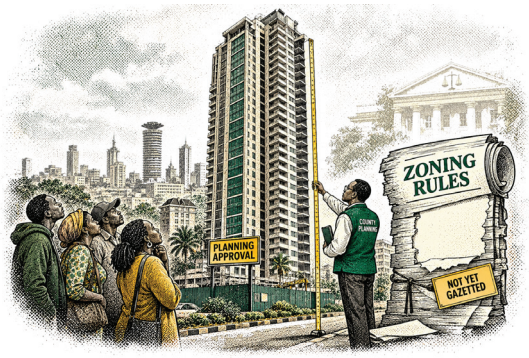
In the year under review, courts and tribunals delivered numerous decisions that impacted the society. The decisions show how important questions of constitutional and legal interpretation were settled. The decisions emphasised procedural fairness, reasoned decision-making, legal certainty and accountability in the exercise of public power. They also showed the Judiciary's commitment to people-centred justice through mediation, plea bargaining and Alternative Justice Systems (AJS) which expand the multi-door approach to justice.

Jurisprudence from the Superior Courts



The Supreme Court held that pension funds sponsored by public entities were private trusts and not public bodies, and declared section 2(o) of the Public Procurement and Asset Disposal Act, 2015 (No 33 of 2015) inconsistent with the Constitution of Kenya, Article 227(1) to the extent that it subjected them to public procurement. In a tax dispute, the Court held that payments by an acquiring bank to card companies were not royalties and that interchange fees paid to issuing banks were not management or professional fees. The Court held that Parliament was under a mandatory duty to enact legislation on tribunals under the Constitution of Kenya, Article 169(2) and that tribunals which met the constitutional test should transit to the Judiciary. It held that permanent and pensionable employment did not guarantee employment until retirement age, and that damages for premature termination could not ordinarily include anticipatory earnings. In a public service case, the Court held that stopping the salary of an officer who was absent without leave was lawful but that the failure to give notice or a show-cause letter violated the right to fair administrative action. In a civil forfeiture matter, the Court held that the State had to show a link between the property and a criminal offence on a balance of probabilities and that unexplained deposits alone did not meet the threshold under the Proceeds of Crime and Anti-Money Laundering Act, 2009 (No 9 of 2009).





The Court of Appeal held that the doctrine of exhaustion was not absolute and that the Environment and Land Court could assume jurisdiction where a dispute raised systemic constitutional questions as in a dispute over high-rise developments and zoning in Nairobi. It declined to enforce a loan whose interest of 36 per cent per year, compounded quarterly would have grown a debt of KSh4 million to more than KSh69 billion and declared the agreement unconscionable and void. On abortion, the Court held that it was not an independent constitutional right but was permitted within the exceptions in the Constitution of Kenya, Article 26(4). It declared sections 22 and 23 of the Computer Misuse and Cybercrimes Act, 2018 (No 5 of 2018) unconstitutional for failing the tests of clarity and proportionality and for unjustifiably limiting freedom of expression and media freedom. In employment, it held that an employee could not evade an ongoing disciplinary process by tendering retirement. It also held that a public officer who acted outside the lawful scope of the office could be held personally liable for violating constitutional rights. In a child relocation case, the Court held that there was no presumption for or against relocation and that the best interests of the child had to be determined through a structured evidence-based inquiry.

The High Court declared section 95(1)(b) of the Penal Code (cap 63) unconstitutional for vagueness and for unjustifiably limiting freedom of expression. It held that sections 8, 9 and 11 of the Sexual Offences Act, 2006 (No 3 of 2006) were unconstitutional to the extent that they criminalised consensual non-exploitative sexual conduct between adolescents of close age while affirming the State's duty to protect children from abuse. It found that keeping the personal data of a child in criminal records for about 20 years violated the petitioner's rights and the best-interests principle. The Court held that the



President could not unilaterally create public offices without the involvement of the Public Service Commission and the Salaries and Remuneration Commission, and without justifying the cost. It held that impeachment proceedings remained subject to judicial review

for constitutional compliance. It ruled that the lack of specific legislation did not diminish the rights of transgender persons, and that persons in custody kept the protection of the Bill of Rights. Under the Children Act, 2022 (No 29 of 2022), parental responsibility could extend beyond 18 years where an adult child remained financially dependent while pursuing a degree. The Court held that the Small Claims Court had no jurisdiction over road traffic personal injury claims and that rule 25 of the Small Claims Court Rules, which allowed arrest and committal to civil jail was unconstitutional. In a succession matter, a woman



married under customary law was recognised as a wife for purposes of succession under section 3(5) of the Law of Succession Act (cap 160), despite a subsisting monogamous marriage.

The Environment & Land Court held that a state corporation that transported petroleum violated the right to a clean and healthy environment by failing to prevent and adequately remediate an oil spill and applied the polluter-pays principle. It upheld a finding that public participation in the environmental impact assessment of a power project was insufficient and found that a licence for a recreational development in a forest area was issued without meaningful public participation. The Court recognised equitable interests arising from an oral sale of land through constructive trust and proprietary estoppel. It held that land reserved for a forest and a public institution was not available for private allocation and that a title tainted by fraud and illegality could not be indefeasible.

The Employment and Labour Relations Court held that a victim of sexual harassment was not legally required to testify at the employer's disciplinary hearing, and that termination was fair where there were credible grounds for the finding. It held that an employer retained disciplinary authority despite a purported transfer, and that a transfer was ordinarily part of managerial prerogative. An employee who failed to return after authorised leave without communicating with the employer could be treated as having deserted employment. In a redundancy case, the Court found that the employer failed to show a genuine operational need, meaningful consultation or objective selection criteria as required by section 40 of the Employment Act, 2007 (No 11 of 2007) and that the process had been used to avoid performance issues.

Notable Decisions from Subordinate Courts

The Magistrates Court held that money held in an M-Pesa account was property capable of being stolen, but acquitted the accused because the prosecution did not prove dishonest taking. In a children's matter, it held that foster care could not continue indefinitely beyond the period allowed by law, and that a more permanent legal arrangement was required.

The Kadhis Court held that it had jurisdiction over burial and reinterment and allowed the reinterment of a Muslim woman who had been buried on private land. In a custody dispute, it held that the preference under Islamic law for mothers was not absolute and was subject to the best interests of the child and that maintenance was shared according to the means of each parent.

The Small Claims Court applied the in duplum rule to a non-bank lender, so that the interest recoverable could not exceed the principal and found a flat rate of 2.4 per cent per month to be oppressive.

The Tax Disputes Tribunal held that county revenue collected in the discharge of public functions was not subject to value-added tax. The Sports Disputes Tribunal held that a failure by the Registrar to decide a registration application within a reasonable time was a reviewable decision. The Competition Tribunal held that the competition regulator had to observe fair administrative action and disclose the material it relied on. The Communications and Multimedia Appeals Tribunal upheld the revocation of a broadcasting licence for non-payment of licence fees and levies.

Notable Decisions from Alternative Forms of Dispute Resolution

In a murder case where the parties could not agree on an AJS process, a plea bargain reduced the charge to manslaughter with a sentence of six years whose final year was to be served under a community service order. At the Isiolo Magistrates' Courts, an AJS Panel resolved a criminal complaint and the long-standing family conflict behind it. On mediation, the High Court held that a settlement adopted by the court was final and binding, and that a party who signed a mediation or private settlement agreement could not disown it merely because the party no longer agreed with its terms.

Statutory Provisions Declared Unconstitutional and Recommended reforms

Under Article 2(4) of the Constitution, any law inconsistent with the Constitution is void to the extent of the inconsistency. Article 165(3)(d) gives the High Court the power to decide such questions. During the year, the courts found provisions in several laws unconstitutional. Most of these decisions held that a law limiting rights must be clear, precise and proportionate, and that subsidiary legislation must stay within the powers of its parent Act. The courts also recommended legislation to protect the rights of transgender persons, including those in custody.

When the courts strike down a provision, they identify the defect and leave the remedy to Parliament. The full report has a table listing each provision affected, the case in which it was decided and the reform recommended.

CHAPTER 5

Infrastructure and Digital Technology

Guided by the Social Transformation through Access to Justice (STAJ) Blueprint, the Judiciary continued to invest in court infrastructure and digital technologies to expand access to justice, improve service delivery and enhance operational efficiency. During FY2025/26, investments expanded court infrastructure, strengthened digital service delivery, enhanced sustainability and security, improved records management, and accelerated automation across judicial and administrative operations.

Infrastructure and Digital Technology at a Glance

- 3 court projects completed and operationalised
- 3 partially completed courts occupied and operational
- 16 ongoing and newly commenced court construction projects
- 9 stalled projects under review and revival
- 28 court stations receiving rehabilitation and improvement works
- 22 new solar installations completed
- 64 court stations powered by solar energy
- 183 courts and offices connected to primary internet services
- 145 court stations and Tribunals connected to the WAN
- 412+ Judiciary bank accounts consolidated into 3 accounts through Jumuika ERP
- 13,574 Contact Centre tickets resolved
- 4,736 court users served through Judiciary Huduma Centre Desks
- 192,633 case files digitised during FY2025/26
- 777,117 documents digitised during FY2025/26
- 749,522 cumulative case files digitised
- 4.9 million cumulative documents digitised
- 605 vehicles in the Judiciary fleet, including 192 leased vehicles

Physical Infrastructure Development

The Judiciary continued to expand and improve physical infrastructure despite resource constraints and growing demand for court services. Collectively, these investments expanded court capacity, improved the quality of court facilities and brought justice services closer to communities, particularly in underserved areas.

Infrastructure Development Progress

During FY2025/26, the Judiciary advanced infrastructure development through completion and operationalisation of court facilities, phased occupation of partially completed projects, commencement of new construction works and continued implementation of ongoing projects. Efforts were also undertaken to revive stalled projects through design reviews, structural assessments and project repackaging aimed at facilitating the resumption of works and safeguarding public investments.

Project Status	Projects	Key Outcome / Impact
Completed Projects	Mavoko, Othaya and Kikuyu Law Courts	Expanded the stock of functional court infrastructure and strengthened judicial-service capacity. The reconstruction of Kikuyu Law Courts restored services following extensive damage sustained during the June 2025 demonstrations.
Partially Completed Projects	Mukurweini, Kandara and Kwale Law Courts	Facilities became operational despite outstanding works, enabling communities to access services earlier while construction continued. The phased approach accelerated the benefits of infrastructure investments.
New Construction Projects	Huruma, Kasarani, Eldama Ravine and Habaswein Law Courts	Construction commenced during the year, laying the foundation for expanded court capacity, improved working environments and increased access to justice in high-demand areas.
Ongoing Projects	Eldoret, Kandara, Mandera, Bomet, Ol-Kalou, Mukurweini, Kwale, Makueni, Lodwar, Nanyuki, Kiambu Refurbishment and Takaba Law Courts	Ongoing works continued to expand and modernise the Judiciary's infrastructure, progressively bringing justice services closer to communities.
Stalled Projects	Githongo, Homa Bay, Mbita, Malaba, Kabarnet, Murang'a, Marsabit, Meru and Mombasa Law Courts	Nine projects remained stalled due to contractor-performance challenges, contract expiries and structural concerns. The Judiciary undertook design reviews, structural assessments and project repackaging to facilitate resumption of works, protect existing investments and support eventual completion.

In addition, development-partner support facilitated new facilities and improvements at Khwisero, Maara, Nyatike, Emuhaya, Kegonga, Moyale, Nkubu and Yala Law Courts.



Kikuyu Law Courts following extensive damage sustained during the June 25, 2025 demonstrations



Completed Kikuyu Law Courts after reconstruction following the June 25, 2025 demonstrations



Former Mavoko Law Courts premises prior to the development of the current court facility



Newly constructed Mavoko Law Courts, providing modern and fit-for-purpose infrastructure for the administration of justice

Rehabilitation, Accessibility and Sustainable Infrastructure

The Judiciary continued to optimise existing infrastructure through targeted rehabilitation, refurbishment and maintenance interventions. Key achievements included:

- Rehabilitation and refurbishment works at 28 court stations and offices.
- Improvements to priority court facilities, including the Supreme Court, Milimani, Yala, Malaba, Kibera and Nkubu.
- Construction of an accessibility ramp at Butali Law Courts to enhance access for persons with disabilities.
- Installation of solar power systems at 22 additional court stations, bringing the total number of solar-powered courts to 64.
- Installation of a rainwater harvesting system at Kikuyu Law Courts and development of a baseline to guide future water-harvesting initiatives.
- Strengthening of court security through CCTV, guest-management systems, security assessments and deployment of security personnel.

These interventions improved the functionality, accessibility, resilience and sustainability of court facilities while supporting continuity of judicial services.

Digital Transformation and Connectivity

The Judiciary continued to strengthen digital infrastructure and connectivity required for technology-enabled justice services. These investments strengthened the reliability, availability and resilience of digital services across court stations and administrative offices. During the year:

- 183 courts and offices were connected to primary internet services.
- 25 sites had secondary connectivity links to strengthen service redundancy.
- 145 court stations and Tribunals were connected to the Wide Area Network (WAN).
- Additional stations, including Kombewa, Yala, Khwisero, Chesoi, Marigat and Lokichar, were connected to the Judiciary network.
- ICT capacity was enhanced through deployment of computers, laptops, printers, scanners and video-conferencing equipment.

The e-Filing System and Case Tracking System (CTS) remained operational across courts and Tribunals. Enhancements to these platforms improved digital case management, access to orders and judgments, scheduling, complaints tracking and other court services.

The Judiciary also enhanced the Judiciary Advocates Management System (JAMS), deployed the Urithi Succession Gazette Notice Tracker Portal, and developed and piloted Mahakama AI as an internal legal research tool for Judges and Judicial Officers.

Jumuika ERP and Administrative Automation

The Judiciary continued implementation of the Jumuika Enterprise Resource Planning (ERP) System, strengthening financial, administrative and human-resource management across the institution. Key achievements included:

- Nationwide onboarding of financial processes across Judiciary units.
- Launch of the Development Budget Project Management Module.
- Roll-out of Phase II modules covering risk management, audit, customer relationship management, library services and document management.
- Operationalisation of the CRM module.

The ERP further supported automation of revenue management, court-fee collection, expenditure, payroll, tax management and employee clearance, while consolidation of more than 412 Judiciary bank accounts into three accounts strengthened centralised financial visibility and control. The ERP programme has become a key enabler of transparency, efficiency and financial accountability across Judiciary operations.

Judiciary Contact Centre and Huduma Centres

The Judiciary continued to expand citizen-facing service channels to improve access to information and support.

The Judiciary Contact Centre, operationalised at Milimani Law Courts, resolved 13,574 service requests and customer-support tickets during FY2025/26, achieving a 99.9 per cent resolution rate. Support included e-Filing, virtual courts, cash-bail refunds and registry services.

The Judiciary Desks at Huduma Centres continued to provide services through six pilot centres. During the year, 4,736 court users were served, particularly supporting self-represented litigants and bringing Judiciary services closer to the public.

Digitisation of Court Records

The Mahakama Digitisation Programme (MADIP) continued to modernise judicial records management and strengthen preservation and accessibility of court records. During FY2025/26:

- 192,633 case files were digitised.
- 777,117 documents were digitised.
- Cumulative digitisation reached 749,522 case files and approximately 4.9 million documents.

The programme strengthened preservation, retrieval and accessibility of judicial records while supporting the Judiciary's transition towards a modern, paper-light justice system. The loss of physical records in the fire incident at Mavoko Law Courts, while digitised records remained unaffected, demonstrated the importance of digital records for continuity of judicial services.

Cybersecurity and ICT Governance

As reliance on digital systems increased, the Judiciary strengthened cybersecurity and ICT governance through:

- Renewal of firewall licences.
- Procurement of network, systems and database monitoring solutions.
- Development and approval of the Judiciary ICT Master Plan.

• Approval of 8 ICT policies covering cybersecurity, digitisation, transcription, systems administration and technology management.

• Completion of a Judiciary-wide Data Dictionary and continued stakeholder sensitisation.

• Development of a draft Artificial Intelligence Adoption Policy and Practice Directions.

These measures strengthened governance of digital resources while improving institutional readiness to manage emerging cybersecurity and technology risks.

Fleet Management

The Judiciary continued to modernise its transport fleet to support court operations, mobile courts and logistical requirements. By June 2026, the Judiciary fleet comprised 605 vehicles, including 192 leased vehicles. During the year, 40 ageing vehicles were identified for disposal, of which 22 were successfully disposed of through open tender.



September 19, 2025: Chief Registrar Winfridah Mokaya flags off 20 new vehicles to be deployed across various court stations in the country.

CHAPTER 6

Accountability and Governance

Guided by Article 10(2)(c) of the Constitution and the Social Transformation through Access to Justice (STAJ) Blueprint, the Judiciary continued to strengthen integrity, accountability and transparency in the administration of justice. During FY2025/26, key interventions focused on strengthening institutional oversight, enhancing complaints management, promoting ethical conduct, improving performance accountability and reinforcing financial governance.

Accountability and Governance at a Glance

- 1,358 complaints handled
- 1,284 complaints resolved
- 103.72% complaint workload resolution rate
- 259 petitions against Judges
- 168 petitions concluded
- 16 disciplinary cases involving Judicial Officers
- 80 disciplinary cases involving Judiciary staff
- 351 PMMU implementing units evaluated
- 88.12% overall Judiciary PMMU score
- 97% PAS compliance rate
- 13,574 Contact Centre tickets resolved
- 12 EPU sensitisation engagements conducted
- 690+ persons reached through EPU programmes
- 51 prior audit reports followed up

Strengthening Integrity and Accountability

The Judiciary strengthened its accountability framework through policy reforms and institutional mechanisms aimed at promoting ethical conduct and compliance. Key achievements included:

1. Review of the Human Resource Policies and Procedures Manual to strengthen discipline and human resource management.
2. Adoption of the Anti-Corruption Strategic Guiding Framework (ASGF) for Kenya's Justice Sector through the National Council on the Administration of Justice (NCAJ).
3. Strengthening of the Office of the Judiciary Ombudsman (OJO) through compliance assessments, integrity spot checks, investigations and corrective interventions.
4. Operationalisation of the Employee Protection Unit (EPU), Employee Protection and Inclusivity Committee (EPIC) and Gender, Inclusion and Diversity (GID) Unit. The EPU also established a workplace complaints registration and case-management system and developed an investigations manual to strengthen reporting, case handling and employee protection.
5. Launch of the Sexual Harassment Policy, Gender Mainstreaming Policy and Affirmative Action and Diversity Policy.
6. Conduct of 12 sensitisation engagements, reaching over 690 Judges, Judicial Officers, Judiciary staff and stakeholders.
7. Continued implementation of Court Integrity Committees to strengthen integrity risk management and anti-corruption initiatives across court stations, including digitisation of registry processes, corruption-risk assessments, strengthened registry controls and integrity-monitoring tools.

Transparency and Public Engagement

The Judiciary continued to promote transparency, accountability and public participation through stakeholder engagement, civic education and public outreach. Key initiatives included:

1. Nationwide Judiciary Dialogue Day (Bonga na Judiciary) forums, providing a structured platform for engagement with court users and stakeholders.

2. Continued implementation of recommendations arising from the EACC systems audit, including automation of registry operations, expansion of e-Filing services, integration of court fee processes with the Case Tracking System, and migration to the Jumuika ERP System.

3. Partnerships with EACC, KLIF and UNODC to strengthen integrity, accountability and public awareness.

The Judiciary Contact Centre enhanced institutional responsiveness by providing support on e-Filing, virtual courts and case inquiries, resolving 13,574 service requests and customer-support tickets during the year.

Complaints Management and Resolution

The Judiciary Complaints Management System (JCMS) continued to provide an accessible platform for lodging, tracking and resolving complaints.

During FY2025/26, the Judiciary handled a total workload of 1,358 complaints, comprising 120 complaints carried forward and 1,238 new complaints received. Of these, 1,284 complaints were resolved, leaving 74 pending complaints at the end of the reporting period. This translated to a 103.72 per cent workload resolution rate.

The Judiciary resolved more complaints than were received during the year, enabling it to clear carried-forward complaints and reduce the year-end pending caseload. Complaints received increased by 11.8 per cent, while complaints resolved increased by 18.2 per cent, reflecting enhanced capacity to manage and conclude complaints.

The majority of complaints related to judicial decisions and exercise of judicial discretion, adjournments and delayed trials, information requests, and service delivery and registry-related concerns.

Employee Conduct and Discipline

The Judiciary continued to uphold professional and ethical standards through disciplinary and accountability mechanisms for Judges, Judicial Officers and Judiciary staff. Key results included:

1. 259 petitions handled against Judges, of which 168 were concluded.
2. 16 disciplinary cases involving Judicial Officers.
3. 80 disciplinary cases involving Judiciary staff.

The majority of petitions against Judges related to gross misconduct or misbehaviour (61.0 per cent). Staff disciplinary matters were largely associated with absenteeism, corruption-related allegations and manipulation of official records, alongside other breaches of professional conduct.

Performance Management

The Judiciary continued to utilise the Performance Management and Measurement Understanding (PMMU) framework to strengthen institutional accountability and performance. During the FY2024/25 evaluation cycle:

1. 351 implementing units were evaluated.
2. The Judiciary attained an overall PMMU score of 88.12 per cent.
3. 94 units were rated Very Good.

4. 244 units were rated Good.
5. 13 units were rated Fair.

No implementing unit was rated Outstanding, Excellent or Poor, with the majority of units performing within the Good and Very Good categories.

Moving the Performance Appraisal System (PAS) onto the Jumuika ERP System made individual staff easier to hold accountable. Of 5,803 staff due for appraisal, 5,620 completed the process, a compliance rate of 97 per cent, and the mean performance score was 94.4 per cent.

Financial Accountability, Audit, and Risk Management

The Judiciary continued to strengthen financial accountability through risk-based internal audit, risk management and enhanced oversight. Key interventions included:

- Risk-based audits covering finance, procurement, payroll, revenue management, automation and construction projects.
- Follow-up of 51 prior internal audit reports to assess implementation of audit recommendations.
- Development of the Judiciary Risk Management Policy Framework.
- Automation of audit processes through Audit Management Software.

The Auditor-General's audit of the Judiciary's financial statements for the year ended June 30, 2025 issued unqualified opinions on Revenue Management and the Mortgage and Car Loan Scheme, while Expenditure Management and Deposit Management received qualified opinions, highlighting areas requiring continued strengthening of financial management and internal controls.



September 14, 2025: Chief Justice Martha Koome joined by the Chief Registrar of the Judiciary Winfridah Mokaya hosted Auditor General Nancy Gathungu as part of engagements aimed at strengthening collaboration with independent offices, oversight bodies, and partners.

CHAPTER 7

Human Resource and Workforce Diversity

The judiciary's ability to deliver people-centered justice depends on a competent, motivated and diverse workforce. Guided by the STAJ Blueprint, the Judiciary continued to invest in human capital through recruitment, career progression, training, workforce diversity, employee wellbeing and talent development. These interventions strengthened institutional capacity, supported succession planning and enhanced the quality and responsiveness of justice services.

Talent Growth and Workforce Expansion

During FY2025/26, the Judicial Service Commission made 1,280 appointments across various cadres, including 53 Judges, 100 Resident Magistrates, 26 Tribunal Members and 125 Legal Researchers and Senior Legal Researchers.

Table 7.1:1 - Recruitment and appointments made during FY2025/26

Designation		Male	Female	Total
Judges	Supreme Court	1	0	1
Judges	Court of Appeal	11	4	15
Judges	High Court	15	9	24
Judges	ELC	8	5	13
Resident Magistrates		40	60	100
Tribunal Members		18	8	26
Legal Researchers & Senior Legal Researchers		42	83	125
Protocol Officers		1	1	2
Office Administrative Assistants		0	2	2
Court Assistants		447	435	882
Office Assistants		37	53	90
Total		620	660	1,280
Percentage		48%	52%	100%

A significant proportion of appointments were drawn from within the institution, reflecting the Judiciary's commitment to career progression, retention of institutional experience and succession planning. The Judiciary also appointed 882 Court Assistants and 90 Office Assistants who had previously served as digitisation agents on contract, recognising their experience and contribution to the Judiciary's digital transformation.

Women accounted for 52 per cent of all appointments, compared with 48 per cent for men, demonstrating continued commitment to gender equity in recruitment.

Career advancement remained a key focus, with 222 Judicial Officers promoted, comprising 111 men and 111 women. In addition, 850 staff progressed through various grades, while 58 staff were redesignated to align workforce skills and structures with emerging institutional needs.

These interventions strengthened career progression, recognised merit and experience, and supported the development of a stable and capable workforce.

Employee Complement and Staffing Levels

As at June 30, 2026, the Judiciary's approved establishment stood at 12,079 positions, up from 10,870 in the previous year. The increase reflected the expansion of court services and establishment of new courts and registries aimed at bringing justice closer to communities. The Judiciary had 8,017 employees in post, representing an overall staffing level of 66 per cent of the approved establishment.



May 7, 2026: Justice Mohamed Warsame takes the Oath of Office as a Supreme Court Judge at State House, Nairobi.

Table 7.2:1 - Overall Judiciary Employee Establishment as at June 30, 2026

Cadre		Approved Establishment	In Post	Staffing Level
JUDGES	Supreme Court	7	7	100%
JUDGES	Court of Appeal	70	41	59%
JUDGES	High Court	200	115	58%
JUDGES	ELC	80	61	76%
JUDGES	ELRC	50	17	34%
JUDGES	Total	407	241	59%
MAGISTRATES	Chief Magistrate	130	78	60%
MAGISTRATES	Senior Principal Magistrate	207	131	63%
MAGISTRATES	Principal Magistrate	324	114	35%
MAGISTRATES	Senior Resident Magistrate	306	143	47%
MAGISTRATES	Resident Magistrate	233	171	73%
MAGISTRATES	Total	1200	637	53%
KADHIS	Chief Kadhi	1	0	0%
KADHIS	Senior Principal Kadhi	8	21	263%
KADHIS	Principal Kadhi	22	23	104%
KADHIS	Senior Resident Kadhi	19	1	5%
KADHIS	Resident Kadhi	15	0	0%
KADHIS	Total	65	45	69%
REGISTRARS / DEPUTY REGISTRARS	Chief Registrar	1	1	100%
REGISTRARS / DEPUTY REGISTRARS	Deputy Chief Registrar	1	1	100%
REGISTRARS / DEPUTY REGISTRARS	Registrar	15	7	47%
REGISTRARS / DEPUTY REGISTRARS	Senior Principal Deputy Registrar	8	1	13%
REGISTRARS / DEPUTY REGISTRARS	Principal Deputy Registrar	17	0	0%
REGISTRARS / DEPUTY REGISTRARS	Senior Deputy Registrar	98	0	0%
REGISTRARS / DEPUTY REGISTRARS	Deputy Registrar	142	32	23%
REGISTRARS / DEPUTY REGISTRARS	Assistant Deputy Registrar	153	6	4%
REGISTRARS / DEPUTY REGISTRARS	Total	435	48	11%
LAW CLERKS	Senior Law Clerk	2	2	100%
LAW CLERKS	Law Clerk	14	13	93%
LAW CLERKS	Total	16	15	94%
LEGAL RESEARCHERS	Senior Legal Researcher	40	38	95%
LEGAL RESEARCHERS	Legal Researcher	310	205	66%
LEGAL RESEARCHERS	Assistant Legal Researchers	300	1	0%
LEGAL RESEARCHERS	Total	650	244	38%
JUDICIAL STAFF	Directors	10	8	80%
JUDICIAL STAFF	Deputy Directors	24	8	33%
JUDICIAL STAFF	Assistant Directors	56	55	98%
JUDICIAL STAFF	Senior Officers	175	140	80%
JUDICIAL STAFF	Officer I	401	349	87%
JUDICIAL STAFF	Officer II	900	434	48%
JUDICIAL STAFF	Senior Assistants	1726	773	45%
JUDICIAL STAFF	Assistants I	2080	2306	111%
JUDICIAL STAFF	Assistants II	2854	1929	68%
JUDICIAL STAFF	Senior Office Assistant	432	125	29%
JUDICIAL STAFF	Office Assistant	450	514	114%
JUDICIAL STAFF	Total	9,108	6,641	73%
Tribunal Members (See breakdown in Table 7.2:2)		173	124	72%
Facilitative Staff - OCJ/DCJ and Rtd CJs/DCJ		25	22	88%
TOTAL		12,079	8,017	66%

Table 7.2:2 - Tribunal Establishment as at June 30,2026

Significant staffing shortages persisted, particularly among Judges, Magistrates, Registrars and Legal Researchers. These gaps continue to place pressure on workloads and institutional capacity. Sustained recruitment, career development and succession planning therefore remain critical to strengthening judicial capacity, improving efficiency and supporting timely resolution of cases.

	Tribunal	Approved Establishment	In Post	Staffing Level
1	Business Premises Rent Tribunal	5**	5	N/A
2	Capital Markets Tribunal	5	2	40%
3	Communication and Multimedia Appeals Tribunal	7	7	100%
4	Competition Tribunal	5	1	20%
5	Co-operative Tribunal	7	5	71%
6	Copyright Tribunal	5	5	100%
7	HIV and AIDS Tribunal	7	6	86%
8	Industrial Property Tribunal	5	1	20%
9	Land Acquisition Tribunal	3	2	67%
10	National Environment Tribunal	5	5	100%
11	National Examinations Appeals Tribunal	5	4	80%
12	Rent Restriction Tribunal	4**	4	N/A
13	Retirement Benefits Appeals Tribunal	5	3	60%
14	Standards Tribunal	5	4	80%
15	Financial Centre Tribunal	5	3	60%
16	Transport Licensing Appeals Board	5	4	80%
17	Sports Disputes Tribunal	9	6	67%
18	Political Parties Disputes Tribunal	7	7	100%
19	Tax Appeals Tribunal	21	15	71%
20	Legal Education Appeals Tribunal	5	5	100%
21	National Civil Aviation Administrative Review Tribunal	5	4	80%
22	Energy and Petroleum Tribunal	7	3	43%
23	Micro and Small Enterprises Tribunal	7	3	43%
24	Public Private Partnerships Petition Committee	7	6	86%
25	Education Appeals Tribunal	7	0	0%
26	Water Tribunal	5	5	100%
27	Public Benefit Organizations Disputes Tribunal	5	5	100%
28	Sugar Arbitration Tribunal	5	4	80%
Total		173	124	72%

** The approved establishment for the Business Premises Rent Tribunal and the Rent Restriction Tribunal have been populated using the in post numbers as their governing legal framework does not have a definitive membership.

Workforce Diversity and Inclusion

The Judiciary continued to promote a diverse and inclusive workforce that reflects the communities it serves.

• Gender Diversity: As at June 30, 2026, the Judiciary workforce comprised 3,948 men (49%) and 4,069 women (51%). Women formed the majority of Magistrates (59%), Registrars and Deputy Registrars (69%), Law Clerks (80%) and Legal Researchers (75%). Women represented 42 per cent of Judges, with relatively balanced representation in the specialised courts. However, women remained underrepresented at the Court of Appeal, where they accounted for 37 per cent of Judges. The strong representation of women within the Magistracy provides a substantial pool for future appointments to senior judicial positions and highlights the importance of continued support for career progression and leadership development.

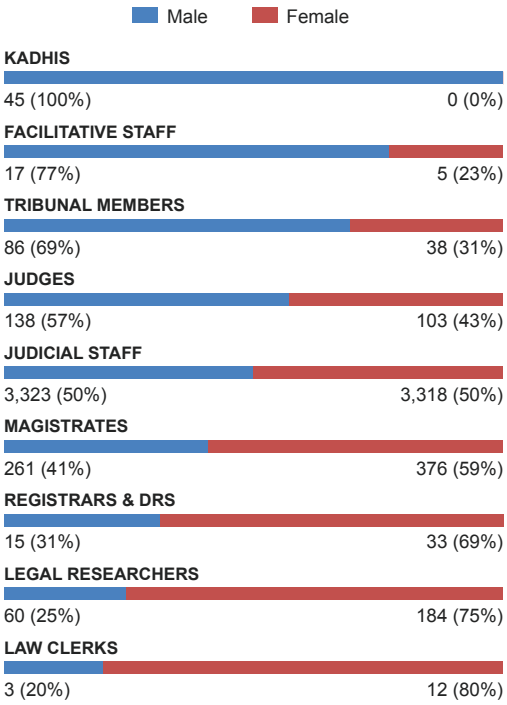


Figure 7.3:1 - Gender Distribution by Cadre as at June 30, 2026

- Representation of Persons with Disabilities: The Judiciary employed 198 persons with disabilities, representing 2.5 per cent of the workforce and comprising 119 men and 79 women. While progress has been made, representation remains below the 5 per cent constitutional and statutory target. Continued efforts in inclusive recruitment, workplace accessibility and reasonable accommodation will therefore be necessary to close the gap.
- Age Diversity and Succession Planning: The Bench is highly experienced: 82.2 per cent of Judges are aged 51 or above, and 33 Judges will reach the retirement age of 70 within the next five years. The Magistracy is younger, with most Magistrates aged between 31 and 50, though 45 Magistrates and Kadhis will retire over the same period. Judicial staff are mostly early- and mid-career, with 45 per cent aged 35 or under, but 348 staff members will still reach retirement age in the next five years. These exits make succession planning a priority: identifying and preparing future leaders, and passing on knowledge before experienced officers leave.

Training and Professional Development

Continuous learning remains central to maintaining professional competence and improving justice services. During FY2025/26, the Kenya Judiciary Academy conducted 20 programmes, reaching 1,204 Judges, Judicial Officers and justice-sector actors. Training focused on emerging and specialised areas of law and practice, including:

- Technology, cybercrime and data protection
- Asset recovery and anti-corruption
- Commercial justice and insolvency
- Counter-terrorism and transnational organised crime
- Alternative Justice Systems
- Emerging jurisprudence and judicial practice

The Academy also inducted newly appointed judicial officers, including 15 Court of Appeal Judges, 24 High Court Judges, 13 Environment and Land Court Judges and 100 Resident Magistrates.

The growing emphasis on technology, cybercrime, digital rights, data protection and specialised jurisprudence reflects the evolving nature of disputes before courts and tribunals and the Judiciary's commitment to equipping judicial officers with the skills required to respond to emerging legal challenges. In addition, 319 judicial staff received training in case tracking, transcription, leadership and management, protocol, ICT and pre-retirement preparation.

Despite these achievements, staff training coverage remained modest at 4.8 per cent, largely due to budgetary constraints. Expanding training coverage remains important for strengthening skills, productivity and institutional resilience.

The Judiciary introduced its inaugural paid internship programme, replacing unpaid internships and widening access to structured workplace opportunities for graduates and diploma holders. During the year, 201 graduate and diploma interns were placed across courts and administrative units. The programme strengthens practical skills development while supporting the Judiciary's future talent pipeline.

Employee Wellbeing and Staff Support

The Judiciary also continued to support employee wellbeing through welfare programmes, medical insurance, psychosocial support and staff engagement initiatives.

Key Achievements

- KSh 50 million allocated to ex-gratia assistance.
- 131 employees supported through the assistance programme.
- KSh 1.414 billion incurred in medical claims and related healthcare costs.
- Pension benefits processed for 60 retiring and exiting employees.
- 24 employees provided with car loans.
- 16 Judges provided with mortgage financing.

The Judiciary maintained a comprehensive employee support framework that included medical insurance, pension benefits, Group Life Assurance, Group Personal Accident Cover, mortgage facilities, car loan schemes and ex gratia assistance. These interventions continued to strengthen employee welfare, financial wellbeing and institutional resilience.

The Judiciary also revived the Judiciary Sports, Culture and Talent Day, promoting wellness, teamwork, staff engagement and talent development.

The Psychosocial Support Unit continued to provide counselling, trauma support, rehabilitation referrals, crisis intervention and employee wellness programmes. The Unit also supported employees affected by substance-use disorders through treatment referrals, rehabilitation and aftercare services. The 2025 Employee Satisfaction Survey found that 71 per cent of employees were aware of the Unit's services, providing an important foundation for further strengthening mental health and psychosocial support across the Judiciary.

The human resource management and development interventions implemented during FY2025/26 strengthened institutional capacity, supported talent development and reinforced the Judiciary's ability to advance the objectives of the STAJ Blueprint and deliver accessible, timely and people-centred justice.

CHAPTER 8

Financial Management

Financial sustainability remains critical to the Judiciary's ability to deliver accessible, timely and people-centred justice. During FY2025/26, the Judiciary strengthened financial planning, resource mobilisation, budget execution, revenue administration and financial management systems in support of the Social Transformation through Access to Justice (STAJ) Blueprint. While budget allocations increased and resource utilisation remained high, significant financing constraints continued to affect implementation of strategic priorities, particularly infrastructure development, digital transformation and expansion of access to justice.

Budget Allocation and Financing

The Judiciary's resource requirement for FY2025/26 was KSh40.10 billion, against an approved budget allocation of KSh27.15 billion, resulting in a funding shortfall of KSh12.95 billion. The allocation covered 68 per cent of the identified resource requirement.

The allocation increased by 19 per cent from KSh22.78 billion in FY2024/25. Of the FY2025/26 allocation, KSh25.64 billion was provided for recurrent expenditure and KSh1.51 billion for development expenditure.

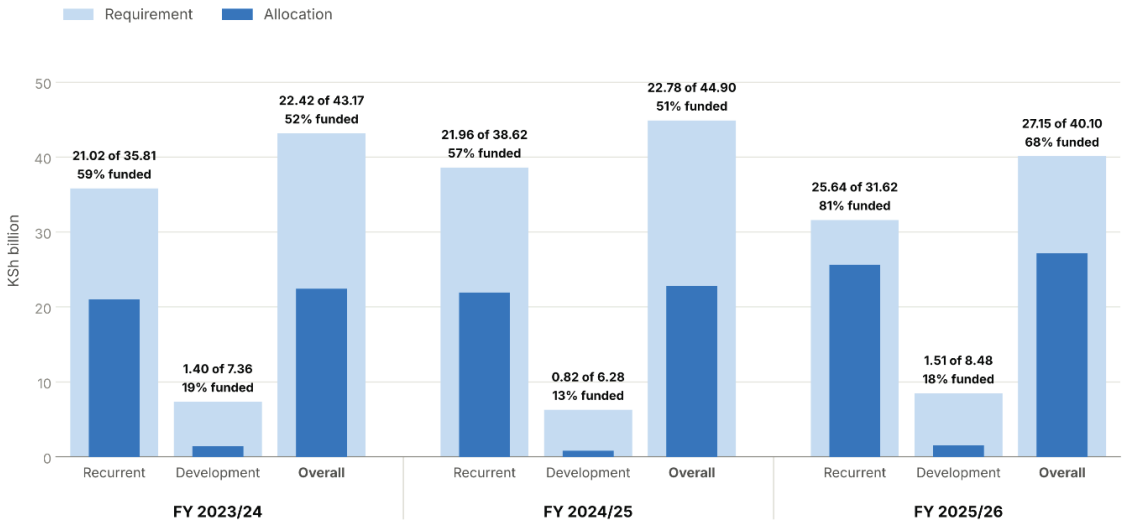


Figure 8.1:1 - Budget Requirements vis-a-vis Allocation, FY 2023/24 - FY 2025/26

Despite the increased allocation, available resources remained insufficient and the resulting funding gap continued to constrain the Judiciary's capacity to undertake court construction and rehabilitation, expand ICT infrastructure, recruit and deploy personnel, strengthen court operations and implement access-to-justice programmes. The funding gap, however, declined from 49 per cent in FY2024/25 to 32 per cent in FY2025/26, reflecting the increase in the approved allocation relative to the resource requirement.

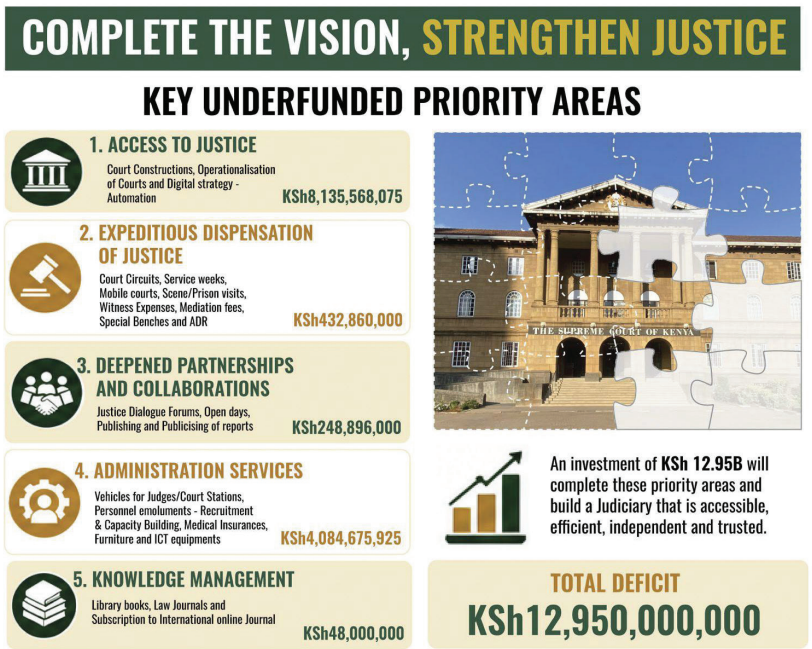


Figure 8.1:2 - Key Underfunded Priority Areas FY2025/26

Judiciary Budget as a Percentage of the National Government Budget Allocation

The Executive accounted for 97.4 per cent of the National Government Budget in FY2025/26, while Parliament received 1.63 per cent and the Judiciary 0.93 per cent, which remained below the three per cent financing aspiration under the international justice funding recommendation.

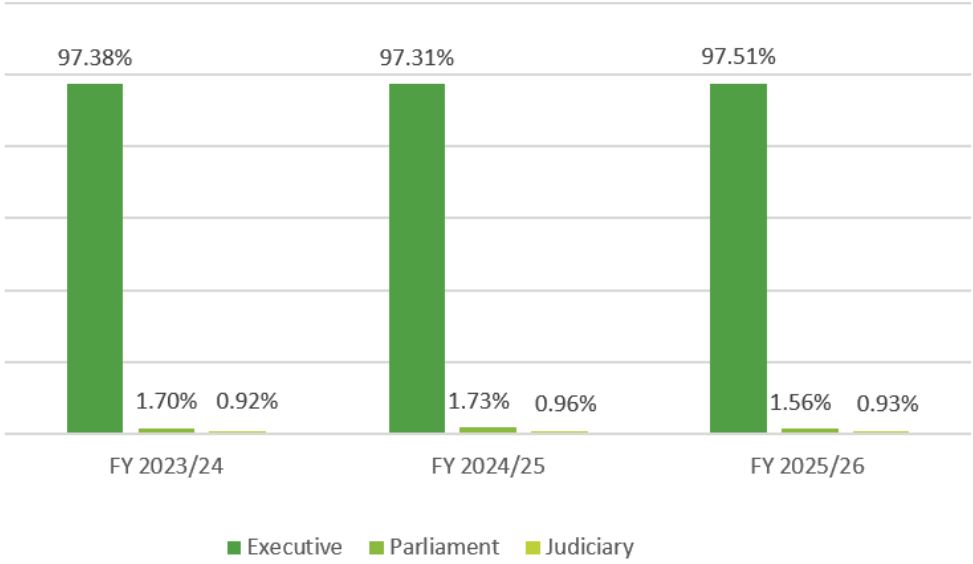


Figure 8.2:1 - Judiciary Allocation as a Percentage of the National Government Budget Allocation, FY2023/24 – FY2025/26

Budget Utilisation and Expenditure Performance

The Judiciary recorded an overall budget absorption rate of 96 per cent, reflecting strong utilisation of available resources. Recurrent expenditure recorded an absorption rate of 99 per cent, while development expenditure recorded 47 per cent. The lower development absorption was largely associated with procurement and implementation delays affecting major projects, including the non-utilisation of KSh547 million earmarked for acquisition of a building following non-responsive bids.

Budget Category	Allocation (KSh Billion)	Expenditure (KSh Billion)	Absorption
Recurrent	25.64	25.37	99%
Development	1.51	0.71	47%
Total	27.15	26.08	96%

Table 8.4: Budget Utilisation and Expenditure Performance

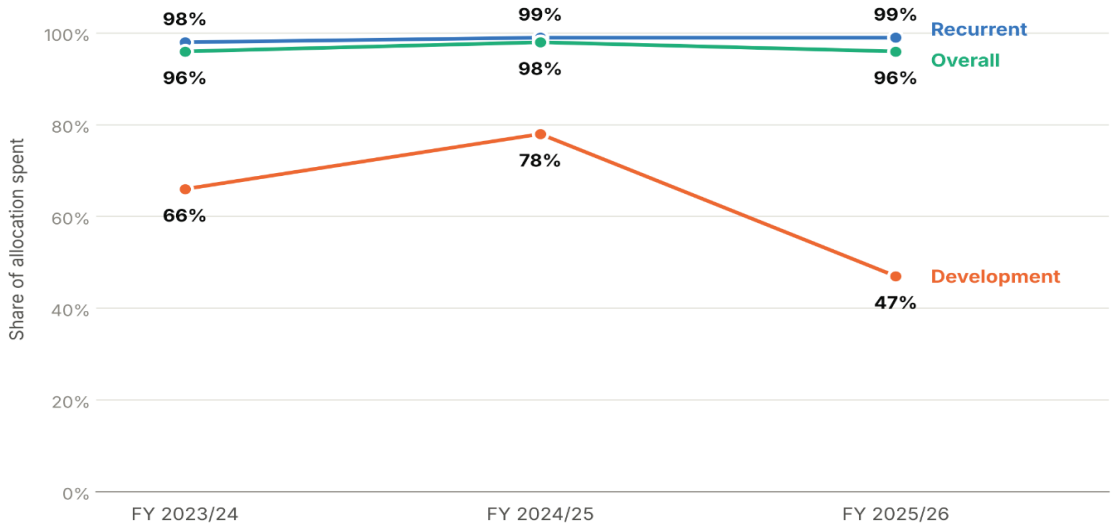


Figure 8.3:1 - Budget Absorption Rate by Expenditure Category, FY2023/24 – FY2025/26

Compensation of employees amounted to KSh16.85 billion, representing 65.7 per cent of recurrent expenditure. This reflects the labour-intensive nature of justice delivery and the Judiciary's continued investment in human capital. Notwithstanding the high overall absorption rate, lower utilisation of development resources reduced the pace of implementation of infrastructure, ICT and modernisation projects that are central to achievement of the STAJ Blueprint.

The lower absorption of development expenditure also highlights the need to strengthen project preparation, procurement planning and implementation management to improve the timely utilisation of development resources.

Revenue and Court Deposits Management

The Judiciary collected KSh3.70 billion in revenue against a target of KSh4.13 billion, representing a revenue realisation rate of 89.6 per cent.

Table 8.5: Revenue Performance by Source

Revenue Source	Amount (KSh Billion)
Fees	1.43
Fines and Penalties	1.31
Interest on Deposits	0.77
Other Income	0.19
Total	3.70

Fees constituted the largest revenue stream at KSh1.43 billion, followed by fines and penalties at KSh1.31 billion. Revenue administration was supported by the continued rollout of e-Filing, the Case Tracking System, cashless payment platforms and other digital services, which strengthened transaction recording, assessment, and collection.

Court deposits held in trust by the Judiciary increased from KSh8.65 billion to KSh9.49 billion, largely due to retained interest earnings. During the year, KSh762.75 million in interest earned on court deposits was retained within deposit accounts in accordance with applicable accounting and appropriation requirements.

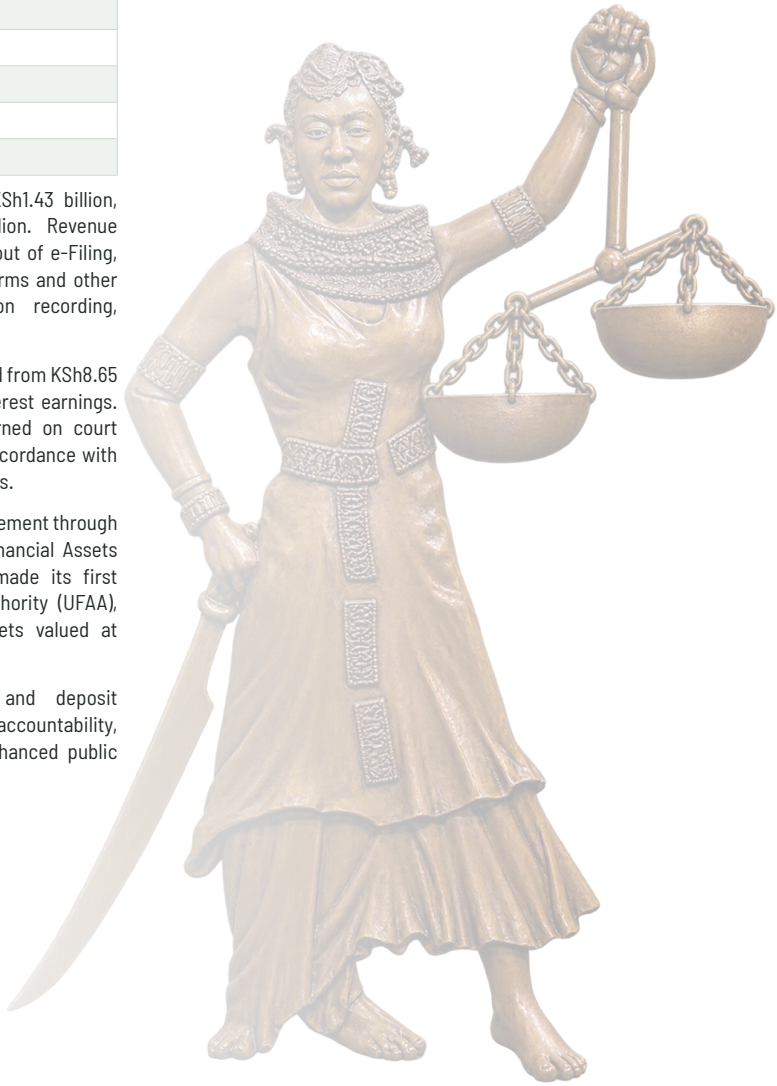
The Judiciary also strengthened court deposit management through automation and compliance with the Unclaimed Financial Assets Act. During the reporting period, the Judiciary made its first remittance to the Unclaimed Financial Assets Authority (UFAA), comprising 28 files with unclaimed financial assets valued at KSh218,000.

Continued automation of revenue collection and deposit management processes strengthened financial accountability, reduced opportunities for revenue leakage and enhanced public confidence in the management of court-held funds.

Resource Mobilisation and Partnerships

Recognising the persistent gap between resource requirements and available public financing, the Judiciary strengthened resource mobilisation efforts and partnerships with development partners, public institutions, private-sector organisations and other stakeholders to support implementation of priorities under the Social Transformation through Access to Justice (STAJ) Blueprint.

During FY2025/26, the Judiciary received KSh51.18 million in partner funding, comprising KSh44.46 million from the Ford Foundation and KSh6.72 million from other development partners. The Judiciary also strengthened its institutional resource mobilisation capacity through staff training, stakeholder engagement and participation in regional resource mobilisation forums aimed at enhancing fundraising, partnership management and development cooperation.



CHAPTER 9: EMERGING ISSUES & POLICY RECOMMENDATIONS

The preceding chapters show real progress in the administration of justice during FY 2025/26. They also reveal problems that the Judiciary cannot resolve alone or within a single year. This chapter brings those problems together. It draws on the findings of each chapter to set out the key issues that emerged during the year and the recommendations needed to address them. The issues range from operational matters within the Judiciary's own control, such as the quality of case data, the timeliness of complaint resolution and staff training, to structural constraints that require action by other arms of government. These include chronic underfunding, stalled infrastructure, gaps in the legal framework for tribunals and Kadhis' Courts, and statutory provisions that the courts have declared unconstitutional.

Each recommendation in the table below identifies the institution best placed to act on it. Most are directed to the Judiciary itself, reflecting its commitment to address its own shortcomings openly. Others are directed to Parliament, particularly where the courts have found legislation to be unconstitutional or where adequate resourcing depends on budgetary appropriations. These recommendations are offered in the spirit of constructive dialogue and cooperation among the arms of government that the Constitution envisages. They are intended to guide institutional planning, inform budgetary and legislative priorities, and provide a basis against which progress can be tracked in future reports.

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
Chapter 1: Governance & Strategy Implementation				
1.	Mandatory submission of hard copy pleadings in addition to electronic filing at the Supreme Court.	Requiring paper copies after electronic filing imposes additional cost, travel and procedural burdens on litigants and may delay placement of matters before the apex court. A proportionate digital filing process advances timely, affordable and equal access to justice without compromising the integrity of the court record.	Review and amend the Supreme Court Rules to recognize electronic filing as the authoritative filing record, subject to narrowly defined exceptions for original exhibits, authenticity concerns and directions of the Court.	Rules Committee of the Supreme Court Registrar, Supreme Court
Chapter 2: Courts Dispute Resolution				
2.	Inconsistencies in caseload data and unclear institutional ownership of reported statistics.	Inaccurate or irreconcilable figures can obscure actual workloads, distort backlog measurements and lead to inequitable deployment of judicial resources. Reliable, station-owned data is essential to fair allocation of capacity and transparent public accountability.	Conduct quarterly reconciliation of CTS/e-filing records, station registers and returns; prescribe a common data dictionary and validation protocol; require Heads of Station and Registrars to sign off statistics before inclusion in PMMU and SOJAR. Institute an exception log and independent quality assurance.	Chief Registrar of the Judiciary (CRJ); Registrars; Heads of Station DSPOP DICT
3.	Inadequate analysis and tracking of transferred matters, including their effect on case age and backlog.	A transferred case should not lose its procedural history or appear as a new case merely because jurisdiction or venue has changed. Tracking transfers and their age safeguards continuity of proceedings and prevents hidden delay and double counting.	Introduce mandatory transfer-reason codes, originating and receiving court identifiers, transfer dates and case-age continuity in CTS. Report annual inter-court and intra-court transfers, completion rates and delay attributable to transfers; develop transfer and redistribution protocols informed by the findings.	Registrars Heads of Station DSPOP DICT
4.	Concentration of aged pending matters despite a positive overall case-clearance rate: 341,412 cases (59 per cent of pending matters are classified as backlog or have remained unresolved for more than one year.	An aggregate clearance rate above 100 per cent can coexist with prolonged waits for litigants whose cases remain unresolved. Targeting the age and complexity of pending matters gives practical effect to the right to justice without unreasonable delay.	Require each court to prepare a quarterly age-profile of pending matters, identify matters older than three and five years, and adopt differentiated backlog-reduction plans with case-specific milestones. Integrate age and case weighting into station PMMU targets and publish quarterly progress by court rank.	Chief Justice Registrars Heads of Station DSPOP DICT
5.	Inconsistent classification and reporting of adjournment reasons.	Without uniform adjournment reasons, management cannot distinguish unavoidable postponements from delays amenable to intervention. Comparable information is needed to protect litigants from repeated appearances, expense and uncertainty.	Adopt standardized adjournment reason codes across court ranks within CTS, distinguishing party-driven, court-driven, system and external causes; make coding mandatory and report avoidable adjournments in quarterly performance reviews.	Registrars Heads of Station DSPOP DICT

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
6.	High volume of adjournments and recurrent witness non-attendance: 274,478 adjournments were reported notwithstanding the reduction in the overall adjournment rate to 7 per cent.	Repeated adjournments and absent witnesses prolong disputes, raise litigation costs and may undermine confidence in the fairness of proceedings. Focused witness-management and hearing-readiness measures support substantive hearings on scheduled dates.	Introduce mandatory standardised adjournment-reason codes in CTS and require monthly station-level exception reports. Strengthen witness scheduling and notification, hearing readiness checks and coordination with prosecution, police and other justice-sector actors through Court Users Committees; track repeat adjournments and their causes. Develop and adopt acceptable institutional standards for adjournments across all court levels. Adopt a ***triaging approach*** to case management across all Stations.	Chief Registrar of the Judiciary Registrars Heads of Station DSPOP DICT NCAJ/Court Users Committees
7.	Limited uptake of Court-Annexed Mediation in Tribunal matters.	Tribunal users should have meaningful access to proportionate and consensual dispute resolution where the nature of the dispute permits it. Appropriate mediation can reduce cost, preserve relationships and free adjudicative capacity for contested matters.	Undertake a tribunal-specific assessment of mediation suitability and referral barriers; issue applicable referral protocols and provide trained mediators and case-tracking arrangements for eligible Tribunal matters.	Registrar, Tribunals Court-Annexed Mediation Secretariat Chairpersons of Tribunals
Chapter 3: Expanding Access to Justice				
8.	Uneven adoption of Mahakama Popote in the superior courts.	Court users should not experience avoidable delay solely because judicial capacity is unevenly distributed across stations. Appropriate virtual deployment can extend timely hearing opportunities while protecting the right to be heard.	Develop court-rank-specific practice guidelines addressing assignment of matters, territorial and supervisory arrangements, hearing records, judicial workload and case-tracking; pilot implementation in selected superior courts before wider rollout.	Principal Judges of the Superior Courts Registrars Directorate of ICT
9.	Limited demonstrated impact of court circuits and service weeks on case disposal.	Circuits and service weeks require evidence of their actual contribution to disposals and reduced travel burdens. Evaluating their cost and impact ensures that scarce judicial resources reach communities and cases where they make the greatest difference.	Evaluate cost per case concluded, clearance rates, accessibility gains and reduction of aged cases for circuits and service weeks. Retain and redesign interventions based on measurable outcomes and deploy Mahakama Popote where it demonstrably improves access and efficiency.	Registrars Heads of Station DSPOP Directorate of Finance
10.	Lack of legal framework for the transition of Tribunals and their governance and administration within the Judiciary	Unclear status and governance of tribunals may create inconsistent administration weak independence; unclear oversight and discipline; uneven terms of service; inconsistent procedures, fees and appeal routes; challenges in enforcement of orders; incomplete transition from parent ministries; uncertain funding; and reforms that rest on reversible administrative arrangements.	Fast-track the Tribunals Bill	National Assembly
11.	Capacity constraints in Court-Annexed Mediation despite increased referrals.	Expanding referrals without matching mediator, registry and administrative capacity risks substituting one queue for another. Timely mediation requires adequate support so that settlement remains a credible and accessible pathway to justice.	Establish a CAM caseload and mediator-capacity model; resource mediation registries, coordinators and mediators based on referrals, settlement rates and time to conclusion; track post-referral outcomes and allocate resources accordingly.	Chief Registrar of the Judiciary Registrars Heads of Stations Court-Annexed Mediation Secretariat Directorate of Human Resource Management Directorate of Finance

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
12.	Expansion of mediation registries has outpaced capacity to process referrals promptly: approximately 4,000 settlements were recorded against 11,360 matters referred during the year.	The gap between mediation demand and concluded settlements indicates potential delays in a process intended to accelerate resolution. Monitoring time to first session and disposal protects parties from prolonged uncertainty and strengthens trust in mediation.	Undertake a mediation-capacity and referral-to-outcome assessment by station; introduce time-to-first-session, settlement, withdrawal and pending-referral indicators; provide targeted mediator deployment and registry support where waiting times are longest.	Chief Registrar of the Judiciary Deputy Registrar responsible for Court-Annexed Mediation Heads of Station DSPOP DICT
13.	Persistent physical and digital barriers affecting vulnerable court users.	Barriers affecting children, older persons and persons with disabilities may exclude people from participating fully in proceedings even where courts are formally available. Universal access and appropriate support are prerequisites for equal and effective justice.	Undertake a national accessibility audit of physical facilities, e-filing and virtual-hearing platforms, and adopt funded minimum standards for disability access, age-sensitive and child-friendly services, interpretation and assisted filing; publish annual compliance progress.	Chief Registrar of the Judiciary Registrars Heads of Station Department of Construction & Maintenance Works (DBS) Employee Protection and Inclusion Committee (EPIC) DICT
14.	Uneven institutionalisation of Alternative Justice Systems: AJS operated in 29 stations and only 14 Counties had County Action Plans, limiting consistency of service delivery.	Recognition of alternative justice pathways will not yield equitable access where implementation depends on a user's location. Consistent safeguards and local action plans can expand culturally responsive resolution while protecting constitutional rights.	Adopt a phased national implementation plan for AJS County Action Plans and station referral protocols, supported by safeguards on consent, non-discrimination and rights protection under Article 159(3) of the Constitution. Record referrals and outcomes using standard indicators while preserving the distinct character of AJS processes.	Office of the Chief Justice Chief Registrar of the Judiciary National Steering Committee on AJS Registrars Heads of Station
Chapter 4: Jurisprudence				
15.	Criminalization of false or misleading online information under sections 22 and 23 of the Computer Misuse and Cybercrimes Act, 2018.	Criminal offences framed too broadly can affect the constitutional right to free speech. Precisely drawn offences protect constitutionally permissible interests while preserving freedom of expression and fair notice of prohibited conduct.	Review sections 22 and 23 in light of Bloggers Association of Kenya v Attorney General & 6 others [2026] KECA 430 (KLR), ensuring certainty, necessity and proportionality of any retained offences, and consistency with Articles 24, 33 and 34 of the Constitution.	Office of the Attorney-General The National Assembly Communications Authority of Kenya (CAK)
16.	Vagueness of public-order offences under section 95(1)(b) of the Penal Code and their effect on freedom of expression.	Vague public-order offences expose people to inconsistent enforcement and punishment without sufficient legal certainty. Legislative clarity is needed to preserve the principle of legality and proportionate protection of constitutional freedoms.	Review section 95(1)(b) and related Penal Code provisions in light of Law Society of Kenya v DPP & 2 others; Kebaso (Interested Party) [2026] KEHC 1486 (KLR), removing vague offences and specifying the prohibited conduct and constitutional safeguards.	Office of the Attorney-General The National Assembly Director of Public Prosecutions
17.	Inadequate legislative distinction between exploitative sexual conduct involving children and non-exploitative close-in-age adolescent conduct.	A framework that fails to distinguish coercion and exploitation from comparable-age consensual adolescent conduct may produce disproportionate criminal consequences while failing to focus protection on children facing abuse. A nuanced response promotes child welfare and proportionality.	Review sections 8, 9 and 11 of the Sexual Offences Act, incorporating carefully defined close-in-age and developmental-capacity considerations while maintaining safeguards against coercion, exploitation and unequal power, guided by HSO & 3 others v DPP & 6 others [2026] KEHC 6812 (KLR).	Office of the Attorney-General The National Assembly Director of Public Prosecutions Relevant child-protection agencies

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
18.	Need to reconcile seed regulation and plant breeders' rights with farmers' rights and preservation of indigenous seed systems.	Seed regulation must safeguard legitimate innovation without excluding farmers from customary practices and access to indigenous seed systems. Clear rules can protect livelihoods, food security and biodiversity consistently with constitutional protections.	Undertake a targeted review of sections 3D(1), 8(1), 8A, 10(4)(c)-(g), 20(1) and 20(1E) of the Seed and Plant Varieties Act, informed by the operative orders in Wathome & 14 others v KEPHIS [2025] KEHC 18166 (KLR), to protect indigenous seeds, biodiversity and proportionate regulation.	Office of the Attorney-General The National Assembly Ministry responsible for Agriculture KEPHIS
19.	Constitutional treatment of pension funds under the procurement regime.	Applying public procurement requirements to funds constitutionally characterised as private trusts risks improper interference with beneficiaries' property and pension administration. Statutory alignment ensures lawful, predictable governance.	Review section 2(o) of the Public Procurement and Asset Disposal Act, 2015, against the final operative orders in Association of Retirement Benefits Schemes v Attorney-General & 3 others (SC Petition E017 of 2024); clarify the scope of procurement obligations for public-entity retirement schemes without compromising accountability.	Office of the Attorney-General The National Assembly National Treasury Public Procurement Regulatory Authority
20.	Clarification of the Small Claims Court jurisdiction over road-traffic personal-injury claims and unlawful execution mechanisms.	Unclear jurisdiction and unlawful execution methods risk invalid proceedings and disproportionate enforcement against court users. Clarifying the law promotes accessible small-claims justice while respecting due process and liberty.	Implement Gathaiya v Attorney General & 2 others [2026] KEHC 290 (KLR): operationalize transfer of pending road-traffic personal-injury claims to Magistrates' Courts; amend Rule 25 of the Small Claims Court Rules, 2019 to remove arrest and committal to civil jail, consistently with sections 37, 39 and 40 of the Small Claims Court Act and Article 94(6) of the Constitution; review section 12(1)(d) and Rule 5(3) only if legislative clarification remains necessary.	Chief Justice (Rules Committee) Registrar, Magistrates' Courts Small Claims Court Secretariat Attorney-General and The National Assembly
21.	Legislative and custodial safeguards for transgender persons remain insufficiently articulated.	People in custody face heightened vulnerability where legal and administrative safeguards do not address their particular protection needs. Clear custodial standards help prevent degrading treatment and secure equal protection of the law.	Consider legislative protection against discrimination and custodial abuse, including a targeted review of the Prisons Act and operational safeguards arising from SC v DPP & 3 others [2025] KEHC 11929 (KLR); align the response with the judgment's specific orders.	Office of the Attorney-General The National Assembly Ministry responsible for Correctional Services Kenya Prisons Service
22.	Judgments with implications for statutory compliance require systematic tracking of remedial action after delivery.	A judicial declaration may remain ineffective in practice if no institution tracks required legislative or administrative response. A compliance mechanism turns constitutional adjudication into timely corrective action for affected rights-holders.	Establish a judicial-decision reform tracker documenting declarations of invalidity, suspended remedies and express directions to public institutions; share a periodically updated legislative action matrix with the Attorney-General, Kenya Law Reform Commission and Parliament without intruding upon judicial independence.	Judiciary Directorate of Legal Services Office of the Chief Justice Kenya Law Reform Commission Attorney-General Parliament
Chapter 5: Infrastructure and Digital Technology				
23.	Stalled court-construction projects and contractor non-performance.	Incomplete courts leave litigants travelling farther and public funds tied up without yielding services. Time-bound recovery and oversight can restore delivery capacity and safeguard the value of public investment.	Approve project-by-project recovery plans for Githongo, Homa Bay, Mbita, Malaba, Kabarnet, Murang'a, Marsabit, Meru and Mombasa, with due-diligence reviews, procurement decisions, funded milestones and quarterly reporting. Require structural and design audits before recommencement; operationalize safe completed sections where feasible.	CRJ Department of Construction & Maintenance Works Directorate of Supply Chain Management Directorate of Finance Projects Committee

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
24.	Courtroom designs inadequately support multi-door justice and vulnerable users.	Court buildings designed only for adversarial hearings may impede mediation, AJS and safe participation by children and victims. Fit-for-purpose spaces make multiple lawful routes to justice genuinely usable.	Adopt standard court design briefs providing for AJS facilities, mediation spaces, child-/victim-friendly rooms, consultation rooms and privacy; apply standards to new construction and major refurbishment.	CRJ Department of Construction & Maintenance Works AJS Secretariat CAM Secretariat
25.	Physical barriers to access for persons with disabilities at court stations.	Inaccessible premises can prevent persons with disabilities from filing, attending or understanding proceedings on an equal basis. Removal of physical barriers gives practical effect to the promise of equal access and dignity.	Undertake phased universal-design audits at all operational stations; cost corrective works and prioritize high-risk facilities, with performance reporting against Article 54 of the Constitution and applicable disability legislation.	CRJ Heads of Station Department of Construction & Maintenance Works EPIC
26.	Unoperationalised gazetted courts and inadequate justice infrastructure continue to constrain geographical access: 25 gazetted Magistrates' Courts were not operational by year end.	Gazetting a court without equipping it to operate offers communities no actual adjudicative service. Phased operationalisation reduces distance, expense and delay for users in underserved areas.	Prepare a sequenced operationalisation plan for gazetted but non-operational courts, identifying minimum requirements for judicial personnel, registry staffing, premises, ICT, security and recurrent funding; publish milestones and prioritise high-distance and underserved locations.	CRJ Registrar, Magistrates' Courts Directorate of Infrastructure Directorate of Finance Directorate of ICT
27.	Staff welfare and working conditions constrain morale and productivity.	Unsafe or unsuitable workplaces impair the ability of court personnel to provide consistent and dignified service. Minimum working standards sustain staff wellbeing and reliable operations for court users.	Adopt minimum standards for sanitation, secure chambers, ergonomic workspaces and staff safety; prioritize critical gaps and assess targeted accommodation solutions in hard-to-serve stations.	CRJ Directorate of Human Resource Management Department of Construction & Maintenance Works
28.	Electricity instability disrupts court operations in remote stations.	Electricity interruptions can stop hearings, disrupt electronic records and delay orders in areas already facing barriers to access. Resilient energy supplies support continuity of justice services.	Complete an energy-resilience assessment and fund phased solar, storage and backup power installations for high-risk courts; track service uptime and maintenance costs.	Department of Construction & Maintenance Works Directorate of ICT Directorate of Finance
29.	Water scarcity and insecurity at affected court stations.	Water insecurity undermines sanitary, safe and functioning court facilities, particularly in arid areas. Reliable water systems uphold dignity and enable uninterrupted service to the public.	Use the Judiciary water-harvesting baseline to prioritize borehole rehabilitation, rainwater capture and water storage, with maintenance responsibility and annual compliance reporting.	Department of Construction & Maintenance Works Heads of Station Directorate of Finance
30.	Fragmentation of financial, filing and case-tracking systems.	Disconnected systems increase manual re-entry, reconciliation errors and delays in payments, refunds and case updates. Integration strengthens transparency, protects funds and reduces avoidable administrative burdens on court users.	Sequence implementation of Jumuika ERP Phase 2 and establish validated interfaces with e-Filing and CTS; introduce controls for case-linked deposits, bail refunds, reconciliation, audit trails and exception reporting before full automation.	CRJ Directorate of ICT Directorate of Finance Directorate of Internal Audit
31.	Court deposit stewardship and qualified audit opinions call for tighter controls over litigants' funds: the Report records KSh9.49 billion in court deposits at year end.	Court deposits are held for litigants and must be traceable, secure and returned lawfully and promptly. Strong controls address audit concerns and protect public confidence in the Judiciary as custodian of those funds.	Introduce monthly bank-to-case-to-ERP reconciliations for deposits, ageing analysis of unclaimed balances, documented refund controls and exception reporting; implement a time-bound register of Auditor-General recommendations with accountable officers and quarterly reporting to Judiciary Management.	CRJ Registrars Directorates of Finance and Accounts Directorate of Internal Audit and Risk Management

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
32.	Unregulated use of AI tools in judicial research and administration.	Unverified AI-assisted legal research can produce errors or disclose confidential case information. Clear safeguards are necessary to preserve judicial independence, procedural fairness and reasoned decisions.	Finalize the Judiciary AI Adoption Policy and relevant Practice Directions; prohibit disclosure of confidential case data into unapproved systems, require human verification of citations and outputs, establish procurement/security standards, auditability and staff training.	Office of the Chief Justice Chief Registrar of the Judiciary Registrars ICMS Committee Kenya Judiciary Academy Directorate of ICT
33.	Pilot deployment of Mahakama AI and expanding digitisation expose a need for consistent safeguards for confidentiality, accuracy and accountability.	Piloting AI tools without standard verification, privacy and accountability requirements may expose decisions and records to avoidable risk. Consistent safeguards permit innovation without compromising the rights of parties.	Before institutional scale-up, approve a risk-classification and human-review protocol for AI-assisted research and other judicial uses; prohibit entry of confidential case material into unauthorised external tools and require evaluation of accuracy, bias, information security and user training. Align implementation with the Judiciary AI Adoption Policy and applicable data-protection obligations.	Office of the Chief Justice CRJ ICMS Committee Directorate of ICT Kenya Judiciary Academy Registrars
34.	Risk of record loss and service disruption from disasters.	Loss of files through fire, flooding or other disasters can erase evidence and force litigation to restart. Digitisation and secure recovery systems protect the continuity and integrity of proceedings.	Scale digitization and off-site backup for registry records under MADIP, set retention and recovery-time targets, test business continuity annually and resource the National Judiciary Transcription Centre.	CRJ Directorate of ICT Registrars Department of Construction & Maintenance Works Directorate of Information and Library Services
35.	Cybersecurity threats and unequal network coverage.	Cyber incidents can expose sensitive information, interrupt e-filing and deny timely access to court services. Security and reliable connectivity are essential to the trustworthy delivery of digital justice.	Adopt station-level minimum cyber controls, endpoint protection, access governance, tested incident response and centralized NOC/SOC oversight; prioritize court stations by assessed risk, rather than infrastructure rollout alone.	Directorate of ICT CRJ Directorate of Internal Audit
36.	Development funding remains insufficient relative to the court infrastructure backlog.	The scale of court infrastructure deficits exceeds available development funding, leaving many communities without adequate hearing and registry facilities. Predictable investment is needed to translate formal judicial rights into services that can be reached.	Approve and present a costed five-year infrastructure investment pipeline and seek progressively increased, predictable development appropriations tied to project readiness and deliverables.	CRJ Directorate of Finance Judicial Service Commission National Treasury National Assembly
37.	Insufficient contingency funding for damage to court infrastructure.	Damage to courts can abruptly sever access to hearings, records and urgent remedies. Ring-fenced recovery capacity supports prompt restoration of a constitutionally essential public service.	Establish a rapid damage-assessment and business-continuity protocol and seek a dedicated emergency rehabilitation financing mechanism under the lawful budget framework.	CRJ Department of Construction & Maintenance Works Directorate of Finance National Treasury National Assembly

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
38.	Geographic inequities in access to physical court services.	Where there is no nearby physical court, travel time and cost may prevent vulnerable and low-income users from seeking remedies. Prioritised funding reduces geographic inequality in access to justice.	Prioritize underserved constituencies using population, travel distance, caseload and vulnerability indicators; fund a mixed model of permanent stations, mobile courts and assisted digital access and publish annual coverage targets.	CRJ Directorate of Finance DSPOP National Treasury National Assembly
39.	Procurement delays in revival of stalled capital works.	Lengthy revival of failed construction contracts delays urgently needed court capacity and can increase costs. Lawful, transparent procurement pathways can accelerate completion while safeguarding competition and value for money.	First evaluate existing remedies and procedures under the Public Procurement and Asset Disposal Act, 2015 and Regulations; propose narrowly drawn statutory amendments only where demonstrated legal obstacles cannot be resolved administratively, preserving competition and oversight.	CRJ Directorate of Supply Chain Management Attorney-General National Treasury National Assembly
40.	Financing constraints on capital, housing and green infrastructure.	Capital needs may outstrip conventional budget allocations, but innovative financing must not compromise judicial independence or affordability. Clear safeguards can unlock facilities while protecting the public interest.	Undertake feasibility and value-for-money assessments within the existing Public Private Partnerships Act framework before proposing any further enabling amendments; protect judicial independence, public control and long-term fiscal sustainability.	CRJ National Treasury Directorate of Finance DSPOP Office of the Attorney-General National Assembly
41.	Long-term financing and policy support for digital justice infrastructure.	Digital platforms, transcription and network security require sustained rather than one-off investment. Stable legal and financial support avoids technological breakdowns that could delay proceedings or exclude court users.	Develop a costed Judiciary Digital Transformation investment plan for e-Filing, transcription, assisted filing and cybersecurity, with recurrent licensing and maintenance obligations, and seek appropriations; reserve legislative changes for specifically identified legal gaps.	CRJ Directorate of Finance Directorate of ICT National Treasury National Assembly
Chapter 6: Accountability and Governance				
42.	Low compliance with complaints-resolution SLA timelines.	A complaint resolved after its service standard has elapsed may leave a court user without a timely remedy. Enforcing response timelines gives meaningful effect to accountability and public trust.	Commission a time-to-resolution diagnostic by complaint type and unit; introduce aged-complaint escalation, case ownership, dashboard alerts and monthly review against published SLAs, with quarterly accountability reports and remedial measures for persistent breaches.	Office of the Chief Justice CRJ JSC (disciplinary mandate) Office of the Judiciary Ombudsman Heads of Station
43.	Complaints-resolution performance requires separate assessment of disposal and timeliness: 132 of 1,243 public complaints remained pending, including 71 outstanding for more than 90 days.	High complaint-disposal figures alone can conceal prolonged waits for many complainants. Measuring both completion and timeliness allows the institution to correct failures affecting public confidence and procedural fairness.	Introduce complaint-age dashboards and automated escalation at predetermined intervals, with monthly quality checks and reporting disaggregated by complaint type, station and responsible office. Require corrective-action plans for persistent overdue complaints and align reporting of total resolved complaints with SLA-compliance data.	Office of the Judiciary Ombudsman CRJ Heads of Station DSPOP
44.	Three-year deterioration in reported institutional performance scores.	A sustained fall in institutional performance may signal risks to the consistency and quality of justice services despite aggregate achievements. Diagnostic review supports focused correction rather than undifferentiated targets.	Conduct a disaggregated review of the decline from 97.67% (FY 2022/23) to 95.29% (FY 2023/24) and 88.12% (FY 2024/25), distinguishing indicator design, target achievement, resource constraints and reporting changes; adopt targeted performance-improvement plans with quarterly follow-up.	CRJ DSPOP Registrars All Heads of Directorates

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
45.	Evidence from court integrity and justice-sector assessments is not yet consistently translated into tracked operational improvements.	Integrity assessments and performance reviews provide limited benefit if identified weaknesses do not lead to measurable changes. Follow-through is necessary to improve users' experience and deter recurring misconduct.	Convert recurring findings of Court Integrity Committees, Court Users Committees and JUPITER assessments into a common action register with responsible officers, deadlines and outcome indicators; review progress in quarterly Leadership and Management Team meetings.	CRJ DSPOP Court Integrity Committees Heads of Station NCAJ (Court User Committees)
Chapter 7: Human Resource and Workforce Diversity				
46.	Absence of a harmonised legislative framework for tribunal establishments, conditions of service and transition to the Judiciary.	Uneven tribunal employment and administrative arrangements can undermine continuity and consistency of service across adjudicative bodies. A harmonised transition framework supports capable and independent tribunal operations.	Support the enactment and implementation of the Tribunals Bill, 2025, under Article 169(1)(d) and (2) of the Constitution. Develop a costed transition framework specifying tribunal establishments, staffing norms, harmonised terms and conditions of service, records and budget transfers, reporting arrangements and transitional timelines.	Office of the Chief Justice National Assembly JSC CRJ Registrar of Tribunals
47.	Outdated statutory provisions governing the establishment, geographical coverage and staffing of Kadhis' Courts.	An outdated establishment framework may leave Kadhis' Courts with insufficient geographical coverage and personnel to serve those entitled to use them. Legislative review supports accessible and effective specialist adjudication.	Initiate review of sections 3 and 4 of the Kadhis' Courts Act (Cap. 11), including the Kadhis' Courts Order made under section 3, to align the statutory establishment and territorial arrangements with Article 170(1), (3) and (4) of the Constitution and current service needs. Undertake a caseload- and population-informed staffing assessment and prepare proposals on the required number and deployment of Kadhis, supporting staff and court stations.	Office of the Chief Justice JSC CRJ Registrar of Magistrates Courts Chief Kadhi National Assembly
48.	Absence of approved and adequately resourced staffing establishments for the Environment and Land Court (ELC) and Employment and Labour Relations Court (ELRC).	Without approved staffing establishments, the ELC and ELRC cannot reliably match personnel to growing specialised caseloads. Evidence-led establishments reduce waiting times and support effective adjudication of land and labour disputes.	Undertake functional and workload assessments for the ELC and ELRC; develop separate, costed staff establishments covering registries, legal research, transcription, ICT and administrative support; and submit them to the JSC for approval and phased implementation, with priority given to stations facing acute shortages.	Office of the Chief Justice JSC CRJ Registrars of ELC and ELRC Directorate of Human Resource Management
49.	Underrepresentation of persons with disabilities (2.5 per cent of staff) and uneven gender representation across specific judicial and staff cadres, notwithstanding an aggregate gender composition of 49 per cent male and 51 per cent female.	Overall workforce balance can conceal exclusion of persons with disabilities and disparities within particular cadres. Targeted inclusion is needed to reflect constitutional equality and ensure diverse perspectives in justice services.	Adopt a time-bound diversity and inclusion recruitment and retention plan, with cadre-level gender and disability baselines, annual targets, accessible recruitment processes, reasonable accommodation and periodic progress reporting. Prioritise progressive attainment of the constitutional requirement that at least five per cent of members of the public in elective and appointive bodies are persons with disabilities (Article 54(2)); apply the applicable statutory employment provisions.	JSC CRJ Directorate of Human Resource Management
50.	Limited coverage of professional development, with only 4.8 per cent of judicial staff reported to have undergone training, and continuing gaps in digital, leadership and operational skills.	Inadequate training limits staff readiness to apply new technologies, procedures and service standards, creating avoidable errors and delays for users. Equitable continuous learning improves both competence and the quality of justice delivery.	Conduct an institution-wide training-needs assessment and approve a costed annual learning plan with minimum coverage targets, equitable selection criteria and dedicated modules in digital case management, cybersecurity, leadership, registry management and service delivery. Track training uptake by cadre, station, gender and disability, and evaluate application of acquired skills.	JSC Kenya Judiciary Academy CRJ Directorate of Human Resource Management Judiciary Training Committee

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
51.	Retirement-related succession risks: 397 judicial staff are projected to retire within five years, including 102 within one year.	Large, anticipated retirements threaten loss of institutional knowledge and gaps in front-line services. Planned succession and handovers protect continuity for litigants and court stations.	Prepare and operationalise a five-year workforce succession plan identifying critical posts and retirement exposure by station and cadre; institute structured handover, mentorship, documentation of institutional knowledge and advance recruitment requests for positions at risk of vacancy. Review implementation annually.	JSC CRJ Directorate of Human Resource Management
52.	Exposure to traumatic cases and high occupational stress, coupled with uneven accessibility and uptake of psychosocial and staff welfare services.	Exposure to distressing case material and sustained occupational pressure can impair wellbeing and consistent service. Accessible psychosocial support protects the workforce that sustains a humane justice system.	Strengthen the Psychosocial Support Unit through confidential counselling, trauma-informed support, referral protocols, peer support and preventive wellness interventions; provide accessible services across stations, including remote and virtual channels. Establish anonymised uptake and wellbeing indicators and ensure adequate budgetary provision without compromising staff confidentiality.	CRJ Directorate of Human Resource Management Psychosocial Support Unit Heads of Station
53.	Severe establishment gaps in critical cadres, including Registrars (11 per cent of positions filled) and Legal Researchers (38 per cent), with implications for court administration and judicial productivity.	Understaffing in critical professional cadres can delay registry functions, research and judicial decision-making. Filling posts according to service need strengthens timely, reasoned and well-administered justice.	Validate vacancy rates against the approved establishment; undertake a workload-based review of staffing requirements, and submit a prioritised, costed recruitment and deployment plan for under-resourced cadres. Incorporate transparent leadership representation and diversity indicators in staffing reports.	JSC CRJ Directorate of Human Resource Management
54.	Loss of institutional capacity arising from 137 staff exits during the reporting period, including retirement, death, resignation, dismissal and expiry of contracts.	Unplanned exits can leave essential court functions without trained replacements, interrupting service to litigants. Structured exit and replacement arrangements safeguard operational continuity.	Institutionalise quarterly exit and vacancy analysis, timely separation clearances and documented handover procedures. Set vacancy-replacement priorities by service risk, seek advance approval for recruitment against predictable exits and integrate exit-interview findings into retention and workforce planning measures.	JSC CRJ Directorate of Human Resource Management
55.	Potential inequities in access to promotion, training and career progression, against reported advancement of 222 judicial officers and 850 judicial staff.	Opaque or uneven access to career development risks lowering morale and weakening organisational competence. Fair and transparent progression supports institutional integrity and better service to the public.	Audit eligibility, applications, selection outcomes and waiting periods for promotion and career progression, disaggregated by cadre, station, gender and disability. Publish clear eligibility and assessment criteria; establish an annual promotion and training calendar; and provide a transparent mechanism for communicating decisions and addressing administrative grievances.	JSC CRJ Directorate of Human Resource Management Kenya Judiciary Academy
56.	Acute ELRC judicial-capacity constraints following the appointment of four ELRC judges to the Court of Appeal, against a reported ELRC staffing level of 34 per cent of authorised positions, increasing backlog and delay risks.	Loss of ELRC judges reduces hearing capacity in a court responsible for resolving livelihood-related disputes, potentially prolonging arrears and employment uncertainty. Prioritised capacity measures support the right to timely labour justice.	Undertake an urgent assessment of ELRC vacancies, case inflows, pending caseloads and case age across stations. Prioritise the filling of vacant ELRC judgeships through the constitutional appointment process (Articles 166 and 172(1)(a)); in the interim, implement targeted case redistribution, court-annexed mediation, virtual sittings and monitored backlog-reduction plans, subject to judicial independence and existing procedural rules.	Office of the Chief Justice JSC CRJ Principal Judge, ELRC Registrar, ELRC
57.	Aggregate staffing vacancies remain substantial: 8,017 employees were serving against an approved establishment of 12,079 positions on June 30, 2026.	A substantial gap between approved posts and personnel in service limits the Judiciary's ability to translate expanded court infrastructure into actual services. Workload-based staffing aligns resources with users' needs.	Prepare a funded, phased recruitment and deployment plan based on critical vacancy rates, case-weighted workload, geographical access and projected exits; submit annual priority establishments and costed implementation options to JSC for approval and budget engagement.	JSC CRJ Directorate of Human Resource Management Directorate of Finance
58.	Lack of legal framework governing the Kenya Judiciary Academy	Absence of a defined legal mandate, governance structure or secure funding. It is also limited in its ability to award recognised qualifications, set binding training standards, or enter partnerships in its own right. This weakens long-term planning.	Fast-track the Kenya Judiciary Academy Bill to establish the Academy in law as the training arm of the Judiciary. The Bill should set out the Academy's mandate, governance, funding, and power to accredit programmes and award qualifications.	The National Assembly

	EMERGING ISSUE	RATIONALE	KEY POLICY RECOMMENDATION	ACTOR
Chapter 8: Financial Management				
59.	Limited operationalization of the Judiciary Fund	Challenges in planning and carrying out programmes within the financial year. Exchequer releases, late or partial disbursements, pending bills, dependence on the Executive	Fully operationalise the Judiciary Fund so that approved appropriations are paid into the Fund directly, in full and on time, as Article 173(4) requires. Undertake law reform and review of administrative arrangements to facilitate the full operationalisation of the Fund Act. Parliament should also consider the Judiciary's budget estimates in line with its constitutional status, as an independent arm of government.	National Assembly National Treasury Controller of Budget
60.	Persistent gap between Judiciary funding requirements and annual allocations.	Unfunded priorities in staffing, courts and technology can translate directly into delayed or inaccessible remedies. Sustainable financing is required to discharge the constitutional mandate of administering justice.	Present a costed funding-gap analysis linked to constitutionally mandated services, staffing and infrastructure outcomes; pursue multi-year resource commitments and strengthen quarterly budget-priority monitoring.	JSC CRJ The National Treasury The National Assembly
61.	Sharp decline in development-budget absorption.	Low absorption leaves urgently needed facilities unfinished even where funds have been allocated. Better project readiness and contract oversight convert budget provisions into functioning court services.	Develop project-level procurement and expenditure forecasts, early procurement milestones and quarterly absorption reviews; distinguish procurement, land, contractor, design and exchequer-release constraints and publish corrective action progress.	CRJ Directorate of Finance Directorate of Supply Chain Management Department of Construction & Maintenance Works
62.	Fragmented reporting of development-partner inputs and outcomes.	Reporting donor activities without outcomes does not show whether support improves access, timeliness or quality. Consolidated results measurement enables partners and the Judiciary to prioritise interventions that benefit court users.	Introduce a consolidated partner-support register covering commitments, cash and in-kind assistance, expenditure, implementing units, milestones, outcomes and sustainability; reconcile quarterly with financial and programme reports.	Office of the Chief Justice CRJ/Resource Mobilisation Unit Directorate of Planning Directorate of Finance
63.	Reliance on short-term partner-supported projects creates sustainability risks for digital, access-to-justice and capacity-building reforms.	Essential reforms can lapse when short-term external assistance ends. Transition and domestic-financing plans preserve access-to-justice gains and avoid disruption to users and staff.	Require each externally supported intervention to include a costed handover or sustainability plan, indicators of service impact, annual recurrent-cost projections and an identified Judiciary budget holder before scale-up. Integrate the plans into the medium-term resource framework.	CRJ Resource Mobilisation Unit DSPOP Directorate of Finance



Published by:
The Judiciary of Kenya
Supreme Court Building,City Hall Way
P.O. Box 30041 – 00100, Nairobi, Kenya

www.judiciary.go.ke

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