



REPUBLIC OF KENYA

# THE JUDICIARY



THE SUPREME COURT

OFFICE OF THE CHIEF JUSTICE / PRESIDENT, SUPREME COURT OF KENYA

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**SPEECH BY HON. JUSTICE MARTHA KOOME, EGH,  
CHIEF JUSTICE & PRESIDENT OF THE SUPREME  
COURT OF KENYA DURING THE LAUNCH OF THE  
INAUGURAL ADMINISTRATION OF JUSTICE IN KENYA,  
2021/22 REPORT, SAFARIPARK HOTEL, 5<sup>TH</sup> DECEMBER  
2022**

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**Your Excellency, Hon. William Samoei Ruto, Ph.D,  
C.G.H. President and Commander-in-Chief of the  
Kenya Defence Forces,**

**Speakers of the National Assembly and the Senate,  
Honourable Attorney General,**

**Director of Public Prosecutions,**

**NCAJ Council Members,**

**Cabinet Secretaries,**

**Principal Secretaries,**

**Members of Parliament present,  
Heads of Various Agencies in the Justice Sector,**

**Heads of Missions and Diplomats Present,**

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**President of the Law Society of Kenya,**

**Excellency Ambassadors and Heads of Diplomatic  
Corps,**

**Distinguished Guests,**

**Ladies and Gentlemen,**

Good Morning!

1. On behalf of the NCAJ, I take this opportunity to thank Your Excellency for accepting our invitation to grace this momentous occasion of the launch of the first Administration of Justice Annual Report covering the period, 2021/22 presented pursuant to Section 37 of the Judicial Service Act, 2011. As justice sector institutions, we value this gesture of support and collaboration.
2. I welcome all Heads of NCAJ Agencies, Heads of other arms of government, our development partners, CSOs and indeed, all of you, to this launch.
3. The Report presents an account of the programmes and activities of the NCAJ and its Agencies, identifies challenges, recognises opportunities, and makes recommendations for ensuring access to justice for the people of Kenya.

4. In implementing its programmes, the NCAJ is guided by its Strategic Plan for the period 2021/2026, which has its underpinnings in Kenya's development blueprint Vision 2030 and our international obligations under the Sustainable Development Goals.
5. The success achieved in the period is attributable to the collaborative and consultative approach adopted by actors within the justice sector, which has contributed to the more efficient and effective delivery of justice.
6. This being the inaugural report, we have retold the story of the rationale and genesis of the NCAJ and how it emerged from the appreciation at the local court level that stakeholder engagement and participation were key to addressing and responding to challenges in the delivery of justice. This organic growth was then entrenched in

statute following the recommendation of the Taskforce on Judicial Reforms Report, 2010.

7. Since its inception in 2011, the NCAJ has provided a platform for actors in the justice sector to design responses to the challenges within the justice sector. This has seen a proliferation of policies, guidelines, and manuals. In addition, under the umbrella of the NCAJ, actors formulated a response to the COVID-19 pandemic that ensured the wheels of justice continued to turn in the wake of debilitating containment measures that were adopted to stall the spread of the virus in the country.
8. During the reporting period, the NCAJ Launched and is implementing its strategic plan, whose vision is '*A Coordinated and Cohesive justice Sector Serving the people of Kenya*'. The Council focussed on strengthening its governance structures at all

levels. In line with our commitment to shared leadership, the Council resolved to have the position of Vice Chairperson and elected the DPP, Mr. Noordin Haji, to that position.

9. We have also created sub-committees at the Council level and formalised departments at the Secretariat.

10. It was during this reporting period that the Judicial Service Commission recruited Dr. Maranga as Executive Director of the NCAJ Secretariat.

11. The Council remains focused on deepening criminal justice reforms and, in May 2022, successfully convened the 2<sup>nd</sup> National Conference on Criminal Justice Reforms dubbed '*Towards a rights-based Criminal Justice Sector*' during which participants delved into topical matters such as

leveraging technology to enhance access to justice, safeguarding human rights in the administration of justice, enhancing access to justice for vulnerable groups and tackling corruption in the justice sector. I encourage all to read the report for details on its recommendations.

12. Data collected on the number of files processed by the different actors in the criminal justice chain make a strong case for the recommendations we are making for alternatives to prosecution and alternatives to custodial sentences.

13. During this period, the Council also focused on Civil Justice reforms and launched Court User Committees for Commercial Courts and Environment and Land courts. At the Council, we established a Working Committee on Civil Justice reforms and a department for Civil Justice reforms at the secretariat level. Owing to the concerted

efforts of the agencies, the period witnessed an increased number of matters resolved through ADR.

14. At the heart of NCAJ lies the Court User Committees (CUCs). This novel approach is now increasingly recognised at the regional and international levels as a best practice in the Administration of Justice. In 2021 we hosted a bench-marking delegation led by the Chief Justice of Mozambique, His Lordship Adelino Muchanga to learn and draw from our experience on how to set up and manage CUCs.

15. During the reporting period, the NCAJ expanded the number of CUCs by 26% to 236, key among them, Children CUCs, Environment and Land CUCs and Commercial Court CUCs. At the grassroots level, CUCs were instrumental in unlocking barriers to the administration of justice.

Most of them devised very effective case clearance innovations enhancing the overall performance of our justice system. It is apt to recognise a few of these pacesetters: Kapsabet Law Court CUC, Vihiga Law Court CUC, and Ndhiwa Law Court CUC. If their representatives are present, I invite them to stand, so that we can appreciate them.

16. The efforts of the NCAJ Standing Committee on the Administration of Justice in Children matters bore fruit with the enactment of the Children Act, 2022. Implementing the Act will contribute greatly to protecting children's rights. Working with the Judiciary, the Committee has now institutionalized November as Child Justice Service month. This intervention has contributed to increased awareness of child rights and needs within the justice sector and accelerated disposal of matters.

17. The NCAJ, in acknowledging the unique vulnerabilities of survivors and victims of SGBV, revamped its working committee on Sexual and Gender-Based Violence and developed Standard Operating Guidelines on Sexual and Gender-Based Violence. We also recently launched the National specialized CUCs for the SGBV Court to consolidate our efforts to ensure that SGBV cases are heard and determined in the most efficient way possible.

18. NCAJ recognizes that it is yet to fully harness technology's potential in enhancing access to justice. Accordingly, it has established a working committee to facilitate the roll-out ICT focussed collaboration. We are working on building seamless interoperability of ICT systems among justice sector agencies. To support this, we intend to scale up investment in ICT across the justice sector so that all agencies can be at the same level. Given our strong belief in the effectiveness of ICT as an

enabler of justice, we hope that the National Treasury can ringfence budgetary allocation specifically targeted to ICT for justice sector agencies to ensure uninterrupted delivery of justice.

19. The Report also identifies challenges that have continued to plague the sector and hamper effectiveness. These are limited resources, human and financial. In addition, we observe that there have been instances of overlapping mandates between institutions that have played out negatively in public.

20. In the next financial year, the NCAJ will prioritise the finalization of the Draft NCAJ Bill, development of the ICT Policy, strengthening of CUCs, reforms focused on vulnerable groups, broadening our network of collaborators (both state and non-state actors) and formulating coordinated responses to corruption. We will look to the National Treasury

and our development partners for continued support.

21. As I conclude, I would like to recognize the work and commitment of the NCAJ Secretariat, the Working Committees, and our CSO partners and the contribution they have made to the success of NCAJ, as captured in the Report. The Council remains committed to supporting the work of the Secretariat and the working committees of NCAJ.

22. Finally, please join me in celebrating the team that has worked tirelessly to compile the report that we are launching, led by Dr. Moses Marangá, the Executive director of NCAJ and our valued development partners and CSOs who have partnered with us in financing many programs covered in the year under review.

23. Once again, I thank you all for making time to be with us today. God bless you, and God bless Kenya.

24. It is now my singular honour and pleasure to invite His Excellency The President to deliver the Keynote Address.

**Hon. Justice Martha K. Koome, EGH  
Chief Justice/President of the Supreme Court of  
Kenya & Chairperson, National Council on the  
Administration of Justice**

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