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THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 26 MAY 2026	DAY: Tuesday
TABLED BY:	Leader of the Majority Party
CLERK-AT THE-TABLE:	Gertrude Chebet

REPORT ON:

**THE CONSIDERATION OF THE KENYA JUDICIARY
ACADEMY BILL, 2025
(NATIONAL ASSEMBLY BILL NO. 42 OF 2025)**



CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

MAY 2026

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LIST OF ABBREVIATIONS AND ACRONYMS

CBS	-	Chief of the Order of the Burning Spear
CPST	-	Centre for Parliamentary Studies and Training
CUE	-	Commission for University Education
EBS	-	Elder of the Order of the Burning Spear
EGH	-	Elder of the Order of the Golden Heart
FORD	-	Forum for the Restoration of Democracy
ICT	-	Information, Communication and Technology
JSC	-	Judicial Service Commission
KJA	-	Kenya Judiciary Academy
LSK	-	Law Society of Kenya
MCCP	-	Maendeleo Chap Chap Party
MP	-	Member of Parliament
OAG	-	Office of the Attorney-General
ODM	-	Orange Democratic Movement
OGW	-	Order of the Grand Warrior
UDA	-	United Democratic Alliance
UDM	-	United Democratic Movement
WDM	-	Wiper Democratic Movement

LIST OF ANNEXURES

- Annexure 1: Adoption Schedule
- Annexure 2: Minutes
- Annexure 3: The Kenya Judiciary Academy Bill, 2025
- Annexure 4: Advertisement inviting the public to submit memoranda on the Bill
- Annexure 5: Letter from the Clerk of the National Assembly inviting stakeholders to attend the public participation forum
- Annexure 6: Memoranda by Stakeholders

CHAIRPERSON'S FOREWORD

This Report contains the proceedings of the Departmental Committee on Justice and Legal Affairs on its consideration of the Kenya Judiciary Academy Bill (*National Assembly Bill No. 42 of 2025*) which was published on 18th July 2025. The Bill was read a First Time in the House on 14th August 2025 and committed to the Committee to facilitate public participation.

The Bill seeks to give effect to Article 172(1)(d) of the Constitution by establishing the Kenya Judiciary Academy (KJA) which shall be the principal institution responsible for implementing and coordinating the continuing education and training of judges, judicial officers and judicial staff.

In compliance with Article 118(b) of the Constitution and Standing Order 127(3), the Committee placed an advertisement in the print media on 22nd August 2025 inviting the public to submit memoranda by way of written statements on the Bill. The memoranda were to be received on or before 5th September 2025 at 5.00 pm (East African Time). By the close of the submission deadline, the Committee had received seven (7) memoranda. In addition, the Committee vide a letter referenced *NA/DDC/JLAC/2025/(113)* dated 7th October 2025 invited key stakeholders to submit views on the Bill and attend a public participation forum on 22nd October 2025. Further vide a letter referenced *NA/DDC/JLAC/2026/(036)* dated 14th April 2026, the Committee invited the Judicial Service Commission, Kenya Judiciary Academy and the Office of the Attorney General for further consultations on 21st April 2026.

The Office of the Attorney-General (OAG), Judicial Service Commission (JSC), Kenya Judiciary Academy (KJA), Centre for Parliamentary Studies and Training (CPST), Law Society of Kenya (LSK), National Treasury, *Kituo cha Sheria* and Hon. Elizabeth Mutei Muindi Wamare submitted their views on the Bill which the Committee considered in the preparation of this Report.

While considering the Bill, the Committee observed that it is the function of the JSC to prepare and implement programmes for the continuing education and training for judges and judicial officers in accordance with Article 172(1)(d) of the Constitution. Currently, the training of judges, judicial officers and judicial staff is undertaken by the KJA, formerly the Judiciary Training Institute which was established through a Legal Notice. Therefore, the Bill seeks to establish the KJA as the principal institution responsible for the continuing education and training of judges, judicial officers and judicial staff.

The Committee is grateful to the Offices of the Speaker and Clerk of the National Assembly for the logistical and technical support accorded to it during its consideration of the Bill. The Committee further wishes to thank the OAG, JSC, KJA, CPST, LSK, National Treasury, *Kituo cha Sheria* and Hon. Elizabeth Mutei Muindi Wamare for submitting views on the Bill. Finally, I wish to express my appreciation to the Honourable Members of the Committee and the Committee Secretariat who made useful contributions towards the preparation and production of this report.

On behalf of the Departmental Committee on Justice and Legal Affairs and pursuant to the provisions of Standing Order 199(6), it is my pleasant privilege and honour to present to this House the Report of the Committee on its consideration of the Kenya Judiciary Academy Bill (*National Assembly Bill No. 42 of 2025*).

It is my pleasure to report that the Committee has considered the Kenya Judiciary Academy Bill (*National Assembly Bill No. 42 of 2025*) and has the honour to report back to the National Assembly with the recommendation that the **House approves the Bill with amendments.**

for 

Hon. Murugara George Gitonga, MP
Chairman, Departmental Committee on Justice and Legal Affairs

CHAPTER ONE

I PREFACE

I.1 Establishment of the Committee

- I. The Departmental Committee on Justice and Legal Affairs is one of twenty departmental committees of the National Assembly established under **Standing Order 216** whose mandate pursuant to the **Standing Order 216 (5)** is as follows:
 - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
 - ii. *To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
 - iii. *To, on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - iv. **To study and review all legislation referred to it;**
 - v. *To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - vi. *To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - vii. *To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);*
 - viii. *To examine treaties, agreements and conventions;*
 - ix. *To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation;*
 - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - xi. *To examine any questions raised by Members on a matter within its mandate.*

I.2 Mandate of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider:
 - a) The Judiciary;
 - b) Tribunals;
 - c) Access to Justice;
 - d) Public prosecutions;
 - e) Ethics, Integrity and Anti-corruption;
 - f) Correctional services;
 - g) Community service orders and witness protection;
 - h) Constitutional Affairs;
 - i) Sovereign immunity;
 - j) Elections including referenda;
 - k) Human rights;
 - l) Political parties; and
 - m) The State Law Office including insolvency, law reform, public trusteeship, marriages and legal education.

3. In executing its mandate, the Committee overlooks the following Ministries, Departments and Agencies:
- a) The Judiciary;
 - b) Judicial Service Commission;
 - c) State Department for Correctional Services;
 - d) State Law Office and Department of Justice;
 - e) State Department for Justice, Human Rights and Constitutional Affairs;
 - f) Office of the Director of Public Prosecutions;
 - g) Ethics and Anti-Corruption Commission;
 - h) Independent Electoral and Boundaries Commission;
 - i) Commission on Administrative Justice;
 - j) Office of the Registrar of Political Parties;
 - k) Witness Protection Agency;
 - l) Kenya National Commission on Human Rights;
 - m) Kenya Law Reform Commission; and
 - n) Council of Legal Education.

1.3 Committee Membership

4. The Committee was reconstituted by the House on 5th March 2025 and comprises the following Members:

Chairperson

Hon. Murugara George Gitonga, CBS, MP
Tharaka Constituency

UDA Party

Vice-Chairperson

Hon. Mutuse Eckomas Mwengi, OGW, MP
Kibwezi West Constituency

MCCP Party

Hon. Gladys Boss, MGH, MP
Uasin Gishu Constituency

UDA Party

Hon. Maalim Farah, EGH, MP
Dadaab Constituency

WDM-Kenya

Hon. Onyiego Silvanus Osoro, CBS, MP
South Mugirango Constituency

UDA Party

Hon. Francis Kajwang' Tom Joseph, CBS, MP
Ruaraka Constituency

ODM Party

Hon. Wetang'ula Timothy Wanyoyi, CBS, MP
Westlands Constituency

ODM Party

Hon. (Dr.) Otiende Amollo, SC, EBS, MP
Rarieda Constituency

ODM Party

Hon. Muchira Michael Mwangi, MP
Ol Jorok Constituency

UDA Party

Hon. Aden Daud, EBS, MP
Wajir East Constituency

Jubilee Party

Hon. Makali John Okwisia, MP
Kanduyi Constituency

FORD-Kenya

Hon. Mogaka Stephen M., MP
West Mugirango Constituency

Jubilee Party

Hon. Timothy Kipchumba Toroitich, MP
Marakwet West Constituency

Independent

Hon. Harold Kimuge Kipchumba, MP
Nominated Member

ODM Party

Hon. CPA Suleka Hulbale Harun, MP
Nominated Member

UDM Party

1.4 Committee Secretariat

5. The Committee is well-resourced and facilitated by the following staff:

Mr. Ahmed Salim Abdalla
Clerk Assistant I / Head of Secretariat

Mr. Ronald Walala
Principal Legal Counsel

Mr. Abdikafar Abdi
Clerk Assistant III

Mr. Samuel Wanjiru
Clerk Assistant III

Mr. Omar Abdirahim
Fiscal Analyst I

Mr. Isaac Nabiswa
Legal Counsel II

Ms. Vivienne Ogega
Research Officer III

Mr. John Nduaci
Serjeant-At-Arms

Ms. Rahab Chepkilin
Audio Assistant

Ms. Mary Kamande
Public Communications Officer III

Mr. Calvin Karung'o
Media Relations Officer III

CHAPTER TWO

2 OVERVIEW OF THE KENYA JUDICIARY ACADEMY BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2025)

2.1 Background

6. The Bill, sponsored by the Hon. George Gitonga Murugara, CBS, MP was published on 18th July 2025 and read a First Time in the House on 14th August 2025 (*Annexure 3*). It was thereafter committed to the Committee in line with Standing Order 127(I) of the National Assembly Standing Orders.

2.2 Summary of Legal Provisions

7. The Bill seeks to give effect to Article 172(I)(d) of the Constitution by establishing the Kenya Judiciary Academy (KJA) which shall be the principal institution responsible for implementing and coordinating the continuing education and training of judges, judicial officers and judicial staff.
8. In particular:
 - (a) Part I of the Bill provides for the short title, interpretation and object of the Act which includes providing a framework for the continuing education and training of judges, judicial officers, judicial staff and other actors in the justice sector.
 - (b) Part II of the Bill provides for the establishment and functions of the KJA which includes being the principal institution for implementing and coordinating the training and capacity building of judges, judicial officers and judicial staff. The Bill provides that KJA shall be administered by a Board of Directors whose chairperson shall be appointed by JSC from the members of the JSC. Additionally, the Bill provided for a Director-General of the KJA who shall be the Secretary to the Board. Further, the Bill also provides for the establishment of the office of the Registrar of the KJA who shall be the accounting officer and responsible for the management of the KJA.
 - (c) Part III of the Bill provides for the financial provisions. The Bill provides that the source of funds for the Academy shall include money allocated to the JSC, money allocated to the Judiciary for purposes of the Academy and money allocated to the Judiciary Fund. Further, the Bill provides for the financial year of the Academy, the requirement by the Registrar to prepare annual estimates of revenue and expenditure of the Academy.
 - (d) Part IV of the Bill provides for the general provisions including the common seal of the Academy and protection of the members of the Board or staff of the Academy from personal liability.
 - (e) Part V and VI of the Bill provides for delegated powers and the savings and transitional provisions respectively.

CHAPTER THREE

3 PUBLIC PARTICIPATION AND STAKEHOLDER ENGAGEMENT ON THE BILL

3.1 Legal Framework on Public Participation

9. Article 118 (1)(b) of the Constitution provides that:

“Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees.”

10. The National Assembly Standing Order 127 (3) and (3A) stipulates that:

“(3) The Departmental Committee to which a Bill is committed shall facilitate public participation on the Bill through an appropriate mechanism including-

- (a) inviting submission of memoranda;*
- (b) holding public hearings;*
- (c) consulting relevant stakeholders in a sector; and*
- (d) consulting experts on technical subjects.*

(3A) The Departmental Committee shall take into account the views and recommendations of the public under paragraph (3) in its report to the House.”

3.2 Memoranda Received on the Bill

11. Pursuant to the aforementioned provisions of the law, the Committee placed an advertisement in the print media on 22nd August 2025 (*Annexure 4*) inviting the public to submit memoranda by way of written statements on the Bill. Further, the Committee vide letter referenced *NA/DDC/JLAC/2025/(113)* dated 7th October 2025 (*Annexure 5*) invited key stakeholders to submit views on the Bill and attend a public participation forum on 22nd October 2025.

12. To this end, the Committee received seven (7) memoranda from the Office of the Attorney-General (OAG), the Judicial Service Commission (JSC) and Kenya Judiciary Academy (KJA), Law Society of Kenya (LSK), the National Treasury, *Kituo cha Sheria*, Centre for Parliamentary Studies and Training (CPST) and Hon. Elizabeth Mutele Muindi Wamae. The memoranda are annexed to this Report as *Annexure 6*.

13. In addition, the OAG, JSC, KJA and CPST attended the public participation forum on 22nd October 2025 and gave their views on the Bill.

14. The **OAG, JSC, KJA, CPST, LSK, National Treasury, Kituo cha Sheria** and **Hon. Elizabeth Mutele Muindi Wamae** supported the Bill with proposed amendments.

15. They submitted as follows:

3.2.1 Submissions in support of the Bill

16. Noting that the KJA already exists, the **LSK** expressed its support for the Bill stating that if passed it would fill the gap by providing a statutory framework regarding the establishment, mandate, powers, functions and governance of the Academy. Furthermore, LSK was of the view that the Bill would institutionalize knowledge-sharing, research and adoption of best practices thereby strengthening the efficiency and effectiveness of the Judiciary.

17. **Hon. Elizabeth Mutile Muindi Wamae** supported the Bill to the extent that it presents an opportunity to institutionalize capacity development in the Judiciary.

18. Notably, whilst supporting the Bill, **KJA** presented as follows:

On the Legal Status of KJA

- (a) By establishing the Academy expressly in law to be vested with the status of a body corporate to discharge the functions in clause 5, the Bill addresses the challenges that have arisen on the current legal status of the Academy.

On Linkage between KJA and JSC

- (b) The Bill, having been developed in consultation with the JSC, provides for a clear linkage between the Academy and the JSC including the fact that the Chairperson of the Board is drawn from the membership of the Commission. Furthermore, clause 7(3)(b) as read with clause 12(1) suggest that it is the JSC that will approve the Academy's organizational structure and staff establishment.

On the Terms of Service of the Academy's Board Members

- (c) The members of the Academy's Board comprise public officers with the exception of the LSK nominee and person who teaches law in a private university. Thus, the members shall be remunerated by way of sitting allowances and will not serve on full-time basis as provided in clause 9.

3.2.2 Submissions by the public and stakeholders with proposed amendments

Long Title

- 19. The **OAG** proposed amending the long title to ensure consistency with the mandate of the JSC as provided for under Article 172(1)(d) of the Constitution.

Committee Observation

- 20. The Committee observed that Article 172(1)(d) of the Constitution states that the JSC shall prepare and implement programmes for the continuing education and training of judges and judicial officers. Therefore, the long title should be consistent with the mandate of the JSC under Article 172(1)(d) of the Constitution.

Clause 2

- 21. **Kituo cha Sheria** proposed amending the definition of "judicial staff" to distinguish between judicial staff and JSC staff.

Committee Observation

- 22. The Committee observed that the definition of "judicial staff" under section 2 of the Judicial Service Act (Cap. 8A) includes the staff of the Judicial Service Commission.

Clause 3

- 23. The **OAG** proposed deletion of the words 'judicial training' and substitution therefor the words 'continuing education and training of judges and judicial officers' in paragraph (a) to ensure consistency with the mandate of the JSC under Article 172(1)(d) of the Constitution.

24. The **OAG** also proposed deletion of the words 'judicial officers, judicial staff, and other actors in the justice sector' and substituting therefor the words 'and judicial staff' in paragraph (c) to ensure consistency with the mandate of the JSC under Article 172(1)(d) of the Constitution.
25. **Kituo cha Sheria** submitted that amending paragraph (a) is overly broad and does not include institutional benchmarks or accountability mechanisms and therefore proposed amending to include measurable targets including accreditation status, research outputs or partnerships.
26. **CPST** proposed expanding the scope of the objects of the Act in paragraphs (a), (c) and (d) to include research because research is core to any training institution or academy.

Committee Observation

27. The Committee observed that the objects of the Act should comply with Article 172(1)(d) of the Constitution which provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 4

28. The **OAG** proposed deletion of sub-clause (2) because, in its view, the responsibility of the continuing education and training of judges and judicial officers is conferred on the JSC which is a body corporate. Consequently, it is not necessary to establish the Academy as a body corporate to perform the functions of the Commission as conferred by Article 172(1)(d) of the Constitution.
29. The **OAG** also proposed amending sub-clause (4) by deleting the words 'Academy may establish campuses' and substituting therefor the words 'Commission may establish campuses of the Academy' to ensure consistency with the mandate of the JSC under Article 172(1)(d) of the Constitution.
30. **Kituo cha Sheria** proposed amending sub-clause (3) to add a requirement to establish regional campuses or outreach centres in at least three regions because centralization in Nairobi may hinder equitable access to training for judges and staff in other counties.
31. **CPST** proposed that the Academy be formed as part of the JSC and not an independent body corporate because, in its view, establishing it as a body corporate points out to semi-autonomous institution.
32. **Hon. Elizabeth Mutile Muindi Wamae** proposed amending sub-clauses (3) and (4) to provide mandate integration of e-learning platforms and digital CPD for remote or overloaded officers.

Committee Observation

33. The Committee observed that the establishment of the KJA as a body corporate with all attendant powers, including power to enter into contracts, to purchase and hold property, to borrow money, and to perform all other things and acts in furtherance of the provisions of the Act is critical in ensuring the KJA performs its functions effectively.

Clause 5

34. The **OAG** proposed amending the opening words of the clause to add the words 'on behalf of the Commission' at the end thereof to ensure consistency with the mandate of the JSC under Article 172(1)(d) of the Constitution.
35. The **OAG** also proposed the deletion of paragraph (a) and (b) and substitution therefor the following new paragraph to ensure consistency with the mandate of the JSC under Article 172(1)(d) of the Constitution:
"be the principal institution for implementing programmes for the continuing education and training of judges and judicial officers."
36. The **OAG** proposed deletion of the words 'training and capacity building' in paragraph (c) for consistency with other provisions of the Bill.
37. The **OAG** proposed deletion of paragraph (i) to ensure consistency with the mandate of the JSC under Article 172(1)(d) of the Constitution.
38. **Kituo cha Sheria** noted that the prescribed functions of KJA omit critical cross-cutting issues and thus, proposed introducing new sub-clauses on mainstreaming gender and inclusion, integrating ICT and e-learning, and promoting research on environmental and human rights jurisprudence. **Kituo cha Sheria** proposed aligning paragraph (e) on data repository with the Data Protection Act
39. **Hon. Elizabeth Mutile Muindi Wamae** proposed amending sub-clauses (b) and (c) to introduce a requirement for the Academy to develop tiered curricula based on judicial hierarchy, case type and court station as a generalized training model is wasteful and ineffective.
40. **Hon. Elizabeth Mutile Muindi Wamae** also noted that the Bill does not have a provision for mental health and judicial wellness training. As such, she proposed amending the clause to include judicial wellness as a function of the Academy and require training in mental health resilience, peer debriefing and trauma support systems.
41. **CPST** proposed expanding the scope of the functions of the Academy to encompass other actors. Further, CPST proposed inclusion of new paragraphs on compliance with data protection laws to protect sensitive data; and on accreditation and quality assurance to ensure credibility and build trust in judicial continuous education.

Committee Observation

42. The Committee observed that the provisions should comply with Article 172(1)(d) of the Constitution that provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 6

43. The **OAG** proposed amending the marginal note by deleting the word 'Director' and substituting therefor the word 'Management' for consistency with other training institutions that are not bodies corporate.

44. In addition, the **OAG** proposed amending the opening words of sub-clause (1) by deleting the word 'Director' and substituting therefor the word 'Management' for consistency with other training institutions that are not bodies corporate.
45. **LSK** proposed amending sub-clause (1) to restructure the Board's composition to ensure that the voting members are an odd number to prevent decision deadlock and align with good governance practice.
46. **CPST** proposed amending sub-clause (1) to include a curriculum development expert to advise the board on matters curriculum.
47. **Hon. Elizabeth Mutile Muindi Wamae** proposed amending sub-clause 1(c) to split into two the position of a member of the association of judges and magistrates, one for judges and one for magistrates. This is because a senior judge may prioritize appellate reforms while magistrates grapple with small claims, children's cases and case backlog management which are require distinct voices.
48. **Kituo cha Sheria** was of the view that composition of the Board is dominated by judicial officers thereby creating risk of insularity and therefore, proposed amending sub-clause (1) to include one representative from civil society or the public with expertise in governance, human rights or education.
49. In addition, **Kituo cha Sheria** submitted that the proposed method and rotation of public and private university representation is unclear and should be coordinated with support from the Commission for University Education (CUE) to ensure transparency and diversity.
50. **LSK** proposed amending sub-clause (2) to explicitly prescribe academic and professional qualifications for the chairperson and members of the Board to ensure that the appointments are merit-based and safeguard integrity and credibility of the Board in fulfilling its mandate.
51. **LSK** proposed amending sub-clause (4) to specify the timeline for filling a vacancy in the office of a member of the Board to mitigate the risk of prolonged institutional gaps.
52. **CPST** proposed inclusion of a sub-clause to provide for adherence with the Two-Thirds Gender Rule in the composition of the Board.

Committee Observation

53. The Committee observed that the Board is composed of an even number of voting members. The Schedule to the Bill addresses the possibility of equality of votes by giving the Chairperson the casting and deliberative vote.
54. The Committee also observed that the Bill requires persons nominated to the Board to have knowledge and expertise for the achievement of the objects of the Academy.

Clause 7

55. The **OAG** proposed deletion of sub-clause (1) noting that it is substantially similar to clause 6(1). Additionally, the **OAG** proposed deletion of sub-clauses (3)(c), (3)(d), (3)(e) and 3(f) to ensure consistency with the proposed deletion of clause 4(2).

56. The **OAG** also proposed deletion of the words ‘the exercise of any of the powers of or’ in sub-clause (3)(j) to ensure consistency with the proposed deletion of clause 4(2).
57. **Kituo cha Sheria** submitted that the Board has wide powers without sufficient oversight, risking overreach and financial mismanagement. Consequently, *Kituo cha Sheria* proposed amending sub-clause (3) to require prior approval by the JSC and conformity with the Public Finance Management Act before borrowing or investment.
58. **CPST** proposed amending sub-clause (1) to require the Board to be responsible for policy making, direction and strategy. In addition, CPST proposed amending sub-clause (3)(j) to vest all matters relating to management of assets and supervisions of staff of the Academy with the Director General to ensure smooth operations and establish order by creating a clear chain of command.

Committee Observation

59. The Committee observed that the provisions should comply with Article 172(1)(d) of the Constitution that provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 8

60. The **OAG** proposed deletion of sub-clause (2) and substitution therefor the following new clause to ensure consistency with the proposed deletion of sub-clause 4(2):

“The Board may establish such committees as may be necessary for the effective performance of its functions.”
61. **CPST** proposed amending sub-clause (1) to provide for quorum of the Board as 50% plus one to make it applicable to the sub-committees of the Board which may have less membership.

Committee Observation

62. The Committee observed that the provisions should comply with Article 172(1)(d) of the Constitution that provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 10

63. The **OAG** proposed deletion of the word ‘Board’ and substitution therefor with the word ‘Commission’ in sub-clauses (1) and (4) to ensure consistency with the proposed deletion of sub-clause 4(2).
64. **Kituo cha Sheria** noted that appointment of the Director General is restricted to sitting judges thereby limiting the pool of qualified candidates thus straining judicial human resources. *Kituo cha Sheria* therefore proposed expanding eligibility to retired judges or distinguished legal academics.
65. **CPST** noted there could be a potential conflict of interest arising from the appointment of one of the judges of a superior court to double up as a Director General of the Academy. It, therefore, proposed that the Director General be responsible for the strategic direction, leadership and management of the Academy as well in charge of the Accounting Officer while the Registrar’s role be purely administrative.

66. **Hon. Elizabeth Mutile Muindi Wamae** noted that sub-clause (1) contradicts the inclusive spirit of the Judiciary by excluding senior magistrates and judicial officers who may have decades of administrative and training experience. She, therefore, proposed amending sub-clause (1) to allow appointment of the Director-General from among judges of Superior Courts and senior judicial officers with at least ten (10) years of experience and proven leadership in judicial administration or training.

Committee Observation

67. The Committee observed that the organizational structure of the Academy consisting of a Director-General and a Registrar, whose roles are not clear enough, may lead to administrative inefficiencies and ineffectiveness.

Clause 11

68. The **OAG** noted that the Bill does not establish a secretariat of the Academy and therefore proposed amending sub-clause (4) by deleting the words 'and head of the secretariat' appearing in paragraph (a).
69. The **National Treasury** proposed a review of the justification for the dual leadership structure of Director General and Registrar to ensure administrative efficiency and cost-effectiveness.
70. **Kituo cha Sheria** submitted that the qualifications of a person for appointment as Registrar in sub-clause (2) exclude experienced administrators without legal backgrounds thereby hindering professional management of the Academy. *Kituo cha Sheria* therefore proposed amending the sub-clause to allow for appointment of administrators with demonstrated competence in public administration or judicial training.
71. **CPST** proposed the deletion of the clause and other related provisions on Registrar of the Academy because the Constitution provides for the role of the Chief Registrar of the Judiciary as the Accounting Officer of the Judiciary.

Committee Observation

72. The Committee observed that the organizational structure of the Academy consisting of a Director-General and a Registrar, whose roles are not clear enough, may lead to administrative inefficiencies and ineffectiveness.

Clause 13

73. The **OAG** proposed amending sub-clause (1) to ensure consistency with the proposed deletion of clause 4(2) and to provide for an alternative source of funds of the Academy.
74. Additionally, the **OAG** proposed insertion of the words 'Commission, on behalf of' in sub-clause (2) to ensure consistency with the proposed deletion of clause 4(2) and to provide for the opening of bank accounts by the Commission for the purposes of the Academy.
75. **Kituo cha Sheria** proposed amending the clause to clarify that all funds shall be channelled through the Judiciary Fund under Article 173 of the Constitution for consistency and transparency.

76. Furthermore, **Kituo cha Sheria** noted that the grants and donations approved solely by the Board forming part of funds of the Academy in paragraph (e) lacks safeguards against conflict of interest and should be amended to require that acceptance of external funds be approved by the JSC and comply with the Public Finance Management Act and Anti-Corruption guidelines.

77. **Hon. Elizabeth Mutile Muindi Wamae** proposed amending the clause to prescribe that at least a fixed percentage of the Judiciary Funds be allocated to the Academy annually.

Committee Observation

78. The Committee observed that JSC is responsible for preparing and implementing programmes on continuing education and training for judges, judicial officers and judicial staff. Therefore, the funds required to perform this function form part of the annual estimates of expenditure prepared by the Chief Registrar of the Judiciary.

Clauses 7, 10, 11 and 15

79. **KJA** proposed amending the Bill to further clarify the respective roles of the Board of Directors and the Director-General, as well as the Director-General and the Registrar of the Academy. In KJA's view, the Board could be vested with a policy and oversight mandate; the Director-General tasked with the strategic direction and leadership; and the Registrar held responsible for the Academy's operational and administrative management.

Committee Observation

80. The Committee observed that the roles of the Board of Directors, the Director-General and the Registrar should be clear since this promotes accountability and is essential in the success of the organization.

Clauses 14, 15 & 16

81. The **OAG** proposed deletion of the clauses to ensure consistency with the proposed deletion of clause 4(2) as the budget of the Academy shall form part of the Commission's budget.

82. **Kituo cha Sheria** noted that clause 15 does not provide for audit or reporting of the Academy's annual estimates to Parliament thereby weakening financial accountability. Thus, **Kituo cha Sheria** proposed introducing a new sub-clause to require annual audit by the Auditor-General and tabling of financial statements before Parliament and the JSC.

Committee Observation

83. The Committee observed that the provisions should comply with Article 172(1)(d) of the Constitution which provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 17

84. **Kituo cha Sheria** was of the view that the clause acts as a blanket immunity provision which may be interpreted to shield gross negligence or misconduct and should be amended to ensure that the such protection shall not extend to acts of gross negligence, bad faith or corruption.

Committee Observation

85. The Committee observed that the provision offers protection from personal liability only when the matter is done in good faith and in executing the functions and powers of the Board of Directors.

Clause 18

86. The **OAG** proposed deletion of the word 'Academy' and substitution therefor the word 'Commission' to ensure consistency with the proposed deletion of clause 4(2) and in view of the proposal that the academy shall not be a body corporate, the Commission shall be responsible for the actions of the members of the Board.

Committee Observation

87. The Committee observed that the provisions should comply with Article 172(1)(d) of the Constitution which provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 19

88. The **OAG** proposed amending sub-clauses (1) and (2) to ensure consistency with the proposed deletion of clause 4(2).

89. **Kituo cha Sheria** noted that the proposed delegated legislative powers are broad and unsupervised thus lacking public participation and JSC approval mechanisms. Therefore, *Kituo cha Sheria* proposed amending the clause to require that all regulations be subjected to public participation and approval by the JSC prior to gazettment.

90. **Hon. Elizabeth Mutele Muindi Wamae** proposed amending sub-clause (2)(b) to include a dedicated clause mandating a comprehensive Monitoring and Evaluation Framework with key performance indicators, impact assessments and annual training audits published to Judiciary stakeholders. This would, for instance, reveal whether offices trained on judicial ethics in 2025 actually reduced complaints filed at JSC or Ombudsman.

Committee Observation

91. The Committee observed that the provisions should comply with Article 172(1)(d) of the Constitution which provides for the mandate of the JSC of preparing and implementing programmes for continuing education and training for judges and judicial officers.

Clause 20

92. **Kituo cha Sheria** noted that reference to the 'former Academy' is ambiguous and unclear on whether it refers to the Judiciary Training Institute (JTI) and thus proposed explicitly defining 'former Academy' as the Judiciary Training Institute and including a clause repealing or transforming it under the Act.

93. Additionally, **Kituo cha Sheria** submitted that the clause lacks clarity on staff harmonization and a transition plan which may cause administrative human resource conflicts. *Kituo cha Sheria* therefore proposed insertion of a new sub-clause requiring the JSC to approve a comprehensive transition and staff integration plan within six months of commencement.

Committee Observation

94. The Committee observed that Judiciary Training Institute is currently known as the Kenya Judiciary Academy. Further, the Committee observed it is important to provide a provision to transit the staff of the former Academy to the newly established entity.

General Submissions

95. The **National Treasury** noted that establishment of the KJA aligns with the broader goal of strengthening institutions envisaged in the Constitution. However, it was of the view that implementation of the financial and institutional mechanisms proposed in the Bill require stringent economic scrutiny, prioritizing a lean and efficient structure to avoid undue burden on the national budget. Resultantly, the National Treasury proposed consideration of the following when finalizing and enacting the Bill:

- (a) A detailed financial memorandum including a five-year projected budget for both recurrent and development expenditure.
- (b) Ensure compliance with the Salaries and Remuneration Commission.

96. **Kituo cha Sheria** noted the need for inclusion of a results-based monitoring framework for judicial training programmes and ICT integration for continuous judicial education through e-learning platforms.

97. **Hon. Elizabeth Mutile Muindi Wamae** noted that the Bill lacks a provision linking training to promotion or transfer decisions. This, in her view, would demotivate officers' participation and devalue the Academy's impact. She, therefore, proposed amending the Bill to include mandating the Judiciary to integrate training participation, research output and certification into career progression and performance evaluation frameworks.

Committee Observation

98. The Committee observed that the organizational structure of having both the Director-General and Registrar of the Academy may lead to overlapping of roles and responsibilities. Therefore, the structure should be lean and efficient.

CHAPTER FOUR

4 COMMITTEE OBSERVATIONS

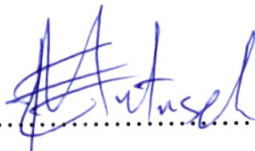
99. Upon reviewing the Bill and the submissions received, the Committee made the following observations:

- (1) the KJA, formerly Judiciary Training Institute (JTI), was established in 2008 initially by administrative action by the then Chief Justice (Rtd) Evans Gicheru to provide judicial education and training for judges and magistrates. With the promulgation of the Constitution in 2010, the KJA was clothed with legal authority as a delegate of the JSC under Article 172(1)(d) of the Constitution;
- (2) the Bill seeks to provide a mechanism in which the JSC shall carry out its mandate of preparing and implementing programmes for continuing training of judges and judicial officers as provided for in Article 172(1)(d) of the Constitution of Kenya. Currently, this function exercised by the Kenya Judiciary Academy, formerly known Judicial Training Institute established in 2008 as a non-statutory body;
- (3) the Bill proposes the establishment of the KJA as a body corporate to exercise the delegated function of training judges and judicial officers. The Bill seeks to provide for a nexus between the JSC and KJA and key among these is the fact that the Chairperson of the Board of Directors of the KJA is drawn from the membership of the JSC. However, there is need to establish further linkages between the KJA and JSC in exercising the function of preparing and implementing programmes for continuing education and training for judges, judicial officers and judicial staff;
- (4) the Bill proposes that the administration of the Academy shall vest in a Board of Directors whose Chairperson is appointed by the JSC from among members of the JSC. There is need to ensure that this provision does not violate Article 250(6)(b) of the Constitution which provides that a member of a Commission or holder of an independent office, unless *ex-officio* or part-time, shall not hold any other office or employment for profit, whether public or private; and
- (5) the Bill provides that the Board of Directors shall have power to provide strategic leadership and oversight over the Academy and that the Director General of the Academy shall, besides being the secretary to the Board of Directors, be responsible for the strategic direction and leadership of the Academy. There is need to ensure that there is no duplication or overlap of roles in the organizational structure of the Academy and aligns with the principle that public money shall be used in a prudent and responsible way.

CHAPTER FIVE

5 COMMITTEE RECOMMENDATIONS

100. The Committee, having considered the Kenya Judiciary Academy Bill (*National Assembly Bill No. 42 of 2025*) and the submissions from members of the public and stakeholders, recommends that the House **approves the Bill with the amendments contained in the Schedule of Amendments forming Chapter Six of this Report.**

SIGNED.....^{fw} ..... DATE 26 / MAY / 2026

HON. GEORGE GITONGA MURUGARA, CBS, MP
CHAIRMAN
DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

	
THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 26 MAY 2026	DAY: Tuesday
TABLED BY:	Leader of the Majority Party
CLERK-AT-THE-TABLE:	Gebrude chebet

CHAPTER SIX

6 SCHEDULE OF AMENDMENTS

101. In view of the observations made, the Committee proposed the following amendment to the Bill:

LONG TITLE

THAT the Bill be amended by deleting the long title and substituting therefor the following new long title—

AN ACT of Parliament to give effect to Article 172(1)(d) of the Constitution by establishing the Kenya Judiciary Academy to prepare and implement programmes for continuing education and training of judges, judicial officers and judicial staff on behalf of the Judicial Service Commission and for connected purposes

Justification: To clarify that the principal object of the Bill is to establish the KJA which shall be responsible for preparing and implementing programmes for continuing education and training of judges, judicial officer and judicial staff on behalf of the JSC.

CLAUSE 3

THAT Clause 3 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) establish the Academy as a center of excellence in matters relating to continuing education and training of judges, judicial officers and judicial staff on behalf of the Commission;

Justification: To align the objects of the Act with the provisions of Article 172(1)(d) of the Constitution on the function of JSC to prepare and implement programmes for continuing education and training of judges, judicial officer and judicial staff.

CLAUSE 4

THAT Clause 4 of the Bill be amended—

(a) in subclause (2) by deleting the word “of” appearing immediately after the word “doing” in paragraph (d) and substituting therefor the word “or”; and

Justification: To correct a grammatical error.

(b) by deleting subclause (4) and substituting therefor the following new subclause—

(4) Despite the provisions of subsection (3), the Commission may establish campuses of the Academy in any other county.

Justification: To align the provision with the mandate of JSC to prepare and implement programmes for continuing education and training of judges, judicial officer and judicial staff.

CLAUSE 5

THAT Clause 5 of the Bill be amended by—

- (a) deleting the opening statement and substituting therefor the following new opening statement—

5. The Academy shall, on behalf of the Commission—

Justification: To create a nexus between the KJA and JSC in the performance of functions of the KJA.

- (b) deleting paragraph (a) and substituting therefor the following new paragraph—

(a) prepare and implement programmes for the continuing education and training of judges, judicial officers and judicial staff;

- (c) deleting paragraph (b).

Justification: To align the provision with the mandate of JSC to prepare and implement programmes for continuing education and training of judges, judicial officer and judicial staff.

CLAUSE 6

THAT Clause 6 of the Bill be amended—

- (a) in subclause (1) by deleting the word “on” appearing immediately after the word “vest” and substituting therefor the word “in”; and
- (b) in subclause (3) by deleting the expression “(2)” appearing immediately after the word “subsection” and substituting therefor the expression “(1)”.

Justification: To correct grammatical and typographical errors.

CLAUSE 7

THAT Clause 7 of the Bill be amended—

- (a) by deleting the marginal note and substituting therefor the following marginal note—

Powers of the Board.

Justification: The function of the Board is already provided for under Clause 6(1).

- (b) by deleting subclause (1)

Justification: The function of the Board is already provided for under Clause 6(1).

- (c) in subclause (3), by deleting paragraph (a) and substituting therefor the following new paragraph

(a) make policy and provide oversight over the Academy;

Justification: To clarify the power of the Board and avoid duplication of roles between the Board and the Director-General of the Board who is responsible for strategic direction and leadership of the Academy.

CLAUSE 8

THAT Clause 8 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—

(2) The Board may establish such committees as may be necessary for the effective performance of its functions.

Justification: To give the Board discretion in establishing the committees it requires based on its responsibilities. Also, to align with the provisions of paragraph 1(1) of the Schedule to the Bill which speaks on committees of the Board.

CLAUSE 10

THAT Clause 10 of the Bill be amended—

- (a) in subclause (1) by deleting the word “Board” appearing immediately after the words “appointed by” and substituting therefor the word “Commission”; and
- (b) in subclause (4) by deleting the word “Board” appearing immediately after the words “assigned by” and substituting therefor the word “Commission”.

Justification: This is to provide that the Director-General of the Academy, who is responsible for strategic direction and leadership of the Academy, is appointed by the Judicial Service Commission, which is delegating the authority of training judges and judicial officers to the KJA.

CLAUSE 11

THAT Clause 11 of the Bill be amended in subsection (4) by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a) the accounting officer and head of staff of the Academy;

Justification: To clarify that the Registrar shall be the head of staff of the Academy.

CLAUSE 13

THAT Clause 13 of the Bill be amended by—

- (a) deleting paragraph (a) and substituting therefor the following new paragraph-
 - (a) monies allocated to the Commission for purposes of the Academy and approved by the National Assembly;
- (b) deleting paragraph (b); and
- (c) deleting paragraph (c).

Justification: The function of training judges, judicial officers and judicial staff is a function granted to the JSC. Therefore, the budget for the performance of this function is part of the estimates for expenditure prepared by the Chief Registrar of the Judiciary for the JSC pursuant to section 20 of the Judicial Service Act.

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Adoption Schedule



DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

ADOPTION OF THE COMMITTEE REPORT ON ITS CONSIDERATION OF THE KENYA JUDICIARY ACADEMY BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2025)

We, the Members of the Departmental Committee on Justice and Legal Affairs have, pursuant to Standing Order 199, adopted this Report of the Committee on its Consideration of the Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) sponsored by the Hon. George Gitonga Murugara, CBS, MP, and affixed our signatures to affirm our approval and confirm its accuracy, validity and authenticity:

1. Hon. Murugara George Gitonga, CBS, MP - Chairperson

2. Hon. Mutuse Eckomas Mwengi, OGW, MP - Vice Chair

3. Hon. Gladys Boss, MGH, MP

4. Hon. Farah Maalim, EGH, MP

5. Hon. Silvanus Osoro Onyiego, CBS, MP

6. Hon. Tom Joseph Francis Kajwang', CBS, MP

7. Hon. Timothy Kipchumba Toroitich, MP

8. Hon. Timothy Wanyonyi Wetangula, CBS, MP

9. Hon. (Dr.) Otiende Amollo, SC, EBS, CBS, MP

10. Hon. Michael Mwangi Muchira, MP

11. Hon. Aden Daud, EBS, MP

12. Hon. John Okwisia Makali, MP

13. Hon. Stephen M. Mogaka, MP

14. Hon. Harold Kimuge Kipchumba, MP

15. Hon. CPA Suleka Hulbale Harun, MP

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Minutes



THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - FIFTH SESSION -2026
DIRECTORATE OF DEPARTMENTAL COMMITTEES

**MINUTES OF THE 36TH SITTING OF THE DEPARTMENTAL COMMITTEE
ON JUSTICE AND LEGAL AFFAIRS HELD AT COMMITTEE ROOM 16, 3RD
FLOOR, BUNGE TOWER, WITHIN PARLIAMENT BUILDINGS, ON
TUESDAY, 19TH MAY 2026 AT 3:00 PM**

PRESENT

1. Hon. Murugara George Gitonga, CBS, MP - *Chairperson*
2. Hon. Maalim Farah, EGH, MP
3. Hon. Francis Kajwang' Tom Joseph, CBS, MP
4. Hon. Toroitich Timothy Kipchumba, MP
5. Hon. Aden Daud, EBS, MP - *virtually*
6. Hon. Makali John Okwisia, MP
7. Hon. Mogaka Stephen M. MP
8. Hon. Harold Kimuge, MP
9. Hon. CPA. Suleka Hulbale Harun, MP

ABSENT WITH APOLOGIES

1. Hon. Mutuse Eckomas Mwengi, OGW, MP - *Vice Chairperson*
2. Hon. Gladys Boss, MGH, MP
3. Hon. Onyiego Silvanus Osoro, CBS, MP
4. Hon. Timothy Wanyonyi Wetangula, MP
5. Hon. (Dr.) Otiende Amollo, SC, EBS, CBS, MP
6. Hon. Muchira Michael Mwangi, MP

SECRETARIAT

1. Mr. Ahmed Salim - Clerk Assistant I / Lead Clerk
2. Mr. Abdikafar Abdi - Clerk Assistant III
3. Mr. Samuel Wanjiru - Clerk Assistant III
4. Mr. Omar Abdirahim - Fiscal Analyst II
5. Mr. Isaac Nabiswa - Legal Counsel II
6. Mr. John Nduaci - Assistant Serjeant at Arms
7. Mr. Kelvin Lengasi - Audio Recording Officer
8. Ms. Valentine C. Too - Attache, JLAC

AGENDA

1. Prayers
2. Preliminaries
3. Confirmation of Minutes of previous sittings
4. Consideration and adoption of the report on the Budget Estimates for the Financial Year 2026/2027
5. Consideration and adoption of the report on the Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025)
6. Any Other Business
7. Adjournment / Date of the Next Meeting

MIN. NO. DDC/JLAC/I 64/2026: **PRELIMINARIES**

The Chairperson called the meeting to order at ten minutes past three o'clock and said the Prayer. This was followed by introductions from Members. The agenda of the Sitting was adopted, having been proposed by Hon. Timothy Kipchumba, MP and seconded by Hon. Makali John Okwisia, MP.

MIN. NO. DDC/JLAC/I 65/2026: **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

The agenda was deferred.

MIN. NO. DDC/JLAC/I 66/2026: **ADOPTION OF THE REPORT ON BUDGET ESTIMATES FOR THE FY 2026/2027**

The Committee considered the Report on Budget Estimates for the Financial Year 2026/2027, made its observations, and recommended as follows:

- (a) The Committee recommended a reduction of Kshs. 515 million from the proposed allocation of the following votes:
 - i. Reduction of Kshs. 340 million from the development vote under the Programme of Dispensation of Justice in the Judiciary.
 - ii. Reduction of Kshs. 225 million (Recurrent) from the Kshs 4.5 billion allocated for food and rations under the Programme of Prison Service.
- (b) The Committee recommended the funds deducted from the votes stated above be reallocated to the following Agencies:
 - i. Increase Kshs. 200 million (Recurrent) to the Judiciary for handling of disputes for nominations and the General Elections in 2027.
 - ii. Increase Kshs. 50 million to the Judicial Service Commission for recruitment of twenty (20) additional staff (Complaint officers, Investigators, Legal officers and Director Curriculum Development) to strengthen capacity of the Commission in the most critically affected directorates.
 - iii. Increase Kshs. 100 million (Recurrent) to the State Department for Correctional Services to enhance the State department's budget for operation and maintenance.
 - iv. Increase Kshs. 50 million (Development) for the Programme of Probation and Aftercare Service
 - v. Increase Kshs. 30 million for the Council for Legal Education to enable the Council execute its mandate of administering the ATP Examination in April, 2026, and catering for other non-discretionary expenditures.
 - vi. Increase Kshs. 40 million for the National Council for Law Reporting to enhance its budget for operations and maintenance (Rent arrears for warehouse, Insurance for NCLR Assets and Purchase of additional hardware and software)
 - vii. Increase Kshs. 31 million to the Office of the Registrar of Political Parties to reinstate the operational budget items that have been critical affected by the budget cut considering it's an election preparation year.
 - viii. Increase Kshs. 24 million for the State Department for Justice, Human Right and Constitutional Affairs to rent additional floor at Cooperative House, Office refurbishment, furniture, workstation and office equipment for the new staff.
 - ix. Increase Kshs. 40 million for the Construction of Eldas Magistrate Court.

Additional Financial Recommendations

The Committee further resolved to recommend that the Budget Estimates for the following Agencies be increased as follows:

- i. Under the State Department for Correctional Services, increase the allocation for the Programme of Prison Service by Kshs. 1.59 billion.
- ii. Under the Judiciary, increase the allocation for the Programme of Dispensation of Justice by Kshs. 1.287 billion.
- iii. Under the Independent Electoral and Boundaries Commission, increase the allocation for the Programme of Management of Electoral processes by Kshs. 33.0 billion.
- iv. Under the Office of the Director of Public Prosecutions, increase the allocation for the Programme of Public Prosecution Services by Kshs. 637 million.
- v. Under the Kenya National Commission on Human Rights, increase the allocation for the Programme of Witness Protection by Kshs. 145 million.
- vi. Under the Commission on Administrative Justice, increase the allocation for the Programme of Promotion of Administrative Justice by Kshs. 78.2 million.

Adoption of the Report

The report was adopted having being proposed by Hon. Suleka Hulbale, MP and seconded by Hon. Timothy Kipchumba, MP.

MIN. NO. DDC/JLAC/167/2026:

ADOPTION OF THE REPORT ON THE KENYA JUDICIARY ACADEMY BILL, 2025 (NATIONAL ASSEMBLY BILL NO. 42 OF 2025)

Members considered the draft report before adoption. The Legal Counsel took the Members through the schedule of amendments as contained in the report, and as proposed as follows:

- (a) Delete the long title and substitute therefor the following new long title—
“AN ACT of Parliament to establish the Kenya Judiciary Academy to give effect to Article 172(1)(d) of the Constitution; to prepare and implement programmes for continuing education and training of judges, judicial officers and judicial staff on behalf of the Judicial Service Commission and for connected purposes”.
- (b) Clause 3 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—
(a) establish the Academy as a centre of excellence in matters relating to continuing education and training of judges, judicial officers and judicial staff on behalf of the Commission;
- (c) Clause 4 of the Bill be amended in subclause (2) by deleting the word “of” appearing immediately after the word “doing” in paragraph (d) and substituting therefor the word “or”; and delete subclause (4) and substituting therefor the following new subclause
“Despite the provisions of subsection (3), the Commission may establish campuses of the Academy in any other county”.
- (d) Clause 5 of the Bill be amended by, deleting the opening statement and substituting therefor the following new opening statement—
“The Academy shall, on behalf of the Commission to create a nexus between the KJA and JSC in the performance of functions of the KJA”.
- (e) Delete paragraph (a) and substituting therefor the following new paragraph—
“(a) prepare and implement programmes for the continuing education and training of judges, judicial officers and judicial staff”.
- (f) Clause 6 of the Bill be amended in subclause (1) by deleting the word “on” appearing immediately after the word “vest” and substituting therefor the word “in”; and in subclause (3) by deleting the expression “(2)” appearing immediately after the word “subsection” and substituting therefor the expression “(1)”.
- (g) Clause 7 of the Bill be amended by deleting the marginal note and substituting therefor *“Powers of the Board”* because the function of the Board is already provided for under Clause 6(1).

- (h) Further in subclause (3), by deleting paragraph (a) and substituting therefor with “*make policy and provide oversight over the Academy*”, to clarify the power of the Board and avoid duplication of roles between the Board and the Director-General of the Board who is responsible for strategic direction and leadership of the Academy.
 - (i) Clause 8 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—
“*The Board may establish such committees as may be necessary for the effective performance of its functions*”.
 - (j) Clause 10 of the Bill be amended in subclause (1) by deleting the word “Board” appearing immediately after the words “appointed by” and substituting therefor the word “Commission”; and in subclause (4) by deleting the word “Board” appearing immediately after the words “assigned by” and substituting therefor the word “Commission”.
 - (k) Clause 11 of the Bill be amended in subsection (4) by deleting paragraph (a) and substituting therefor with “*the accounting officer and head of staff of the Academy*” to clarify that the Registrar shall be the head of staff of the Academy.
 - (l) Clause 13 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—
“*(a) monies allocated to the Commission for purposes of the Academy and approved by the National Assembly*”.
- The clause be further amended by deleting paragraphs (b) and (c).

Adoption of the Report

The report was adopted having being proposed by Hon. John Makali, MP and seconded by Hon. Timothy Kipchumba, MP.

MIN. NO. DDC/JLAC/I 68/2026: ADJOURNMENT

There being no other business, the meeting was adjourned at four o'clock. The next meeting to be held on notice.

SIGNED:  DATE: 26th / MAY / 2026.
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, CBS, MP)

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Kenya Judiciary Academy
Bill (National Assembly
Bill No. 42 of 2025)

- (d) the development, acquisition and proper maintenance of buildings and grounds for the Academy;
- (e) the acquisition, maintenance, repair, and replacement of the equipment and other movable property of the Academy;
- (f) funding of training, research, and other activities of the Academy; and
- (g) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance, or replacement of buildings or equipment, or in respect of such other matter as the Board may deem appropriate.

(3) The annual estimates shall be approved by the Board before commencement of the financial year to which they relate and shall be submitted to the Commission for approval, and thereafter, the Board shall not increase or decrease the annual estimates except with the authority of the Commission.

PART IV—GENERAL PROVISIONS

16. (1) All deeds, instruments, contracts and other documents shall be deemed to be duly executed by or on behalf of the Academy—

Common seal.

- (a) where they are required to be under seal, if sealed with the common seal of the Academy and authenticated by the Director General;
- (b) where they are not required to be under seal, if executed in that behalf of the Academy by a member authorized by the Board for that purpose.

(2) A deed, instrument, contract or other document executed in accordance with sub-section (1)(b) shall be effective in law to bind the Academy and its successors and may be varied or discharged in the same manner as that in which it was executed.

(3) The Common seal of the Academy shall be kept in the custody of the Director General and shall not be used except by the order of the Board.

17. No matter or thing done by a member of the Board or by any officer, member of staff, or agent of the Academy

Protection from
personal liability.

the proper discharge of the functions of the Academy upon such terms and conditions of service as the Commission may determine.

PART III-FINANCIAL PROVISIONS

13. (1) The funds of the Academy shall comprise of —

Funds of the Academy.

- (a) monies allocated to the Judicial Service Commission for purposes of the Academy and approved by the National Assembly;
- (b) monies allocated to the Judiciary for purposes of the Academy and approved by the National Assembly;
- (c) such monies as may be allocated from the Judiciary Fund;
- (d) monies accruing from investments, fees, charges or levies administered by the Academy; and
- (e) grants, donations, endowments or scholarships from any other sources approved by the Board.

(2) The Academy shall open and maintain such bank accounts as are necessary for the exercise of its functions.

14. The financial year of the Academy shall be a period of twelve months ending on the thirtieth day of June in each year.

Financial year.

15. (1) The Registrar shall, at least three months before the commencement of each financial year, cause to be prepared the estimates of the revenue and expenditure of the Academy for that financial year.

Annual estimates.

(2) The annual estimates shall make provisions for all the estimated expenditure of the Academy for the financial year concerned and, in particular, shall provide for —

- (a) the payment of salaries, allowances, and other charges in respect of the staff of the Academy;
- (b) the payment of pensions, gratuities, and other charges in respect of retirement benefits of former staff of the Academy;
- (c) payment of allowances of the members of the Board;

(2) A person is qualified for appointment as the Registrar if the person—

(a) is an advocate of the High Court of Kenya, and has, since qualification—

- (i) become eligible for appointment as a Judge of the High Court;
- (ii) served for at least ten years as a professionally qualified magistrate;
- (iii) attained at least ten years' experience as a distinguished academic or legal practitioner or such experience in other relevant legal field; or
- (iv) held the qualifications specified in subparagraphs (i) to (iii) for a period amounting, in the aggregate, to ten years; and

(b) has demonstrated competence in the performance of administrative duties for not less than three years.

(3) The Registrar shall serve for a term of five years and shall be eligible for reappointment for one further term of five years.

(4) The Registrar shall be—

- (a) the accounting officer and head of the Secretariat of the Academy;
- (b) responsible for management and operations of the Academy; and
- (c) answerable to the Director General.

12. (1) The Board shall from time to time recommend an organizational structure and staff establishment for the Academy for approval by the Commission.

Staff of the
Academy.

(2) The Board shall recommend for appointment by the Commission such other officers and staff as are necessary for the proper discharge of the functions of the Academy upon such terms and conditions of service as the Commission may determine.

(3) The Board shall recommend for secondment to the Academy, such other public officers as are necessary for

8. (1) The quorum for the conduct of business at a meeting of the Board shall be five members.

Quorum, committees and procedure of the Board.

(2) The Board may constitute such committees for the effective discharge of powers and functions—

- (a) audit;
- (b) governance;
- (c) risk;
- (d) compliance;
- (e) finance;
- (f) human resource;
- (g) strategy; and
- (h) any other committee relevant to the functions of the Academy.

(3) The conduct and regulation of the business and affairs of the Board shall be as provided for in the Schedule.

(4) Subject to the provisions of this Act, the Board shall regulate its own procedure.

9. The Chairperson and members of the Board shall be paid such allowances as may be determined by the Commission in consultation with the Salaries and Remuneration Commission.

Remuneration of the members of the Board.

10. (1) There shall be a Director General of the Academy who shall be a Judge of a Superior Court and shall be appointed by Board.

The Director-General.

(2) The Director General shall be responsible for strategic direction and leadership of the Academy.

(3) The Director General shall be answerable to the Board.

(4) The Director General may perform such other duties as may be assigned by the Board.

(5) The Director General shall serve for a non-renewable term of five years.

11. (1) There shall be a Registrar of the Academy who shall be appointed by the Commission on the recommendation of the Chief Justice.

Registrar of the Academy.

7. (1) The management of the affairs of the Academy shall vest in the Board of Directors of the Academy.

Functions and
powers of the
Board.

(2) The Board shall have all the powers necessary for the proper performance of its functions under this Act.

(3) Without prejudice to the generality of the subsection (2), the Board shall have powers to—

- (a) provide strategic leadership and oversight over the Academy;
- (b) recommend to the Commission an organizational structure for the Academy to give effect to the objectives of this Act;
- (c) enter into contracts on behalf of the Academy;
- (d) control and supervise the administration of the assets of the Academy in a manner that best promotes the object and purpose for which the Academy is established;
- (e) receive any grants, gifts, donations, or endowments, make legitimate disbursements therefrom and maintain an inventory;
- (f) open bank accounts for the funds of the Academy;
- (g) invest the funds of the Academy as the Board may approve from time to time;
- (h) enter into association with other persons, bodies, or organizations within or outside Kenya as it may consider desirable or appropriate in furtherance of the object and purpose of this Act;
- (i) invite any public officer or person who in its opinion, has expert knowledge in matters relating to the Academy's functions to attend any board meeting and participate in the proceedings, provided such expert shall not have the right to vote; and
- (j) by resolution, delegate to any of its committees, member, officer, employee, or agents the exercise of any of the powers or the performance of any of the functions of the Academy under this Act.

- (e) one person who teaches law in a public university, nominated by public universities;
- (f) one person who teaches law in a private university, nominated by private universities;
- (g) an advocate of not less than ten years' experience nominated by the Law Society of Kenya;
- (h) the Secretary to the Council of Legal Education; and
- (i) the Director General of the Academy, who shall be the Secretary to the Board and shall not have the right to vote.

(2) The nominating bodies in subsection (1)(d), (e), (f) and (g) shall nominate persons who have knowledge and expertise required for the achievement of the objects of the Academy.

(3) A member of the Board nominated under subsection (2) (d), (e), (f) and (g) shall hold office for a term of three years and shall be eligible for renewal for one further term of three years.

(4) The office of a member of the Board shall become vacant if the member—

- (a) resigns from office by notice, in writing, addressed to the Chairperson, and in the case of the Chairperson, to the Chief Justice;
- (b) has been found in accordance with any law, to have misused or abused state or public office or to have contravened Chapter six of the Constitution;
- (c) is convicted of an offence and is sentenced to imprisonment for a period exceeding six months without the option of a fine;
- (d) as a nominee, ceases to be a member of the nominating body;
- (e) is unable, by reason of mental or physical infirmity, to discharge functions as a member of the Board;
- (f) is adjudged bankrupt; or
- (g) dies.

- (d) develop linkages, partnerships and collaborations with the Centre of Parliamentary Studies and Training, the Kenya School of Government, the Foreign Service Academy and other national, regional and international institutions and agencies;
- (e) develop and maintain a repository of relevant data for the Judiciary and the administration of justice;
- (f) conduct research to support the functions of the Academy and the administration of justice;
- (g) produce publications and reports relevant to the functions of the Academy and the administration of justice;
- (h) organize and manage relevant national, regional and international conferences, meetings, symposia, and workshops;
- (i) develop and implement training programmes for other actors in the justice system;
- (j) in collaboration with other institutions, award relevant certification for the courses offered by the Academy;
- (k) advice the Judiciary on the standardization of continuing education and training for judges, judicial officers, and judicial staff; and
- (l) perform and exercise any other functions conferred on it by this Act.

6. (1) The administration of the Academy shall vest on a Board of Directors which shall consist of—

Board of
Directors.

- (a) Chairperson appointed by the Commission from among the members of the Commission;
- (b) the Chief Registrar of the Judiciary;
- (c) a member of the association of judges and magistrates elected by the members of the association;
- (d) a member of the association of judicial staff nominated by the association;

- (c) provide a framework for the continuing education and training of judges, judicial officers, judicial staff, and other actors in the justice sector; and
- (d) provide for mechanisms for collaboration and cooperation with other institutions for purposes of training judges, judicial officers and judicial staff.

PART II—ESTABLISHMENT AND FUNCTIONS OF THE KENYA JUDICIARY ACADEMY

4. (1) There is established an Academy to be known as the Kenya Judiciary Academy.

Establishment of the Academy

(2) The Academy shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) entering into contracts;
- (b) purchasing or otherwise acquiring, holding, charging or disposing of moveable and immovable property;
- (c) borrowing and lending money; and
- (d) doing or performing all other things or acts for the furtherance of the provisions of this Act as may be lawfully done or performed by a corporate body.

(3) The headquarters of the Academy shall be in Nairobi.

(4) Notwithstanding the provisions of subsection (3), the Academy may establish campuses in any other County.

5. The Academy shall—

Functions of the Academy.

- (a) be the principal institution for implementing and coordinating training and capacity building of judges, judicial officers and judicial staff;
- (b) prepare and implement programmes for the induction, orientation and continuing education and training of judges, judicial officers and judicial staff to support an impartial, competent, efficient and effective judiciary;
- (c) develop guidelines, curricula and calendars for its training and capacity building programmes;

THE KENYA JUDICIARY ACADEMY BILL, 2025**A Bill for**

AN ACT of Parliament to establish the Kenya Judiciary Academy to give effect to Article 172(1)(d) of the Constitution; to provide for the management, functions and powers of the Kenya Judiciary Academy and for connected purposes

ENACTED by the Parliament of Kenya as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Kenya Judiciary Academy Act, 2025. Short title.

2. In this Act, unless the context otherwise requires— Interpretation.

“Academy” means the Kenya Judiciary Academy established under section 4;

“Commission” means the Judicial Service Commission established under Article 171 of the Constitution;

“Director General” means the Director General appointed under section 10;

“Judge” means a judge of a superior court referred to in Article 162 (1) of the Constitution;

“judicial officer” has the meaning assigned to it under Article 260 of the Constitution;

“judicial staff” means persons employed in the Judiciary but without power to make judicial decisions, and includes the staff of the Commission; and

“secondment” means the temporary deployment to the Academy of an officer from another institution in the public service while preserving the pension or gratuity rights of the employee accruing from the other institution in the public service.

3. The object of this Act is to—

Objects of the Act.

- (a) establish the Academy as a regional center of excellence in matters relating to judicial training;
- (b) provide for procedures for operationalization of the Academy;

THE KENYA JUDICIARY ACADEMY BILL, 2025
ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

- 1—Short title.
- 2—Interpretation.
- 3—Objects of the Act.

**PART II—ESTABLISHMENT OF THE KENYA
JUDICIARY ACADEMY**

- 4—Establishment of the Academy.
- 5—Functions of the Academy.
- 6—Board of Directors.
- 7—Functions and powers of the Board.
- 8—Quorum, committees and procedure of the Board.
- 9—Remuneration of the members of the Board.
- 10—The Director General.
- 11—Registrar of the Academy.
- 12—Staff of the Academy.

PART III—FINANCIAL PROVISIONS

- 13—Funds of the Academy.
- 14—Financial year.
- 15—Annual estimates.

PART IV—GENERAL PROVISIONS

- 16—Common seal.
- 17—Protection from personal liability.
- 18—Liability for damages.

PART V—PROVISIONS ON DELEGATED POWERS

- 19—Regulations.

**PART VI—SAVINGS AND TRANSITIONAL
PROVISIONS**

- 20—Savings and transitions.

**SCHEDULE—PROVISIONS ON CONDUCT AND
AFFAIRS OF THE BOARD.**

RECEIVED
NATIONAL ASSEMBLY
JAN 10 1964
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

SPECIAL ISSUE

Kenya Gazette Supplement No. 145 (National Assembly Bills No. 42)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2025

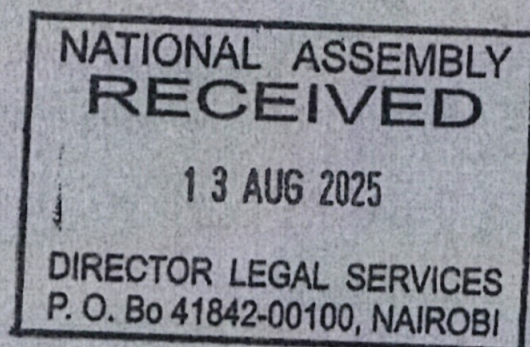
NAIROBI, 18th July, 2025

CONTENT

Bill for Introduction into the National Assembly —

PAGE

The Kenya Judiciary Academy Bill, 20251021



shall, if the matter or thing is done *bona fide* for executing the functions, powers or duties of the Board under this Act, render the member, officer, employee or agent or any person acting on their directions personally liable to any action, claim or demand whatsoever.

18. The provisions of section 17 shall not relieve the Academy of the liability to pay compensation or damages to any person for any injury to him or her or his or her property or any of their interests caused by the exercise of any power conferred by this Act or any other written law or by the failure, wholly or partially, of any works.

Liability for damages.

PART V—PROVISIONS ON DELEGATED POWERS

19. (1) The Board may, in consultation with the Commission, make Regulations generally for carrying into effect the provisions of this Act.

Regulations.

(2) Without prejudice to the generality of subsection (1) the Regulations made by the Board may provide for—

- (a) the development and implementation of programmes for continuing education, training, and professional development of judges, judicial officers, judicial staff, and other actors in the justice sector; and
- (b) the development of continuous monitoring and evaluation of training and other functions of the Academy.

PART VI—SAVINGS AND TRANSITIONAL PROVISIONS

20. (1) Upon coming into force of this Act—

Savings and transitions.

- (a) all the rights, duties, obligations, assets, and liabilities of the former Academy existing at the commencement of this Act shall be automatically and fully transferred to the Academy;
- (b) every agreement, whether in writing or not, and every deed, bond, or other instruments to which the former Academy was a party, and whether or not such rights, liabilities, and obligations thereunder could be assigned, shall have effect as if the Academy were party thereto or affected thereby; and

(c) any proceedings pending immediately before such date of coming into operation to which the former Academy was a party shall be continued as if the Academy was a party thereto.

(2) Except as may be provided under any written law, all persons who were members of staff to the former Academy shall be members of staff of the Academy established under this Act and shall be deemed to have been appointed under this Act on the terms and conditions of service applicable to them immediately before the commencement of this Act.

(3) For purposes of this section, "former Academy" means the Kenya Judiciary Academy established by the Judiciary to offer continuing education and training to judges, judicial officers and judicial staff.

SCHEDULE [s. 8(3)]

**PROVISIONS AS TO THE CONDUCT OF BUSINESS AND
AFFAIRS OF THE BOARD**

1. (1) The Board may establish such committees as it may consider appropriate to perform such functions and responsibilities as it shall determine.

Committees and
co-opted advisors.

(2) All findings of such committees shall be presented to the Board for its consideration and determination.

(3) The Board may, at any time and for any length of time, invite any person to attend any of its deliberations but such person shall not be entitled to vote on any matter at any meeting of the Board.

2. (1) The Board shall meet at least four times in every financial year.

Meetings of the
Board.

(2) The Chairperson shall preside at every meeting of the Board at which the Chairperson is present, but in his absence, the members shall elect one of their number who shall, with respect to that meeting and the business transacted thereat, have all the powers of a Chairperson.

3. Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a majority of votes of the members present and in the case of an equality of votes, the Chairperson shall have a casting as well as a deliberative vote.

Decisions of the
Board.

4. If a member of the Board has any interest direct or indirect in any application or other matter which is the subject of consideration at a meeting of the Board, the member shall, at the meeting, disclose the fact to the Board and shall take no part in the consideration or discussion of or vote on any question with respect to the application or the other matter.

MEMORANDUM OF OBJECTS AND REASONS

Statement of objects and reasons for the Bill

The Bill is a legislative proposal received by the Departmental Committee on Justice and Legal Affairs from the Judiciary.

The principal object of this Bill is to give effect to Article 172(1)(d) of the Constitution by establishing the Kenya Judiciary Academy which shall be the principal institution responsible for implementing and coordinating the continuing education and training of judges, judicial officers and judicial staff.

Part I of the Bill (Clauses 1-3) provides for the preliminary provisions including the short title, the interpretation and object of the Act.

Part II of the Bill (Clauses 4-12) provides for the establishment of the Kenya Judiciary Academy which shall be the principal institution for the implementing and coordinating training and capacity building for judges, judicial officers and judicial staff. A Board of Directors shall be responsible for the administration of the Academy.

Part III of the Bill (Clauses 13-15) provides for the financial provisions including the sources of funds for the Academy, the financial year of the Academy and the preparation of annual estimates of the Academy.

Part IV of the Bill (Clauses 16-18) provides for the general provisions including the common seal of the Academy, protection of members of the Board and staff of the Academy from personal liability and liability of the Academy for damages.

Part V of the Bill (Clause 19) provides for the making of the regulations for the carrying into effect the provisions of the Act.

Part VI of the Bill (Clause 20) provides for the savings and transition provisions.

The Schedule to the Bill provides for conduct of business and affairs of the Board of Directors of the Academy.

Statement on the delegation of legislative powers and limitations of fundamental rights and freedoms

The Bill delegates legislative powers to the Board of Directors of the Kenya Judiciary Academy to make regulations for carrying into effect the provisions of the Act. The Bill does it limit any fundamental rights and freedoms.

Statement on whether the Bill concerns county governments

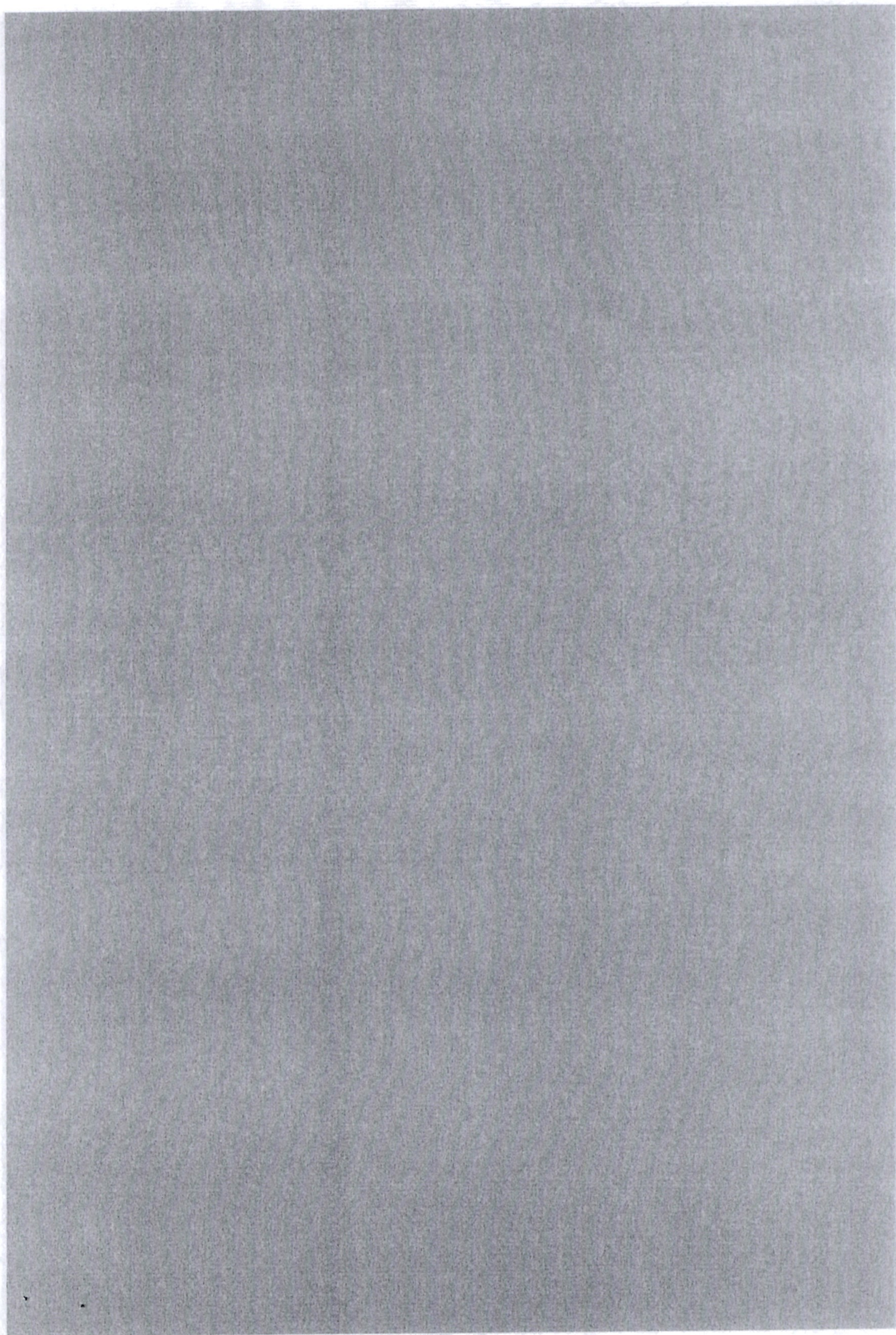
The Bill does not concern county governments in terms of Article 110(1) of the Constitution. The Kenya Judiciary Academy is an institution of higher learning for the Judiciary which is a function assigned to the national government.

Statement on whether the Bill is a money Bill within the meaning of Article 114 of the Constitution

The Bill is a money Bill as it contains provisions dealing with receipt, custody, investment or issue of public money.

Dated the 18th July, 2025.

GEORGE GITONGA MURUGARA,
Chairperson, Departmental Committee on Justice and Legal Affairs.



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*Advertisement inviting the
public to submit memoranda
on the Bill*

National News

Offering support NMG boss says the media house has trained journalists in gender-sensitive reporting

'Kenya's gender equality progress slow'

Report projects that it could take 123 years to achieve full gender parity worldwide

BY MORAA OBIRIA

Kenya risks waiting another century to achieve gender equality unless the government, institutions and communities act with urgency, leaders warned yesterday at the first edition of NXTHER Summit organised by the Nation Media Foundation.

Thirty years after the Beijing Declaration, they noted, progress remains slow with entrenched inequalities still denying women and girls equal opportunities.

The two-day meeting brings together gender equality advocates from global, regional and national levels. It reflects on the progress made in implementing the Beijing Declaration and Platform for Action, adopted unanimously by 189 countries on September 15, 1995, in Beijing, China. The landmark framework identifies 12 critical



Participants at the NXT HER Summit yesterday at Mövenpick Hotel, Nairobi. PHOTOS BY WILFRED NYANGARESI/NATION

ical areas of concern for women and girls, including poverty, education and training, health, violence against women and the rights of the girl-child.

At the current pace, progress remains painfully slow. The World Economic Forum, in its Global Gender Gap Report 2025, pro-

jects that it could take 123 years to achieve full gender parity worldwide.

"The reality calls for renewed collaboration, shared responsibility, balanced action and deliberate interventions," said Nation Media Group Chief Executive Officer and Managing Director Geor-



Nation Media Group Managing Director and CEO Geoffrey Odundo makes his remarks at the summit.

frey Odundo.

Citing the UN Women's review of progress 30 years after Beijing, Mr Odundo expressed concern at the slow progress, worsened by democratic backsliding and a backlash against gender equality.

"For instance, while the proportion of women in Parliament has

more than doubled since 1995, nearly three-quarters of parliamentary seats are still held by men," he said.

Mr Odundo, a recognised HeForShe champion, reaffirmed NMG's commitment to amplifying women's voices and influence gender-responsive policies through impactful storytelling.

"We have trained our journalists in gender-sensitive reporting to ensure stories reflect both men's and women's perspectives and capture the nuances of women's experiences. Since creating a dedicated Gender Desk in 2019, we have published more than 5,000 gender-based stories," he said.

Prof Maria Nzomo, Executive Director of the Transformative Leadership Centre, urged leaders to go beyond speeches and commit to concrete change.

"The time for lamentations is over," said Prof Nzomo, who in 1981 became the first Kenyan woman to earn a PhD in political science. "For the next 30 years, we must be defined not by speeches but by the choices we make when the microphones are turned off."

Despite global and national commitments to advance women's rights, she lamented that

many communities still subject women and girls to harmful practices.

"Too many women still die. Too many girls continue to suffer harmful practices. The next task is to adopt universal gender-responsive policies that protect women's rights, prioritise maternal health and ensure no woman's life or well-being is sacrificed," she said.

Dr Samukeliso Dube, executive director of Family Planning 2030 (FP2030), highlighted how access to contraception has contributed to women's empowerment in Kenya.

"The country's progress is linked to access to contraception, which has led to a more than 10 per cent rise in paid work and a 14 per cent increase in women's control over their wages," she said.

Globally, she added, closing the gender gap by ensuring equitable access to contraception could raise Gross Domestic Product by 20 per cent.

"But now there is need for action. And what is that action? About infrastructure, education and all the benefits that come from a well-planned family. It is how we accelerate society," Dube said.

PUBLIC NOTICE

Resignation of Directors

(Pursuant to Rule 36(2) and 54 of the Uganda Securities Exchange Listing Rules 2025)

Umeme Limited ("the Company/ Umeme") in accordance with its disclosure obligations under the USE Listing Rules, 2025 informs its shareholders and the general public that following the natural end of its electricity distribution concession and as communicated at its last Annual General Meeting held on 18th July 2025, the following changes have been made with regards to its Board of Directors:

HON. GERALD SSENDAULA has ceased to be a director of the company.

The Company would like to thank Hon. Ssendaula for his exemplary and dedicated service to Umeme and in particular to the Board of Directors. Hon. Ssendaula has served on Umeme's Board since 2013, offering extensive leadership experience in both the public and private sectors. He chaired the Customer Service and Loss Reduction Committee.

MS. FLORENCE NAMATTA HAWEJE has ceased to be a director of the company.

The Company would like to thank Ms. Mawejje for her exemplary and dedicated service to Umeme and in particular to the Board of Directors. Ms. Mawejje has served on Umeme's Board since 2016, bringing over 25 years of executive experience across multiple sectors in Africa. She served on three Board committees.

DR. ENG. SILVER MUGISHA ceased to be a director of the company.

The Company would like to thank Dr. Eng. Silver Mugisha for his exemplary and dedicated service to Umeme and in particular to the Board of Directors. Dr. Eng. Silver Mugisha was appointed as a Non-Executive Director of Umeme on 25th April 2024. He brought extensive experience from the water and infrastructure sectors, with a distinguished career in leadership and public utility management.

MR. JOHAN DE BRUIJN ceased to be a director of the company.

The Company would like to thank Mr. Bruijn for his exemplary and dedicated service to Umeme and in particular to the Board of Directors. Mr. Bruijn served on Umeme's Board since 2020, bringing deep expertise in investments in African and emerging markets.

The Company would like to thank the above-mentioned persons for their unwavering and exceptional service to Umeme, the electricity sector and Uganda as a whole.

SM & Co. Advocates (formerly Shonubi Musoke & Co. Advocates)
Company Secretary
22nd August 2025



REPUBLIC OF KENYA THIRTEENTH PARLIAMENT - FOURTH SESSION (2025) THE NATIONAL ASSEMBLY

IN THE MATTER OF ARTICLE 118(1)(b) OF THE CONSTITUTION
AND
IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF -

- (1) THE QUALITY HEALTHCARE AND PATIENT SAFETY BILL (NATIONAL ASSEMBLY BILL No. 41 OF 2025) AND
- (2) THE KENYA JUDICIARY ACADEMY BILL (NATIONAL ASSEMBLY BILL No. 42 OF 2025)

INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1)(b) of the Constitution of Kenya requires Parliament to facilitate public participation and involvement in the legal and other business of Parliament and its Committees, and National Assembly Standing Order 127(3) requires House Committees to consider Bills to facilitate public participation;

AND WHEREAS, the Quality Healthcare and Patient Safety Bill (National Assembly Bill No. 41 of 2025) and the Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) were read a First Time on 14th August, 2025 and referred to the relevant Departmental Committees for consideration and reporting to the House;

IT IS NOTIFIED that:-

- (1) The Quality Healthcare and Patient Safety Bill (National Assembly Bill No. 41 of 2025) is sponsored by the Leader of the Majority Party, seeking to give effect to Article 43(1)(a) of the Constitution by providing for the responsibility of the national and local governments in the realisation of quality of healthcare for patients; establishment, powers and functions of the Quality Healthcare Patient Safety Authority; registration, licensing and accreditation of health facilities; and standards for quality of healthcare.
- (2) The Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) is sponsored by the Leader of the Majority Party, seeking to give effect to Article 172(1)(d) of the Constitution by establishing the Kenya Judiciary Academy which shall be the institution responsible for implementing and coordinating the continuing education and training of judges, judicial officers and staff.

NOW THEREFORE, in compliance with Article 118(1)(b) of the Constitution and Standing Order 127(3), the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bills to the Departmental Committees specified below:-

S/N	BILL	DEPARTMENTAL COMMITTEE
1	Quality Healthcare and Patient Safety Bill (National Assembly Bill No. 41 of 2025)	Health
2	Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025)	Judiciary and Legal Affairs

Copies of the Bill are available at the National Assembly Table Office, Main Parliament Buildings and on www.parliament.go.ke/the-national-assembly/house-business/Bills.

The memoranda may be forwarded to the Clerk of the National Assembly, P.O. Box 41942-00100, Nairobi; hand-delivered to the Clerk, Main Parliament Buildings, Nairobi; or emailed to cnas@parliament.go.ke to be received on or before Friday, 5th Sep 2025 at 5.00 p.m.

S. KUORGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
22nd August 2025

"For the Welfare of Society and the Just Government of the People"

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*Letter from the Clerk of the
National Assembly inviting
stakeholders to attend the public
participation forum*



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
NAIROBI, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote:

Ref: NA/DDC/JLAC/2025/ (113)

7th October, 2025

Hon. Winfred B. Mokaya, CBS

Chief Registrar Judiciary of Kenya / Secretary
Judicial Service Commission
Supreme Court Building
NAIROBI

Hon. Justice (Dr.) Smokin Wanjala

Director General
Kenya Judiciary Academy
KCB Leadership Center- Karen
NAIROBI

Justice Stephen Radido

President
The Kenya Magistrates and Judges Association
Milimani Law Courts
NAIROBI

Hon. Shadrack John Mose, CBS

Solicitor General
Office of the Attorney-General and Department of Justice
Sheria House, Harambee Avenue
NAIROBI

Dr. Chris K. Kiptoo, CBS

Principal Secretary
The National Treasury
Ministry of National Treasury and Economic Planning
Harambee Avenue, Treasury Building
NAIROBI

Dr. Beatrice Muganda Inyangala

Principal Secretary
State Department for Higher Education and Research
Ministry of Education
Jogoo House, Taifa Road
NAIROBI

Hon. Pareno Judith Ramaita

Principal Secretary

State Department for Justice, Human Rights and Constitutional Affairs

Office of the Attorney General

Sheria House, Harambee Avenue

NAIROBI

FCPA Nancy Gathungu, CBS

The Auditor-General

3rd Floor, Anniversary Towers, University Way

NAIROBI

Mr. Renson M. Igonga, OGW

Director of Public Prosecutions

ODPP House, Rigati Road, Upper Hill

NAIROBI

Mr. Peter Musyimi

Ag. Commission Secretary / CEO

Kenya Law Reform Commission

Reinsurance Plaza, 3rd Floor

Taifa Road

NAIROBI

CPA Margaret Njoka

Ag. Commission Secretary / CEO

The Salaries and Remuneration Commission (SRC)

Kilimani 4th Ngong Avenue, Williamson House

NAIROBI

Prof. Mike Kuria

Commission Secretary / CEO

Commission for University Education

Red Hill Road, off Limuru Road, Gigiri

NAIROBI

Ms. Florence Muturi,

Chief Executive Officer

Law Society of Kenya (LSK)

Lavington, Opposite Valley Arcade, Gitanga Road

NAIROBI

Prof. Busalile Jack Mwimali

Secretary/Chief Executive Officer

Council of Legal Education

Karen Office Park

NAIROBI

Dr. Henry Kibet Mutai

Director/Chief Executive Officer

Kenya School of Law

Karen, off Langata South Road

NAIROBI

Prof. Nura Mohamed, PhD, EBS

Director General
Kenya School of Government
Lower Kabete

NAIROBI

Prof. Nyokabi Kamau, EBS

Executive Director
Centre for Parliamentary Studies
County House, Parliament Buildings

NAIROBI

Amb. Patrick Wamoto

Ag. Director-General
Foreign Service Academy
Kenyatta International Conference Centre

NAIROBI

Ms. Sheila Masinde

Executive Director
Transparency International
Kindaruma Road, Off Ring Road, Kilimani
Next to Commodore Office Suites

NAIROBI

Dr. Wambua Kituku

Executive Director
Kituo cha Sheria
Ole Odume Rd, Off Argwings Kodhek Rd

NAIROBI

Dear

**RE: INVITATION BY THE DEPARTMENTAL COMMITTEE ON JUSTICE
AND LEGAL AFFAIRS TO SUBMIT VIEWS ON THE KENYA JUDICIARY
ACADEMY BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2025)
SPONSORED BY THE HON. GEORGE GITONGA MURUGARA, MP**

The Departmental Committee on Justice and Legal Affairs is established pursuant to Standing Order 216 of the National Assembly Standing Orders, and is mandated to *inter alia*, 'study and review all legislation referred to it.'

As you are aware, the Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) sponsored by Hon. George Gitonga Murugara, MP is before the Committee for consideration and reporting to the House. The Bill seeks to give effect to Article 172(1)(d) of the Constitution by establishing the Kenya Judiciary Academy, which shall be the principal institution responsible for implementing and coordinating the continuing education and training of judges, judicial officers and judicial staff.

Article 118(1)(b) of the Constitution of Kenya and National Assembly Standing Order 127(3) require Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees. Due to the great public interest in the Bill, the Committee resolved to meet critical stakeholders to make submissions on the Bill.

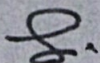
In this regard, the Committee invites you for a meeting on **Wednesday 22nd October 2025 at 10:00 am** at a venue, to be communicated in due course. The agenda of the meeting is to receive your views on the Bill.

You are requested to prepare your written submissions in a matrix format that indicates the specific clause, proposed amendment and justification. Twenty (20) hard copies of the submissions to be availed to the meeting, soft copies of which may be sent to the Committee through the Office of the Clerk of the National Assembly via email: cna@parliament.go.ke.

Hard copies of the Bill are available at the National Assembly Table Office, Main Parliament Building, while an electronic copy may be accessed on the Parliament website: www.parliament.go.ke/the-national-assembly/house-bills for reference.

Our Liaison Officer on this matter is Mr. Abdikafar Abdi who may be contacted on tel. no. 0715456503 or email: ddc@parliament.go.ke.

Yours



JEREMIAH NDOMBI, MBS
For: CLERK OF THE NATIONAL ASSEMBLY

Copy to: - **Hon. CPA John Mbadi, EGH**
Cabinet Secretary
Ministry of National Treasury & Economic Planning
Harambee Avenue, Treasury Building
NAIROBI

Hon. Dorcas Agik Oduor, SC, OGW, EBS
The Attorney General
The State Law Office and the Department of Justice
Sheria House, Harambee Avenue
NAIROBI

Hon. Julius Migos Ogamba
Cabinet Secretary
Ministry of Education
Jogoo House, Taifa Road
NAIROBI

CPA. Dr Aurelia Rono
Principal Secretary for
The State Department for Parliamentary Affairs
Office of the Prime Cabinet Secretary
Kenya Railways, Block A, Haile Selassie Avenue
NAIROBI



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

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Main Parliament Buildings

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When replying, please quote:

Ref: NA/DDC/JLAC/2026/036

14th April 2026

Hon. Winfridah B. Mokaya, CBS

Chief Registrar of the Judiciary / Secretary
Judicial Service Commission (JSC)
Supreme Court Building

NAIROBI

Hon. Justice (Dr.) Smokin C. Wanjala, CBS

Director General
Kenya Judiciary Academy (KJA)
KCB Leadership Centre

KAREN

Hon. Shadrack John Mose, CBS

Solicitor General
Office of the Attorney-General and Department of Justice
Sheria House, Harambee Avenue

NAIROBI

Hon. Judith Nayiai Ramaita-Pareno

Principal Secretary
State Department for Justice, Human Rights & Constitutional Affairs
Office of the Attorney-General and Department of Justice
Sheria House, Harambee Avenue

NAIROBI

Dear *Justice Wanjala*

**RE: INVITATION BY THE DEPARTMENTAL COMMITTEE ON JUSTICE
AND LEGAL AFFAIRS TO SUBMIT VIEWS ON THE KENYA JUDICIARY
ACADEMY BILL, 2025 (NATIONAL ASSEMBLY BILL NO. 42 OF 2025)**

The Departmental Committee on Justice and Legal Affairs is established pursuant to Standing Order 216 of the National Assembly Standing Orders, and is mandated to *inter alia*, 'study and review all legislation referred to it.'

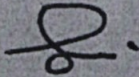
During its meeting held on 14th April 2026, the Committee considered the Kenya Judiciary Academy Bill, 2025 (National Assembly Bill No. 42 of 2025). During its deliberations, the Committee noted, among others, the objection by the Office of the Attorney General to the Academy being a body corporate. One of the questions before the Committee was whether,

in the event it agreed with the proposal to have it unincorporated, there will exist a need to have the proposed statute. The purpose of this letter is therefore to invite the Judicial Service Commission, the Kenya Judiciary Academy and the Attorney General to a meeting to deliberate on this matter.

The meeting will be held on **Tuesday, 21st April 2026** at **10.00am**, at a venue to be confirmed later, within Parliament Buildings.

Our liaison officers on this subject are Mr. Abenayo Wasike, H.O.D., who may be contacted on tel. no. 0721352053 or email abenayo.makokha@parliament.go.ke or Mr. Ahmed Salim Abdalla, Lead Clerk, tel. no. 0710204056 or email: ahmed.salim@parliament.go.ke.

Yours



JEREMIAH W. NDOMBI, MBS
For: CLERK OF THE NATIONAL ASSEMBLY

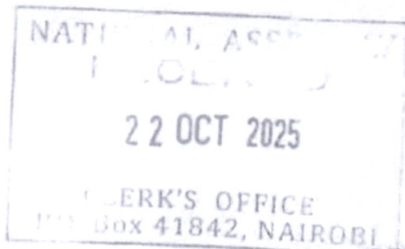
Copy to: - **Hon. Dorcas Agik Oduor, SC, OGW, EBS**
The Attorney General
The State Law Office and the Department of Justice
Sheria House, Harambee Avenue
NAIROBI

6

*Memoranda by
Stakeholders*

Submission





OFFICE OF THE ATTORNEY-GENERAL
&
DEPARTMENT OF JUSTICE

① DDC
&
22/10

Our Ref: AG/LDD/643/1/16
Your: NA/DDC/JLAC/2025/(113)

21st October, 2025

Mr. Samuel Njoroge CBS
Clerk of the National Assembly
Clerk's Chambers
National Assembly
Parliament Buildings
P.O. Box 41842-00200
NAIROBI

② Ahmed Fahim
Deaf
22/10/25

RE: INVITATION BY THE DEPARTMENTAL COMMITTEE ON JUSTICE AND
LEGAL AFFAIRS TO SUBMIT VIEWS ON THE KENYA JUDICIARY ACADEMY
BILL (NATIONAL ASSEMBLY BILLS NO. 42 OF 2025) SPONSORED BY THE
HON. GEORGE GITONGA MURUGARA, MP

This has reference to your letter dated the 7th October, 2025, under Ref. NA/DDC/JLAC/2025/(113), which was received in this Office on the 13th October, 2025, and the request for written comments on the Kenya Judiciary Academy Bill, 2025, and to attend a meeting with the Departmental Committee on Justice Legal Affairs on the 22nd October, 2025.

We have considered the provisions of the Bill and note that the Bill:

- (a) at clause 4(2) proposes the establishment of the Kenya Judiciary Academy as a body corporate with perpetual succession and a common seal;
- (b) at clause 5, proposes that the Academy shall, *inter alia*:
 - (i) be the principal institution for implementing and co-ordinating the training and capacity building of judges, judicial officers and judicial staff; and
 - (ii) prepare and implement programmes for the induction, orientation and continuing education and training of judges, judicial officers and judicial staff to support an impartial, competent, efficient and effective judiciary;
 - (iii) develop guidelines, curricula and calendars for its training and capacity building programmes;
 - (iv) in collaboration with other institutions, award relevant certification for the courses offered by the Academy;
 - (v) advice the Judiciary on the standardisation of continuing education and training for judges, judicial officers and judicial staff.

We also note that Article 172(1)(d) states that the Judicial Service Commission shall **promote and facilitate the independence and accountability of the judiciary and the efficient, effective and transparent administration of justice and shall prepare and**



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DEPARTMENT OF JUSTICE
CO-OPERATIVE BANK HOUSE, HAILLE SELASSIE AVENUE P.O. Box 56057-00200, Nairobi-Kenya TEL: Nairobi 2224029/ 2240337
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implement programmes for the continuing education and training of judges and judicial officers.

Furthermore, section 47 of the Judicial Service Act states that the Judicial Service Commission may make regulations for the better carrying out of the purposes of the Act and that such regulations may provide for the orientation and training for judicial officers and staff.

Consequently, it is our considered view, the principal object of the Bill is inconsistent with the provisions of Article 172(1)(d) of the Constitution relating to the functions of the Judicial Service Commission and the functions of the Commission under section 47(2)(e) of the Judicial Service Act. The Constitution provides that the Commission shall prepare and implement programmes for the continuing education and training of judges and judicial officers. The establishment of the Academy in the manner proposed in the Bill is inconsistent with the functions of the Commission under Article 172(1)(d) or section 47(2)(e) of the Act.

In light of the foregoing, we recommend as follows:

	Provision of the Bill	Recommendation	Reason
1.	Long title	Delete the long title and substitute therefor the following new long title— AN ACT of Parliament to give effect to Article 172(1)(d) of the Constitution; to provide for the establishment of the Kenya Judiciary Academy; to provide for the manner by which the Judicial Service Commission shall prepare and implement programmes for the continuing education and training of judges and judicial officers; and for connected purposes.	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
2.	Clause 3	In paragraph (a), delete the words “judicial training” and substitute therefor the words “continuing education and training of judges and judicial officers”.	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
3.		In paragraph (c), by deleting the words “judicial officers, judicial staff, and other actors in the justice sector” and substituting therefor the words “and judicial staff”.	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
4.		In paragraph (d), by deleting the words “training judges, judicial officers and judicial staff” and substituting therefor the words “the	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the

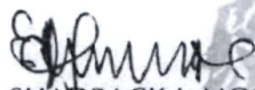
		continuing education and training of judges and judicial officers".	Constitution.
5.	Clause 4	Delete sub-clause (2).	The responsibility over the continuing education and training of judges and judicial officers is conferred on the Judicial Service Commission which is a body corporate. Consequently, it is not necessary to establish the Academy as a body corporate to perform the functions of the Commission as conferred by Article 172(1)(d).
6.		In sub-clause (4), delete the words "Academy may establish campuses" and substitute therefor the words "Commission may establish campuses of the Academy".	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
7.	Clause 5	In the opening words of clause 5, add the words "on behalf of the Commission" at the end thereof.	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
8.		Delete paragraph (a) and substitute therefor the following new paragraph— (a) be the principal institution for implementing programmes for the continuing education and training of judges and judicial officers".	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
9.		Delete paragraph (b).	In light of the proposed deletion and replacement of paragraph (a), paragraph (b) is redundant.
10.		In paragraph (c), delete the words "training and capacity building".	For purposes of consistency with other provisions of the Bill and simplicity.

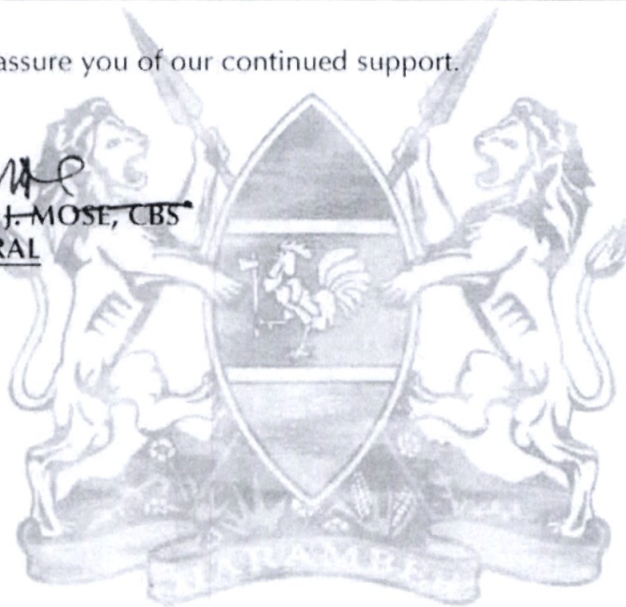
11.		Delete paragraph (i).	To ensure consistency with the mandate of the Judicial Service Commission under Article 172(1)(d) of the Constitution.
12.	Clause 6	In the marginal note, delete the word "Director" and substitute therefor the word "Management".	This is consistent with other training institutions that are not bodies corporate.
13.		In the opening words of sub-clause (1), delete the word "Director" and substitute therefor the word "Management".	This is consistent with other training institutions that are not bodies corporate.
14.	Clause 7	Delete sub-clause (1).	This is substantially the same as clause 6(1).
15.		Delete sub-clause (3)(c).	To ensure consistency with the proposed deletion of clause 4(2).
16.		Delete sub-clause (3)(d).	To ensure consistency with the proposed deletion of clause 4(2).
17.		Delete sub-clause (3)(e).	To ensure consistency with the proposed deletion of clause 4(2).
18.		Delete sub-clause (3)(f).	To ensure consistency with the proposed deletion of clause 4(2).
19.		In sub-clause (3)(j), delete the words "the exercise of any of the powers of or".	To ensure consistency with the proposed deletion of clause 4(2).
20.	Clause 8	Delete sub-clause (2) and substitute therefor the following new subclause— (2) The Board may establish such committees as may be necessary for the effective performance of its functions.	To ensure consistency with the proposed deletion of clause 4(2).
21.	Clause 10	In sub-clause (1), delete the word "Board" and substitute therefor the word "Commission".	To ensure consistency with the proposed deletion of clause 4(2).
22.		In sub-clause (4), delete the word "Board" and substitute therefor the word "Commission".	To ensure consistency with the proposed deletion of clause 4(2).
23.	Clause 11	In sub-clause (4), delete the words "and head of the	The Bill does not establish a secretariat of

		secretariat" appearing in paragraph (a).	the Academy.
24.		In sub-clause (4), insert the following new paragraph immediately after paragraph (a)— (b) shall supervise the officers and staff of the Academy.	To provide for the supervisory function of the Registrar over the officers and staff of the Academy.
25.	Clause 13	Delete sub-clause (1) and substitute therefor the following new sub-clause— (1) The funds of the Academy shall be provided out of the Judiciary Fund established under Article 173(1) of the Constitution.	To ensure consistency with the proposed deletion of clause 4(2) and to provide for an alternative source of the funds of the Academy.
26.		In sub-clause (2), insert the words "Commission, on behalf of".	To ensure consistency with the proposed deletion of clause 4(2) and to provide for the opening of bank accounts by the Commission for the purposes of the Academy.
27.	Clause 14	Delete.	To ensure consistency with the proposed deletion of clause 4(2). The budget of the Academy shall form part of the budget of the Commission.
28.	Clause 15	Delete.	To ensure consistency with the proposed deletion of clause 4(2). The budget of the Academy shall form part of the budget of the Commission.
29.	Clause 16	Delete.	To ensure consistency with the proposed deletion of clause 4(2). As an institution of the Commission, the Academy does not require a common seal.
30.	Clause 18	Delete the word "Academy" and substitute therefor the word "Commission".	To ensure consistency with the proposed deletion of clause 4(2). In view of the proposal that the Academy shall

			not be a body corporate, the Commission shall be responsible for the actions of the members of the Board.
31.	Clause 19	Delete sub-clause (1) and substitute therefor the following new sub-clause— (1) The Commission may make regulations generally for carrying into effect the provisions of the Act.	To ensure consistency with the proposed deletion of clause 4(2).
32.		In the opening words of sub-clause (2), delete the word "Board" and substitute therefor the word "Commission".	To ensure consistency with the proposed deletion of clause 4(2).

We thank you and assure you of our continued support.


HON. ~~SHADRACK J. MOSE, CBS~~
SOLICITOR-GENERAL



Submission **2**



JUDICIAL SERVICE COMMISSION

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Ref. JSC/ADJ/NA/71/1711

Abenayo Waisike

to facilitate

29th September, 2025

The Clerk of the National Assembly

Office of the Clerk

Main Parliament Building

P.O. Box 41842-00100

NAIROBI.

Dear Sir

JUDICIAL SERVICE COMMISSION MEMORANDUM ON THE KENYA JUDICIARY ACADEMY BILL, 2025

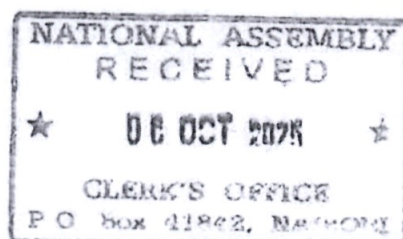
The Judicial Service Commission submits this memorandum in response to the National Assembly's invitation published in local dailies on 4th September 2025, regarding the Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025).

The Commission is established under Article 171 of the Constitution with a mandate under Article 172 to promote and facilitate the independence and accountability of the Judiciary and the efficient, effective and transparent administration of justice.

With regard to the aforementioned Bill, the Judicial Service Commission's constitutional mandate under Article 172(1) (b) and (d) specifically empowers it to review and make recommendations on conditions of service of-

- i. Judges, Judicial Officers and Judicial staff, as well as
- ii. to prepare and implement programmes for the continuing education and training of judges and judicial officers.

These provisions have vested the JSC with significant functions that are fundamental to judicial independence as well as the administration of justice.



Comments on the Bill

A. Section 3 – Objects of the Act

We humbly submit that a new paragraph 3 (e) be added to read as follows:

'provide a framework to establish, strengthen and undertake linkages, resource mobilisation, partnerships and collaborations with other Institutions '.

This will be in consonance with **Section 4 ,5(d) and 13(e) of the Bill** and enable the Academy to undertake mobilise resources whether in cash or in kind as one of its key mandates.

B. Section 5 -Functions of the Academy

1. We suggest that the word '**independent**' be added under item 5 (b) of the bill since the independence of the Judiciary is well spelt out under Article 160 of the Constitution and is a key component of the judiciary and its functions. The objective here is to ensure that in building the capacity of the Judiciary, its independence will be a beacon for judges and judicial officers that will always guide them as they undergo orientation, induction and continuous training.
2. Section 5(f) in particular provides that one of the mandates of the Academy shall be to conduct research to support its functions and the administration of justice.

With the advent of information technology and with the wealth of knowledge possessed by the Judiciary, there is need to specifically provide for knowledge management. To this end, we propose that a new sub section be added under section 5 to read as follows:

'To continuously develop and undertake resource development and knowledge management and knowledge management services'.

C. Section 6-Board of Directors

This section provides a list of persons who shall comprise of the Board of Directors. We, therefore, wish to raise the following issues for consideration.

Section 6(3) excludes a member nominated under Section 6(1)(c) from serving for a fixed term ; it appears that such a member so elected and nominated under Section 6(1) (c) shall hold office for an indefinite term unless he ceases to be a member of the nominating body under Section 6(4) (d) yet a member nominated under Section 6(1)(d) cannot serve for an indefinite period.

This section ought to be corrected by providing a term limit for members nominated under Section 6(1)(c) to avert allegations of discrimination and reduce the risk of litigation.

A new section be added in the event a judge of a superior court is nominated under Section 6(1) (c). It may fall under a **proposed** Section 6(f) to read as follows:

"is removed from office in accordance with the Constitution"

D. Section 7-Functions and powers of the Board

Under Section 7(1)(b) of the Bill which provides that one of the functions of the Board is to recommend to the Commission an Organisational Structure for the academy and give effect to the objectives of the Act.

The potential challenge here is that the power to review and make recommendations on the conditions of service of judges, judicial officers and staff of the judiciary lies with the Commission under Article 172(1)(b) hence the wording of section 7 should be amended to read **"advice or propose not make recommendations"** such that we do not risk this section being declared unconstitutional by the High Court.

E. Section 8-Quorum, Committee and Procedures for the Board

Section 8(2) as read with Schedule 8(1) of the Bill speaks of constituting of Committees by the Board.

1. From a governance perspective and in uniformity with other Acts of Parliament, we suggest that the word constitute is replaced with the word **"establish"**.
2. That Section 8 be amended to include quorum of Committees to be 3 members. There is a similar provision on the Judicial Service Act as Section 22(5).
3. That the Chairperson of the Board should not sit or chair any meeting of a Committee of the Board in the same vein that the Chairperson of JSC does not sit in any Committee of the Commission.

F. Section 10 on the Director General

The power to appoint the Director General is a preserve of the Judicial Service Commission under Article 172 of the Constitution. Section 10 on appointment of the Director General by the Board appears to usurp the powers of the Commission.

However, the section may be amended to read **"that the Director General shall appointed by the Commission on the advice of the Board"**.

G. Section 12 on Staff of the Academy

1. Under Section 12(1) of the Bill which provides that one of the functions of the Board is to recommend to the Commission an Organisational Structure and staff establishment for the academy.
2. The potential challenge here is that the power to review and make recommendations on the conditions of service of judges, judicial officers and staff of the Judiciary lies with the Commission under Article 172(1)(b) hence the wording of Section 12 should be amended to read **"advice not make recommendations"** such that we do not risk this section being declared unconstitutional by the High Court.

H. Appointment, Discipline and Removal of Judicial Officers and Staff

A new section should be added to mirror Section 32 of the Judicial Service Act on appointment, discipline and removal of judicial officers and staff employed by the Academy. It may read as follows:

"The Judicial Service Commission shall have powers to appoint discipline and remove judicial officers and staff employed by the academy in the manner provided by the Judicial Service Act and any regulations thereof."

Conclusion and Recommendation

The Constitution has established a distinct and comprehensive framework for judicial administration through the JSC, supported by the Judicial Service Act and related instruments.

This existing framework already addresses management, development, and governance within the judicial sphere in a manner that preserves constitutional independence and accountability.

The JSC operates under its own independent Act that governs similar processes specifically designed for the judicial context. The Bill should explicitly recognize and preserve the independence of the Judiciary and the Commission as guaranteed by the Constitution.

The Judicial Service Commission respectfully submits that the Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) be amended as suggested

above to ensure the Academy and the Commission fully meets the objectives of Article 171(1)(d) of the Constitution.

The Commission therefore supports the Bill save for the above concerns raised.

Thank you.

Yours faithfully



Hon. Winfridah B. Mokaya, CBS
SECRETARY
JUDICIAL SERVICE COMMISSION.

EXPLANATORY NOTES TO THE PROPOSED KJA BILL, 2025

A. CONTEXT

This document is divided into four parts. The first part introduces the Kenya Judiciary Academy (KJA), and places it in its historical context. The second part explains why KJA exists, and outlines its core programmatic thrusts and beneficiaries. The third part provides explanatory notes to specific observations made on the raft Bill, and the rationale for retaining the original provisions of the Bill. The bulk of amendments that were proposed have been reflected in the new draft Bill.

B. Introduction

[1] The Kenya Judicial Academy (KJA) is the successor to the Judiciary Training Institute (JTI), which was established through an administrative edict by the then Chief Justice, the late Evans Gicheru. Under Article 172 (1)(d) of the Constitution 2010, the Judicial Service Commission (JSC) is responsible for preparing and implementing continuing education and training programmes for judges and other judicial officers. KJA exercises this delegated mandate in part through various training programs and seminars, public lectures, research, and other forms of

discourses targeting all cadres of Judiciary staff, and where appropriate, members of the academy and the public.

C. Why KJA?

[2] The Constitution envisions robust and continuous judicial training for judges, judicial officers and staff. Therefore, the KJA is established in line with this constitutional directive.

[3] The Academy institutionalises structured, integrated and continuous judicial training. It ensures that judicial training is not *ad hoc* or optional, but a *permanent and professionalized function* of the Judiciary, which interlinks harmoniously with effective and efficient access to and delivery of justice.

[4] KJA interfaces between the Judiciary and contemporary changes in society, and learning interaction between the Judiciary and other legal and non-legal agencies. The Academy has trained staff and professionals from other justice sectors, including the *National Assembly, Senate, Office of the Director of Public Prosecutions*, and other stakeholders.

[5] KJA, therefore, plays a critical role, as follows;

a) Judicial Training and Capacity Building

The legal landscape is dynamic, and new laws, precedents, and international obligations emerge regularly. The KJA ensures that judges, magistrates, and

other judicial officers receive **continuous professional development** and are well-equipped to interpret and apply the law fairly and effectively.

b) Promoting Judicial Independence and Integrity

Through training in ethics, accountability, and constitutionalism, the KJA helps foster a Judiciary that is **independent, impartial, and free from corruption**. It reinforces public trust in the justice system.

c) Standardisation and Uniformity in Judicial Decisions

By providing a common platform for legal education, the Academy helps reduce disparities in judgments and promotes **consistency in legal reasoning and interpretation**.

d) Support for Judicial Reforms

Kenya's Judiciary has undergone significant reforms, especially post-2010 Constitution. The KJA supports these reforms by educating judicial officers on **new constitutional mandates**, human rights, and access to justice.

e) Research and Knowledge Sharing

The Academy serves as a **research hub** where legal knowledge, jurisprudence, and best practices are developed and shared, contributing to legal scholarship and better decision-making.

f) Access to Justice and Public Legal Awareness

By educating judicial officers and court staff, the KJA indirectly improves the delivery of justice and helps **enhance legal awareness and service to the public**.

D. Explanatory Note to Bill-Specific Concerns

[6] Most of the proposals and concerns from the Committee have been adopted and addressed (see the Revised Draft KJA Bill). However, for the few that have not been incorporated, the following explanation is given;

Clause 4 - Establishment of the Academy

Proposal 1

Amendment to Clause 4(3) to the effect that the headquarters of the Academy will be in Kajiado County as opposed to Nairobi City County, for reasons that the land allocated to the Academy is in Ngong.

Explanation

The term headquarters is a conceptual principle as opposed to a tangible geographical location.

Clause 6 - The Board of the Academy

Proposal 2

Amendment to merge Clauses 6(1) (f) and (g) and have one representative from public and private universities on the Board.

Explanation

The rationale for individual representation of Public and Private Universities on the Board lies in their differences in governance, culture, and philosophical structures. Public Universities are state-owned and publicly funded, so their governance reflect national interests and public accountability, while Private Universities are funded and managed by non-state entities, so governance structures emphasize founder intent, donor interests, and institutional autonomy.

(The Council of Legal Education (CLE), for instance, provides for separate representation of Public and Private universities)

Proposal 3

Amendment to increase the term of office of the Board members from three (3) years to six (6) years.

Explanation

The justification for a three-year term, renewable once for a maximum of six years, rests on striking a balance between continuity, accountability, infusion of fresh perspectives, independence and avoidance of conflicts of interest, patronage, or stagnation of the institutional vision.

Clause 10 - The Director General

Proposal 4

Amendment to Clause 10(1) on the qualifications of the Director General to say *the Director General 'shall have the qualifications of a judge of a superior court' instead of 'shall be a judge of a Superior Court'.*

Explanation

The Director General will give the strategic/jurisprudential leadership of the Academy. Therefore, a judge is more suited to hold the office for the following reasons;

- a) Practical judicial experience - a Judge brings an in-depth understanding of courtroom dynamics, including case management, legal reasoning, and procedural fairness.
- b) Credibility and respect - a Judge is respected by fellow judges, which enhances the authority and collegiality.
- c) Legitimacy - a judicial head lends legitimacy to the institute in the eyes of trainees, the legal profession, and the public.
- d) Ethical guidance - a judge serves as a role model, setting high ethical standards for new and serving judges.

- e) Institutional Continuity and Judiciary-Centric Focus - a judicial head will ensure alignment with judicial reforms, legal trends, and policy changes within the judiciary.
- f) Stakeholder proposals - It was an express recommendation by the Kenya Magistrates and Judges Association (KMJA).

Proposal 5

Amendments to sections 10 and 11 to create distinct roles and reporting lines for the Director General and the Registrar.

Explanation

The Director General will give the strategic/jurisprudential leadership of the Academy while the Registrar will be in charge of the management, operations, overseeing day-to-day administration of the Academy. The functional and technical work of the Academy will be overseen by Heads of Directorates.

Proposal 6

Amendment of Clause 10(5) on the term of office of the Director General by replacing five (5) years with six (6) years.

Explanation

A term of five (5) years is in keeping with the Judiciary traditions founded in Statute, where the term of High Court Principal Judges as well as president of the Court of Appeal is five (5) years.

Clause 13 – Funds of the Academy

Proposal 7

To establish an autonomous body corporate that is not financially or administratively reliant on the Judiciary or Judicial Service Commission.

Explanation

This proposal would be a radical departure as the Academy is established to give life to Article 172(1)(d) of the Constitution and exists for the Judiciary. The implementation of the proposal will be incremental, to give the Academy time to fully establish its revenue-generating programmes (self-sufficiency).

E. Explanatory Note to General Concerns

[7] Some general concerns were raised, and the following clarification is offered;

a. Does establishing KJA result in the duplication of funds allocation and the mandate currently being discharged by KSG?

The Kenya School of Government targets civil servants, public employees, or a broad range of government workers across sectors (e.g. administration, finance, health, education). The Kenya Judiciary Academy aims to provide specialised training in line with the Constitution. KSG cannot offer continuous judicial training under the Constitution.

Further, training of Judges, judicial officers and staff requires a level of customization that responds to the uniqueness of court operations and the administration of justice. For historical reasons, KSG's trainings reflect deeper knowledge of the mainstream public service, but not court operations and administration. And in any event, KJA is currently stepping in on areas not covered by the KSG training curriculum (training of the Senate and National Assembly Staff).

b. Why not establish the Academy under regulations contemplated by section 47 of the Judicial Service Act?

Establishing a corporate body under subsidiary/secondary legislation (rather than through primary legislation) raises several challenges, particularly regarding legality, legitimacy, accountability, and stability.

Besides, the overall objectives of the JSC Act are dissimilar to the objectives of the KJA Bill.

c. Who will train the Judicial staff, as they are excluded from the Bill?

Judicial Staff are not excluded from the Bill. Regular training of Judicial staff is presently coordinated under the Judiciary's Directorate of Human Resource Management, Development & Administration. Trainings for staff are also few and far between. The wording of the Bill permits KJA to offer staff training by designing relevant programs for this cadre.

d. What certification will the Academy offer?

KJA will offer certification upon incorporation under an Act of Parliament. The certification function will be designed upon incorporation. The enactment of this bill would hasten the process and provide the Academy with the requisite legal capacity to offer certification.

Submission 

(1) DDC
Please deal.
25/09/25



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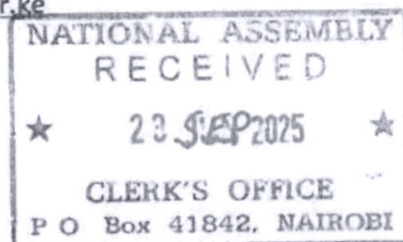
② Ahmed Salim
To place before JLAC.
Dm 25/09/25

MEMORANDUM
TO
THE CLERK OF THE NATIONAL ASSEMBLY
ON

THE KENYA JUDICIARY ACADEMY BILL (NATIONAL ASSEMBLY NO 45 OF 2025)

SEPTEMBER, 2025

Faith Mony Odhiambo, President Law Society of Kenya
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Website: www.lsk.or.ke



Introduction.

The Law Society of Kenya is a professional statutory body established under the Law Society of Kenya Act, No. 21 of 2014 with a mandatory membership of all Advocates in Kenya.

The organs of the Society are the General Membership, the Council, the Branches and the Secretariat. The Council is the governing body of the Law Society of Kenya. It comprises a President, a Vice- President and eleven other members, all of whom must be members of the Law Society of Kenya. Council members are elected every two years by the members of the Society by means of a secret ballot conducted in accordance with the Law Society of Kenya Act.

Currently, the Council is comprised of The President, The Vice-president and 11 Council members namely:

- President, Faith Mony Odhiambo
- Vice President, Mwaura Kabata
- General Membership Representatives, Tom K'opere, Teresia Wavinya, Hosea Manwa
- Nairobi Representatives, Gloria Kimani, Irene Otto, Stephen Mbugua
- Up-country Representatives, Vincent Githaiga, Lindah Kiome, Hezekiah Areso, Zulfa Roble
- Coast Representative, Elizabeth Wanjeri
- Secretary/CEO, Florence W. Muturi

One of the Law Society of Kenya statutory objects as provided in section 4(a) of the Act is to assist the Government and the courts in all matters affecting legislation and the administration and practice of law in Kenya. Pursuant to this statutory mandate, the Law Society of Kenya makes a presentation on the **Kenya Judiciary Academy Bill (National Assembly No 45 of 2025)**.

A. GENERAL COMMENTS

The Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) seeks to give effect to Article 172 (1) (d) of the Constitution by establishing the Kenya Judiciary Academy which shall be the principal institution responsible for implementing and coordinating the continuing education and training of judges, judicial officers and judicial staff.

B. BACKGROUND

The Kenya Judiciary Academy was established in 2008 to provide judicial education for judges and magistrates. Pursuant to Article 172(1)(d) of the Constitution, the Judicial Service Commission is mandated to prepare and implement programmes for continuing education and training of judges and other judicial officers. The Academy carries out this delegated mandate by offering programmes such as induction for new judges and magistrates, continuing judicial education, training for judiciary staff, policy development and stakeholder engagement and linkages.

C. SPECIFIC COMMENTS

The LSK supports the Bill noting that while the Kenya Judiciary Academy already exists, it has not been formally established through statute. This law if passed, will fill the gap by providing a statutory framework regarding the establishment, mandate, powers, functions and governance of the Academy. Additionally, it will institutionalize knowledge-sharing, research and the adoption of best practices thereby strengthening the efficiency and effectiveness of the judiciary.

The proposals in the Bill are laudable because they strengthen judicial independence by formally establishing the Kenya Judiciary Academy and its governing bodies, protecting them from external interference. The need for continuous training to enhance judges' skills, promoting impartial and informed decision-making is key. By ensuring adequate, needs-based funding and fortifying the Judiciary Fund, it guarantees financial autonomy essential for independent operations.

However, we note that certain clauses could benefit from refinement to strengthen governance, accountability and operational efficiency of the Academy. Below are our proposals and justifications on the select clauses of the Bill.

No	Section	Provision/Issue	Proposal	Justification
1.	Clause 6 (1)	The clause provides for the constitution of the Board of Directors. However, the composition as proposed results in an even number of voting members, thereby creating the risk of deadlock in the decision-making process.	Amend the clause by restructuring the composition to ensure that the voting members are an odd number.	Prevents decision deadlock and aligns with good governance practice, which requires odd number of voting members on boards.
2.	Clause 6 (2)	Provides that the nominating bodies in subsection (1) (d), (e), (f) and (g) shall nominate persons who have knowledge and expertise required for the achievement of the objects of the Academy. However, the provision does not explicitly prescribe the	We propose the clause includes qualifications for the chairperson and members of the Board.	Prescribing qualifications ensures that all applicants meet a consistent threshold of qualifications (academic, professional and experience). This promotes merit-based appointments and safeguards the integrity, credibility and effectiveness of the Board in fulfilling its mandate.

		qualifications and level of experience required, thereby creating ambiguity.		
3.	Clause 6(4)	The clause does not provide for the period within which the vacancy should be filled based on the grounds listed.	We propose setting a timeline for filling the vacancy e.g. Within three months after occurrence of a vacancy under the clause.	Setting a specific timeline provides certainty on the timelines for filling the vacancy and mitigates the risk of prolonged institutional gaps.

In conclusion, we humbly submit that our comments be considered before enactment of the Bill.

Yours faithfully,



Faith Odhiambo

President Law Society of Kenya.

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Submission



② Ahmed Samu
Seal
22/10/25



REPUBLIC OF KENYA
THE NATIONAL TREASURY

DDC
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22/10/25

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FINANCE - NAIROBI
Fax No. 315779
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THE NATIONAL TREASURY
P.O. Box 30007-00100
NAIROBI
KENYA

When replying, please quote

Ref: RES 2042/25/01/'A''/(10)

Date: 16th October, 2025

Mr. Samuel Njoroge, CBS
Clerk of the National Assembly
Parliament House
NAIROBI

Dear Sir,

**INVITATION BY THE DEPARTMENTAL COMMITTEE ON JUSTICE AND
LEGAL AFFAIRS TO SUBMIT VIEWS ON THE KENYA JUDICIARY
ACADEMY BILL (NATIONAL ASSEMBLY NO.42 OF 2025) SPONSORED BY
THE HON. GEORGE GITONGA MURUGARA, MP**

Please refer to letter Ref.NA/DDC/JLAC/2025/(113) dated 7th October, 2025 on the above subject matter.

It is noted that you are requesting the National Treasury to appear before the Departmental Committee on Justice and Legal Affairs on **Wednesday 22nd October, 2025 at 10.00 a.m** to review the Kenya Judiciary Academy Bill, 2025. Further, the National Assembly has requested that the National Treasury prepares a written submission on the proposed Bill.

In this regard, the National Treasury has prepared the attached written submission indicating the specific clause, proposed amendment and justification as requested of which twenty hard will be availed to the meeting and soft copies has been sent to the Committee via the availed email address: cna@parliament.go.ke.

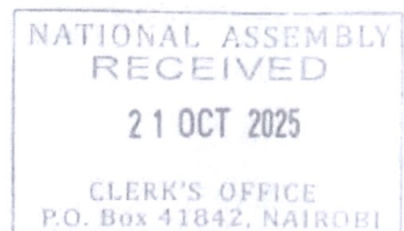
You may therefore wish to take the necessary action.

Yours

Sincerely

Samson P. Wangusi

**SAMSON P. WANGUSI, OGW
PRINCIPAL ADMINISTRATIVE SECRETARY
FOR: PRINCIPAL SECRETARY/THE NATIONAL TREASURY**





**REPUBLIC OF KENYA
THE NATIONAL TREASURY**

**SUBMISSION TO THE DEPARTMENTAL COMMITTEE ON JUSTICE
AND LEGAL AFFAIRS ON THE KENYA JUDICIARY ACADEMY BILL
(NATIONAL ASSEMBLY NO. 42 OF 2025) SPONSORED BY THE HON.
GEORGE GITONGA MURUGARA, MP**

Having reviewed the Draft Bill, it is noted that it seeks to formally establish the Kenya Judiciary Academy (KJA) as a body corporate [Clause 4] to serve as the principal institution for training and capacity building for judges, judicial officers, judicial staff, and other actors in the justice sector [Clause 5]. While it is acknowledged that an efficient and competent judiciary is critical component of the country's overall economic growth and the establishment of the KJA with clear functions in training, research, and data repository [Clause 5] is therefore a positive step towards enhancing the human capital of the Judiciary, its enactment will have financial implications which may need further deliberation. In this regard, the National Treasury wishes to highlight the following:

- 1) Financial Implications (Part III - Financial Provisions): The Bill creates a dedicated financial framework for the Academy [Part III] which included:
 - a) Funds of the Academy [Clause 13]: The funds of the Academy which shall consist of:
 - i) Monies allocated to the Judicial Service Commission and the Judiciary for purposes of the Academy, and monies allocated by the National Assembly [Clause 13(1)(a)];
 - ii) Monies allocated from the Judiciary Fund [Clause 13(1)(b)];
 - iii) Monies accruing from investments, fees, charges, or levies administered by the Academy [Clause 13(1)(c)]; and
 - iv) Grants, donations, endowments, or scholarships from any other sources approved by the Board [Clause 13(1)(d)].

It is noted that as per [Clause 13(1)(a)], the monies allocated by the National Assembly will introduce a new statutory expenditure vote within the national budget and/or increase the budgetary allocation for the Judiciary. In this regard, there is a need for a thorough Cost-Benefit Analysis (CBA) and Medium-Term Expenditure Framework (MTEF) planning to determine the recurrent and development costs associated with creation of another vote.

2) Expenditure Estimates [Clause 15]: It is noted that the annual estimates must make provisions for:

- i) Payment of salaries, allowances, and other charges in respect of the staff of the Academy [Clause 15(a)];
- ii) Payment of pensions, gratuities, and other charges in respect of retirement benefits of other staff of the Academy [Clause 15(b)];
- iii) Payment of allowances of the members of the Board [Clause 15(c)];
- iv) Development, acquisition, and maintenance of buildings and grounds [Clause 15(d)];
- v) Acquisition, maintenance, repair, and replacement of office equipment and other movable property [Clause 15(e)];
- vi) Funding of training, research, and other activities [Clause 15(f)]; and
- vii) Creation of such reserve funds as may be necessary [Clause 15(g)].

These provisions detail a broad mandate with multiple cost centers (human resources, infrastructure, operations, and programs). Therefore, there is a need to have a detailed financial memorandum that quantifies the capital expenditure for the establishment of the headquarters and any county campuses [Clause 15(d)], and the recurrent expenditure for the new staff establishment (Director General, Registrar, and others) [Clause 12]. The Remuneration of the Board members must also be determined in consultation with the Salaries and Remuneration Commission (SRC), as stipulated [Clause 9].

3) Staffing and Institutional Structure Implications: The Bill establishes several key leadership positions which include:

- i) Director General: A Judge of a Superior Court, appointed by the Board, to serve for a non-renewable term of five years [Clause 10(1), (3)];

- ii) Registrar: Appointed by the Commission, to serve for a term of five years and eligible for reappointment for one further term [Clause 11(3)]. The Registrar will be the Accounting Officer [Clause 11(4)(a)]; and
- iii) Board of Directors: Consists of 9 members, including a Chairperson and the Director General as Secretary [Clause 6].

It is noted that the appointment of a Judge as Director General may require the Judiciary to second or appoint an acting Judge to fill the resulting vacancy, representing an opportunity cost to the core judicial functions. The establishment of two distinct high-level positions (Director General and Registrar/Accounting Officer) in an administrative body warrants a review in order to ensure optimal use of public funds and prevent an unnecessarily layered administrative structure. In this regard, there is need for clarity on the reporting and accountability lines between the Board, the Director General, and the Registrar, particularly as the Registrar is the accounting officer but is answerable to the Director General [Clause 11(4)(c)].

- 4) Conclusion: while it is noted that the establishment of the KJA aligns with the broader goal of strengthening state institutions envisaged in the Constitution, the financial and institutional mechanisms proposed in the Bill require stringent economic scrutiny. In this regard, the National Treasury wishes to propose the following to be considered when finalizing and enacting the proposed Bill:
 - a) Detailed Financial Memorandum: The National Treasury requests that a comprehensive financial memorandum, including a five-year projected budget for both recurrent and development expenditure be provided, which details the cost of:
 - i) The proposed organizational structure and staff establishment [Clause 12];
 - ii) Acquisition and maintenance of physical assets [Clause 15(d), (e)]; and
 - iii) The total projected budgetary demand on the exchequer [Clause 13(1)(a)].
 - b) Ensure SRC Compliance: Confirm that the proposed allowances for the Board members have been assessed and approved by the Salaries and Remuneration Commission (SRC) [Clause 9].
 - c) Conduct Institutional Review: Review the justification for the dual leadership structure (Director General and Registrar) to ensure administrative efficiency and cost-effectiveness. The accountability mechanism of the Registrar as the Accounting Officer must be unequivocally clear [Clause 11(4)].

Therefore, while the objective of the Bill is justifiable, its implementation requires a cautious and financially responsible approach, prioritizing a lean and efficient structure to avoid undue burden on the national budget.

② Ahmed Sahn
Seal
22/10/25



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REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

SUBMISSION OF MEMORANDUM TO THE CLERK OF THE NATIONAL ASSEMBLY

– Attn: Standing Committee on Justice and Legal Affairs

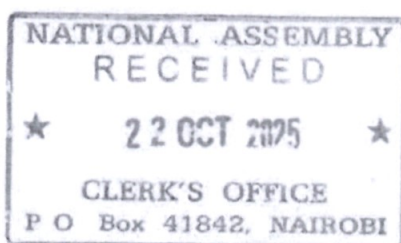
BILL: The Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025)

INSTITUTION: Legal Advice Center (Kituo Cha Sheria) Kenya

DATE: 22nd October 2025

Part I – Preliminary

Clause	Issue Identified	Comment	Recommendation
2 – Interpretation	Definition of “judicial staff” includes staff of the Judicial Service Commission (JSC), a separate constitutional body.	This conflates two distinct entities under Articles 171 and 172 of the Constitution.	Amend definition to distinguish between Judiciary staff and JSC staff. Suggested wording: “Judicial staff” means persons employed by the Judiciary, excluding officers of the Judicial Service Commission.”
3 – Objects of the Act	“Regional centre of excellence” is aspirational but lacks measurable outcomes.	The clause is overly broad and does not include institutional benchmarks or accountability mechanisms.	Include measurable targets, e.g., accreditation status, research outputs, or partnerships. Add: “The Academy shall establish measurable performance indicators to evaluate progress toward becoming a regional centre of excellence.”



Part II – Establishment and Functions

Clause	Issue Identified	Comment	Recommendation
4 – Establishment	The headquarters are fixed in Nairobi.	Centralization may hinder equitable access to training for judges and staff in other counties.	Add a requirement to establish regional campuses or outreach centres in at least three other regions.
5 – Functions	Limited focus on ethics, gender responsiveness, and technology.	The listed functions omit critical cross-cutting issues.	Include new sub-clauses on (i) mainstreaming gender and inclusion, (ii) integrating ICT and e-learning, and (iii) promoting research on environmental and human rights jurisprudence.
6 – Board of Directors	Composition lacks representation from civil society and public governance experts.	The Board is dominated by judicial officers, creating risk of insularity.	Add one representative from civil society or the public with expertise in governance, human rights, or education.
	University nomination process is vague.	The method and rotation of public/private university representation is unclear.	Require coordination with support from the Commission for University Education (CUE) to ensure transparency and diversity.
7 – Powers of the Board	Board has wide powers (borrowing, investing, contracting) without sufficient oversight.	Risks overreach and financial mismanagement.	Require prior approval by the JSC and conformity with the Public Finance Management Act before borrowing or investment.
10 – Director General	Appointment restricted to sitting judges.	Limits the pool of qualified candidates and strains judicial human	Expand eligibility to retired judges or distinguished legal academics.

		resources.	
11 – Registrar	Qualification criteria exclude experienced administrators without legal backgrounds.	May hinder professional management of the Academy.	Allow for appointment of administrators with demonstrated competence in public administration or judicial training.

Part III – Financial Provisions

Clause	Issue Identified	Comment	Recommendation
13 – Funds of the Academy	Multiple funding sources without hierarchy may cause confusion.	The Bill duplicates allocations between the Judiciary and the JSC.	Clarify that all funds shall be channelled through the Judiciary Fund under Article 173 for consistency and transparency.
	Grants and donations approved solely by the Board.	This lacks safeguards against conflicts of interest.	Require that acceptance of external funds be approved by the JSC and comply with the Public Finance Management Act and Anti-Corruption guidelines.
15 – Annual Estimates	No provision for audit or reporting to Parliament.	Weakens financial accountability.	Add a sub-clause requiring annual audit by the Auditor-General and tabling of financial statements before Parliament and the JSC.

Part IV – General Provisions

Clause	Issue Identified	Comment	Recommendation
17 – Protection from Personal Liability	Blanket immunity clause.	May be interpreted to shield gross negligence or misconduct.	Add: “ <i>provided that such protection shall not extend to acts of gross negligence, bad faith, or corruption.</i> ”
19 – Regulations	Delegated legislative powers are broad and unsupervised.	Lacks public participation and JSC approval mechanisms.	Require that all regulations be subjected to public participation and approved by the JSC prior to gazettment.

Part VI – Savings and Transitional Provisions

Clause	Issue Identified	Comment	Recommendation
20 – Transition from Former Academy	Ambiguous reference to the “former Academy.”	It is unclear whether this refers to the Judiciary Training Institute (JTI).	Explicitly define “former Academy” as the Judiciary Training Institute and include a clause repealing or transforming it under this Act.
	Lack of clarity on staff harmonization and transition plan.	May cause administrative and HR conflicts.	Insert sub-clause requiring the JSC to approve a comprehensive transition and staff integration plan within six months of commencement.

ADDITIONAL RECOMMENDED PROVISIONS

1. **Annual Reporting** – Require the Academy to prepare and submit annual performance and financial reports to the JSC utilizing the PMMU mechanism.
2. **Monitoring and Evaluation** – Include a clause establishing a results-based monitoring framework for judicial training programmes.
3. **Data Protection** – Align Clause 5(e) on data repository with the Data Protection Act, 2019.
4. **ICT Integration** – Mandate creation of an e-learning platform for continuous judicial education.

Conclusion:

While the Bill is a positive step toward institutionalizing judicial training under Article 172(1)(d), its effectiveness would be enhanced by stronger accountability, inclusivity, and transparency mechanisms. The suggested amendments aim to ensure good governance, fiscal responsibility, and alignment with the broader justice sector reforms.

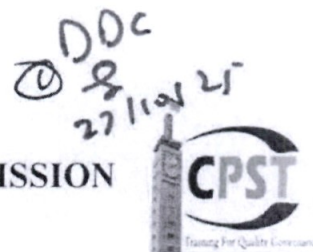
Submission

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Telegraphic address
'Bunge', Nairobi
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PARLIAMENTARY SERVICE COMMISSION



County House 5th Floor
Parliament Road
P. O. Box 41842 – 0010
NAIROBI, Kenya

THE CENTRE FOR PARLIAMENTARY STUDIES AND TRAINING (THE CPST)

PSC/CPST/CTR/5/1/Vol.III (72)

23rd October, 2025

Clerk of the National Assembly

RE: INVITATION BY THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS TO SUBMIT VIEWS ON THE KENYA JUDICIARY ACADEMY BILL (NATIONAL ASSEMBLY BILL NO.42 OF 2025) SPONSORED BY THE HON.GEORGE GITONGA MURUGARA, MP

Reference is made to your letter NA/DDC/JLAC/2025/ (113) dated on 7th October, 2025 on the above subject matter.

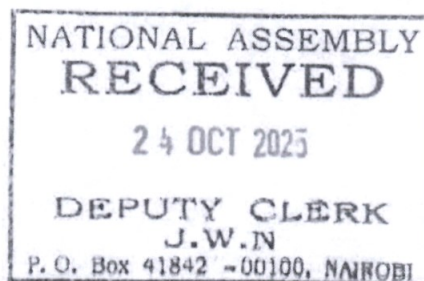
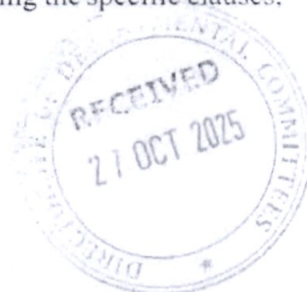
Pursuant to the said invitation, CPST had the honor to be represented in the consultative meeting convened by the Committee held on **22nd October, 2025** held at the Windsor Golf Hotel & Country Club. In compliance with the Committee's request, please find forwarded the CPST submissions on the Bill for the Committee's further consideration.

The submissions have been prepared in the matrix format as guided, indicating the specific clauses, proposed amendments and justifications.

Bon

**FVA: PROF. NYOKABI KAMAU, EBS
EXECUTIVE DIRECTOR**

Encls (1).





PARLIAMENT OF KENYA



CENTRE FOR PARLIAMENTARY STUDIES & TRAINING

THE DRAFT CPST COMMENTS SUBMITTED TO THE NATIONAL

ASSEMBLY

ON:

THE PUBLIC PARTICIPATION ON THE KENYA JUDICIARY

ACADEMY BILL, 2025 (NATIONAL ASSEMBLY BILL NO. 42 OF 202

22 October 2025

The Kenya Judiciary Academy Bill, 2025

Submitted by: CPST

Date: 22-10- 2025

Contact: cpst@parliament.go.ke

1. Introduction

The Kenya Judiciary Academy Bill 2025 was published in the Gazette. 18th July 2025 and was read a first time in the House. On 17th August 2025, the bill was committed to the Departmental Committee on Justice and Legal Affairs to facilitate public participation.

It is on this basis that The CPST made an oral submission before the Committee and subsequently prepared this document to document the oral submissions made before the Committee as well as raise other pertinent issues identified. CPST supports the establishment of the Academy by an Act of Parliament.

2. Summary of the Bill

The primary aim of the Bill is to implement Article 127(1)(d) of the Constitution by establishing the Kenya Judiciary Academy as the main institution responsible for continuing education and training of judges, judicial officers and judicial staff. Article 127(1)(d) mandates the Judicial Service Commission (JSC) to prepare and implement programs for continuing education and training. Part I sets out the short title, interpretation and the objectives of the proposed legislation, including creating a comprehensive framework for professional development across the judiciary and other justice sectors.

Part II establishes the Kenya Judiciary Academy and outlines its functions as the lead body for coordinating and delivering training and capacity building. It sets up governance through a Board of Directors chaired by a JS- appointed member from the JSC, a Director General, who serves as secretary to the Board. Part III addresses funding deriving from allocations to the JSC and judiciary including Judiciary Fund. Part IV covers general provisions such as the Academy's, common seal and legal protection from personal liability for the board members and the staff. Part V and VI provides for delegated powers and savings and transitional provisions ensuring a smooth implementation and continuity as the Academy becomes operational.

3. Issues arising from the Bill

S/N	Clause No.	Current text excerpt	Proposed amendment	Justification
1	Article 3: Establishment of the academy	The object of this article of this Bill is to-	Establish the Academy as a regional centre of Excellency in matters relating to continuing education, judicial training and Research	• Research is core to any training institution or academy; • It clarifies scope; • Operationally, it requires curriculum diversification;
		(a) Establish the Academy as a regional centre of Excellency in matters relating to judicial training		
		(c) Provide a framework for the continuing education and training of judges, judicial officers, judicial staff and other actors in the judicial sector; and	Provide a framework for the continuing education and training (of judges, judicial officers, judicial staff and other stakeholders) and undertake research; ...	• The resulting marginal incremental cost is recoverable through program fees and donor support • Broadens capacity building to include a broad range of stakeholders beyond the justice sector actors and improves management of ADR uptake and the service delivery
		(d) Provide for mechanisms for collaboration. Cooperation with other institutions for purposes of training judges, judicial officers and the judicial staff.	Provide for mechanisms for collaboration and cooperation with other institutions for purposes of continuing education, training and conducting research	• Supports institutional development mandate under the Judicial Service Act.
2	Article 4	(2) The Academy shall be a body, <i>corporate</i> with perpetual succession, and a common seal, and shall in its corporate name be capable of...	Question raised: Should the academy be established as part of the Judicial Service Commission or as a body corporate? Establishing the academy as a body corporate points out to semi-autonomous institution	• Similar institutions are established as state corporations such as the case of the KSG; body corporate such as the KSMS and others are training institutions fully owned by the parent organ such as the CPST, KRA, NILS • Note: KSMS has faced threats to its dissolution (since 2024)

			CPST Proposal: the Academy be part of JSC and not an independent body corporate.	
3	Article 5	(a) be the principal institution for implementing and coordinating training and the capacity building of judges, judicial officers and the judicial staffs.	(a) be the <i>principal</i> institution for implementing and coordinating training and the capacity building of judges, judicial officers the judicial staffs and any other stakeholders, complemented by the institutions mentioned under Clause 5 (d)	• This broadens training, capacity building and skills acquired by participants from trainings offered through collaborations from both local and international institutions of similar mandates. • Guidelines be developed mapping out others institutions in the world for training of judges, judicial officers the judicial staffs and any other stakeholders interested in understanding judicial process etc.
		For Clauses on research and data: Introduce a clause to cover data collection and management	Insert: "All data collection and research shall comply with data protection laws;	• Protects sensitive data; promotes transparency and evidence-based improvements • Data collected as stipulated by the Academy shall be handled in accordance with the established laws on data collection and protection. • This is a matter of compliance and management of risks. Guidelines to be developed on data management by the Academy
4		<i>Silent</i> on accreditation of programmes	Introduce clause on accreditation and quality assurance: "Programmmes shall be accredited by a recognized national and international bodies; and recognised for CPD Points"	• Ensures credibility and transferability of training; builds trust in judicial continuous education.
5	Article 6 (1) The constitution	• The idea of including members drawn from both public and	• Consider adding (i). One person who is an expert in competence-	• A curriculum Development expert advises the Board on matters curriculum.

of the Board of Directors	private Universities is superb but curriculum experts need to be included.	based curriculum development and implementation (such a person should hold a master's degree and above in Curriculum Development) for adult-learners (andragogy).	•
	There is a potential conflict of interest arising from the appointment of one of the of the Judges of the superior court to double up as a Judge of a superior court and as a Director General.	• The DG should be the overall head of the Academy and Accounting Officer. Let the Registrar's role be purely administrative.	• There is need for clear demarcation of responsibilities of the offices of the Director General; the Office of the Registrar and the office of the Judge of a superior court whose is appointed as a Director General with regard to the Management of the Academy, which also conflicts with the responsibilities of the Board, since it is not clear from the Bill the person responsible for the daily operations and administration of the Academy. • The responsibilities for the Registrar, the Director General of the Academy and the Board of Directors should be clearly demarcated based on the principles of Corporate Governance. (Refer to <i>Mwongozo on Corporate Governance and management of Boards</i>).
	Insert a clause to the effect that the Two-thirds Gender Rule will be observed in the composition of the Board	• It important to uphold the Two Thirds Gender Rule constitutional provision in in the appointment of the Board of Directors (in public service).	• The Academy to develop guidelines on how to operationalise this.

6	Article 7 Functions and Powers of the Board	The functions of the Board as stipulated under Clause 7 and that of the DG under Clause 10 of Providing strategic leadership and oversight over the academy are the same	Consideration be made to separate the functions as proposed in no. 6 below	There is need for clarity or roles as per the principles of corporate governance
7		(1)The management of the affairs of the Academy shall vest in the board of directors of the Academy	The Board should be the policy making organ of the academy and therefore its role should be Policy and strategy: “The Policy direction and strategy shall vest on the Board of Directors of the Academy”	Corporate Governance principles be applied: The day-to-day operations of the Academy and implementation of the strategy be vested upon the Office of the Director General, who in turn delegated to employees and staff of the academy with clear reporting lines
8	Article 7 (3) Functions of the Board	j.by resolution delegates to any of its committee’s member. Officer, employee, or agent, the exercise of and of the powers or the performance of any of the functions of the Academy under this Act.	Amend to read: “by resolution, delegate to any of its of its committees, member or Director General of the Academy, the exercise of any of the powers or the performance of any functions of the Academy under this Act”.	- The implementation of the polies and strategy of the Academy should be fully vested on the Director General who runs the daily operations of the Academy and therefore should not be directly delegated by a resolution of the Board to any of the employees or staff who work in the academy except through the Director General. - All matters touching on management of assets and supervision of staff of the Academy should be vested on the Director General who will in turn respectively delegate to staff under him/her. - This will ensure smooth operations and establish order by creating a clear chain of command.

9	Article 8 (1) The quorum for Board Meetings	The quorum of the conduct of business at the meeting of the board shall be five members.	The quorum of conduct of business at the meeting of the Board shall be 50% plus one.	To make it applicable to the subcommittees of the Board, which may have less membership
10	Article 10 (2)	The Director General shall be responsible for the strategic direction and leadership of the Academy.	The Director General shall be the overall in-charge of the leadership, management and the day-to-day operations of the academy, the accounting Officer and CEO	- This is a grey area in the Bill which needs to be addressed by applying corporate governance principles. - The proposed structure as is will potentially create conflicts in addition to duplication of roles.
11	Article 10 and 11	There are potential overlaps on the Role of the Director General and that of the Registrar. The latter is designated as the in charge of the management and operations of the Academy. The administration lines and chain of command are not clear.	- Delete Article 11 and 15 on Registrar of the Academy, especially Clause 11(4) - Retain Article 10. On the Director General - Implication: The DG be deployed from among the judges of a superior Courts as provided in the proposed legislation to double up as the CEO of the academy and Accounting Officer. - The Registrar and other senior positions be for administrative proposes only (such as but not limited to, processing any business from the Board for tabling at the Commission	- The Constitution is clear on the Role of the Chief Registrar as the Accounting Officer of the Judiciary. - These clears any potential overlaps of the roles of Director General and the Registrar for smooth running of the academy. - Question raised: What is the role of the Director General Viz-a-viz that of the Registration with regard to implementation of policies and the strategy of the Academy as Directed by the Board of Directors as the Policy Making body of the academy which is also responsible for its strategy? Consideration be made to develop regulations to operationalise these relationships.

			level for consideration), hence be excluded from the proposed legislation. Retain the Office of the Director General who reports to the Board of Directors and serves as the Secretary of the Board. The DG shall be responsible for the management and operations of the Academy, the CEO and Accounting Officer of the academy	
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4. Conclusion

As currently framed in the Constitution, the judiciary does not have an explicit training function. The establishment of the Kenya Judiciary Academy is therefore timely. The Centre for Parliamentary Studies and Training (CPST) acknowledges that the Academy will analogously play the roles of providing capacity building, training and research to the judiciary akin to what the CPST is to the Parliament of Kenya and what the Kenya School of Government is to the Executive arm of Government. The CPST commends the Bill as a noble initiative to anchor the Academy in an Act of Parliament thereby providing the necessary legal support and ensuring its permanence. This legislative foundation will strengthen the Academy by fostering its mandate and sustainability thereby enabling it to effectively fulfil its mission within the justice sector.

Submission

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Submitted by:

ELIZABETH MUTILE MUINDI WAMAE

P.O BOX 14248-00400

NAIROBI, KENYA

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Submitted to:

The Clerk of the National Assembly

P.O. Box 41842 – 00100,

Nairobi

Dear Sir/Madam

1. Introduction

I write to submit feedback on the Kenya Judiciary Academy Bill, 2025, pursuant to the invitation by the Justice and Legal Affairs Committee. I do so in my capacity as a judicial officer currently serving as a Magistrate within the Kenyan Judiciary and as a stakeholder directly affected by the proposed statutory reforms.

While the Bill is commendable for giving effect to Article 172(1)(d) of the Constitution by establishing the Kenya Judiciary Academy as a statutory institution for judicial training, I wish to raise critical concerns based on the operational, structural and professional realities experienced by magistrates and judicial officers in the subordinate courts.

ANALYSIS OF THE BILL WITH CRITICAL GAPS & CHANGE RECOMMENDATIONS

1. Leadership Exclusivity: Director-General Must Be a Judge of a Superior Court

Clause 10(1) – “There shall be a Director General of the Academy who shall be a Judge of a Superior Court...”

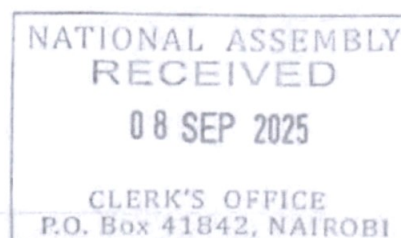
Issue:

- Excludes senior magistrates and judicial officers who may have decades of administrative and training experience.
- Contradicts the inclusive spirit of the Judiciary, especially given that magistrates form the majority of judicial officers.

Recommendation:

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MEMORANDUM ON THE KENYA JUDICIARY ACADEMY BILL, 2025 by Elizabeth Mutile Wamae
ID:28563444



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Amend Clause 10(1) to allow appointment from both Judges of Superior Courts and Senior Judicial Officers (e.g., Chief Magistrates, SPMs) with at least 10 years of experience and proven leadership in judicial administration or training.

Example:

A Chief Magistrate managing a busy court station, involved in mentorship, and who has served in a KJA curriculum review taskforce, would be unjustly barred despite superior suitability.

2. Lack of Tiered Training Framework for Judicial Officers

Clause 5(b)(c) – General reference to training for “judges, judicial officers, judicial staff”

Issue:

- No tiered or cadre-specific training plans.
- Risks delivering one-size-fits-all programs that ignore practical and jurisdictional differences between judicial roles.

Recommendation:

Introduce a requirement for the Academy to develop tiered curricula based on:

- Judicial hierarchy (e.g., Magistrates vs. Judges)
- Case type (e.g. Children, Commercial, SCC)
- Court station (e.g. urban vs. hardship station)

Example:

Training needs of a newly posted magistrate in Marsabit differ drastically from those of a High Court Judge in Milimani. A generic training model is wasteful and ineffective.

3. Opaque Pathway for Career Progression via Training

No provision links training to promotion or transfer decisions

Issue:

- Officers attending training get no credit or advantage in promotion, leadership appointments or peer recognition.
- Demotivates participation and devalues the Academy's impact.

Recommendation:

Include a clause mandating that the Judiciary integrate training participation, research output and certification into career progression and performance evaluation frameworks.

Example:

Officers who undergo CPD on leadership, ADR and digital case management should receive recognition in JSC promotions or be eligible for judicial exchange opportunities.

4. Board Representation: Single Seat for Judges & Magistrates

Clause 7(1)(c) “...a member of the association of judges and magistrates elected by members of the association”

Issue:



- Judges and magistrates face divergent challenges, but only one representative is provided.
- Risk of domination by judges further marginalizing magistracy concerns.

Recommendation:

Split this into two separate positions: one for Judges and one for Magistrates. Require rotation or gender-balance provisions to enhance fairness.

Example:

A senior judge may prioritize appellate reforms, while magistrates are grappling with small claims, children's cases and case backlog management and these require distinct voices.

5. Lack of Monitoring and Evaluation (M&E) Framework

Clause 19(2)(b) provides a vague reference to M&E

Issue:

- No binding requirement for performance tracking, quality assurance or publication of impact reports.

Recommendation:

Add a dedicated clause mandating a comprehensive Monitoring and Evaluation Framework with:

- KPIs (e.g. % officers trained, feedback scores)
- Impact assessments
- Annual training audits published to Judiciary stakeholders

Example:

M&E would reveal whether officers trained on judicial ethics in 2025 actually reduced complaints filed at JSC or Ombudsman.

6. Inadequate Funding Safeguards and No Minimum Allocation from Judiciary Fund

Clause 13 – Mentions Judiciary Fund among other sources.

Issue:

- No statutory guarantee of core funding.
- Risks underfunding and dependency on donor grants or goodwill.

Recommendation:

Amend Clause 13 to prescribe that at least a fixed percentage (e.g. 2%–3%) of the Judiciary Fund be annually allocated to the Academy.

Example:

If Judiciary receives KShs. 20B, at least KShs. 400M should be ringfenced for training and development of judicial officers.

7. No Provision for Mental Health and Judicial Wellness Training

Not mentioned anywhere in the Bill.

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Issue:

- Judicial officers deal with emotionally taxing cases (e.g. GBV, defilement, death).
- Long hours and administrative burdens cause burnout, stress and trauma.

Recommendation:

Include judicial wellness in Clause 5 functions of the Academy.

Require training in mental health resilience, peer debriefing and trauma support systems.

Example:

An officer handling five defilement cases and six eviction applications per day needs trauma-informed judicial support not just lectures on evidence.

8. Non-Mandatory County Reach and Training Access

Clause 4(3-4) – States the Academy HQ will be in Nairobi but may establish campuses elsewhere.

Issue:

- Officers from far-flung areas (e.g. Mandera, Turkana, Kwale) miss out or incur high logistical costs.

Recommendation:

Amend to say: “The Academy shall progressively establish regional training campuses in at least three judicial administrative regions within five years.”

Mandate integration of e-learning platforms and digital CPD for remote or overloaded officers.

9. Limited Inclusion of Non-Judicial Staff in Governance and Curriculum Design

Clause 5(i)–(k) briefly mention judicial staff and other actors.

Issue:

- Registry staff, legal researchers, ICT staff, drivers and court orderlies are key to judicial efficiency, yet underrepresented in training planning and content.

Recommendation:

Expand governance and training content to formally include non-judicial cadres and create tailored training streams for:

- Registry/clerical work
- Court-based IT systems
- Public relations and judicial service charters

10. Ambiguity In Appointment of Trainers and Curriculum Validation

Issue:

- No provision requiring curriculum peer review or minimum standards for trainers.

Recommendation:

Require the Academy to develop:

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- A trainer accreditation policy (including current judicial officers as peer facilitators)
- A curriculum review board including external experts and judicial officers

Example:

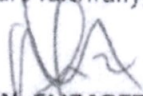
An SRM or researcher who developed a working court SOP in Machakos can be accredited to train others on station management.

CONCLUSION

The Kenya Judiciary Academy Bill 2025, presents an opportunity to institutionalize capacity development in the Judiciary. However, unless it reflects the needs of all cadres equitably, particularly judicial officers serving at the frontline of justice delivery, it risks reinforcing existing imbalances and exclusion.

This memorandum urges the Committee to revise the Bill accordingly, to ensure the Academy becomes a tool of transformation not tokenism.

Yours faithfully,



HON. ELIZABETH MUTILE MUINDI WAMAE
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