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THE NATIONAL ASSEMBLY

THIRTEETH PARLIAMENT – FOURTH SESSION – 2025

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

**REPORT ON:**

**BUDGET IMPLEMENTATION MONITORING FOR  
THE FINANCIAL YEAR 2023/2024**

 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
DATE: 28 Jun.	DAY: THURSDAY
TABLED BY:	CHAIRPERSON, DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS
CLERK-AT-THE-TABLE:	WILLIS OBIRO

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DIRECTORATE OF DEPARTMENTAL COMMITTEES  
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JUNE 2025

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

BPS	-	Budget Policy Statement
CAJ	-	Commission on Administrative Justice
CFS	-	Consolidated Fund Services
DJ	-	Department of Justice
DPP	-	Directorate of Public Prosecutions
EACC	-	Ethics and Anti-corruption Commission
FY	-	Financial Year
IEBC	-	Independent Electoral and Boundary Commission
IFMIS	-	Integrated Financial Management System
JSC	-	Judicial Service Commission
JPIP	-	Judicial Performance Improvement Project
KNCHR	-	Kenya National Commission on Human Rights
OAG	-	Office of the Attorney General
RPP	-	Registrar of Political Parties
TNA	-	Training Needs Assessment
WPA	-	Witness Protection Agency

## CHAIRPERSON'S FOREWORD

The Departmental Committee on Justice and Legal Affairs is established pursuant to National Assembly Standing Order 216 which mandates it to inter-alia, ***“investigate, inquire into and report on all matters relating to the mandate, activities, administration, management, operations and estimates of the assigned Ministries and Departments as they may deem necessary, and as may be referred to them by the House.”***

Standing Order 216(5) (ba) of the National Assembly requires each Departmental Committee to “on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate.” Further, Standing Order 245(2)(c) provides that each Departmental Committee shall “examine and report on the expenditures and non-financial performance of the budget of the national government”.

- i. Review the quarterly reports submitted by the Cabinet Secretary responsible for finance pursuant to the Public Finance Management Act;*
- ii. Review reports submitted by the Controller of Budget (CoB) on matters relating to implementation of the Budget by the national government;*
- iii. Examine and report on the expenditures and non-financial performance of the budget of the national government; and*
- iv. Examine the conformity of the implementation process with the principles and values of public finance as set out in Article 201 of the Constitution.*

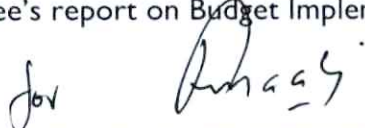
Honorable Speaker, the Committee is cognizant of the responsibility that has been bestowed upon it by the Constitution and House Standing Orders and endeavors, at all times, to discharge this responsibility with utmost objectivity, and the engagements provided a platform for Members of the Committee to seek clarifications and gain deeper insight on the various aspects of the budget for FY 2023-24 which will help the Committee in strengthening its oversight role according to Article 95 (4) (c) of the CoK 2010, through;

- i. Apprising the House on the implementation status of the budgets of the agencies under its purview;*
- ii. Giving important feedback that will help lawmakers come up with legislative initiatives to resolve challenges in budget implementation in a timely manner;*
- iii. Helping plan corrective measures, such as special audits, for delayed or stalled projects and programs that are currently under way; and*
- iv. Informing future budget reviews and scrutiny.*

May I take this opportunity to express my gratitude to the Committee Members for their devotion and commitment to duty which made scrutiny of the implementation of the approved Budget Estimates for FY 2023/24 successful.

May I also extend my sincere gratitude to the Parliamentary Budget Office for providing expert advice, Offices of Speaker and Clerk of the National Assembly for providing overall guidance and direction and the Committee secretariat for providing technical and logistical support.

On behalf of the Departmental Committee on Justice and Legal Affairs and pursuant to the Public Finance Management Act, 2012 and S.O. 245A, it is my pleasant privilege and duty to present the Committee's report on Budget Implementation for FY 2023/24.



**HON. GEORGE GITONGA MURUGARA, M.P.**  
**CHAIRPERSON, JUSTICE AND LEGAL AFFAIRS COMMITTEE**

## **PART I**

### **1.0 PREFACE**

#### **1.1. Introduction**

1. This is the Committee report on its consideration of the budget implementation for the FY 2023/2024 for the Ministries, Departments and Agencies (MDAs) under its purview in accordance with Article 95 and 228(6) of the Constitution of Kenya together with the Public Finance Management Act, 2012 under Section 66(h) and Section 83(5a) which provide for the review of quarterly reports from the National Treasury and Controller of Budget Reports to monitor progress in implementation of the approved budgets.
2. The Departmental Committee on Justice and Legal Affairs held meetings with the Departments and Agencies under its purview to scrutinize the implementation of the approved budget for FY 2023/24 on 9<sup>th</sup> – 14<sup>th</sup> December, 2024 at English Point Marina Hotel, Mombasa County. The Committee then consolidated its recommendations for submission to the House pursuant to the provision of Standing Order 245A.

#### **1.2. Mandate of the Committee**

3. The Departmental Committee on Justice and Legal Affairs derives its mandate from Standing Order No. 216(5) which provides for the functions of Departmental Committees as follows-
  - (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
  - (b) Study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
  - (c) Study and review all legislation referred to it;
  - (d) Study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
  - (e) Investigate and enquire 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;
  - (f) 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)
  - (g) Examine treaties, agreements and conventions;
  - (h) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - (i) Consider reports of Commissions and Independent Offices submitted to the House pursuant to provisions of Article 254 of the Constitution; and
  - (j) Examine any questions raised by Members on a matter within its mandate.
4. The Second Schedule of the Standing Orders on Departmental Committees mandates the departmental committee on justice and legal affairs to consider matters relating to -
  - (a) Constitutional affairs;
  - (b) The administration of law and Justice
  - (c) The Judiciary;
  - (d) Public prosecutions;
  - (e) Elections;
  - (f) Ethics, integrity and anti-corruption; and
  - (g) Human rights.

5. It is from this perspective that this Committee is now mandated to scrutinize the implementation of approved budget estimates for the following agencies-
- (i) Judiciary
  - (ii) Judicial Service Commission (JSC)
  - (iii) State Department for Correction Services
  - (iv) Office of the Attorney General and the Department of Justice (OAG&DJ)
  - (v) Ethics and Anti-corruption Commission (EACC)
  - (vi) Directorate of Public Prosecutions (DPP)
  - (vii) Registrar of Political Parties (RPP)
  - (viii) Witness Protection Agency (WPA)
  - (ix) Kenya National Commission on Human Rights (KNCHR)
  - (x) Independent Electoral and Boundaries Commission (IEBC)
  - (xi) Commission on Administrative Justice (CAJ)

### **I.3. Committee Membership**

6. The Departmental Committee on Justice and Legal affairs was constituted by the House on 27<sup>th</sup> October 2022 and comprises of the following Members:

#### **Chairperson**

Hon. Murugara George Gitonga, CBS, MP  
Tharaka Constituency

**UDA Party**

#### **Vice-Chairperson**

Hon. Mutuse Eckomas Mwangi  
Kibwezi West Constituency

**MCCP Party**

#### **Members**

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. Muchangi Karemba, MP  
Runyenjes Constituency

**UDA Party**

Hon. Makali John Okwisia, MP  
Kanduyi Constituency

**FORD-Kenya**

Hon. Mogaka Stephen M., MP  
West Mugirango Constituency

**Jubilee Party**

Hon. Aden Daud, EBS, MP  
Wajir East Constituency

**Jubilee Party**

Hon. Siyad Amina Udgoon, MP  
Garissa Township (CWR)

**Jubilee Party**

Hon. CPA Suleka Hulbale Harun, MP  
Nominated Member

**UDM Party**

#### **I.4. Committee Secretariat**

7. The Committee secretariat is as follows-

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

Mr. Ronald Walala  
**Senior Legal Counsel**

Mr. Abdikafar Abdi  
**Clerk Assistant III**

Ms. Jael Ayiego  
**Clerk Assistant III**

Mr. Isaac Nabiswa  
**Legal Counsel II**

Mr. Omar Abdirahim  
**Fiscal Analyst I**

Ms. Vivienne Ogega  
**Research Officer III**

Ms. Mary Kamande  
**Public Communications Officer III**

Mr. Calvin Karung'o  
**Media Relations Officer III**

Mr. Silas Opanga  
**Hansard Reporter III**

Mr. Meldrick Sakani  
**Audio Officer**

Mr. John Nduaci  
**Serjeant-At-Arms**

### **1.5. Overview of the Examination of the Approved Estimates for FY 2023/24**

8. The Committee held eight (8) sittings in examining the estimates. The first sitting took place on 10<sup>th</sup> December, 2024 where the Committee discussed the implementation of the Approved Estimates for FY 2023/24 with the Parliamentary Budget Office before interacting with the State agencies.
9. Subsequently, the Committee met with the officials from the state agencies that include; the Judiciary and Judicial Service Commission, the Ethics and Anti-Corruption Commission (EACC), Kenya National Commission on Human Rights (KNCHR) and the Independent Electoral and Boundaries Commission (IEBC), the Office of the Attorney General and Department of Justice (OAG&DOJ), Kenya Law Reform Commission (KLRC), the Office of the Director of Public Prosecutions, the Commission on Administration of Justice (CAJ), State Department for Correctional Services, Office of the Registrar of Political Parties (ORPP), and Witness Protection Agency. The last sitting was held on 15<sup>th</sup> April 2025 where the Committee met and adopted its report.

### **1.6. The Legal Framework for Budget Oversight and Monitoring**

10. Article 95 of the Constitution mandates the National Assembly to appropriate funds for expenditure by National government as well as national state organs. It further envisages that the National Assembly exercises oversight over national revenue and its expenditure.
11. The Constitution under Article 228(6) together with the Public Finance Management Act, 2012 under section 66(h) and section 83(5a) provide for production of in-year reports including QEBR from the National Treasury and Controller of Budget Reports which are laid in the House. The Committees are required to review these quarterly reports to monitor progress in implementing the approved budget and inform future budgeting.
12. In addition, Standing order No. 245A requires each Departmental Committee to;
  - Review the quarterly reports submitted by the Cabinet Secretary responsible for finance pursuant to the Public Finance Management Act;
  - Review reports submitted by the Controller of Budget on matters relating to implementation of the Budget by the national government;
  - Examine and report on the expenditures and non-financial performance of the budget of the national government; and
  - Examine the conformity of the implementation process with the principles and values of public finance as set out in Article 201 of the Constitution.
13. In this regard, the National Assembly is not only tasked with allocating funds for expenditure by the national government and other national state organs, but also with monitoring how voted public resources are used to deliver public goods and services. As a result, the Committee is therefore required to monitor progress in implementing the approved budget.

### **1.7. Acknowledgements**

14. The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee wishes to thank all the State Departments under its purview for their participation in scrutinizing the implementation of the approved budget for FY 2023/24.

15. Finally, I wish to express my appreciation to the Honorable Members of the Committee who made useful contributions towards the preparation and production of this report.
16. It is my pleasant duty and privilege, on behalf of the Departmental Committee on Justice and Legal Affairs to submit its Report on the scrutiny of the implementation of the approved budget for FY 2023/24.

## PART 2

### **2.1.0 BUDGET PERFORMANCE FOR THE GOVERNANCE, JUSTICE, LAW AND ORDER SECTOR FY 2023/24**

#### **2.1.1 The State Law Office and Department of Justice**

17. The gross revised allocation for the Office in FY 2023/24 was **Kshs. 6.7 billion** comprised of **Kshs. 6.5 billion** for recurrent expenditure and **Kshs 0.17 billion** for development expenditure.
18. As at the end of June, 2024, the department's cumulative expenditure was **Kshs 6.6 billion** comprised of **Kshs 6.4 billion** for recurrent expenditure and **Kshs 0.172 billion** for development expenditure.
19. The total pending bill for the office as of 30th June 2024 is Kshs 380.2 million out of which Kshs 276.8 million is for recurrent expenditure and Kshs 103.4 million for development expenditure.

**Table I: Approved Budget Estimates for the FY 2023/24 Kshs Billion**

	Items	FY 2023/24 Revised Estimates	Actual Expenditure	Absorption Rate
State Law Office and Department of Justice	Recurrent	6.492	6.389	98.4%
	Development	0.175	0.172	98.2%
	<b>Total</b>	<b>6.667</b>	<b>6.561</b>	<b>98.4%</b>

Source: Approved Estimates, National Treasury

20. In the FY 2023/2024, the Office of Attorney General and Department of Justice (OAG&DOJ) expanded its legal aid services to 32,789 people and resolved 2,344 cases against the government. The office also developed 50 bills to harmonize existing laws with the Constitution and drafted 297 subsidiary legislations. The transformation of public services, including Marriages, Societies, public Trustee, and College of Arms, was implemented.
21. The office also developed reports on the international covenant on economic, social, and cultural rights and attended international meetings. The Assets Recovery Agency verified intelligence and traced suspected proceeds of crime in 111 cases. In addition, the Business Registration Service increased the number of registered businesses from 43.5% to 48.6%.
22. The challenges faced during the implementation of FY 2023-24 budget include: high staff turnover as a result of retirement of the senior and skilled staff; inadequate budgetary allocation and lack of exchequer which has led to pending bills amounting to Kshs. 456.9 million, insufficient training and capacity building of staff to ensure efficiency in service delivery, and reduction in A-I-A collection by SAGAs as a result of low provision to expand their operations to generate A-I-A; Changing Legal Landscapes due to changes in laws, regulations, and court procedures, training is necessary to enable NLAS adapt and this may require additional resources, Inadequate office accommodation, leading to separation of the officers and working in shifts.

### 2.1.2 The Judiciary

23. The revised allocation to the Judiciary in the FY 2023/24 was **Kshs. 22.5 billion** comprised of **Kshs. 21.02 billion** for recurrent expenditure and **Kshs 1.45 billion** for development expenditure.
24. The department cumulative expenditure as at the end of June, 2024 was **Kshs. 21.0 billion** translating to 93.4% of the Gross revised allocation. The gross recurrent expenditure was **Kshs. 20.2 billion** against an allocation of **Kshs. 21.0 billion** reflecting an absorption rate of 96.1%. The expenditure towards development projects was **Kshs. 0.81 billion** which is 56% of the department's development budget of **Kshs 1.45 billion**.
25. During the period under review, The Department conducted 20 court of appeal circuits, 20 high court circuits were also conducted, 4 high court stations established in Thika, Kibera, Nyandarua and Kwale, 3 Magistrate Courts were established in Malaba, Etago and Port Victoria, Rolled out 11 court annexed mediations, Completed the Construction of Marsabit judges residence, and 3 ELRC sub-registries established in Bungoma, Malindi and Nyamira.

**Table 2: Approved Budget Estimates for the FY 2023/24 – Kshs Billion**

Vote	Items	Gross Revised Estimates	Actual Expenditure	Absorption Rate
Judiciary	Recurrent	21.02	20.20	96.1%
	Development	1.450	0.810	55.9%
	<b>Total</b>	<b>22.5</b>	<b>21.01</b>	<b>93.4%</b>

Source: Approved Estimates, National Treasury

26. The Agency as at 30th June 2024 had a pending bill of Kshs 638.5 million comprised of Kshs 239.9 million for recurrent expenditure and Kshs 398.6 million for development expenditure.
27. The Agency was faced with a number of challenges amongst them; insufficient funding, lack of uniformity in the pace at which the justice sector players are implementing digitization, inadequate and poor court infrastructure, poor security of judiciary infrastructure and safety of personnel and increased cost of pro bono services due to change in payment services.

### 2.1.3 State Department for Correctional Services

28. The gross revised allocation for the Office in FY 2023/24 was **Kshs. 35.3 billion** comprised of **Kshs. 34.5 billion** for recurrent expenditure and **Kshs 0.795 billion** for development expenditure.
29. As at the end of June, 2024, the department's cumulative expenditure was **Kshs 32.9 billion** comprised of **Kshs 32.3 billion** for recurrent expenditure and **Kshs 0.635 billion** for development expenditure translating to an absorption rate of 93.6% and 79.9% respectively.

**Table 3: 4<sup>th</sup> Quarter Expenditure for FY 2023/24 Kshs Billions**

	Items	FY 2023/24 Revised Estimates	Actual Expenditure	Absorption Rate
State Department for Correctional Services	<b>Recurrent</b>	34.5	32.3	93.6%
	<b>Development</b>	0.795	0.635	79.9%
	<b>Total</b>	<b>35.3</b>	<b>32.94</b>	<b>93.3%</b>

Source: FY 2023/24 Revised Estimates, National Treasury

30. The total pending bill for the state department as of 30<sup>th</sup> June 2024 is Kshs 316.1 million out of which Kshs 196.7 million is for recurrent expenditure and Kshs 119.4 million for development expenditure.
31. The major achievement for the State Department includes the following; contained a daily average of 50,070 inmates in humane and safe custody; provided 22,423 pairs of uniforms; 28,660 beddings and linen to inmates; supervised 60,924 non-custodial offenders; supervised 40,834 on Community Service Orders and 79 power of mercy pardonees.
32. The State Department also rehabilitated inmates through offering formal education to 17,148 inmates; registered 2,016 inmates for KCPE and 287 for KCSE, 23,776 non-custodial offenders were rehabilitated and reintegrated within the community; 8,866 probationers were offered vocational education; 46 ex-offenders provided with workshop tools; and 308 special needs offenders were provided with temporary accommodation.

#### 2.1.4 The Independent Electoral & Boundaries Commission

33. The gross Approved Estimates for the Independent Electoral and Boundaries Commission for FY 2023/24 is Kshs. 4.699 billion which was solely for recurrent expenditure. The budget catered for the following key areas; Compensation of employees – Kshs 2.506 billion, use of goods and services – Kshs 2.154 billion, Acquisition of non-financial assets – 10.765 million and Social benefits – Kshs 27.383 million.

**Table 4: Approved Budget Estimates for the FY 2023/24 – Kshs Billion**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Independent Electoral & Boundaries Commission	Recurrent	4.699	4.553	93.5%
	Development	-	-	-
	<b>Total</b>	<b>4.699</b>	<b>4.553</b>	<b>93.5%</b>

Source; Approved Estimates, National Treasury

34. The Cumulative expenditure for the period under review amounts to **Kshs 4.553 billion** Comprised of the following; Compensation of employees – Kshs 2.506 billion, use of goods and services – Kshs 2.154 billion, Acquisition of non-financial assets – Kshs 10.765 million and Social benefits – Kshs 27.383 million.

35. During the period under review, the Commission reviewed 4 electoral laws, Completed the construction of 4 county warehouses; Developed 4 voter education materials, conducted 4 stakeholder forums, and prepared 4 compliance reports.
36. The Commission has pending bills amounting to Kshs 3.95 billion of which legal fees accounts for Kshs 2.7 billion, election logistic – postal corporation 0.36 billion and other pending bills – Kshs 0.92 billion. The Committee stressed the need for the Commission to standardize the fees charged by the law firms and engage in-house lawyers to undertake some of the petitions.

### 2.1.5 The Office of Director of Public Prosecutions

37. The Gross Approved Estimates for the Office of the Director of Public Prosecutions for the FY 2023/24 amounts to Kshs. 4.163 billion. This comprises of Kshs. 4.107 billion for recurrent expenditure and Kshs. 0.055 billion for Capital expenditure respectively.

**Table 5: Approved Budget Estimates for the FY 2023/24 – Kshs Billion**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Office of Director of Public Prosecutions	Recurrent	4.107	4.106	99.3%
	Development	0.055	0.054	173.8%
	<b>Total</b>	<b>4.163</b>	<b>4.160</b>	<b>99.5%</b>

Source: Approved Estimates, National Treasury

38. The cumulative expenditure for the period under review is Kshs 4.16 billion comprised of Kshs 4.106 billion for recurrent expenditure and Kshs 54.4 million for development expenditure translating to an absorption rate of 99.9% and 98.9% respectively. The department's recurrent expenditure was largely utilized for compensation of employees (65.1%), and other recurrent at 34.9%.
39. During the period under review the ODPP achievements include: the 315,503 criminal matters handled (caseload), uadilifu case management system rolled out to 47 offices, construction of the PTI is 90% complete, 173 staff trained, participated in 175 inter-agency fora, and 799 public complaints handled. The conviction rate for the reporting period was 67%.

### 2.1.6 The Office of the Registrar of Political Parties

40. The gross approved allocation for the Office of the Registrar of Political Parties for the FY 2023/24 is Kshs. 1,460.3 million which comprises of Kshs 635.1 million for office operations and Kshs 808.3 million for Political Parties Fund which is shared amongst the political parties as per the provisions of Section 25 of the Political Parties Act and Kshs 16.9 million for the Political Parties Liaison Committee.
41. The cumulative expenditure for the period under review is Kshs 1,429.8 million comprised of Kshs 604.6 million for office operations, Kshs 808.3 million for Political Parties Fund and Kshs 16.9 million for Political Parties Liaison Committee translating to an absorption rate of 95.2%, 100% and 100% respectively.

**Table 6: Approved Budget Estimates for the FY 2023/24 – Kshs Million**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Office of the Registrar of Political Parties	Recurrent	1,460.3	1,452.8	94.9%
	Development	-	-	-
	<b>Total</b>	<b>1,460.3</b>	<b>1,452.8</b>	<b>94.9%</b>

Source: Approved Estimates, National Treasury

42. During the period under review, 6500 brochures were disseminated to sensitize the public on their political rights and ORPP mandate, five (5) policy document was developed – Registration policy, Transport policy and field coordination policy, finance and procurement manual for parties, participated in 2 ASK Shows, 450 post-election evaluation reports disseminated, and Kshs 808.3 million was disbursed to political parties.

### 2.1.7 The Witness Protection Agency

43. The gross approved allocation for the Commission for FY 2023/24 is Kshs. 791.4 million which is for recurrent expenditure. The expenditure return as at 30th June 2024 was Kshs 774.0 million translating to an absorption rate of 98%.

44. It is important to note exchequers of Kshs 14.3 million relating to personnel emoluments were not requested for since the earmarked officers had not reported. During the year, the National Treasury approved recruitment of an extra 22 officers in the month of November 2023. The process of recruitment and vetting was completed in June 2024 and the officers reported in the month of August 2024 hence the variance in government grants of 2%.

45. The Agency during the period under review, the Agency handled a total of 168 witnesses under the program and 338 related persons inclusive of carry overs, post-trial risk assessment done, resettle and re-integrate of witnesses, psychosocial assessments on the witnesses was carried out, safe houses was procured for the witnesses and related persons after admission into the program, and provision of armed escort to and from pre-trial and in court protection.

**Table 7: Approved Budget Estimates for the FY 2023/24 – Kshs Million**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Witness Protection Agency	Recurrent	791.4	774.0	98%
	Development	-	-	-
	<b>Total</b>	<b>791.4</b>	<b>774.0</b>	<b>98%</b>

Source: Approved Estimates, National Treasury

46. The Agency has faced a number of challenges during the period under review amongst them; Inadequate budget allocation to the Agency, lengthy trials, poor, insufficient and slow pace of investigations of some of the referred cases, lack of appropriate infrastructure in court and release of prior evidence to the accused.

### 2.1.8 Ethics and Anti-Corruption Commission

47. The gross approved allocation for the Commission for FY 2023/24 is Kshs. 3,986.8 million comprised of Kshs 3,915.6 million for recurrent expenditure and Kshs 68.14 million for development expenditure.
48. The cumulative expenditure for the period under review was Kshs 3,826.7 million comprised of 3,767.1 million for recurrent expenditure and Kshs 59.6 million for development expenditure translating to an absorption rate of 96.0% and 87.0% respectively.

**Table 8: Approved Budget Estimates for the FY 2023/24 – Kshs Million**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Ethics and Anti-Corruption Commission	Recurrent	3,915.6	3,767.1	96.0%
	Development	68.14	59.6	87.0%
	<b>Total</b>	<b>3,983.8</b>	<b>3,826.7</b>	<b>96.0%</b>

Source: Approved Estimates, National Treasury

49. During the period under review, the Commission has completed investigation on 126 cases and files forwarded to ODPP, 12 proactive investigations were also undertaken averting public loss of approximately Kshs 2.9 billion, recovered unexplained and corruptly acquired assets valued at Kshs 2.94 billion, sensitized 137,930 persons on ethics, integrity and good governance and 8 system examinations and corruption assessments were also conducted in various public institutions.

### 2.1.9 The Kenya National Commission on Human Rights

50. The gross approved allocation for the Commission for FY 2023/24 is Kshs. 739.4 million for recurrent expenditure comprised of Kshs 524.8 million from exchequer and Kshs 214.7 million from donors.
51. The cumulative expenditure for the period under review is Kshs 693.5 million comprised of Kshs 524.7 million from exchequer and Kshs 168.8 million from donor support translating to an absorption rate of 93.7%.

**Table 9: Approved Budget Estimates for the FY 2023/24 – Kshs Million**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Kenya National Commission on Human Rights	Recurrent	739.4	693.5	93.7%
	Development	-	-	-
	<b>Total</b>	<b>739.4</b>	<b>693.5</b>	<b>93.7%</b>

Source: Approved Estimates, National Treasury

52. During the period under review, 708 cases of human rights violations, investigated and filed in court, 265,400 members of the public sensitized on human rights and fundamental freedoms, one thematic report on human rights developed and 21 human rights cases resolved through ADR, and 422 state actors trained on economic and social rights.

### 2.1.10 The Commission on Administration Justice

53. The gross approved allocation for the Commission on Administration Justice for FY 2023/24 is Kshs. 730.2 million for recurrent expenditure. In the financial year under review, the Commission actual expenditure is Kshs 687.8 million to facilitate the planned activities translating to an absorption rate of 98%.

**Table 10: Approved Budget Estimates for the FY 2023/24 – Kshs Million**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Commission on Administration Justice	Recurrent	730.2	687.8	94%
	Development	-	-	-
	<b>Total</b>	<b>730.2</b>	<b>687.8</b>	<b>94%</b>

Source: Approved Estimates, National Treasury

54. During the period under review, decentralized the ombudsman services through establishment of branch office in Meru County and Makueni County, 5,365 cases/complaints were resolved, Automation and digitization of CAJ services, resolution of public complaints on maladministration, Sensitized and educated public on administrative justice and three bi-annual and annual reports were published.

55. The commission carried forward pending bills amounting to Kshs 3.2 million from the 2023/24 financial year. The bills will be settled in the FY 2024/25 as a first charge as per the provisions of the PFM Act.

### 2.1.11 The Judicial Service Commission

56. The Judicial Service Commission was allocated **Kshs 896.6 million** in the FY 2023/24. During the period under review, the actual expenditure of the Commission was **Kshs 881.2 million** translating to an absorption rate of 98.3%.

57. The approved allocation comprises of the following; Compensation to employees – Kshs 219.0 million, Use of goods and services – Kshs 613.3 million, Social security benefits – Kshs 5.6 million, and Acquisition of Assets – Kshs 58.6 million.

58. During the period under review, the commission delivered the following outputs; Recruited twenty (20) judges for the High Court, 77 judicial officers were also appointed including the Chief Registrar of the Judiciary, 70 Resident Magistrates and 6 members of the various tribunals, 6 policies and guidelines were developed and approved, and conducted 12 training programs on diverse thematic areas.

**Table 11: Approved Budget Estimates for the FY 2023/24 – Kshs Million**

Ministries/Departments	Details	Approved Gross Estimates	Cumulative Expenditure	Absorption Rate
Judicial Service Commission	Recurrent	896.6	881.2	98.3%
	Development	-	-	-
	<b>Total</b>	<b>896.6</b>	<b>881.2</b>	<b>98.3%</b>

Source: Approved Estimates, National Treasury

## PART 3

### 3.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

#### 3.1 OBSERVATIONS

##### **3.1.1 Judiciary**

- a) The revised allocation to the Judiciary in the FY 2023/24 was **Kshs. 22.5 billion** comprised of **Kshs. 21.02 billion** for recurrent expenditure and **Kshs 1.45 billion** for development expenditure.
- b) The department cumulative expenditure as at the end of June, 2024 was **Kshs. 21.0 billion** translating to 93.4% of the Gross revised allocation. The gross recurrent expenditure was **Kshs. 20.2 billion** against an allocation of **Kshs. 21.0 billion** reflecting an absorption rate of 96.1%. The expenditure towards development projects was **Kshs. 0.81 billion** which is 56% of the department's development budget of **Kshs 1.45 billion**.
- c) During the period under review, The Department conducted 20 court of appeal circuits, 20 high court circuits were also conducted, 4 high court stations established in Thika, Kibera, Nyandarua and Kwale, 3 Magistrate Courts were established in Malaba, Etago and Port Victoria, Rolled out 11 court annexed mediations, Completed the Construction of Marsabit judges residence, and 3 ELRC sub-registries established in Bungoma, Malindi and Nyamira.
- d) The Agency as at 30th June 2024 had a pending bill of Kshs 638.5 million comprised of Kshs 239.9 million for recurrent expenditure and Kshs 398.6 million for development expenditure.
- e) The Agency was faced with a number of challenges amongst them; insufficient funding, lack of uniformity in the pace at which the justice sector players are implementing digitization, inadequate and poor court infrastructure, poor security of judiciary infrastructure and safety of personnel and increased cost of pro bono services due to change in payment services.

##### **3.1.2 Judicial Service Commission**

- f) The Judicial Service Commission was allocated **Kshs 896.6 million** in the FY 2023/24. During the period under review, the actual expenditure of the Commission was **Kshs 881.2 million** translating to an absorption rate of 98.3%.
- g) The approved allocation comprises of the following; Compensation to employees – Kshs 219.0 million, Use of goods and services – Kshs 613.3 million, Social security benefits – Kshs 5.6 million, and Acquisition of Assets – Kshs 58.6 million.
- h) During the period under review, the commission delivered the following outputs; Recruited twenty (20) judges for the High Court, 77 judicial officers were also appointed including the Chief Registrar of the Judiciary, 70 Resident Magistrates and 6 members of the various tribunals, 6 policies and guidelines were developed and approved, and conducted 12 training programs on diverse thematic areas.

##### **3.1.3 State Law Office and Department of Justice**

- a) The gross revised allocation for the Office in FY 2023/24 was **Kshs. 6.7 billion** comprised of **Kshs. 6.5 billion** for recurrent expenditure and **Kshs 0.17 billion** for development expenditure.
- b) As at the end of June, 2024, the department's cumulative expenditure was **Kshs 6.6 billion** comprised of **Kshs 6.4 billion** for recurrent expenditure and **Kshs 0.172 billion** for development expenditure.

- c) The total pending bill for the office as of 30th June 2024 is Kshs 380.2 million out of which Kshs 276.8 million is for recurrent expenditure and Kshs 103.4 million for development expenditure.
- d) In the FY 2023/2024, the Office of Attorney General and Department of Justice (OAG&DOJ) expanded its legal aid services to 32,789 people and resolved 2,344 cases against the government. The office also developed 50 bills to harmonize existing laws with the Constitution and drafted 297 subsidiary legislations. The transformation of public services, including Marriages, Societies, public Trustee, and College of Arms, was implemented.
- e) The office also developed reports on the international covenant on economic, social, and cultural rights and attended international meetings. The Assets Recovery Agency verified intelligence and traced suspected proceeds of crime in 111 cases. In addition, the Business Registration Service increased the number of registered businesses from 43.5% to 48.6%.
- f) The challenges faced during the implementation of FY 2023-24 budget include: high staff turnover as a result of retirement of the senior and skilled staff; inadequate budgetary allocation and lack of exchequer which has led to pending bills amounting to Kshs. 456.9 million, insufficient training and capacity building of staff to ensure efficiency in service delivery, and reduction in A-I-A collection by SAGAs as a result of low provision to expand their operations to generate A-I-A; Changing Legal Landscapes due to changes in laws, regulations, and court procedures, training is necessary to enable NLAS adapt and this may require additional resources, Inadequate office accommodation, leading to separation of the officers and working in shifts.
- g) It has further been observed by the Committee that the Attorney General's Office litigates on behalf of the state agencies however when the court awards claims against those agencies, they don't promptly settle the claims but abandon the claims with the Attorney General office. In addition, the state law does not get the necessary support from the state agencies in terms of facilitating the legal counsels with daily subsistence allowance in order for them to execute their work.
- h) The State Law Office is faced with the challenge of retaining staff due to uncompetitive remuneration package by the Office. The Office has lost considerable number of staffs to other organization such as Parliament, Judiciary and Ethics and Anti-Corruption Commission.

#### **3.1.4 State Department for Correction Services**

- a) The gross revised allocation for the Office in FY 2023/24 was **Kshs. 35.3 billion** comprised of **Kshs. 34.5 billion** for recurrent expenditure and **Kshs 0.795 billion** for development expenditure.
- b) As at the end of June, 2024, the department's cumulative expenditure was **Kshs 32.9 billion** comprised of **Kshs 32.3 billion** for recurrent expenditure and **Kshs 0.635 billion** for development expenditure translating to an absorption rate of 93.6% and 79.9% respectively.
- c) The total pending bill for the state department as of 30th June 2024 is Kshs 316.1 million out of which Kshs 196.7 million is for recurrent expenditure and Kshs 119.4 million for development expenditure.
- d) The major achievement for the State Department includes the following; contained a daily average of 50,070 inmates in humane and safe custody; provided 22,423 pairs of uniforms; 28,660 beddings and linen to inmates; supervised 60,924 non-custodial offenders; supervised 40,834 on Community Service Orders and 79 power of mercy pardonees.

- e) The State Department also rehabilitated inmates through offering formal education to 17,148 inmates; registered 2,016 inmates for KCPE and 287 for KCSE, 23,776 non-custodial offenders were rehabilitated and reintegrated within the community; 8,866 probationers were offered vocational education; 46 ex-offenders provided with workshop tools; and 308 special needs offenders were provided with temporary accommodation.
- f) The Committee has also observed that there is need for the department to leverage on public private partnerships to implement some of its programmes. In addition, the Committee has also urged the state department to leverage on the huge tracks of land at its disposal and the convicted prisoners to generate food in order to complement the resources it has received from the exchequer.
- g) The Committee has also observed the need for the departments in the Justice sector to collaborate together with a view to developing policies that are geared towards decongesting our prisons considering other forms restorative justice that can be implemented.

### **3.1.5 Independent Electoral and Boundaries Commission**

- a) The gross Approved Estimates for the Independent Electoral and Boundaries Commission for FY 2023/24 is Kshs. 4.699 billion which was solely for recurrent expenditure. The budget catered for the following key areas; Compensation of employees – Kshs 2.506 billion, use of goods and services – Kshs 2.154 billion, Acquisition of non-financial assets – 10.765 million and social benefits – Kshs 27.383 million
- b) The Cumulative expenditure for the period under review amounts to **Kshs 4.553 billion** Comprised of the following; Compensation of employees – Kshs 2.506 billion, use of goods and services – Kshs 2.154 billion, Acquisition of non-financial assets – Kshs 10.765 million and social benefits – Kshs 27.383 million.
- c) During the period under review, the Commission reviewed 4 electoral laws, Completed the construction of 4 county warehouses; Developed 4 voter education materials, conducted 4 stakeholder forums, and prepared 4 compliance reports.
- d) The Committee observed that the Commission runs one of the most expensive general elections in the world. The situation was necessitated by the high bills for election result transmission, court rulings that resulted to reprints ballot papers, foreign exchange losses and emergency airlifting of strategic election materials and staff.
- e) The Commission has pending bills amounting to Kshs 3.95 billion of which legal fees accounts for Kshs 2.7 billion, election logistic – postal corporation 0.36 billion and other pending bills – Kshs 0.92 billion. The Committee stressed the need for the Commission to standardize the fees charged by the law firms and engage in-house lawyers to undertake some of the petitions.
- f) The Committee cognizant of its oversight mandate has also directed the Commission to submit before the Committee primary documents in support of the pending bills especially on the legal bills for consideration and scrutiny to ascertain whether the Auditor General should undertake a special audit.

### **3.1.6 Commission for Administrative Justice**

- a) The gross approved allocation for the Commission on Administration Justice for FY 2023/24 is Kshs. 730.2 million for recurrent expenditure. In the financial year under review, the Commission actual expenditure is Kshs 687.8 million to facilitate the planned activities translating to an absorption rate of 98%.
- b) During the period under review, decentralized the ombudsman services through establishment of branch office in Meru County and Makueni County, 5,365

cases/complaints were resolved, Automation and digitization of CAJ services, resolution of public complaints on maladministration, Sensitized and educated public on administrative justice and three bi-annual and annual reports were published.

- c) The commission carried forward pending bills amounting to Kshs 3.2 million from the 2023/24 financial year. The bills will be settled in the FY 2024/25 as a first charge as per the provisions of the PFM Act.
- d) The Committee stressed the need for the commission to create awareness on its mandate particularly in ensuring the citizen right to quality service both at the national and county level of government is not compromised.

### **3.1.7 Witness Protection Agency**

- a) The gross approved allocation for the Commission for FY 2023/24 is Kshs. 791.4 million which is for recurrent expenditure. The expenditure return as at 30th June 2024 was Kshs 774.0 million translating to an absorption rate of 98%.
- b) It is important to note exchequers of Kshs 14.3 million relating to personnel emoluments were not requested for since the earmarked officers had not reported. During the year, the National Treasury approved recruitment of an extra 22 officers in the month of November 2023. The process of recruitment and vetting was completed in June 2024 and the officers reported in the month of August 2024 hence the variance in government grants of 2%.
- c) The Agency during the period under review, the Agency handled a total of 168 witnesses under the program and 338 related persons inclusive of carry overs, post-trial risk assessment done, resettle and re-integrate of witnesses, psychosocial assessments on the witnesses was carried out, safe houses was procured for the witnesses and related persons after admission into the program, and provision of armed escort to and from pre-trial and in court protection.
- d) The Agency has faced a number of challenges during the period under review amongst them; Inadequate budget allocation to the Agency, lengthy trials, poor, insufficient and slow pace of investigations of some of the referred cases, lack of appropriate infrastructure in court and release of prior evidence to the accused.

### **3.1.8 Kenya National Commission on Human Rights**

- a) The gross approved allocation for the Commission for FY 2023/24 is Kshs. 739.4 million for recurrent expenditure comprised of Kshs 524.8 million from exchequer and Kshs 214.7 million from donors.
- b) The cumulative expenditure for the period under review is Kshs 693.5 million comprised of Kshs 524.7 million from exchequer and Kshs 168.8 million from donor support translating to an absorption rate of 93.7%.
- c) During the period under review, 708 cases of human rights violations, investigated and filed in court, 265,400 members of the public sensitized on human rights and fundamental freedoms, one thematic report on human rights developed and 21 human rights cases resolved through ADR, and 422 state actors trained on economic and social rights.

### **3.1.9 Ethics and Anti-Corruption Commission**

- a) The gross approved allocation for the Commission for FY 2023/24 is Kshs. 3,986.8 million comprised of Kshs 3,915.6 million for recurrent expenditure and Kshs 68.14 million for development expenditure.
- b) The cumulative expenditure for the period under review was Kshs 3,826.7 million comprised of 3,767.1 million for recurrent expenditure and Kshs 59.6 million for development expenditure translating to an absorption rate of 96.0% and 87.0% respectively.

- c) During the period under review, the Commission has completed investigation on 126 cases and files forwarded to ODPP, 12 proactive investigations were also undertaken averting public loss of approximately Kshs 2.9 billion, recovered unexplained and corruptly acquired assets valued at Kshs 2.94 billion, sensitized 137,930 persons on ethics, integrity and good governance and 8 system examinations and corruption assessments were also conducted in various public institutions.

### **3.1.10 Office of the Director of Public Prosecution**

- a) The Gross Approved Estimates for the Office of the Director of Public Prosecutions for the FY 2023/24 amounts to Kshs. 4.163 billion. This comprises of Kshs. 4.107 billion for recurrent expenditure and Kshs. 0.055 billion for Capital expenditure respectively.
- b) The cumulative expenditure for the period under review is Kshs 4.16 billion comprised of Kshs 4.106 billion for recurrent expenditure and Kshs 54.4 million for development expenditure translating to an absorption rate of 99.9% and 98.9% respectively. The department's recurrent expenditure was largely utilized for compensation of employees (65.1%), and other recurrent at 34.9%.
- c) During the period under review the ODPP achievements include: the 315,503 criminal matters handled (caseload), Uadilifu Case Management System rolled out to 47 offices, construction of the PTI is 90% complete, 173 staff trained, participated in 175 inter-agency fora, and 799 public complaints handled. The conviction rate for the reporting period was 67%.
- d) The Office is faced with a number of challenges; inadequate funding, inadequate human resource capacity, uncompetitive terms of service, inaccessibility of mobile court stations, politicization of cases, weak inter-agency collaboration, intimidation of witnesses and victims and inadequate infrastructural and operation capacity.
- e) The Committee further observed that the Office is a key player towards improving the national security, strengthening good governance and fight against corruption and requires increase in resource allocation to enable the Office execute its mandate.

### **3.1.11 Registrar of Political Parties**

- a) The gross approved allocation for the Office of the Registrar of Political Parties for the FY 2023/24 is Kshs. 1,460.3 million which comprises of Kshs 635.1 million for office operations and Kshs 808.3 million for Political Parties Fund which is shared amongst the political parties as per the provisions of Section 25 of the Political Parties Act and Kshs 16.9 million for the Political Parties Liaison Committee.
- b) The cumulative expenditure for the period under review is Kshs 1,429.8 million comprised of Kshs 604.6 million for office operations, Kshs 808.3 million for Political Parties Fund and Kshs 16.9 million for Political Parties Liaison Committee translating to an absorption rate of 95.2%, 100% and 100% respectively.
- c) During the period under review, 6500 brochures were disseminated to sensitize the public on their political rights and ORPP mandate, five (5) policy document was developed – Registration policy, Transport policy and field coordination policy, finance and procurement manual for parties, participated in 2 ASK Shows, 450 post-election evaluation reports disseminated, and Kshs 808.3 million was disbursed to political parties.

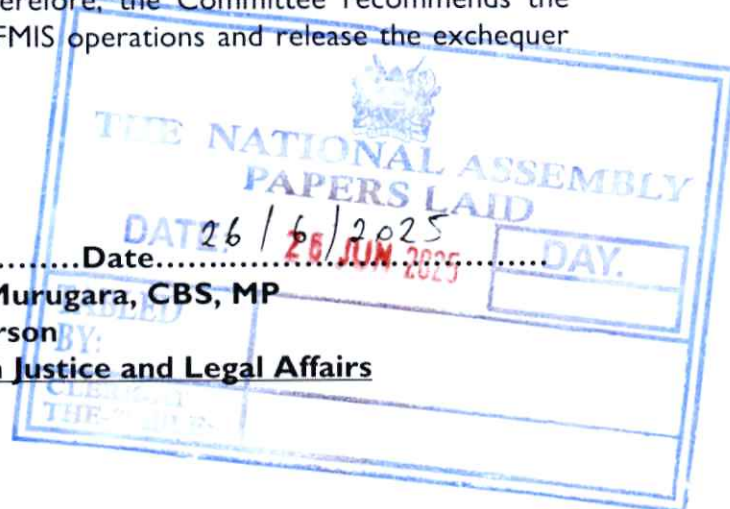
### **3.2 RECOMMENDATIONS**

- (1) Pending Bills - The Committee noted with concern that the Independent Electoral and Boundaries Commission has pending bills amounting to Kshs 3.95 billion of which legal fees accounts for Kshs 2.7 billion, election logistic – postal corporation 0.36 billion and other pending bills – Kshs 0.92 billion. The Committee therefore recommends the Commission to standardize the fees charged by the law firms and engage in-house lawyers to undertake some of the petitions to cut down on cost.
- (2) Decongesting of Prisons - The Committee recommends the departments in the Justice sector to collaborate together with a view to developing and implement policies that are geared towards decongesting our prisons by considering other forms of restorative justice that can be implemented.
- (3) The Committee recommends the state department of Correctional services to leverage on public private partnerships to implement some of its programmes. In addition, the Committee has also urged the state department to leverage on the huge tracks of land at its disposal and the convicted prisoners to generate food for its prisoners in order to complement the resources it has received from the exchequer.
- (4) The Committee further recommends review of the laws regulating the services of the correctional department in the country since they have not been reviewed over a long period of time.
- (5) The Committee recommends additional allocation for the State Law Office to enhance its budget for compensation to employees so as to improve the terms of service for its employees. This will address the inability of the Office in retaining staff due to uncompetitive remuneration package.
- (6) The allocation to the Political Parties Fund is not in compliance with the provision of the Section 24 of the Registrar of Political Parties Act as well as the ruling of Justice Aburili on the implementation of Section 24 of the Act. Therefore, the Committee recommends the government to gradually comply with the provisions of the Act in light of the prevailing limited fiscal space.
- (7) The implementation of the budget has been affected considerably limitations of the IFMIS operations that disrupt implementation of planned activities, and delays in release of exchequer. Therefore, the Committee recommends the National Treasury to improve the IFMIS operations and release the exchequer for the in a timely manner.

Signed.....  
*for George Gitonga Murugara*

**Hon. George Gitonga Murugara, CBS, MP**  
Chairperson

**Departmental Committee on Justice and Legal Affairs**

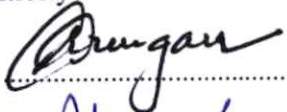
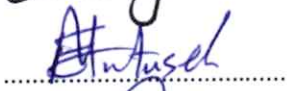

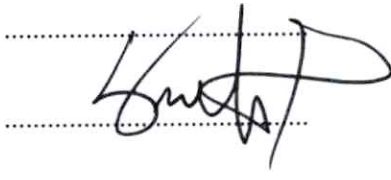
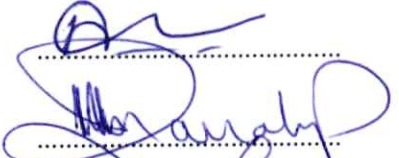


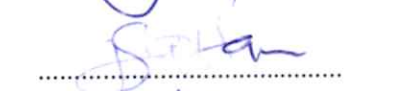

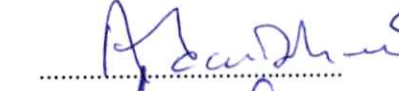






**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

**ADOPTION OF THE COMMITTEE REPORT ON BUDGET IMPLEMENTATION REVIEW FOR ALL THE FOUR QUARTERS OF THE FINANCIAL YEAR 2023-2024**

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 Budget Implementation Review for All the Four Quarters of The Financial Year 2023-2024, 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 Mweni, OGW, MP - Vice Chair     |    |
| 3. Hon. Maalim Farah, EGH, MP                          |   |
| 4. Hon. Francis Kajwang' Tom Joseph, MP                | .....   |
| 5. Hon. Gladys Boss, MGH, MP                           | .....   |
| 6. Hon. Onyiego Silvanus Osoro, CBS, MP                |  |
| 7. Hon. (Dr.) Otiende Amollo, SC, MP                   | .....   |
| 8. Hon. Muchira Michael Mwangi, MP                     |  |
| 9. Hon. Makali John Okwisia, MP                        |  |
| 10. Hon. Timothy Wanyonyi Wetangula, CBS, MP           |  |
| 11. Hon. Muchangi Karemba, CBS, MP                     |  |
| 12. Hon. CPA Zuleka Hulbale Harun, MP                  |  |
| 13. Hon. Mogaka Stephen M., MP                         |  |
| 14. Hon. Aden Daud, EBS, MP                            |  |
| 15. Hon. Siyad Amina Udgoon, MP                        |  |

# ANNEX 1

## Adoption List and Minutes



**THE NATIONAL ASSEMBLY**  
THIRTEENTH PARLIAMENT - FOURTH SESSION-2025  
**DIRECTORATE OF DEPARTMENTAL COMMITTEES**  
DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

**MINUTES OF THE 25<sup>th</sup> SITTING OF THE DEPARTMENTAL COMMITTEE  
ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY, 15<sup>th</sup> APRIL 2025  
AT 10:00 AM IN 5<sup>th</sup> FLOOR COMMITTEE ROOM, CONTINENTAL HOUSE,  
PARLIAMENT BUILDINGS**

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**MEMBERS PRESENT**

1. Hon. Murugara George Gitonga, CBS, MP - *Chairperson*
2. Hon. Mutuse Eckomas Mwangi, OGW, MP - *Vice Chairperson*
3. Hon. Maalim Farah, EGH, MP
4. Hon. Onyiego Silvanus Osoro, CBS, MP
5. Hon. Wetangula Timothy Wanyoyi, CBS, MP
6. Hon. Muchangi Karemba, CBS, MP
7. Hon. Muchira Michael Mwangi, MP
8. Hon. Aden Daud, EBS, MP
9. Hon. Makali John Okwisia, MP
10. Hon. Mogaka Stephen M., MP
11. Hon. Siyad Amina Udgoon, MP
12. Hon. CPA Zuleka, Hulbale Harun, MP

**MEMBERS ABSENT WITH APOLOGIES**

1. Hon. Gladys Boss, MGH, MP
2. Hon. Francis Kajwang' Tom Joseph, CBS, MP
3. Hon. (Dr.) Otiende Amollo, SC, MP

**SECRETARIAT**

- |                        |   |                                |
|------------------------|---|--------------------------------|
| 1. Mr. Ahmed Salim     | - | Clerk Assistant I / Lead Clerk |
| 2. Mr. Abdikafar Abdi  | - | Clerk Assistant III            |
| 3. Ms. Jael Kilaka     | - | Clerk Assistant III            |
| 4. Mr. Abdirahim Omar  | - | Fiscal Analyst I               |
| 5. Mr. Isaac Nabiswa   | - | Legal Counsel II               |
| 6. Mr. Meldrick Sakani | - | Audio Officer                  |
| 7. Mr. Calvin Karungo  | - | Media Relations Officer        |
| 8. Mr. John Nduaci     | - | Serjeant-at-Arms               |

**AGENDA**

1. Prayers / Preliminaries
2. Confirmation of the previous minutes
3. Adoption of Report on Budget Implementation Monitoring for the FY 2023/24; and
4. Adoption of the report on Kenya School of Law (amendment) Bill, 2024 sponsored by Hon. Babu Owino, MP
5. Any Other Business
6. Adjournment / Date of the Next Meeting

**MIN. NO. DDC/JLAC/106/2025:                    PRELIMINARIES**

The meeting was called to order at ten minutes past ten o'clock by the Chairperson followed by a word of prayer and thereafter Members introduced themselves. The agenda of the meeting was adopted having been proposed by Hon. Muchira Michael Mwangi, MP and seconded by Hon. Mutuse Eckomas Mwangi, OGW, MP.

**MIN. NO. DDC/JLAC/107/2025:                    CONFIRMATION OF MINUTES**

The agenda was deferred.

**MIN. NO. DDC/JLAC/108/2025:                    ADOPTION OF REPORT ON BUDGET IMPLEMENTATION MONITORING FOR THE FY 2023/24**

Members were taken through the report and made the following recommendations:

- i. Pending Bills - The Committee noted with concern that the Independent Electoral and Boundaries Commission had pending bills amounting to Kshs. 3.95 billion of which legal fees accounts for Kshs. 2.7 billion, election logistics (postal corporation) at Kshs. 0.36 billion and other pending bills at Kshs. 0.92 billion. The Committee therefore recommended the Commission to standardize the fees charged by the law firms and engage in-house lawyers to undertake some of the petitions to cut down on cost.
- ii. Decongesting of Prisons - The Committee also recommended the departments in the Justice sector to collaborate together with a view to developing and implement policies that are geared towards decongesting prisons by considering other forms of restorative justice that can be implemented.
- iii. The Committee recommended the State Department for Correctional services to leverage on public private partnerships to implement some of its programmes. In addition, the Committee also urged the State Department to leverage on the huge tracks of land at its disposal and the convicted prisoners to generate food for its prisoners in order to complement the resources it has received from the exchequer.
- iv. The Committee further recommended review of the laws regulating the services of the Correctional Department in the country since they have not been reviewed over a long period of time.
- v. The Committee recommended additional allocation for the State Law Office to enhance its budget for compensation to employees so as to improve the terms of service for its employees. This would address the inability of the Office in retaining staff due to uncompetitive remuneration package.
- vi. The allocation to the Political Parties Fund was not in compliance with the provision of the Section 24 of the Registrar of Political Parties Act as well as the ruling of Lady Justice Aburili Roselyne Ekirapa on the implementation of the Section 24 of the Act. Therefore, the Committee recommended the government to gradually comply with the provisions of the Act in light of the prevailing limited fiscal space.
- vii. The implementation of the budget had been affected considerably because of limitations of the IFMIS operations that disrupt implementation of planned activities, and delays in release of exchequer. Therefore, the Committee recommended the National Treasury to improve the IFMIS operations and release the exchequer in a timely manner.

**Adoption of the Report**

The Report was adopted, having being proposed by Hon. Muchangi Karemba, CBS, MP and seconded by Hon. Mutuse Eckomas Mwangi, OGW, MP.

**MIN. NO. DDC/JLAC/109/2025:**

**ADOPTION OF THE REPORT ON  
KENYA SCHOOL OF LAW  
(AMENDMENT) BILL, 2024  
SPONSORED BY HON. BABU OWINO,  
MP**

Members were taken through the report and observed that the proposal was timely and would be effective in addressing the conflict between the provisions of the KSL Act and the Legal Education Act. Therefore, in light of the foregoing, the Committee determined that the Legislative Proposal should be published.

**Adoption of the Report**

The Report was adopted having being proposed by Hon. Aden Daud, EBS, MP and seconded by Hon. Maalim Farah, EGH, MP

**MIN. NO. DDC/JLAC/110/2025:**

**ADJOURNMENT**

The meeting was adjourned at eleven o'clock. The next sitting to be held on Thursday, 17<sup>th</sup> April 2025.

SIGNED:  DATE: 26/6/2025  
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, CBS, MP)

# ANNEX 2

## Submissions from Agencies



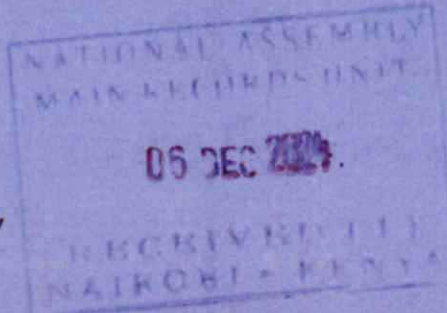
**THE JUDICIARY**

OFFICE OF THE CHIEF REGISTRAR OF THE JUDICIARY

**Ref: JUD/FIN/5**

**6<sup>th</sup>December,2024**

The Clerk  
The National Assembly  
P.O. Box 30007 – 00100,  
**NAIROBI**



**SUBJECT: REQUEST FOR INFORMATION BY THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON BUDGET IMPLEMENTATION MONITORING FOR THE FY 2023/24**

Reference is made to the above subject and your letter Ref: NA/DDC/JLAC/2024/078 dated 18<sup>th</sup> November 2024.

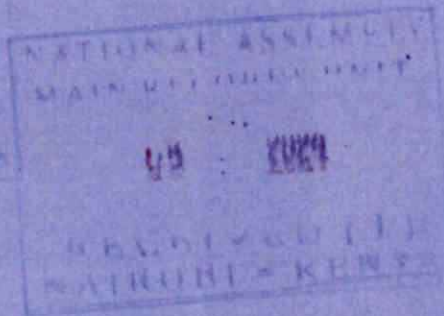
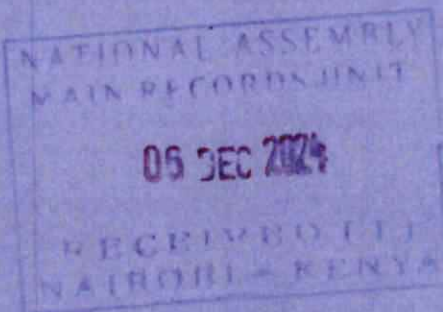
The Judiciary recognizes and acknowledges the oversight role played by the National Assembly on public financial management. Attached please find the budget implementation reports highlighting financial and non-financial information, project information, re-allocation and pending payments as requested for your reference.

Your continued support is highly appreciated.

**HON. WINFRIDAH B. MOKAYA, CBS**  
**CHIEF REGISTRAR OF THE JUDICIARY**

Encl.

wbm/dv



Social Transformation  
through Access to Justice

Supreme Court Building | Ground Floor, Chamber 6 | P.O. Box 30041-00100 | Nairobi  
Tel. +254 0730 181600/700/800 | chiefregistrar@court.go.ke | www.judiciary.go.ke

**Justice Be Our Shield and Defender**

THE JUDICIARY

VOTE 1261

Financial performance by Vote and program indicating actual revenue receipts: exchequer issues, FY 2023/24

THE JUDICIARY					
VOTE 1261					
PROGRAMME: DISPENSATION OF JUSTICE					
Details	Printed Estimates (Kshs.)	Approved Allocation (Kshs.)	Total Expenditure (Kshs.)	Exchequer Receipts (Kshs.)	Percentage Absorption (%)
<b>RECURRENT</b>	<b>20,437,400,000</b>	<b>21,022,400,000</b>	<b>20,703,542,586</b>	<b>20,709,689,530</b>	<b>98%</b>
Compensation for Employees	13,589,902,722	13,921,333,787	13,908,046,876		100%
Use of Goods and Services	6,349,908,999	6,603,477,934	6,313,431,741		96%
Social Benefits	142,200,700	142,200,700	142,200,700		100%
Acquisition of Non Financial Assets	355,387,579	355,387,579	339,863,269		96%
<b>DEVELOPMENT</b>	<b>1,850,000,000</b>	<b>1,400,000,000</b>	<b>929,561,736</b>	<b>929,683,056</b>	<b>66%</b>
<b>TOTAL VOTE 1261</b>	<b>22,287,400,000</b>	<b>22,422,400,000</b>	<b>21,633,104,322</b>	<b>21,639,372,586</b>	<b>96%</b>

QUARTERLY EXCHEQUER RECEIPTS FY 2023/24 (KSHS)		
	RECURRENT(KSHS)	DEVELOPMENT(KSHS.)
Quarter 1	4,512,436,521	13,944,540
Quarter 2	5,249,846,808	257,617,863
Quarter 3	4,681,085,542	413,767,053
Quarter 4	6,266,320,658	244,353,600
	<b>20,709,689,530</b>	<b>929,683,056</b>

**EXPLANATORY NOTES:**

Budget absorption under Development vote was moderate at 66%. This is attributed to challenges encountered during budget implementation including

- 1 Delay in release of exchequer
- 2 Poor performance by contractors
- 3 Low exchequer issues

**THE JUDICIARY**

**VOTE 1261**

**Non-financial performance showing actual outputs achieved relative to the set targets in the 2023/24 program-based budget.**

Output	Key Performance	Target	Actual Achievement	Remarks
	Indicator	2023/ 24	2023/24	
<b>Programme: Dispensation of Justice</b>				
<b>Sub-Programme 1: Access to Justice</b>				
Judicial Services	Case clearance rate - %	103	99	
	Reduction of case backlog aged 3 years and above - %	10	10	
	Maximum No. of Days taken to resolve election cases	180	150	
	No. of Circuits Held by Supreme court	1	0	
	No. of COA Circuits	28	28	
	No. of High Court Circuits	51	34	
	No. of ELC Circuits	13	6	Garissa, Chuka, Kabarnet, Nyandarua, Voi and Vihiga
	No. of ELRC Circuits	31	7	Machakos, Malindi, Kitale, Bungoma, Meru, Kisii and Kericho
	No. of Tribunals circuits	28	32	
	No. of mobile courts in operation	60	57	
	No. of COA sub registries established	1	0	
	No. of mediation registries established	15	9	HomaBay, Voi, Garissa, Kenol, Isiolo, Marsabit, Makueni, Nyahururu and Narok.
	Mediation settlement rate - %	95	90	
	No. of new mediators accredited	200	146	
Judicial Services	No. of new High Courts Stations established & operationalised	10	3	Thika High Court, Kibera High Court and Nyandarua High Court.
	No. of new ELRC stations established & operationalised.	2	0	
	No. of ELC stations established & operationalised	3	3	Nyandarua ELC, Voi ELC and Naivasha ELC
	No. of new Magistrates' courts established & operationalised	5	3	Port Victoria Magistrate Court, Etago Magistrate Court and Malaba Magistrate Court
	No. of new Kadhis' courts stations established & operationalised	1	0	
	No. of new Mobile Courts established	3	0	
	No. of new HC sub-registries established	3	2	Mandera and Samburu (Maralal) HC sub registries
	No. of ELC sub-registries established	5	1	Lodwar ELC sub registry
	No. of ELRC sub-registries established	3	1	Voi ELRC sub registry
	No. of tribunals sub-registries established	7	3	
	No. of new small claims courts established	20	27	Established in Chuka, Dadaab, Embu, Garissa, Kakuma, Kericho, Kerugoya, Kisii, Kitale, Kitui, Makindu, Malindi, Migori, Murang'a, Nanyuki, Narok, Ruiru, Siaya, Taveta, Voi and Wajir
	NCAJ Annual administration of Justice Report Published	1	1	
	No. of Judiciary desks established in Huduma Centres	6	6	GPO, City Square, Makadara, Kibera, Eastleigh and Thika
	No. of court files digitized	276,740	325,651	

	No. of court stations connected with solar power	6	20	Oyugis, Ndhiwa, Ukwala, Madiany, Ruiru, Modogashe, Mandera, Mbita, Lodwar, Gatundu, Limuru, Kahawa, Nyando, Kiambu, Kilifi, Mariakani, Runyenjes, Kimilili, Marimanti, and Kajiado.
Court Facilities	% completion of New Supreme Court Building	1	0	
	% completion of COA Complex ongoing	1	0	
	No. of ongoing High Courts buildings completed	4	0	
	No. of ongoing Magistrates' courts buildings completed	16	2	Budget cuts
	No. of residential units for judge's constructions ongoing.	3	1	
	No. of High courts buildings rehabilitated/ Refurbished	3	2	
	No. of Magistrates' courts buildings rehabilitated / Refurbished	40	28	
	Supply and installation of alternative power supply – generators & solar	6	9	
<b>Sub- Programme 2: General Administration, Planning and Support Services</b>				
Administrati on Services	Number of vehicles procured/ leased	40	56	
	Performance Measurements Report Published	1	1	
	State of the Judiciary and Administration of Justice Report (SOJAR) Published	1	1	
	No of Risk Management Policy Developed	1	0	
	No. of Annual Caseload Statistics Reports Produced	1	1	
ICT Services	Court stations with e-filing - %	25	100	
	Digitized court records - %	80	71	
	No. of courtrooms with transcription solution	50	50	
	No. of court stations with Video conferencing kit	50	29	

**THE JUDICIARY**  
**VOTE 1261**

Quarterly project information: amount of project funding received including exchequer issues, actual expenditure, and completion status.  
Quarter 1-4 June 2024

Project Code & Project Title	Timeline		Financing Estimated Value of the Project (Kshs.)	FY 2023/2024 (Kshs)			Completion Status	Printed Estimates(Kshs.) FY 2024/25	Remarks
	Start Date	Expected Completion Date		Approved Estimates FY 2023/24 (Kshs.)	Actual Expenditure( Kshs.) 30th June 2024	Exchequer Receipts (Kshs.)			
1 ICT - Judiciary Digital Strategy (Completion of Eldama Ravine Law Courts)	7/1/2019	6/30/2027	6,385,700,000	500,000,000	273,851,595	273,851,595	55%	300,000,000	Automation of Court Processes- CTS, E-filing, ERP
2 Construction of Mandera Law Courts	2/4/2015	6/30/2024	116,700,000	15,000,000	8,337,270	8,337,270	90%	25,000,000	
3 (Completion)	5/19/2015	6/30/2025	128,000,000	5,000,000	1,958,101	1,958,101	77%	10,000,000	
4 Construction of Githongo Law Courts	4/5/2017	6/30/2025	130,900,000	8,000,000	3,096,936	3,096,936	56%	70,000,000	
5 Construction of Mbata Law Courts	3/15/2017	6/30/2025	148,330,000	1,000,000	-	-	65%	-	
6 Construction of Kandara Law Courts	4/3/2017	12/21/2025	190,750,000	20,000,000	18,769,592	18,769,592	20%	10,000,000	
7 Construction of Marsabit Law Courts	3/17/2017	6/30/2025	370,220,000	1,000,000	-	-	45%	-	
8 Construction of Amagoro Law Courts	3/13/2017	6/30/2025	137,990,000	1,000,000	-	-	42%	-	
9 Construction of Kabarnet Law Courts	3/17/2017	6/30/2025	366,800,000	1,000,000	-	-	45%	-	
10 Construction of Habasweini Law Courts	9/28/2017	6/30/2025	78,000,000	2,000,000	-	-	13%	10,000,000	
11 Refurbishment of Milimani Law Courts	5/24/2019	6/30/2025	90,000,000	15,000,000	3,872,402	3,872,402	30%	20,000,000	
12 Construction of Homabay Law Courts	3/13/2017	6/30/2026	367,310,000	1,000,000	3,437,845	3,437,845	32%	-	Ongoing
13 Construction of Court of Appeal Complex	7/1/2020	6/30/2027	2,100,000,000	5,000,000	-	-	5%	5,000,000	
14 Construction of Meru High Court	7/1/2020	6/30/2026	637,500,000	65,000,000	65,000,000	65,000,000	20%	15,000,000	
15 Construction of Eldoret High Court	7/1/2020	6/30/2026	560,800,000	95,000,000	63,111,554	63,111,554	39%	15,000,000	
16 Completion of JPIP Projects	7/1/2022	6/30/2026	625,000,000	30,000,000	23,487,459	23,487,459	0%	80,600,000	
17 Construction of Takaba Kadhis Court	7/1/2022	6/30/2026	72,000,000	5,000,000	-	-	5%	85,000,000	
18 Construction of Kisii High Court	7/1/2022	6/30/2026	1,000,000,000	1,000,000	-	-	0%	-	
19 Completion of 4No. Small claims courts in Nairobi			50,000,000	1,000,000	-	-	-	-	Ongoing Extension Works
20 Refurbishment of Kiambu law courts	7/1/2022	6/30/2026	75,000,000	5,000,000	-	-	9%	-	Ongoing Renovation works for various courts and Proposed Office Partitioning of Rtd Justice's offices
21 Refurbishment,Alterations and maintenance of various court stations	7/1/2020	6/30/2027	300,000,000	169,700,000	137,084,806	137,084,806	30%	28,400,000	Perimeter Wall
22 Construction of Lamu High Court			900,000,000	1,000,000	-	-	-	-	Repacking for completion ongoing
23 Prefabrication of Othaya Law Courts	1/15/2013	6/30/2025	81,660,000	12,000,000	2,436,329	2,436,329	80%	12,000,000	
24 Court Awards- Milimani, Lodwar- Legal Dues/ fees, Arbitration and Compensation Payments	7/1/2015	30/06/2024	1,200,000,000	223,000,000	213,438,521	213,438,521	-	-	Settling of Court/ Arbitration Awards
25 Refurbishment of Muranga Law Courts	5/19/2015	6/30/2024	62,090,000	5,000,000	-	-	79%	-	

26	Construction of Marsabit Judges Residence Phase II	5/2/2017	6/30/2024	49,100,000	5,000,000	-	-	100%	10,000,000	Pending Bill
27	Construction of Bomet Law Courts	1/15/2013	6/30/2026	650,000,000	1,000,000	-	-	8%	25,000,000	
28	Prefabrication of Wanguru Law Courts	12/22/2022	1/21/2024	29,980,000	14,000,000	9,166,461	9,166,461	20%	15,000,000	Ongoing
29	Completion of Prefabrication of Marimanti Law Courts	5/19/2023	11/18/2024	52,600,000	9,000,000	3,991,300	3,991,300	0%	35,000,000	
30	Construction of Mavoko Law Courts	7/1/2022	6/30/2025	80,000,000	21,300,000	6,258,363	6,258,363	20%	40,000,000	
31	Refurbishment fo Childrens court (Hurlingham)			15,000,000	1,000,000	-	-	0%	-	
32	Construction of Lodwar High Court			838,000,000	1,000,000	-	-	14%	-	To be repackaged and re-advertised
33	Supply of Generators Solar power and batteries	6/10/2019	6/30/2026	120,000,000	120,000,000	86,913,703	86,913,703	20%	5,000,000	Ongoing for Alternative power Supply
34	Supply of Fire fighting Equipment			50,000,000	30,000,000	-	-	0%	2,000,000	To address OSHA concerns
36	Construction of Narok Law Courts-Phase II	Jul 21, 2022	Oct 30, 2023	12,400,360	-	-	-	100%	3,600,000	Pending Bill
37	Construction of Perimeter fence at Mpeketoni			-	5,000,000	5,000,000	5,000,000		-	
38	Construction of Lamu Staff Residence			-	1,000,000	-	-		-	
39	Construction of a Supreme Court	7/1/2024		3,000,000,000	2,000,000	-	-	0%	5,000,000	Pending advertisement of RFP
40	Construction of Kericho High Court	7/1/2024		1,000,000,000	1,000,000	-	-	0%	-	
41	Refurbishment of Judiciary Residences	7/1/2023		450,000,000	1,000,000	-	-	0%	-	
<b>Totals</b>									<b>826,600,000</b>	
									<b>929,212,237</b>	<b>929,212,237</b>

THE JUDICIARY					
VOTE 1261					
Information on Development re-allocations pending payments with an age of over ninety days, and any liabilities incurred.					
TITLE AND DETAILS		Printed Estimates	Supplementary Estimates	Approved Estimates (Net)	Remarks
		Kshs.	Kshs.	Kshs.	
1	Judiciary Automation	650,000,000	(150,000,000)	500,000,000	To move funds from slow projects which were unlikely to utilize allocations to the faster progressing/ projects and arbitration awards in consideration of budget cuts
2	Refurbishment of the Chief Justice's House	70,000,000	(69,000,000)	1,000,000	
3	Completion of JPIP Projects	85,000,000	(55,000,000)	30,000,000	
4	Completion of Construction of Small Claims Courts in Nairobi	50,000,000	(49,000,000)	1,000,000	
5	Construction of Supreme Court Building	50,000,000	(48,000,000)	2,000,000	
6	Construction of Marimanti Law Courts	45,000,000	(36,000,000)	9,000,000	
7	Court of Appeal Complex -Milimani	40,000,000	(35,000,000)	5,000,000	
8	Construction of Homa Bay Law Courts	30,000,000	(29,000,000)	1,000,000	
9	Construction of Habaswein Law Courts	30,000,000	(28,000,000)	2,000,000	
10	Construction of Eldama Ravine Law Courts	40,000,000	(25,000,000)	15,000,000	
11	Construction of Amagoro Law Courts	25,000,000	(24,000,000)	1,000,000	
12	Construction of Mbita Law Courts	25,000,000	(24,000,000)	1,000,000	
13	Construction of Bomet Law Courts	20,000,000	(19,000,000)	1,000,000	
14	Construction of Kabarnet Law Courts	20,000,000	(19,000,000)	1,000,000	
15	Construction of Marsabit Law Courts	20,000,000	(19,000,000)	1,000,000	
16	Construction of Githongo Law Courts	25,000,000	(17,000,000)	8,000,000	
17	Refurbishment of Muranga Law Courts	20,000,000	(15,000,000)	5,000,000	
18	Refurbishment of Children's Courts in Hurlingham	15,000,000	(14,000,000)	1,000,000	
19	Construction of Lamu High Court	13,000,000	(12,000,000)	1,000,000	
20	Completion of Kisumu High Court	10,000,000	(10,000,000)	-	
21	Construction of Kandara Law Courts	30,000,000	(10,000,000)	20,000,000	
22	Refurbishment of Malindi Law Courts	10,000,000	(10,000,000)	-	
23	Construction of Wanguru Law Courts	20,000,000	(6,000,000)	14,000,000	
24	Construction of Marsabit Residential Buildings	10,000,000	(5,000,000)	5,000,000	
25	Construction of Mandera Law Courts	10,000,000	(5,000,000)	5,000,000	
26	Refurbishment of Kiambu Law Courts	10,000,000	(5,000,000)	5,000,000	
27	Refurbishment of Supreme Court Headquarters	10,000,000	(5,000,000)	5,000,000	
28	Construction of Lamu Residential Buildings	5,000,000	(4,000,000)	1,000,000	
29	Construction of Lodwar Law Courts	5,000,000	(4,000,000)	1,000,000	
30	Construction of Othaya Law Courts	15,000,000	(3,000,000)	12,000,000	

THE JUDICIARY					
VOTE 1261					
Information on Development re-allocations pending payments with an age of over ninety days, and any liabilities incurred.					
	TITLE AND DETAILS	Printed Estimates	Supplementary Estimates	Approved Estimates (Net)	Remarks
31	Construction of Butali Law Courts	5,000,000	(2,000,000)	3,000,000	
32	Construction of Kericho High Court	1,000,000	-	1,000,000	
33	Construction of Mpeketoni Law Courts	5,000,000	-	5,000,000	
34	High Court/Court of Appeal -Kisii	1,000,000	-	1,000,000	
35	High Court/Court of Appeal -Meru	65,000,000	-	65,000,000	
36	Purchase of Fire fighting Vehicles and Equipment	30,000,000	-	30,000,000	
37	Construction of Takaba Kadhi's Court (Mandera West)	1,000,000	4,000,000	5,000,000	
38	Refurbishment of Milimani Law Courts	10,000,000	5,000,000	15,000,000	
39	Refurbishment of Supreme Court Headquarters	154,000,000	7,700,000	161,700,000	
40	Construction of Mavoko law Courts	10,000,000	11,300,000	21,300,000	
41	Construction of Eldoret High Court	65,000,000	30,000,000	95,000,000	
42	Legal Dues/fees, Arbitration and Compensation Payments	50,000,000	173,000,000	223,000,000	
43	Purchase of Generators	45,000,000	75,000,000	120,000,000	
	<b>Total</b>	<b>1,850,000,000</b>	<b>(450,000,000)</b>	<b>1,400,000,000</b>	

Pending payments and liabilities	Amount (Kshs)	Remarks
Development Bills	410,010,000	Exchequer releases
Recurrent Bills	331,920,000	
Court & Arbitration- Awards	69,240,000	challenges
<b>TOTAL</b>	<b>811,170,000</b>	



**BUDGET IMPLEMENTATION MONITORING  
FOR THE 2023/2024 FINANCIAL YEAR AND  
FAMILIARIZATION RETREAT WITH THE  
DEPARTMENTAL COMMITTEE ON THE  
JUSTICE AND LEGAL AFFAIRS**

**PRESENTED  
BY DEPUTY CHIEF REGISTRAR JUDICIARY  
DECEMBER, 2024**



## Presentation outline

- Introduction
- Vision, Mission and Mandate of the Judiciary
- Social Transformation through Access to Justice (STAJ)
- Performance Review and Achievements for FY 2023/24
- Challenges
- Recommendations



## Introduction

- The Judiciary's budget process observes Article 173 (3) in the Constitution of Kenya, 2010 which requires that each financial year, the Chief Registrar of the Judiciary shall prepare estimates of expenditure for the following year and submit to the National Assembly by 30<sup>th</sup> April.
- The guidelines on the budgeting preparation, formats and specific timelines for submission of the Estimates are as contained in
  - ❖ Public Finance Management (PFM) Act, 2012 and the PFM Regulations, 2015
  - ❖ the Judicial Service Act, 2011
  - ❖ Judiciary Fund (JF) Act, 2016 and the Judiciary Fund Regulations, 2019.



## **Vision**

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

## **Mission**

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



## Mandate

- The mandate of the Judiciary is to administer Justice. In implementing this mandate, the Judiciary is guided by the following principles as stipulated under Article 159 (2) of the Constitution:
  - Justice shall be done to all irrespective of status;
  - Justice shall not be delayed;
  - Alternative forms of dispute resolution including reconciliations, mediation, arbitration and traditional dispute mechanism shall be promoted;
  - Justice shall be administered without undue regard to procedural technicalities; and
  - The purpose and principles of the constitution shall be protected and promoted.



## Policy Priorities

- **Judiciary priorities are found in various policy documents including**
  - ❖ Social Transformation Through Access to Justice (STAJ)
  - ❖ Annual Workplans and Approved Budget
  - ❖ Performance Management and Measurement Understandings (PMMUs)
- **The above documents are aligned with the National Development agenda as contained in the;**
  - ❖ Vision 2030 and the MTPs
  - ❖ Bottom-up Economic Transformation Agenda (BETA) Objectives
  - ❖ Other National Government Policy Directions



**Social Transformation Through Access To Justice (STAJ) is Anchored On The Following Principles:**





## The STAJ Strategic Objectives

### THE JUDICIARY

1. A Strong Institution that is Independent, Accessible, Efficient and Protects the Rights of All, Especially the Vulnerable
2. An Inspired Team of Judges, Judicial Officers, and Judiciary Staff Committed to Excellence in the Delivery of Justice
3. Strengthened Financial Mechanisms that Support the Independence and Integrity of the Judiciary
4. Deepened Partnerships that enhance Co-ordination in the Administration of Justice
5. Enhanced Public Trust and Confidence in the Judicial System



## THE JUDICIARY

### STAJ IMPLEMENTATION

The STAJ Blueprint, which serves as a cornerstone for the transformation of the Judiciary, was unveiled in November 2023. The Blueprint operationalised the STAJ vision aimed at building an institution that embodies independence, efficiency, accessibility, and responsiveness to the aspirations of Kenyans, especially the vulnerable and marginalised. In the year under review, the following policy initiatives have been put in place;

- Expanding the Doorways of Justice.
- Alternative Dispute Resolution
- Roll out of Small Claims Courts
- Enhanced Human Resource
- Improved Efficiency and Case Management
- Enhancing Performance Management and Measurement
- Enhanced Public Communication and Engagement
- Child Justice for child offenders and child-centric court settings



## THE JUDICIARY

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# Performance Review and Achievements for FY 2023/24



## THE JUDICIARY

**Financial performance by Vote and program indicating actual revenue receipts:  
exchequer issues, FY 2023/24**

**THE JUDICIARY**

**VOTE 1261**

**PROGRAMME: DISPENSATION OF JUSTICE**

<b>Details</b>	<b>Printed Estimates</b>	<b>Approved Allocation</b>	<b>Total Expenditure</b>	<b>Exchequer Receipts</b>	<b>Percentage Absorption</b>
<b>RECURRENT</b>	<b>20,437,400,000</b>	<b>21,022,400,000</b>	<b>20,703,542,586</b>	<b>20,709,689,530</b>	<b>98%</b>
Compensation for Employees	13,589,902,722	13,921,333,787	13,908,046,876		100%
Use of Goods and Services	6,349,908,999	6,603,477,934	6,313,431,741		96%
Social Benefits	142,200,700	142,200,700	142,200,700		100%
Acquisition of Non Financial Assets	355,387,579	355,387,579	339,863,269		96%
<b>DEVELOPMENT</b>	<b>1,850,000,000</b>	<b>1,400,000,000</b>	<b>929,561,736</b>	<b>929,683,056</b>	<b>66%</b>
<b>TOTAL VOTE 1261</b>	<b>22,287,400,000</b>	<b>22,422,400,000</b>	<b>21,633,104,322</b>	<b>21,639,372,586</b>	<b>96%</b>



## Overall Performance Review and Achievements for FY 2023/24

- **Case Clearance Rate (CCR)** – In FY 2023/24, a total of 516,121 cases were registered in all courts across the country out of which 509,664 cases were resolved. This resulted in a Case Clearance Rate (CCR) of 99 percent.
- **Case backlog** - In the same period, the overall case backlog in the Judiciary reduced by 10 percent from 272,678 cases in June 2023 to 244, 267 cases at the end of June 2024.



## Overall Performance Review and Achievements for FY 2023/24 Contd'

- **Enhanced Access to Justice** -In the period under review, the Judiciary established 3 High court stations, 3 ELC courts, 3 Magistrate Courts, 27 small claims courts and 2 Tribunals transited into the Judiciary. In addition to the courts above, the following sub-registries were established.
  - **High Court:** 2 sub-registries in Mandera and Maralal.
  - **Environment and Land Court (ELC):** ELC sub registry in Lodwar
  - **Employment and Labour Relations Court (ELRC):** ELRC sub registry in Voi.
  - **Court Annexed Mediation(CAM):** 9 new CAM sub registries in Homabay, Voi, Garrisa, Kenol, Isiolo, Marsabit, Makueni, Nyahururu, and Narok. A total of 6,573 matters were referred to mediation, out of which 5,932 were concluded with a settlement rate of 90%. This resulted in the release of **Kshs. 35.6** Billion back into the Kenyan economy.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd

### ► Court Circuits

Judges and Judicial officers are temporarily deployed in specific court stations with high caseloads to enhance clearance of case backlogs by conducting court circuits and service weeks. The circuits and service weeks were conducted at different court levels across the country as follows:

- ❖ **Court of Appeal:** The Court of Appeal conducted 28 circuits where 155 cases were resolved.
- ❖ **High court:** The high court conducted 34 circuits where 1,393 matters were heard and determined.
- ❖ **Employment and Labour Relations Court:** The ELRC court conducted 7 circuits where 354 matters were heard and determined.
- ❖ **Environment and Land Court:** Six 6 circuits were conducted where a total of 97 cases were heard and determined.
- ❖ **Tribunals:** Tribunals conducted 32 circuits where 2,830 matters were heard and determined.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd

### ■ Service weeks

**High Court:** The high court held 10 service weeks where 1,158 matters were heard and determined.

**Employment and Labour Relations Court (ELRC) :** The ELRC court held 1 service week where 84 matters were heard and determined.

**Tribunals:** tribunals held several service weeks where 3,360 cases were heard and determined.

### ■ Mahakama Popote and Rapid Results Initiative(RRI) were established to enhance clearance of case backlogs.

- ❖ The Mahakama Popote Initiative enables Judicial Officers serving in stations with lower caseloads to take up matters filed in stations with higher caseloads without traveling to those stations through virtual hearings.



### Overall Performance Review and Achievements for FY 2023/24 Cont'd

In Financial Year 2023/24, four court stations were placed under the Mahakama Popote initiative, enabling litigants in these stations to tap into the wider pool of Judicial Officers based in other stations.

- In the year under review, 7,665 cases in Milimani Commercial Court, Mombasa Magistrates Court, Nairobi Small Claims Court and the Thika Small Claims Court; were distributed to Judicial Officers in other court stations with lower caseloads, out of which 6,269 were resolved.

#### ➤ **Rapid Results Initiatives**

The high court held 12 RRIs at various high courts countrywide, where 1,585 matters were heard and determined.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd

### Alternative justice systems (AJS)

- ❑ AJS is a policy initiative that involves citizens and communities in dispute resolutions leveraging on devolved system of governance and public participation.
- A total of 1,256 cases were referred to AJS with 1,073 cases being successfully resolved. This culminated in a noteworthy success rate of 85 per cent compared to 41 per cent success rate recorded in the previous year.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd - Technology

### Leveraging Technology to Enhance Access to Justice

Technology in courts has transformed service delivery by the Judiciary, making it more efficient, accessible, and transparent. Many advantages have resulted from the greater use of technology, such as better access to justice, more revenue collection, increased service efficiency, and improved access to information. Some of the developments that have enabled all of the aforementioned benefits are discussed below

#### ✓ **Electronic Filing (e-filing) System**

The system streamlined the filing process and reduced the amount of paperwork, resulting in the reduction in the cost of litigation and delays. The system has been rolled out to all court stations in the country and a total no. of 295,322 cases were registered from all courts during the reporting period.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd - Technology

### ✓ Case Tracking System (CTS)

The Case Tracking System continued to be enhanced and improved with the aim of optimising its performance and providing an improved user experience. The key updates done during FY 2023-2024 are:

- Individual Users to request mapping to existing cases
- State agencies to request for Mapping to existing cases
- Automated allocation of mention dates in all Magistrates Courts and High Court
- Uploading of judgements and rulings, ensuring that stakeholders, litigants, and advocates have instant access to court decisions.



## All Courts GO DIGITAL

# Launch of

- ✓ E-filing in ALL courts nationwide
- ✓ Data Tracking Dashboard
- ✓ Causelist portal

Follow the livestream on  
Judiciary DIGITAL channels

**YouTube** [shorturl.at/vDQUV](https://shorturl.at/vDQUV)

**Facebook** [shorturl.at/goEZ3](https://shorturl.at/goEZ3)



Social Transformation  
through Access to Justice

DATE  
March 11, 2024  
TIME  
8:00 AM

### Leveraging Technology to Enhance Access to Justice





## Overall Performance Review and Achievements for FY 2023/24 Cont'd - Technology

### ✓ Cause List Portal

In order to make justice more accessible and user-friendly for all Kenyans, the Judiciary unveiled a portal (<https://causelist.court.go.ke/>) where daily cause lists for all courts are accessible. This direct access to court schedules, links and notices informs litigants and advocates, about when their matters are coming up before court.

### ✓ Court Decisions Portal

The Judiciary unveiled the decisions portal (<https://decisions.court.go.ke>) which carries all decisions from all courts and is open to the public.



The Judiciary Kenya @Kenyajudiciary · Mar 7

The **Causelist portal** enables litigants and other court users to access and know the case schedule online, in any court station, countrywide.



Introducing

## causelist.court.go.ke

Know your case schedule  
in any court countrywide  
chap chap...

mambo  
ni  
digital



Introducing

## Data Tracking Dashboard

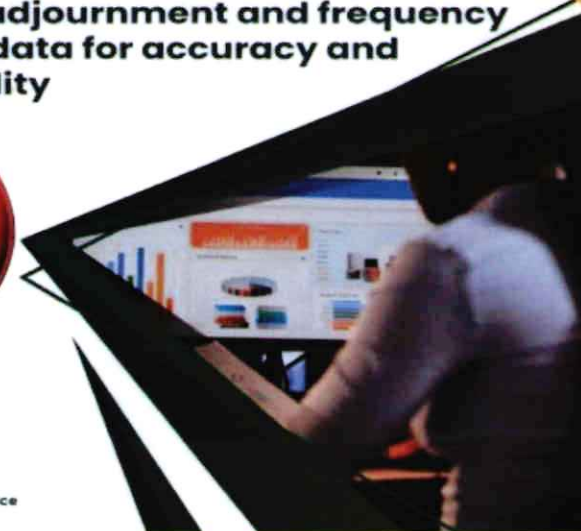
### Active Case Monitoring

- Shows status of resolution
- Reason for adjournment and frequency
- Reconciles data for accuracy and accountability

Enables  
CJ/DCJ and  
Heads of Courts to  
take action to  
prevent delays in  
judicial  
processes



Social Transformation  
Through Access to Justice





## Overall Performance Review and Achievements for FY 2023/24 Cont'd - Technology

### ✓ Digitization of Court Records

In the year, the Judiciary implemented five phases of the Ajira program where 1,040 youths were engaged in various court stations to scan court files. A total of 325,651 court files were digitized.

Further, 1,672 records relating to sexual offences were scanned and uploaded to the Sexual Offender Electronic Register (SOER)

### ✓ Transcription Services

The Judiciary has established a National Transcription Centre whose goal is to improve the accuracy and timely production of court proceedings. In the year under review, a total of 1,476 records were transcribed.



## Data Tracking Portal

- ❖ Provides virtual links for each Judge/Judicial Officer and notices to alert the litigant on any event that may affect court sittings.

Introducing **Data Tracking Dashboard**  
**For enhanced Child Justice**

- Shows gender and age of the child
- Reasons for court appearance
- Are they represented?

For better support and intervention

Social Transformation  
Through Access to Justice

This graphic features the Kenyan coat of arms, the Judiciary logo, and a scale of justice. It shows a person's hands typing on a laptop with a bar chart overlay, set against a background of a courtroom.

Introducing **Data Tracking Dashboard**  
**Business Intelligence Tool**

- Analyzes data from judicial case management and Judiciary administrative systems
- Shows pending & concluded cases, backlog, case clearance rates and individual court performance

Social Transformation  
Through Access to Justice

This graphic features the Kenyan coat of arms, the Judiciary logo, and a scale of justice. It shows a person's hands typing on a laptop with a bar chart overlay, set against a background of a courtroom.

Introducing **Data Tracking Dashboard**  
**Sexual Offences**

- Identifies trends, highlights areas where SGBV Courts should be strengthened or established

Aims to create safer communities

Social Transformation  
Through Access to Justice

This graphic features the Kenyan coat of arms, the Judiciary logo, and a scale of justice. It shows a person's hands typing on a laptop with a bar chart overlay, set against a background of a courtroom.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd - Technology

### ✓ ICT Infrastructure

The Judiciary continued to provide internet services in all the court stations, tribunals, and offices. In collaboration with the Communication Authority and ICT Authority, installed LAN Infrastructure in 42 sites and connected 67 sites to National Optic Fibre Network Backhaul Initiative (NOFBI) connectivity.



## Overall Performance Review and Achievements for FY 2023/24 Cont'd

### ► Enhanced Human Resources

- ❖ To enhance access to Justice, twenty (20) new High Court judges were appointed and sworn in on May 2024, and nine (9) Legal Researchers were recruited.
- ❖ The period under review saw the designation of thirty-two (32) Resident Magistrates as adjudicators of the Small Claims Courts bringing the total to 131.
- ❖ The Judiciary facilitated the swearing-in of 39 chairpersons and members for twelve tribunals.



# THE JUDICIARY



Newly appointed Judges take oath of office as judges of the High Court.



## Swearing in of New Judges



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# THE JUDICIARY



The Judiciary Kenya  
@Kenyajudiciary

...

## Swearing in of Tribunal Members

Court of Appeal Registrar Moses Serem presided over the swearing-in of Obonyo Moses Buyuka as Chair of the Financial Centre Tribunal. Rose Mbanya was sworn in as the Chair of the Legal Education Appeals Tribunal and Raphael Kigamwa and Eunice Arwa as members of the tribunal.



11:13 AM · Mar 12, 2024 · 3,215 Views

3:34 PM · Apr 11, 2024 · 1,410 Views



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## THE JUDICIARY

### Construction of Court Premises





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## THE JUDICIARY

### Construction of Judiciary Premises - Marsabit





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# THE JUDICIARY

## Construction of Court Premises – Wang'uru



TELESPARK



## Challenges

- a) **Insufficient Funding:** The Judiciary has been receiving less than half of its budgetary requirements this shortfall has grossly affected the implementation of critical programs.
- b) **Lack of uniformity in the pace at which the justice sector players are implementing digitization:** Some key players are yet to put policies in place to enhance the uptake of ICT as an enabler of justice; and in some cases, the ICT platforms being deployed are not harmonized with those of the other stakeholders.
- c) Inadequate and **poor court infrastructure**
- d) **Poor security of Judiciary Infrastructure and safety of personnel**
- e) Increased costs for **pro bono services** due to change in payment policy
- f) **Inadequate adjudicators** to cope with the increasing workload in the Small Claims Courts



## Recommendations

- **Resources:** Increase resource allocation to the Judiciary to ensure that all the key priority areas are adequately funded
- **Automation:** Implement a more focused and comprehensive approach to automation in the Judiciary and the other Justice Sector players.
- **Court Infrastructure:** Partnering with stakeholders such as county governments to provide land for court construction and establish ICT centers /hubs where members of public are enabled to participate in virtual courts and e-filing.
- Engage the Inspector General of Police to enhance the capacity of the Judiciary Police unit
- Revert to the earlier payment guidelines for pro bono services
- Recruit additional magistrates to enhance numbers of adjudicators for SCCs



THE JUDICIARY

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*Thank You*



REPUBLIC OF KENYA



**PRESENTATION BY THE JUDICIAL SERVICE COMMISSION  
VOTE 2051**

**TO**

**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL  
AFFAIRS(JLAC), NATIONAL ASSEMBLY DURING  
CONSULATIVE RETREAT IN MOMBASA, AT ENGLISH  
POINT MARINA.**

**On: 9<sup>th</sup> – 14<sup>th</sup> December 2024**

*By: Hon Winfridah B. Mokaya, MBS  
Secretary, Judicial Service Commission*

## Presentation Outline

### ❖ Introduction

### ❖ Financial Performance.

- ❑ Exchequer issues
- ❑ Expenditure Performance

### ❖ Non-financial information for the FY 2023/2024

### ❖ Project Information.

### ❖ Status of Pending Bills.

### ❖ Information on Reallocations and

### ❖ Other Relevant Information

- ❑ Challenges and conclusion.

## INTRODUCTION

### Mandate

The mandate of the Commission as provided for under Article 172 (1) of the Constitution is to promote and facilitate the independence and accountability of the Judiciary and the efficient, effective, and transparent administration of justice.

### Vision

A Commission of excellence in promoting an independent, transparent, and accountable Judiciary

### Mission

To facilitate an independent and accountable judiciary that is competent, efficient, effective, and transparent in the administration of justice through capacity development and strategic partnerships.

## INTRODUCTION

### Functions

1. Recommending to the President persons for appointment as judges.
2. Reviewing and making recommendations on the conditions of service of:
  - i. Judges and judicial officers, other than their remuneration.
  - ii. Staff of the Judiciary.
3. Appointing, receiving complaints against, investigating, and removing from office or otherwise disciplining Registrars, Magistrates, other Judicial officers, and other staff of the Judiciary

## INTRODUCTION

### Functions

4. Preparing and implementing programmes for the continuing education and training of judges and judicial officers.
5. Advising the national government on improving the efficiency of the administration of justice.
6. Receiving and considering petitions for the removal from office of judges and if satisfied that the petition discloses a ground for removal, send the petition to the president under Article 168 (3) and (4) of the Constitution.

**FINANCIAL PERFORMANCE FOR THE FY  
2023/2024.**

## Exchequer Issues

Period	FY 2023/24	FY 2022/23
Quarter 1	114,540,662(13%)	116,807,506(14%)
Quarter 2	229,416,880(26%)	204,218,336(24%)
Quarter 3	205,605,136(23%)	76,114,655(9%)
Quarter 4	342,432,351(38%)	444,706,037(53%)
<b>Total</b>	<b>891,995,028(100%)</b>	<b>841,846,533(100%)</b>

- ❖ The Low exchequer receipt in quarter 1 is occasioned by delay in granting access to IFMIS in July which is normally granted in August.
- ❖ The Commission has Planned most of the activities in Quarter 2 and 3.
- ❖ The Commission received 98% of the exchequer as per the Cash Plan for the year

## Actual Expenditure Performance for the FY 2023/2024.

Description	Approved Estimates	Actual Expenditure	% Absorption
Compensation of Employees	219,038,509	218,884,058	99.93
Use of Goods and Services	613,348,816	606,684,023	98.94
Social Security Benefits	5,600,000	5,479,504	97.85
Acquisition of Assets	58,612,675	50,052,608	85.40
<b>Total</b>	<b>896,600,000</b>	<b>881,240,193</b>	<b>98.29</b>

- ❖ The Commission had an overall absorption rate of 98.3% an increase from an absorption rate of 94.6% in the year 2022/23.
- ❖ The lowest absorption of 85.4% under acquisition of Assets was as a result of cancellation of tender for unresponsiveness.

## Actual Expenditure Performance per sub programme for the FY 2023/2024.

Sub Programme	Approved Estimates	Actual Expenditure	% Absorption
Administration and Judicial Services	619,354,612	612,076,948	99
Judicial Training	277,245,388	269,163,244	97
<b>Total</b>	<b>896,600,000</b>	<b>881,240,192</b>	<b>98</b>

❖ The Commission had an overall absorption rate of 98.3% an increase from an absorption rate of 94.6% in the year 2022/23.

## Non-Financial Information for the FY 2023/2024

### i. Selection and Recruitment

- ❖ The Commission recommended **20 Judges** for appointment as Judges of the High Court.
  - ❖ Recruitment for a further **11 Court of Appeal(CoA) Judges** and **5 High Court Judges** commenced in the year under review however the process has stalled due to budget reduction.
  - ❖ **77 Judicial officers were appointed.** This included the **Chief Registrar Judiciary,70 Resident magistrates,6** members of various tribunals.
  - ❖ **572 Judicial staff in various cadres were appointed.**
- The enhanced number will help reduce case backlog by improving efficiently in registries and new established courts, adoption of ICT and speedy typing of proceedings.*

## Non-Financial Information for the FY 2023/2024

### ii. Policy Review/Development

#### ❖ 6 Policies and Guidelines were approved

- Job Description and career progression guidelines.
- JSC incentives framework
- Alternative Justice System Baseline Policy.
- JSC Judges and Judicial Officers Performance appraisal framework
- JSC caseload data Policy guidelines
- JSC Data Policy.

*•The polices are meant to enhance efficiency and service delivery in the Judiciary*

## Non-Financial Information for the FY 2023/2024

Cont'd

### iii. Petition Management and Complaint management

- ❖ Received 141 petitions against Judges and concluded 70 petitions with 71 pending at the end of the FY.
- ❖ Heard and concluded 34 and 4 Disciplinary cases against staff and Judicial officers respectively of the cases received.

### iv. Stakeholder Engagement

- ❖ The Commission monitored service delivery in 59 Court stations through Court visits and engaged 30 County Governors, 59 Court users Committee, 15 LSK Chapters and the citizenry.
- ❖ Held 5 Public Participation forums in Garissa, Meru, Nakuru, Makueni and KICC.
- ❖ Engagement with National Assembly and the Executive on enhanced funding for the Judiciary and the Commission.

## Non-Financial Information for the FY 2023/2024

Cont'd

### v. Kenya Judiciary Academy(KJA)

The Commission has established the Kenya Judiciary Academy to conduct the programs for continuing education and training for Judges and Judicial Officers,

In implementing the Outcome, the Commission

- ❖ Developed an annual training master calendar
- ❖ Conducted 12 training programs on diverse thematic areas.(ICT, Anti Money Laundering, AJS, Child and Gender matters, International Labour Standards, Active case Management, Dialogue on Tax, Counter terrorism Colloquia and Court Conferences ETC)
- ❖ Approved training Policies which includes Benchbooks and training manual on adjudication of trafficking in persons and smuggling of migrants

## Performance Review (Non financial) for FY 2023/2024

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2023/2024	Actual Achievements 2023/2024	Remarks
SP 1: Administration and Judicial Services	Board Services	Strategy and Policy Advisory Services	No. of policies Reviewed/Developed	7	6	Achieved
	Human Resource Management	Human Resource Services	No. of Judges recommended for Appointment	36	20	Inadequate funds hindered achievement. Further the process was halted in the current FY for 11 COA and 5 HC Judges.
			No of Judicial Officers Recruited	80	77	Achieved

**Table 1: Performance Review (Non financial) for FY 2023/2024**

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2023/2024	Actual Achievements 2023/2024	Remarks
			No. of Judiciary Staff Recruited	500	572	The Target was surpassed due to carry over of recruitment of the FY 2022/23
	Legal	Judicial Accountability Services	% of complaints heard and concluded	100(141 Cases)	71	In adequate resourcing of the Commission is affecting the finalization of the Complaints.
			% of disciplinary cases concluded against staff	100(35 Cases)	34	Target Achieved

## Performance Review (Non financial) for FY 2023/2024

Programme	Delivery Unit	Key outputs	Key performance Indicator	Target 2023/2024	Actual Achievements 2023/2024	Remarks
			% of Disiplinary cases against Judicial officers	100(7)	(4)	Exercise hampered by inadequate resources to conduct further investigation
			% of investigations conducted	100	100	This is a continuous exercise during handling of petitions and recruitment.
	Communication	Stakeholders' Relations	No. of stakeholder forums held	50	59	The Commission monitored service delivery in 59 Court stations through Court visits and engaged 30 County Governors, 59

**Table 1: Performance Review (Non financial) for FY 2022/2023 as at 31<sup>st</sup> January 2023**

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2023/2024	Actual Achievements 2023/2024	Remarks
<b>SP 2: Judicial Training</b>	Kenya Judiciary Academy	Judicial Training Services	% of Judges trained	100	90	Additional funding will be required to train all the Judges
			% of Magistrates trained	100	80	Additional funding will be required to train all the Magistrates
			No. of staff trained	300	163	Additional funding will be required to train all the Magistrates staff

## PROJECT INFORMATION

**The commission did not have a project**

**STATUS REPORT FOR PENDING BILLS FOR FY  
2023/2024.**

**The commission did not have a pending bills**

## INFORMATION ON REALLOCATIONS

**The commission reallocated Kshs 30,202,147 to support the deficit under Personnel Emoluments and facilitate the process of recruitment of 20 High Court Judges and 11 CoA Judges.**

## CHALLENGES

### **1. Inadequate Staffing and Infrastructure.**

The budget shortfall of **723 Million** equivalent to 45% funding gap in the FY 2023/24 resulted to difficulties in achieving the planned outputs particularly in staffing, infrastructure and other operational areas.

The Commission is unable to proceed with the recruitment of Court of Appeal Judges, High Court and Secretariat staff thus occasioning case backlog and hampering service delivery.

### **2. Delay in the enactment of legislation.**

To enhance the administration of justice and promote the judge's welfare, the Commission made proposals for the enactment of the Tribunals Bill and Judges Retirement Bill, respectively.

The delay in considering these proposed legislations has hampered the effective administration of justice, independence of the Judiciary, and the Judge's welfare.

## Conclusion

**The Commission request the Committee to;**

**1. Enhancement of the Commission's Budget**

There is need for enhancement of the allocation to the Commission. The Commission request the Hon Committee to reinstate the Commission budget in the FY 2024/25 which was reduced during Supplementary Estimate No 1 which has seriously affected the Commission operations.

**2. Legal Reforms**

There is need to fast-track the enactment of the Tribunal's bills and the Judges Retirement Bill into law In order to streamline the management of tribunals and ensure that retired judges live a dignified life.

*Thank-you*



REPUBLIC OF KENYA

MINISTRY OF INTERIOR & NATIONAL ADMINISTRATION  
STATE DEPARTMENT FOR CORRECTIONAL SERVICES

REPORT ON BUDGET IMPLEMENTATION MONITORING FOR THE  
FY2023/24 AND FAMILIARIZATION RETREAT WITH THE DEPARTMENTAL  
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

PRESENTED

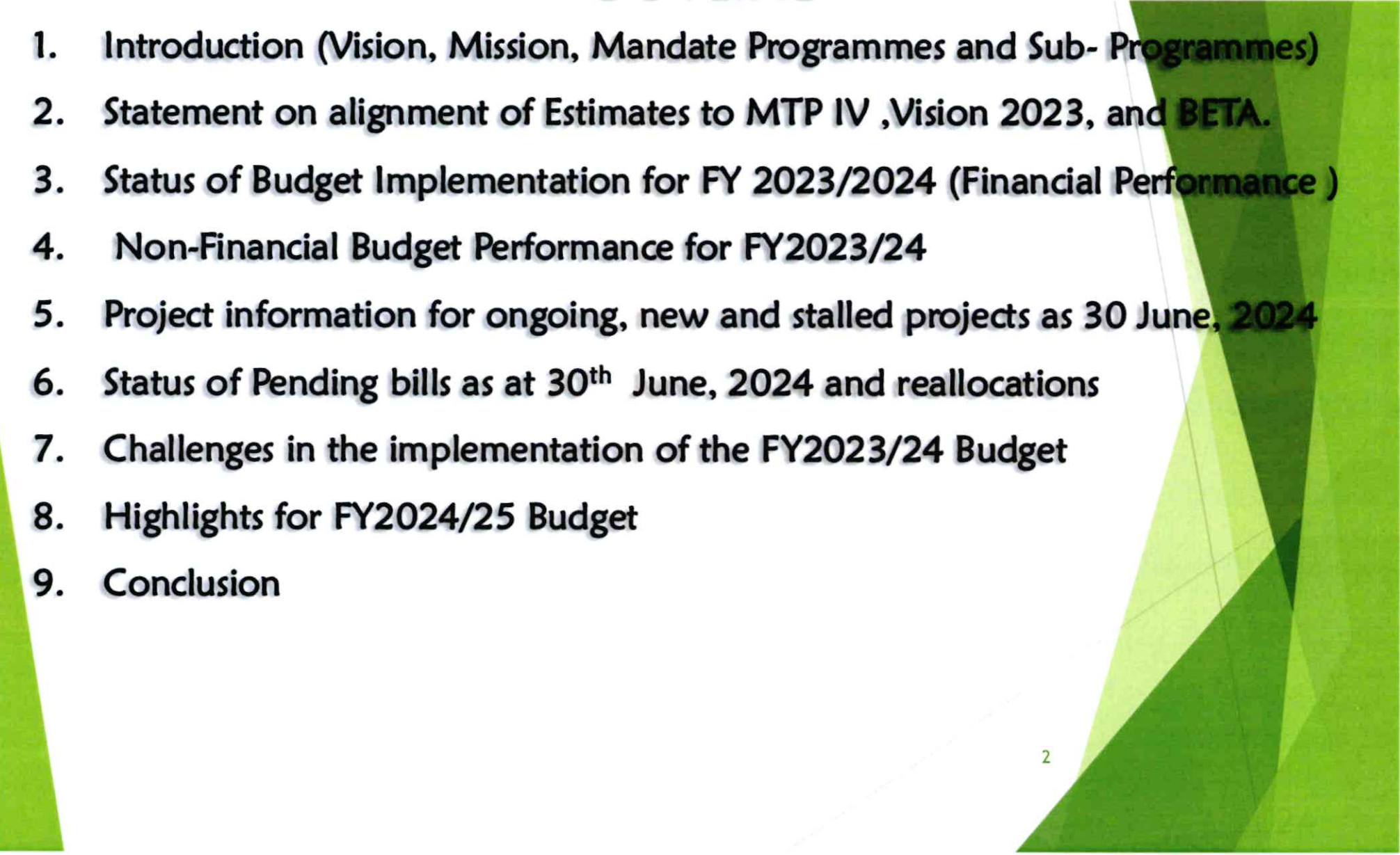
BY

DR. SALOME M. BEACCO, CBS  
PRINCIPAL SECRETARY

11<sup>th</sup> December, 2024



# OUTLINE

1. Introduction (Vision, Mission, Mandate Programmes and Sub- Programmes)
  2. Statement on alignment of Estimates to MTP IV ,Vision 2023, and BETA.
  3. Status of Budget Implementation for FY 2023/2024 (Financial Performance )
  4. Non-Financial Budget Performance for FY2023/24
  5. Project information for ongoing, new and stalled projects as 30 June, 2024
  6. Status of Pending bills as at 30<sup>th</sup> June, 2024 and reallocations
  7. Challenges in the implementation of the FY2023/24 Budget
  8. Highlights for FY2024/25 Budget
  9. Conclusion
- 



## 1. INTRODUCTION

The State Department for Correctional Services is domiciled in the Ministry of Interior and National Administration and is a subsector within the Governance, Justice, Law and Order (GJLO) Sector. In the FY 2023/24 implemented the approved budget through following Programmes and sub-programmes .

### **1. Kenya Prisons Service**

- i. Offender Services
- ii. Capacity Development

### **2. Probation and Aftercare Services**

- i. Probation Services
- ii. Aftercare Services

### **3. General Administration, Planning and Support Services**

- i. Planning, Policy Coordination and support Services



# Vision and Mission

## Vision

To be an excellent organization in correctional services

## Mission

To promote a just and secure society through efficient and effective management of offenders and administration of justice



# Mandate

The Mandate of the State Department for Correctional Services is derived from the Executive Order No. 2 of November, 2023 which assigns the State Department the following functions:

- ▶ Correctional Services
- ▶ Policy for reform of penal justice system;
- ▶ Prison enterprise,
- ▶ Development of administrative policies for Borstal institutions & facilities for incarcerated minors; and
- ▶ Probation Services



## 2. STATEMENT ON ALIGNMENT OF ESTIMATES TO THE MTP IV OF VISION 2030 AND BETA



The awardees pose a photo with the Chief Guest Tourism and Wildlife Cabinet Secretary Rebecca Miano, Principal Secretaries and other guests

## 2, Statement on Alignment to the Bottom-Up Economic Transformation Agenda

The BETA agenda is geared towards economic turn around and inclusive growth and aims to increase investment in at least five sectors envisaged to have the largest impact to the Kenyan citizen's livelihood as well as households. The State Department for Correctional Services has aligned the priorities of the Medium-Term Plan IV of the Vision 2030 and Bottom – Up Economic Transformation Agenda (BETA) through :

- i. Legal and policy reforms;
- ii. Capacity enhancement;
- iii. Strengthening security in penal facilities;
- iv. Decongestion of prison facilities;
- v. Prison modernization programme;
- vi. Mobility;
- vii. Upgrade of services delivery systems through digitization of correctional services & ICT infrastructure set up;
- viii. Offenders' safe custody, rehabilitation, supervision and reintegration; and
- ix. Transforming Kenya prisons enterprises

### 3. STATUS OF BUDGET IMPLEMENTATION FOR FY 2023/2024.



Official opening of Correctional Service week .



Stakeholder call for prioritization of Mental Health and Wellness .



Plans to develop Correctional Service Mental Health Manual underway

### a) Financial Performance for FY 2023/2024 Budget

Chair and Honorable members , in the FY 2023/24 Approved Estimates No. 2 the State Department was allocated a total of **Kshs.35.37 billion** against an expenditure of **Kshs.33.8 billion** giving an overall absorption rate of **96%** . The low absorption was attributed to lack of release of exchequer in respect to historical pending bills of **Kshs.1.6 billion**.

Further, out of the total budget the recurrent budget was **Kshs.34.57 billion** and **Kshs.795 million** for development budget against an expenditure of **Kshs.33.17 billion** and **Kshs.635.79 million** giving an overall absorption rate of **97%** and **80%** for recurrent and development respectively.

The detailed analysis of the FY2023/24 budget is shown in the subsequent tables ;

## a) Financial Performance for FY 2023/2024 Budget

**Table 1: FY2023/24 Recurrent Budget absorption Analysis as at 30<sup>th</sup> June, 2023 (Kshs. millions)**

Summary of Expenditure by Economic Classification fy2023/24				
Economic Classification	Approved Estimates Supp 2	Actual Expenditure	Variance	Absorption %
<b>Current Expenditures</b>	<b>34,574.53</b>	<b>33,170.20</b>	<b>1,404.33</b>	<b>97</b>
Compensation to Employees	25,409.83	24,877.06	532.77	98
Use of goods and services	9,017.53	8,152.07	865.46	90
Current Transfers	15.16	15.16	-	100
Other Recurrent	132.01	125.92	6.09	95
<b>Capital Expenditures</b>	<b>795</b>	<b>635.79</b>	<b>159.21</b>	<b>80</b>
Acquisition of Non -Financial Assets	795	635.79	159.21	80
<b>Total Expenditure</b>	<b>35,369.53</b>	<b>33,806.00</b>	<b>1,563.54</b>	<b>96</b>

a) Financial Performance for FY 2023/2024 Budget cont....

Table 2: FY2023/24 Budget absorption analysis by Programme as at 30<sup>th</sup> June, 2024 (Kshs. millions)

Programme	FY2023/24 Approved Estimates (Suppl. No. 11)			Actual Expenditure as at 30th June 2024			Absorption %
	Recurrent	Development	Gross	Recurrent	Development	Gross	
1. Kenya Prison Services	31,837.44	650.23	32,487.67	30,710.92	538.33	31,249.25	96
2. Probation and Aftercare Services	2,170.94	144.77	2,315.71	1,948.70	97.46	2,046.17	88
3. Planning, Policy Coordination and Support Service	566.15	-	566.15	510.58	-	510.58	90
<b>Grand Total</b>	<b>34,575</b>	<b>795</b>	<b>35,369.5</b>	<b>33,170</b>	<b>635.8</b>	<b>33,806</b>	<b>96</b>

Table 3.1.a. Actual Receipts ,exchequer issues

TABLE 2.Statement of receipts and payments for FY2023/24 as 30 <sup>th</sup> June 2024	
	Kshs
<b>EXCHEQUER RECEIPTS</b>	
Transfers from National Treasury	32,942,881,865.45
Other Revenues	2,633,250.00
<b>TOTAL REVENUES</b>	<b>32,945,515,115.45</b>
<b>PAYMENTS</b>	
Compensation of Employees	24,877,057,579.35
Use of goods and services	7,313,406,059.10
Other grants and transfers	15,160,000.00
Social Security Benefits	9,498,724.95
Acquisition of Assets	718,411,696.80
<b>TOTAL PAYMENTS</b>	<b>32,933,534,060.20</b>

#### 4. NON –FINANCIAL PERFORMANCE FOR FY2023/24

##### **Major Achievements in the period under review, the State Department;**

- Contained in safe custody a daily average of 63,178 inmates
- Offered treatment programmes to 1,363 boys and girls in Borstal institutions /Youth Corrective Training Centre (YCTC)
- Supervised 136 penal institutions spread across 8 Regions and 47 Counties within the Country
- Acquired and distributed 57,996 pairs of uniform(STAFF) and 39,200 pieces of beddings and linens to inmates.
- Completed the construction of eight (8) perimeter/security walls to enhance security in prisons.
- Offered formal education to 15,413 inmates, vocational training 16,297 long serving inmates, registered 2,119 and 342 inmates for KCPE and KCSE examinations respectively .

#### 4. NON –FINANCIAL PERFORMOMANCE FOR FY2023/24 CONT...

### **Major Achievements in the period under review, the State Department cont.....**

- Rehabilitated and reintegrated 124,246 offenders within the community and supported 3,480 needy and deserving probationers in accessing formal and vocational education
- Enforced implementation of court orders/sentences through supervision of various categories of non –custodial offenders within the community as follows:
  - ❖ 125,117 on probation orders
  - ❖ 128,353 Community Service Orders (CSOs) offenders who performed free public work as ordered
  - ❖ 55 power of mercy pardonees were supervised.
- improved work environment by acquiring and distributing a total of 194 computers.
- **Annex I:Attached gives detailed information Non-financial performance ,showing actual outputs achieved relative to the set targets in FY2023/24 program-based budget**


## 5. PROJECTS INFORMATION



Training on mental health wellness was conducted for Senior Staff at the Prison Staff Training College on 22/1/2024



Construction and equipping of the Magereza Hospital is 100% complete. 271 Health care workers have been recruited and deployed. The aim is to enhance the provision of healthcare to staff, inmates, and their families.



## 5. Project Information for Ongoing, New and Stalled Projects as at 30<sup>th</sup> June , 2024

The State Department implemented the following key projects in FY 2023/24 clustered as follows;

1. Strengthening security in penal institutions through;
  - ▶ Construction of perimeter walls in 31 stations,
  - ▶ Construction of Gate lodges in 14 stations
  - ▶ Installation of walk-through metal detectors in 7 stations.
2. Enhance staff and inmates' welfare through ;
  - ▶ Complete construction of Staff houses in 26 stations
  - ▶ Construction/completion of prisoners' wards in 14 stations,
  - ▶ Construction/completion of dining halls, kitchens and ration stores in 9 stations.
  - ▶ Undertook water and sanitation projects in 15 stations
  - ▶ Construction and completion of 5 administration blocks,

## 5. Project Information for Ongoing, New and Stalled Projects as at 30<sup>th</sup> June , 2024

- ### 3. Modernisation of prisons Farms and Industry
- ▶ Modernize and mechanize 5 farms through acquisition of tractors and accessories
  - ▶ Construct 4 workshops for industrial training and production

### 4. Digitization of Correctional Services

- ▶ Acquisition of ICT equipment
- ▶ Upgrading of telecommunication infrastructure

### 5. Probation Services

- Construction of 6 probation offices
- Expand and refurbish 4 probation hostels' infrastructure
- ▶ Automation and Aftercare Services

**Annex II: Attached gives detailed information on project name, allocation ,expenditures and status.**

## 6. STATUS OF PENDING BILLS AS AT 30<sup>th</sup> JUNE, 2024



**ONGOING PROJECT AT NAKURU GIRLS PROBATION HOSTEL**

#### 6 a) Status of pending bills as at June , 2024

The State Department pending bills as at 30th June 2024 stands at **Kshs 5,248.65 million**, broken down as follows;

- The State department has a total of **Kshs 14.46 million** outstanding court awards.
- Pending bills for the recurrent relating to F/Y2023/2024 amounting to **Kshs 1,141.93 million** under the state Department headquarters and Nairobi region Stations including verified historical pending bills budget for, but no exchequer was received
- Recurrent pending bills for the F/Y 2022/2023 amounting to **Kshs 150.14 million** Received from KPS stations
- Development pending bills for F/Y 2022/2023 (Wanini Kireri Magereza level IV Hospital) totaling to **Kshs 451.07 million**.
- Development pending bills for F/Y 2023/2024 totaling to **Kshs 119.40 million**.
- Historical pending bills submitted to pending bills verification committee are **Kshs 3,371.65 million**

## 6 b. Funds spend under Article 223, reallocations

The State Department had no additional allocation or any allocation under Article 223 , however the reallocations amounting to **Kshs.24.5 million** were approved as follows;

### Recurrent

- ❖ **Kshs. 4.82 million** to partly cater for induction expenses of the newly recruited probation officers
- ❖ **Kshs. 2.8 million** to cater for outstanding funeral expenses and outstanding bills relating to correctional service week and policy reviews and reforms.

### Development

- ❖ **Kshs. 16.19 million** to cater for emergency cases in Kenya Prison services i.e renovation of sewerage systems in various penal Institutions.

## 7. Challenges in the implementation of FY2023/25 Budget

### Challenges

- ▶ Inadequate budgetary provisions posed significant challenges to the implementation of key correctional services programs for both custodial and non-custodial offenders.
- ▶ Inadequate specialised vehicles and equipment for transportation of violent/ extremist offenders from correctional facilities to the courts.
- ▶ Insufficient offender management facilities besides the increasing numbers and sophisticated crimes by inmates.
- ▶ Gaps in the Legal and Regulatory Frameworks - The existing legal and regulatory frameworks have not been reviewed over a long period of time therefore are not able to take care of some of the emerging issues.

## 7. Challenges in the implementation of FY2023/25 Budget Cont.....

- ▶ Alcohol, Drug and Substance Abuse- Cases of drug and alcohol abuse among some members of staff in correctional institutions have far reaching effects to the efficiency and effectiveness of service delivery.
- ▶ Limited Adoption and funding of ICT- the State Department has had limited adoption of technology especially in terms of digitization of records, activities and data management.
- ▶ Adverse weather conditions due to climate change have contributed to low crop yields in prison farms that have led the correctional facilities to source for supplementary food supplies from other sources.
- ▶ Bad weather conditions have affected the program of rehabilitation of offenders through inadequate practice in prison farms.
- ▶ Easy spread of Contagious diseases in our facilities which affects officers handling offenders and their families
- ▶ Safety and security of officers handling offenders always at risk

## 8. Key Highlights FY2024/25 Budget.

- ▶ Chair and honorable members, the next slide highlights the key unfunded and underfunded area in the FY2024/25 and the medium term, that will affect the implementation and achievement of key priority programs/projects.
- ▶ Further, the State Department desires to recruit 3000 prison wardens in line with aspirations of BETA to ensure that there is sufficient officers to support rehabilitation, supervision and containment of offenders.

**Table 4. Recurrent Critical underfunded/unfunded Areas in FY 2024/25 (Kshs. Millions)**

S/no.	Budget Item/ Activity	Current Allocation	Total Requirements	Estimates 2024/25	Funding Gap	Justification
	Food and Rations	4,652.80	6,585.77	4,647.90	(1,937.87)	The State Department currently holds a daily average of 63,000 inmates who are provided with food and ration on daily basis at a cost of @ Ksh.272 per inmate in a day * 365 days and 800 children @ Ksh.544 per day.
2.	Other Fuels (Wood Fuel)	419.5	611.01	257.73	(353.28)	A sharp increase in inmate population has been witnessed in the 1st quarter of FY 2023/2024, coupled with the drastic rise in food and wood fuel prices occasioned by inflation and biting drought in the Country.
3.	Medical expenses and medical drugs for inmates	107.9	1,220.00	205.52	(1,014.48)	This item is utilized in settling inmates' medical bills incurred outside the penal institutions.
4.	Fuel Oil and Lubricants	266.5	537.42	211.23	(326.19)	The price of fuel has escalated from the budgeted price of Kshs. 179 to Kshs. 193.00 and the average daily is 63,000 inmates. This scenario has affected the State department ability to acquire the item, hence grossly affecting our normal operations.
7.	2210800 Hospitality Supplies and Services	27.21	112.04	36.24	(75.80)	The State Department utilizes this fund to meet expenses for the officers attending various meetings, and conferences and cater for officers participating in National parades. In the financial year 2024/25 the state Department will hold a
8.	Maintenance of Buildings and Stations	2.34	358.5	1.17	(357.33)	Most Penal facilities were constructed in pre-independence period and over period wear and tear has affected most of the infrastructure, thus most of them are dilapidated and inhabitable hence requiring urgent refurbishment. With the recent heavy rains the situation has worsened and need an urgent intervention
9.	Purchase of Uniforms and Clothing - Staff	208.37	2,049.00	208.38	(1,840.62)	Kenya Prison Service Staff as per the Standing Orders are entitled to two (2) pairs of uniforms per year which over the previous three financial years have not been adequately provided due to inadequate funds. The State Department has procured and issued 15,381 pairs of uniform against 32,028 uniformed officers. The uniform consist of a beret, lanyard, shirt, trousers, belt, a pair of shoes and pair of socks. The shortage has resulted in officers wearing worn out uniforms.

**Table 4. Recurrent Critical underfunded/unfunded Areas in FY 2024/25 (Kshs. Millions)**

S/No.	Budget Item/ Activity	Current Allocation	Total Requirements	Estimates 2024/25	Funding Gap	Justification
10.	Purchase of Uniforms and Clothing - Inmates	172.46	514.6	172.6	(342.00)	Each inmate requires two sets of uniform consisting of a shirt, pair of trousers, shoes and a sweater for a combined cost of Ksh 8,300 per set. More than half of the inmates' population have not been issued uniform. This has forced some inmates to wear tattered clothes which contravenes the United Nations Minimum Standard Rules that require inmates to be contained in safe and humane conditions.
11.	Purchase of Bedding and Linen	59.31	1,240	59.31	(1,180.69)	In the last three Financial Years, the State Department has only been able to procure and issue bedding to a total of 22,066 inmates against an annual average population of 63,000 inmates. This has resulted in an acute shortage of bedding for the inmates
12.	Routine Maintenance - Vehicles and Other Assets	141.96	215.2	107.04	(108.16)	The State Department is mandated to facilitate the prompt administration of justice through timely production of inmates to various courts across the country when and as required. This is only achievable when all the motor vehicles are promptly maintained. The Service fleet of vehicles are old, hence require constant repair and maintenance. Currently, the Service is grappling with the challenge of producing inmates to courts and hospitals due to gross underfunding on item Maintenance Expense Motor Vehicle.
13.	Operationalization of Wanini Kireri Magereza Level IV Hospital	23.3	168.76	0	(168.76)	Kenya Prisons Service initiated the construction of Magereza Level IV Hospital in 2021/2022 to address staff health services more efficiently and effectively. The hospital facility is complete and ready for use and medical staffs have been recruited. However, the facility requires funds for operation and maintenance estimated at Kshs.168.76 million to clear be up and running.
14.	Purchase of Security Equipment	23.32	7,800.00	17.3	(7,782.70)	The State Department is Mandated to contain inmates in safe custody (Prevent escape). This requires the use of adequate, modern, and serviceable security equipment. Currently, the Service has no modern security equipment and suffers an acute shortage of serviceable ordinary equipment. KPS has not acquired /replaced firearms for over three (3) decades, jeopardizing the security/management of inmates within and outside penal institutions.
15	Operations and Maintenance to cater for newly recruited 400 Probation Officers	0	0.515		(515.00)	The fund are required to cater for purchase computers and ict networking equipment, furniture and fittings and other daily operational expenses for the newly recruited probation officers
16.	Insurance Costs	1,500	1,875.0938		563- insurance 375- pending bill	Medical Insurance cover and life cover for KPS officers and NHIF pending bill which been reduced by 50%
<b>Total</b>		<b>6,104.97</b>	<b>21,927.30</b>	<b>5,924.42</b>	<b>(16,940.88)</b>	

**Table 5. Development Critical underfunded Areas for FY 2024/25 Cont..**

<b>S/No.</b>	<b>DEVELOPMENT VOTE</b>	<b>Amount ( Kshs. Millions)</b>
1	Magereza Level IV Hospital Pending Bills	451
2	Acquisition of Correctional Services Head Office	450
3	Setting up of specialized mental treatment wings at 9 maximum penal facilities	214.7
4	Relocation of Prisons (Kitale Medium Prison, Kisii Main Prison, Kisii Women Prison, Homabay Main Prison, Homabay Women Prison at a cost of Kshs. 4, 200 M Requesting for 520M to commence works)	520
5	Mechanization and modernization of Prison Enterprises	2,400
	<b>TOTAL</b>	<b>4,035.70</b>
	<b>TOTAL RECURRENT AND DEVELOPMENT FUNDING GAP</b>	<b>20,976.58</b>



## CONCLUSION

- Chair and Honorable members in the current FY2024/25 it is important to note that the rationalization of the development budget for the State Department affected many ongoing projects which had payment certificates.
- We therefore appeal to you that the development budget be reinstated and considered in Supplementary Estimates No. II of FY2024/25 to clear the pending certificates
- The State Department recognizes its ability to fulfill its duties and responsibilities depend on having sufficient finances. Adequate funding is essential for the department to operate smoothly and effectively. Without proper funding, the department may face challenges in meeting its mandate.



**THANK YOU,  
MERRY CHRISTMASS AND HAPPY NEW YEAR**



**STATE DEPARTMENT FOR CORRECTIONAL SERVICES**

<b>STATEMENT OF RECEIPTS AND PAYMENTS FY 2023/24 AS AT 30TH JUNE 2024</b>	
	Kshs
<b>RECEIPTS</b>	
Transfers from National Treasury	32,942,881,865.45
Other Revenues	2,633,250.00
<b>TOTAL REVENUES</b>	<b>32,945,515,115.45</b>
<b>PAYMENTS</b>	
Compensation of Employees	24,877,057,579.35
Use of goods and services	7,313,406,059.10
Other grants and transfers	15,160,000.00
Social Security Benefits	9,498,724.95
Acquisition of Assets	718,411,696.80
<b>TOTAL PAYMENTS</b>	<b>32,933,534,060.20</b>
<b>SURPLUS/DEFICIT</b>	<b>11,981,055.25</b>

**State Department for Correctional Services****Recurrent Summary of Expenditure by Economic Classification fy2023/24**

<b>Economic Classification</b>	<b>Approved Estimates Supp 2</b>	<b>Actual Expenditure</b>	<b>Variance</b>	<b>Absorption %</b>
<b>Current Expenditure</b>	<b>34,574.53</b>	<b>33,170.20</b>	<b>1,404.33</b>	<b>97</b>
Compensation to Employees	25,409.83	24,877.06	532.77	98
Use of goods and services	9,017.53	8,152.07	865.46	90
Current Transfers	15.16	15.16	-	100
Other Recurrent	132.01	125.92	6.09	95
<b>Capital Expenditures</b>	<b>795</b>	<b>635.79</b>	<b>159.21</b>	<b>80</b>
Acquisition of Non -Financial Assets	795	635.79	159.21	80
<b>Total Expenditure</b>	<b>35,369.53</b>	<b>33,806.00</b>	<b>1,563.54</b>	<b>96</b>

**State Department for Correctional Services****Development Expenditure Analysis for FY2023/24 as at 30th June 2024**

<b>Budget Item</b>	<b>Account Description</b>	<b>Budget</b>	<b>Expenditure/ Receipt</b>	<b>Balance</b>	<b>Absorption</b>
3110201	Residential Buildings	31.65	31.65	-	
3110202	Non-Residential Buildings	382.02	313.84	68.2	
3110504	Other Infrastructure	331.06	240.03	91.0	
3111100	Purchase of Specialised Plant.	50.27	50.27	-	
	<b>Grand Total</b>	<b>795.00</b>	<b>635.79</b>	<b>159.21</b>	<b>79.97</b>

Program Performance allocation versus expenditure fy2023/24							
	FY2023/24 Approved Estimates (Suppl. No. 11)			Actual Expenditure as at 30th June 2024			Absorption %
	Recurrent	Development	Gross	Recurrent	Development	Gross	
1. Kenya Prison Services	31,837.44	650.23	32,487.67	30,710.92	538.33	31,249.25	96
2. Probation and Aftercare Services	2,170.94	144.77	2,315.71	1,948.70	97.46	2,046.17	88
3. Planning, Policy Coordination and Support Service	566.15	-	566.15	510.58	-	510.58	90
<b>Grand Total</b>	<b>34,575</b>	<b>795</b>	<b>35,369.5</b>	<b>33,170</b>	<b>635.8</b>	<b>33,806</b>	<b>96</b>

State Department for Correctional Services

Pending Bills over 90 days

Financial Year	Historical Pending Bills submitted to (Kshs.)		FY 2022/2023 Kshs.		FY 2023/2024 Kshs.		Total Kshs.	Remarks
Category	Rec	Dev	Rec	Dev	Rec	Dev		
Bills Verified and Payable	677,221,627	Nil	Nil	Nil	Nil	Nil	677,221,627.00	
Bills under Verification	3,252,973,423.57	118,676,991.80	150,142,199.00	Nil	193,302,052.56	119,402,975.81	3,834,497,642.74	
Bills under DCI/EACC								
Contested/Courts Award								
Ineligible Bills		Nil	Nil	Nil	Nil	Nil		
<b>TOTAL PENDING BILLS</b>	<b>3,930,195,050.57</b>	<b>118,676,991.80</b>	<b>150,142,199.00</b>		<b>193,302,052.56</b>	<b>119,402,975.81</b>	<b>4,511,719,269.74</b>	

Name of the MDA: STATE DEPARTMENT FOR CORRECTIONAL SERVICES  
 PROGRAMME & SUB-PROGRAMME PERFORMANCE REPORT (FINANCIALS)  
 Financial Report FY 2023/24 (as at 30th June 2024)

Sub-ppd Delivery unit	Key outputs	Key Performance Indicators	Target 2023/2024	Actual Q1	Actual Q2	Actual Q3	Actual Q4	CUMULATIVE ACHIEVEMENT	Variance	Remarks
Programme 1: Prison Services Outcome: Supervised, rehabilitated and re-integrated non-custodial offenders and expeditious administration of justice	Key outputs	No. of penal facilities supervised No. of inmates provided with uniforms and clothing No. of inmates provided with medical services No. energy saving lights acquired No. of inmates provided with feeding pans No. of inmates provided with bedding No. of asserted security equipment acquired No. of staff provided with medical insurance cover	137 57,000 57,000 150 15,000 20,000 5,000 32,202	134 62,589 60,972 0 0 0 0 31,202	134 60,972 60 0 0 0 0 32,202	135 64,079 60 60 14,486 - 32,202	135 61,360 60 - - - 32,202	135 33,200 186,411 60 - - 32,202	(21,800) 129,411 (902) (15,000) (5,214) (5,000)	(2) these were the only existing penal institutions prisoners uniform. 33,200 pairs, Jerseys 5,000 pieces inmate population increased by 52,50 against the projected population of 57,000 due to crime increase in the country AFFECTED BY BUDGETARY CUTS AFFECTED BY BUDGETARY CUTS target achieved ✓ Range green trousers- 8,700 Pairs ✓ Camouflage jungle jacket- 8,800 No. ✓ Junior officer jersey rifle green- 5,000 No ✓ Camouflage t-shirts - 2,000 No ✓ Belts ceremonial - 1,000 No ✓ Belts canvas heavy duty - 6,000 No ✓ Greatcoats - 2,000 No ✓ Cap peaks rifle green men / Ladies- 830 No ✓ Berets rifle green - 5,000 No ✓ Black leather high ankle boots - 6,000 Pairs ✓ Safari boots - 2,000 Pairs ✓ Senior officers' shoes (ladies) - 1,000 Pairs ✓ Woolen socks - 21,500 Pairs ✓ Shoulder badges - 18,000 pairs ✓ Collar badges silver chrome - 1,000 Pairs ✓ Swaggar cane - 2,000 No ✓ Chevrons - 5,000 No ✓ Coat of arms - 1,000 No ✓ Badges of ranks - 4,590 Pairs ✓ Corsets - 1,100 Pairs ✓ Acquiplate silver - 20 No
1023001900 Headquarters Administrative Services, Prisons	Custodial offender rehabilitation services	No. of prison officers killed % of offenders offered spiritual service No. of offenders offered psychological counselling service No. of offenders offered vocational training No. of inmates offered formal education No. of inmates registered for KCPE No. of inmates registered for KCSE	10,000 100 34,000 8,500 6,200 760 120	0 100 10,000 5,913 3,659 880 104	13,200 100 10 5,469 3,820 880 104	- 100 15,007 5,951 3,950 780 177	- 100 18,000 6,002 3,500 114 138	13,200 100 43,017 5,833.75 3,732 664 131	3,200 - 9,017 (2,666) (2,468) (97) 11	Target achieved Target achieved Difference to reported in 4th quarter Difference to reported in 4th quarter Difference to reported in 4th quarter Difference to reported in 4th quarter 114 registered for KP/SEA over achieved
1023002400 Maximum & High-Risk Prisons	Offender containment services	Average daily no. of high-risk inmates contained in humane and safe custody Average daily no. of medium risk inmates contained in humane and safe custody No. of counties supervised by Regional Commissioners No. of production orders and warrants for high-risk inmates/mandates received and effected No. of production orders and warrants for medium risk inmates/mandates received and effected	26,000 30,000 47 150,000 355,000	25,043 37,496 47 38,568 133,042	25,043 37,496 47 40,080 108,048	25,650 38,135 47 38,052 107,962	25,711 38,135 47 38,562 108,796	25,362 37,816 47 155,262 438,048	(638) 7,816 - 5,262 83,048	The Number of medium risk inmates increased by 8,115 and high risk decreased by 350 inmates Achieved Target achieved Target achieved these were the only boys and girls committed to borstal institution
1023000500 Borstals/YCTC Institutions	Borstal services	No. of Borstal boys and girls undertaken treatment programme	870	417	386	387	387	1,577	707	Target achieved



Name of the MDA: STATE DEPARTMENT FOR CORRECTIONAL SERVICES  
 PROGRAMME & SUB-PROGRAMME PERFORMANCE REPORT (FINANCIALS)  
 Financial Report FY 2023/24 (as at 30th June 2024)

Sub-proj Delivery unit	Key Performance Indicators	Target 2023/2024	Actual Q1	Actual Q2	Actual Q3	Actual Q4	CUMULATIVE ACHIEVEMENT	Variance	Remarks
102100100 Construction of Probation office blocks	No. of office blocks constructed	8	1	0	0	0	1	(7)	Target not achieved
0928020 SP 2.2 Addressing Services	No. of probationers provided with temporary accommodations	450	137	23	23	35	238	(212)	Target not achieved
	No. of ex-offenders provided with temporary accommodations	800	227	265	265	582	1339	539	Target achieved
	No. of health interventions constructed	4	0	0	0	0	0	(4)	Target not achieved
	No. of probationers from probation houses reintegrated	250	48	91	91	38	268	18	Target achieved
	No. of ex-offenders provided with beds and other equipment	150	0	0	0	0	0	(150)	Target not achieved
	No. of Schools going ex-offenders reported with formal education	450	382	382	382	126	1272	822	Target achieved
	% of ex-offenders with a job or a business plan of life	100	100	100	100	100	400	300	Target achieved
	Community focused care model implemented	100	100	100	100	100	400	300	Target achieved
<b>Programme 3: 6023000 General Administration, Planning and Support Services</b>									
<b>Outcome: Improved Delivery of Responsive, Effective and Efficient Services To Kenyans</b>									
SP 3.1 0622010 Planning Policy Coordination	No. of non-financial and financial reports prepared	6	0	2	2	2	6	-	Target not achieved
	% of procurement contracts advertised and awarded	100	0	0	100	100	200	100	Target achieved
	No. of policies formulated and implemented	1	0	1	1	0	2	1	Target achieved
	No. of reports to cabinet submitted	1	0	1	1	0	2	1	Target achieved
	No. of reports to cabinet submitted and government policies implemented	9	0	1	1	0	2	(7)	Target not achieved
	No. of ICT systems developed	2	0	0	0	0	0	(2)	Target was not achieved
	No. of monitoring and evaluation reports	4	1	1	0	0	2	(2)	Target not achieved
	No. of Performance contract reports	4	1	2	3	4	10	6	Target achieved
	No. of staff in acquisition	10	3	3	2	0	8	(2)	Target not achieved
	No. of staff in recruitment	24	14	14	4	0	32	8	Target achieved
	Number of awards successful	15	8	8	4	0	20	5	Target achieved
	No. of Part Development Plan (PDPs) prepared	60	32	32	3	4	71	11	Target achieved
	No. of grabbed parcels of land responsiveness	74	30	30	5	5	70	(4)	Target not achieved
1021001700 Development Planning Services-Coordination	Land Reform services								
1021001800 Integrated Correctional services Reform									



NAME OF MID-STATE DEPARTMENT FOR CORRECTIONAL SERVICES  
PROJECT IMPLEMENTATION STATUS AS OF 30<sup>th</sup> June, 2024

Project Name (s)	Project Commencement Date (b)	Expected date of Completion of the project (c)	Source of funds (Govt/External/Foreign/Borrowings/Commercial) (d)	Estimated Value of the Project (e)	Cumulative	Total Funding as of 30th June 2024 (f) (Approved Budget)	Actual Expenditure as at June 30th, 2024 (g)	Project completion % as at March, 2023 (h) (y-o-g)	Remarks/Challenges faced in implementing Projects
1023101001 Planning, Policy Coordination and Support Service									
1023101000 Acquisition of ICT applications and infrastructure set up									
1023101001 Acquisition of ICT applications and infrastructure set up	06-06-15	30-06-2025	Govt	269,631,043	39,073,639				The project had an allocation of Kshs 123M and however the commitment made was higher than the budget provided as had been anticipated to complete the project cost of Kshs 14M. The project's main objective is to enhance safe custody of inmates.
1023100108 Construction of perimeter wall Htuah	14-04-18	30-06-25	Govt	543,725,670	189,361,225	30,949,387,00	21,553,381,00		The project's main objective is to enhance safe custody of inmates.
1023100109 Construction of perimeter wall Wajir	06-06-17	30-06-25	Govt	28,000,000	5,000,000	4,900,000,00			The project's main objective is to enhance safe custody of inmates.
1023100111 Construction of perimeter walls Gutsua	01-08-13	30-06-25	Govt	23,500,000	8,000,000	2,345,171,00	595,172,00	2.53	The project's main objective is to enhance safe custody of inmates.
1023100113 Completion of Perimeter Wall at Eldoret Women Prison	01-02-19	30-06-25	Govt	64,380,000	11,216,690				The project was allocated Kshs 10M in Sep 1, however the commitment made was higher than the budget provided as had been anticipated to complete the project cost of Kshs 14M. The project's main objective is to enhance safe custody of inmates.
1023100114 Completion of Gate Lodge at Gutsua Medium Prison	07-01-09	30-06-26	Govt	20,500,000	1,500,000		10,050,818,00	100.00	The project's main objective is to enhance safe custody of inmates.
1023100116 Completion Gate Lodge (Duty Office, Documentation) at Kshamba Prison	01-01-13	30-06-24	Govt	15,500,000	1,900,000				The project's main objective is to enhance safe custody of inmates.
1023100117 Completion of Main Gate at Kerugoya Prison	05-03-15	30-06-24	Govt	6,000,000	1,900,000	1,487,008,00	1,487,008,00	24.78	The project's main objective is to enhance safe custody of inmates.
1023100118 Completion of phase 1 Perimeter Wall at Kitifi Prison	07-01-13	30-06-25	Govt	21,400,000	1,400,000				The project's main objective is to enhance safe custody of inmates.
1023100119 Completion of Perimeter walls Machakos Women Prison	07-01-15	30-06-2025	Govt	22,228,819	9,960,000	3,702,068,00	3,702,068,00	16.65	The project is Ongoing
1023100122 Completion of Gate Lodge, Armory & Duty Office at Nyeri Medium Prison	01-07-10	30-06-2025	Govt	11,000,000	4,900,000				The project's main objective is to enhance safe custody of inmates.
1023100123 Completion of Main Gate/Gate Lodge & Armory at Rumuruti Prison	07-01-13	30-06-24	Govt	6,000,000	2,075,000				The project is Ongoing
1023100124 Construction of phase 1 Perimeter Fence Shimo Bheral Institution	07-01-12	30-06-2025	Govt	7,500,000	4,900,000				The project is Ongoing
1023100125 Construction of Perimeter wall Shimo Medium Prison	07-01-16	30-06-26	Govt	12,080,000	1,500,000				The project is Ongoing
1023100128 Construction Of Watch towers and main gate at Bonnet Prison	01-06-16	30-06-22	Govt	18,030,000	6,310,000	2,946,000,00			The project is ongoing. The project's main objective is to enhance safe custody of inmates
1023100129 Construction of phase 1 perimeter Wall Butua Prison	07-01-17	30-06-24	Govt	2,000,000	1,020,000				The project is ongoing. Current provision will complete the project.
1023100132 Construction of elevated watch towers at Kaparabet Prison	04-02-16	30-06-2025	Govt	39,550,000	33,060,000				This is a very critical project, it is a border town, therefore urgent funding to complete. The project is ongoing.
1023100135 Construction of perimeter walls Muramba Prison	07-01-17	30-06-24	Govt	3,600,000	2,000,000				The project is ongoing.
1023100138 Construction of perimeter Wall, Gate & Gate Lodge at Vva Prison	02-05-20	30-06-24	Govt	17,810,000	6,110,000				The project is complete pending payment.
1023100146 Construction of Perimeter Wall at Kisumu Prison	07-01-15	30-06-24	Govt	6,030,000	1,930,000				The project is ongoing.
1023100147 Construction of horse stables at Kamiti Medium Prison	11-11-18	30-06-2025	Govt	21,710,000	12,970,000				This is a critical project, perimeter wall enhances safe custody of inmates. There's urgent need to fund the remaining 20% to complete the project.
1023100169 Construction of barrier gate at Rachuonyo prison	07-01-22	30-06-24	Govt	4,000,000	4,000,000				The project is ongoing.
1023100170 Construction of security wall Muramba women prison	15-04-2014	30-06-2025	Govt	3,000,000	1,000,000				There's need to fund the project to completion
1023100171 Construction of gate lodge at Marimani prison	13-06-18	30-06-2025	Govt	17,870,000	6,000,000	5,518,322,00	5,518,322,00	30.88	The project is ongoing
1023100174 Construction of Perimeter wall at Rutru prison	20-16-2017	30-06-24	Govt	4,666,570	1,700,000				The project is ongoing
1023100175 Completion of Perimeter Wall at Maruyaa GK Prison	01-02-11	30-06-25	Govt	24,660,000	16,280,000				This is an urgent requirement. This prison contains capital offenders.
1023100181 Completion of Guardroom at Rachuonyo prison	01-03-16	30-06-26	Govt	45,000,000	15,448,149				The project is ongoing.
1023100185 Construction of storeroom wards & admin offices Meru main prison	15-04-2014	30-06-26	Govt	3,000,000	1,000,000				This is an ongoing project. Improve work environment & enhance customer satisfaction
1023100188 Construction of mixed block at Rachuonyo prison	22-10-2010	30-06-24	Govt	17,900,000	10,000,000				This is an ongoing project. The objective is to reduce inmates congestion
1023100190 Completion of Prisoners ward at Kamitaa prison	06-07-14	30-06-24	Govt	9,000,000	5,000,000				The project is ongoing
1023100192 Construction of a mix block at Muranga Women Prison	05-01-13	30-06-2025	Govt	4,207,778	1,000,000				The project is ongoing
1023100196 Construction of reception block and armory at Nyasahua prison	15-12-2011	30-06-24	Govt	5,102,504	3,800,000				The project is ongoing. To improve work environment and safe containment of inmates
1023100199 Completion of Administration Block at Thika Main Prison	2009-10	30-06-24	Govt	5,000,000	2,500,000				The project is ongoing
1023100200 Construction of Penal Facilities - 1	01-01-13	30-06-24	Govt	7,500,000	3,000,000	39,444,000,00	39,444,000,00		

NAME OF MDA: STATE DEPARTMENT FOR CORRECTIONAL SERVICES  
PROJECT IMPLEMENTATION STATUS AS OF 30<sup>th</sup> June, 2024

Project Name (A)	Project Completion Date (B)	Expected date of Project (C)	Source of Funds (D)	Estimated Value of the Project (E)	Completion (F)	Total Funding as of 30th June 2024 (G)	Actual Expenditure as of 30th June 2024 (H)	Project completion % as at Month 2023 (I) (J)	Remarks/Challenges faced in implementing projects
1023100207 Construction of Prisoners wards Kilisniti Prison	07-01-17	30-06-24	Govt	18,460,000	14,330,000	-	-	-	The project is ongoing. The aim is to provide sustainable source of water for the inmates
1023100214 Completion of Bedside Nyahuru	19/11/2018	30-06-24	Govt	12,960,945	12,960,945	8,967,150	-	11.83	Funds reallocated to finish the ongoing projects in order to provide sustainable source of water for the inmates
1023100236 Construction of new prison Landokok	07-02-15	30-06-24	Govt	12,300,000	12,300,000	6,300,000	-	49.29	The project is ongoing - to reduce inmates competition
1023100229 Construction of Dining hall Eraba	30-11-13	30-06-24	Govt	55,500,000	55,500,000	27,500,000	-	49.29	The project is ongoing - to reduce inmates competition
1023100233 Construction of Dining hall Kiamu	04-06-16	30-06-24	Govt	4,930,140	4,930,140	2,390,000	-	49.29	The project is ongoing - to reduce inmates competition
1023100241 Construction of Dining hall Nyeuk	07-01-11	30-06-24	Govt	5,000,000	5,000,000	3,750,000	-	75.00	The project is ongoing - to reduce inmates competition
1023100246 Construction of Dining hall Taka	30-09-2013	30-06-24	Govt	3,200,000	3,200,000	1,700,000	-	53.13	The project is ongoing - to reduce inmates competition
1023100258 Completion Refurbishment of Wards in Kapongwa	01-01-13	30-06-24	Govt	10,800,000	10,800,000	2,500,000	-	23.15	The project is ongoing - to reduce inmates competition
1023100261 Contract of phase 1 Hall, Offices & Abitien Block @ Regional Court, KV	25/2/2011	30-06-24	Govt	14,200,000	14,200,000	11,700,000	-	82.39	The project is ongoing - to reduce inmates competition
1023100262 Refurbishment of Magroza House	03-10-18	30-06-24	Govt	6,620,462	6,620,462	-	-	26.71	The project is ongoing - to reduce inmates competition
1023100264 Construction Of New Prison at Taka Women	30/06/2020	30-06-25	Govt	131,000,000	131,000,000	11,900,000	34,995,391.00	9.15	The project is ongoing
1023100265 Completion Of Prisoners Ward at Tambah Prison	11-01-11	30-06-2026	Govt	25,050,000	25,050,000	7,000,000	-	27.95	The project is ongoing - to reduce inmates competition
1023100267 Refurbishment Of Hostels at Shimo BI	11-01-11	30-06-24	Govt	31,800,000	31,800,000	4,900,000	-	15.41	The project is ongoing - to reduce inmates competition
1023100268 Completion Women Block at Makuru Prison	05-02-06	30-06-24	Govt	3,000,000	3,000,000	2,000,000	-	66.67	The project is ongoing - to reduce inmates competition
1023100269 Construction Of Guard Lounge With Offices Kampe Court BI	01-02-13	30-06-24	Govt	8,113,080	8,113,080	4,070,000	-	50.17	The project is ongoing - to reduce inmates competition
1023100276 Construct Guard Lounge, office& Steel Gate @ VCTC & Avenic Remand	07-01-23	30/06/2026	Govt	9,430,000	9,430,000	2,900,000	-	30.76	The project is ongoing
1023100280 Irrigation and Modernization of Prison Farms	07-01-23	30-06-25	Govt	12,500,000	12,500,000	2,900,000	-	23.20	The project is ongoing
1023100289 Construction of Prison Industry Eraba Women Prison	23/11/2012	30-06-25	Govt	13,980,000	13,980,000	1,800,000	-	12.95	The project is ongoing
1023100290 Prison Staff Housing	07-01-16	30-06-24	Govt	5,000,000	5,000,000	4,500,000	-	90.00	The project is ongoing
1023100297 Construction of residential houses Gurisa	02-12-18	30-06-24	Govt	15,110,000	15,110,000	8,210,000	-	54.33	The project is ongoing
1023100513 Construction of residential houses Kibwa Main	07-01-17	30-06-24	Govt	1,800,000	1,800,000	1,800,000	-	100.00	The project is ongoing
1023100525 Construction of residential houses Kichwaka	12-01-18	30-06-24	Govt	2,800,000	2,800,000	2,000,000	-	71.43	The project is ongoing
1023100536 Construction of residential houses Kakemera Main	07-01-16	30-06-24	Govt	4,800,000	4,800,000	3,100,000	-	64.58	The project is ongoing
1023100538 Construction of residential houses Ilmorog	07-01-16	30-06-24	Govt	5,000,000	5,000,000	2,000,000	-	40.00	The project is ongoing
1023100544 Construction of residential houses Mwa	07-01-16	30-06-24	Govt	5,000,000	5,000,000	2,000,000	-	40.00	The project is ongoing
1023100549 Construction of residential houses Mwalid	07-01-16	30-06-24	Govt	16,320,000	16,320,000	14,320,000	-	87.74	The project is ongoing
1023100553 Construction of residential houses Mwalid	26/02/2018	30-06-24	Govt	16,320,000	16,320,000	14,320,000	-	87.74	The project is ongoing
1023100562 Construction of residential houses Nyakula Main	07-01-16	30-06-24	Govt	8,999,000	8,999,000	5,000,000	-	55.57	The project is ongoing
1023100570 Construction of 3 staff houses Eleret Main	07-01-16	30-06-24	Govt	5,000,000	5,000,000	3,200,000	-	64.00	The project is ongoing
1023100579 Construction of 3 staff houses Shimo Eraba	07-01-16	30-06-24	Govt	5,000,000	5,000,000	2,000,000	-	40.00	The project is ongoing
1023100579 Construction of 3 staff houses at vya prison	21/02/2018	30-06-24	Govt	17,660,770	17,660,770	15,669,562	-	88.14	The project is ongoing
1023100578 Construction of 2 staff houses at Baramba prison	07-01-16	30-06-24	Govt	3,200,000	3,200,000	3,200,000	-	100.00	The project is ongoing
1023100575 Construction of 2 staff houses at Baramba prison	07-01-16	30-06-24	Govt	6,130,000	6,130,000	5,699,000	-	92.97	The project is ongoing
1023100578 Construction of 2 staff houses at Baramba prison	20/02/2018	30-06-24	Govt	16,713,765	16,713,765	14,270,000	-	85.38	The project is ongoing
1023100581 Construction of 2 staff houses at vudura Women	27/11/2017	30-06-24	Govt	5,651,793	5,651,793	3,298,823	-	58.36	The project is ongoing
1023100584 Construction of 2 staff houses at Bura Women	03-05-18	30-06-2025	Govt	8,520,000	8,520,000	5,170,000	-	60.69	The project is ongoing
1023100584 Construction of 2 staff houses at Nyakula Women	27/11/2017	30-06-24	Govt	14,521,970	14,521,970	7,290,182	-	50.20	The project is ongoing
1023100587 Construction of 2 staff houses at Shimo BI	07-01-16	30-06-24	Govt	3,500,000	3,500,000	2,000,000	-	57.14	The project is ongoing
1023100588 Construction Of Staff Houses at Nyakula Prison	07-01-12	30-06-24	Govt	5,000,000	5,000,000	2,000,000	-	40.00	The project is ongoing
1023100593 Construction of a Sweeved Staff Houses Main Prison	08-05-11	30-06-24	Govt	17,960,000	17,960,000	10,000,000	-	55.70	The project is ongoing
1023100598 Completion of Staff House at Makuru main Prison	07-01-18	30-06-24	Govt	9,300,000	9,300,000	7,100,000	-	76.34	The project is ongoing
1023100700 Modernization of Penal Training Facilities	05-04-16	30-06-24	Govt	12,049,500	12,049,500	4,000,000	-	33.21	The project is ongoing
1023100703 Construction of Classroom Shimo Medium	05-04-16	30-06-24	Govt	2,000,000	2,000,000	1,000,000	-	50.00	The project is ongoing
1023100704 Construction of Classroom Kakemera	05-04-16	30-06-24	Govt	2,000,000	2,000,000	1,000,000	-	50.00	The project is ongoing
1023100706 Construction of Classroom Kakemera	04-04-16	30-06-28	Govt	8,349,500	8,349,500	2,200,000	-	26.34	The project is ongoing
1023101100 Construction of Penal Facilities - II	16/7/2015	30-06-2025	Govt	16,374,000	16,374,000	4,250,000	-	26.00	The project is ongoing
1023101101 Completion of metal block at Kericho medium prison	03-02-19	30-06-25	Govt	257,046,089	257,046,089	37,444,528.00	-	14.57	The project is ongoing
1023101200 Security in Penal Institutions	03-02-19	30-06-25	Govt	104,000,000	104,000,000	4,000,000	-	3.85	The project is ongoing
1023101206 Construction of perimeter wall Lagaya Women Prison	07-02-15	30-06-24	Govt	41,943,030	41,943,030	30,354,597	31,724,127.00	72.50	The project is ongoing
1023101207 Completion of phase 1 Perimeter Wall at Kwate Prison	08-01-14	30-06-24	Govt	30,183,990	30,183,990	30,354,597	-	100.24	The project is ongoing
1023101208 Construction of Perimeter walls at Makuru Prison	07-02-15	30-06-24	Govt	41,943,030	41,943,030	30,354,597	31,724,127.00	72.50	The project is ongoing
1023101209 Completion of phase 2 Perimeter Fence Shimo Sweved	08-01-14	30-06-24	Govt	30,183,990	30,183,990	30,354,597	-	100.24	The project is ongoing
1023101218 Construction of Septic tank at Makuru main Prison	05-01-16	30-06-2025	Govt	12,000,000	12,000,000	8,407,500	-	70.00	The project is ongoing
1023101218 Construction of Septic tank at Makuru main Prison	07-05-18	30-06-2025	Govt	12,000,000	12,000,000	-	-	-	The project is ongoing
1023101222 Construction of administration block at Makuru main Prison	08-01-24	30-06-2026	Govt	26,000,000	26,000,000	-	-	-	The project is ongoing
1023101234 Acq of 6 Bikes, Scanners in Kamuli, Shimo, Makuru, Nyeri	06-06-13	30-06-24	Govt	4,034,069	4,034,069	1,500,000	-	37.20	The project is ongoing
1023101234 Acq of 6 Bikes, Scanners in Kamuli, Shimo, Makuru, Nyeri	14-1-2016	30-06-25	Govt	46,000,000	46,000,000	6,000,000	-	13.04	The project is ongoing
1023101271 Acq of Scanning Machines in Shimo, Makuru, Kamuli, Nyeri and Nya	14-1-2014	30-06-2025	Govt	75,000,000	75,000,000	5,000,000	-	6.67	The project is ongoing
1023101280 Completion of administration block at Nyandarua main Prison	20/5/16	30-06-24	Govt	5,000,000	5,000,000	3,000,000	-	60.00	The project is ongoing

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Project Name (a)	Project Commitment Date (b)	Expected Date of Completion of the Project (c)	Source of funds (Govt/External/Foreign/Borrowings/Commercial) (d)	Estimated Value of the Project (e)	Cumulative	Total Funding as of 30th June 2024 (f) (Approved Budget)	Actual Expenditure as at June 30th, 2024 (g)	Project completion % as at March, 2023 (h) %	Remarks/Challenges faced in implementing projects
1023101200 Construction of penal facilities.				236,347,305	49,680,000	16,600,000.00	14,855,514.00	-	
1023101310 Construction of prisoner ward at Maidomo	31-06-2013	30-06-25	GovK	75,000,000	8,500,000	-	-	11.8%	The project is ongoing
1023101310 Construction of prisoner ward at Nyamira prison	30-11-13	30-06-24	GovK	54,320,000	19,320,000	7,600,000.00	6,855,514.00	-	The project is ongoing
1023101310 Completion of prisoner ward at Vihara	23-5-2016	30-06-24	GovK	3,540,000	1,500,000	-	-	-	The project is ongoing
1023101314 Overhaul of prisoners wards, sewerage and kitchen at Kiboa Prison	07-01-20	30-06-25	GovK	5,000,000	5,000,000	-	-	-	The project is ongoing
1023101324 Drilling and equipping of borehole at Kajiado prison	19/11/2018	30-06-24	GovK	11,880,000	3,400,000	-	-	-	The project is ongoing
1023101327 Construction of a Sewerage System at Homa Bay Prison	04-04-16	30-06-25	GovK	2,111,600	4,000,000	-	-	-	The project is ongoing
1023101328 Construction of 4 Septic Tank at Kajiado Prison	22/11/2018	30-06-25	GovK	12,000,000	12,000,000	8,000,000.00	8,000,000.00	66.7%	The project is ongoing
1023101329 Construction of 4 Septic Tank at Makueni Women Prison	22/11/2019	30-06-24	GovK	6,500,000	6,500,000	1,200,000.00	-	-	The project is ongoing
1023101330 Construction of a Health Facility at Athi River/Siaya Prison	01-07-14	30-06-24	GovK	20,000,000	4,000,000	-	-	-	The project is ongoing
1023101347 Completion of a Relief Store at Kakamega prison	13-01-14	30-06-24	GovK	9,206,160	3,000,000	-	-	-	The project is ongoing
1023101350 Construction of Administration Block at Meru Women Prison	06-06-13	30-06-24	GovK	7,947,545	2,000,000	-	-	-	The project is ongoing
1023101351 Complete borehole @ Kiua Prison, Othman of NAIROBI WEST PRISON BORERO	07-01-22	30-06-24	GovK	8,020,000	2,960,000	-	-	-	The project is ongoing
1023101355 Construction/Removal of Duty office main store, Remand block-Kericho	20/12/2013	30-06-24	GovK	3,500,000	1,000,000	-	-	-	The project is ongoing
1023101400 Revitalization of Prison Farms.	16/5/2016	30-06-26	GovK	359,694,797	15,900,000	-	-	-	The project is ongoing
1023101402 Acquisition of Tractors & Equipments	01-06-15	30-06-24	GovK	3,500,000	3,500,000	-	-	-	The project is ongoing
1023101403 Tea buying center at uraki prison	20/13/2014	06-06-25	GovK	13,904,707	1,000,000	-	-	-	The project is ongoing
1023101406 Irrigation rectification system Nyeri medium Main	30/06/2014	30-06-25	GovK	42,290,000	42,290,000	2,600,000.00	2,600,000.00	26.48%	The project is ongoing
1023101500 Modernization of Prisons Industries-BET.A.	02-12-16	30-06-24	GovK	10,000,000	10,000,000	1,300,000.00	1,300,000.00	13.00%	The project is ongoing
1023101505 Construction Of Prison Industry Workshop at Busia Prison	01-05-16	30-06-24	GovK	10,000,000	10,000,000	-	-	-	The project is ongoing
1023101509 Construction of Prison Industry Work Shop at Kabernet Prison	15-06-16	30-06-24	GovK	9,500,000	9,500,000	1,300,000.00	1,300,000.00	13.68%	The project is ongoing
1023101510 Construction of Prison Industry Work Shop at Rachuonyo Prison	01-06-16	30-06-24	GovK	6,074,136	6,074,136	-	-	-	The project is ongoing
1023101515 Construction of a Showroom at Nyeri Main	01-06-16	30-06-20	GovK	38,000,000	38,000,000	-	-	-	The project is ongoing
1023101517 Construction of a workshop at Nyeri Prison	31-09-25	30-06-25	GovK	27,000,000	2,000,000	-	-	-	The project is ongoing
1023101600 Complete Construction of Staff Houses.	23-09-25	01-07-24	GovK	432,914,946	237,664,760	13,900,000.00	4,900,000.00	3.27%	The project is ongoing
1023101602 Construction of Staff Houses at Vihara Prison	16-03-18	30-06-25	GovK	17,184,760	17,184,760	4,900,000.00	4,900,000.00	3.27%	The project is ongoing
1023101608 Completion of Staff Houses eborer main (three blocks 4 units)	30-06-11	30-06-24	GovK	6,934,940	5,400,000	-	-	-	The project is ongoing
1023101631 Construction of 4 self contained staff housing units at Jambur as	30/01/2014	30-06-24	GovK	4,500,000	2,000,000	-	-	-	The project has been reallocated funds to completion for Staff motivation. Decent & safe staff accommodations
1023101633 Construction of 302 bedroom units @ Eldoret Main & 20 units @ Nakuru	07-01-06	30-06-25	GovK	244,480,000	210,480,000	9,000,000.00	-	-	The project is ongoing
1023101800 Acquisition of Prisons ICT & Telecommunication Infrastructure.				2,800,000,000	125,230,401	74,530,401.00	74,530,401.00	100.00%	The project was given an additional funding in Sep 1 of 2024. A CIM in addition to the CIM 2024 provided in the printed estimates. However, the commitment made were higher than the budget prior to the upscaling of Sep 1 budget of FY2023-24. Commitments to be made to align to the available budget to the requirements.
1023101801 Prisons ICT applications and infrastructure set up				2,800,000,000	210,480,000	9,000,000.00	-	-	The project is ongoing
1023102800 Security In Penal Institutions - Continued				14,950,277	14,950,277	74,530,401.00	74,530,401.00	100.00%	The project is ongoing
1023102802 Completion of documentation and property store at Kangema prison.	01-01-13	30-06-24	GovK	10,000,000	10,000,000	-	-	-	This is a new priority project. The project has been reallocated funds to enhance inmates access to a sustainable source of water
1023102803 Drilling of borehole Mararathi Prison				1,308,000	1,308,000	-	-	-	The project is ongoing
1023102804 Completion of Ashikoni block at Soko Prison	30/06/2024	30-06-24	GovK	14,950,277	14,950,277	12,829,983.00	12,829,983.00	83.54%	The project is ongoing
1023102805 Outstanding works sewerage system at makueni prison	05-01-13	30-06-24	GovK	1,308,000	300,000	-	-	-	The project is ongoing
1023102807 Construction of kitchen at Embu Women Prisons	05-01-13	30-06-25	GovK	9,002,460	1,000,000	-	-	-	The project is ongoing
1023102808 Proposed Multipurpose hall at Makueni GK Prison	09-10-14	30-06-24	GovK	4,154,616	1,756,610	-	-	-	The project is ongoing
1023102810 Completion of kitchen at Wamwayi GK Prison	14-05-17	30-06-24	GovK	7,801,750	2,800,000	1,000,000.00	-	-	The project is ongoing
1023102812 Completion of kitchen/laundry hall at Busia women maximum prison	04-02-16	30-06-24	GovK	4,141,500	2,000,000	-	-	-	The project is ongoing
1023102814 Construction of prisoners multipurpose hall at Kiboa maximum prison	30/11/2011	30-06-24	GovK	6,515,230	2,500,000	-	-	-	The project is ongoing
1023102815 Construction of laboratory at Nyamira max. prison	17/05/2013	30-06-24	GovK	6,100,000	2,500,000	2,490,344.00	-	-	The project is ongoing
1023102816 Construction of two Classrooms at Kereme	05-05-20	31-06-2024	GovK	4,054,580	2,500,000	-	-	-	The project is ongoing
1023102818 Sports Residential Camp regional commander central Facility(Nyeri)	20/06/2012	30-06-24	GovK	9,000,000	5,700,000	-	-	-	The project is ongoing
1023102821 Overhaul of Sewerage System at Kiboa GK Prison(rehabilitation)	07-01-20	30-06-25	GovK	4,814,250	3,851,400	-	-	-	The project is ongoing
1023102900 Completion of Staffed Projects.				58,960,000	58,960,000	30,529,400.00	30,529,400.00	51.30%	The project is ongoing
1023102901 Construction of six one bedroomed staff houses Manyu GK Prison	07-01-11	30-06-24	GovK	159,442,216	82,248,278	16,103,200.00	11,333,580.00	99.00%	The project is ongoing
1023102902 Construction of Armory, Security Officer & Guard Room (Block Vet GK P)	22/2-2018	30-06-24	GovK	12,900,000	8,200,000	1,000,000.00	1,000,000.00	7.75%	The project is ongoing
				6,149,238	1,900,000	1,200,000.00	1,200,000.00	19.51%	The project is ongoing

PROJECT IMPLEMENTATION STATUS AS OF 30<sup>th</sup> June, 2024

NAME OF MDA, STATE DEPARTMENT FOR CORRECTIONAL SERVICES	PROJECT IMPLEMENTATION STATUS AS OF 30 <sup>th</sup> June, 2024	Project Name (A)	Project Commencement Date (B)	Expected date of completion of the project (C)	Source of Funds (G-1/G-2/Grant/Foreign/Borrowing) (D)	Estimated Value of the Project (E)	Cumulative	Total Funding as of 30th June 2024 (F) (Approved Budget)	Actual Expenditure as at June 30th, 2024 (G)	Project completion % as at March 2023 (H) per	
		1023102901 Construction of a kitchen block, Mombasa (Kang'emia)	05-04-16	30-06-24	G-1	5,100,000	1,800,000	-	-	-	The project is ongoing
		1023102904 Construction of radio & guard room Taveta OK Prison	07-02-13	06-06-24	G-1	1,783,000	1,783,000	-	-	-	The project is ongoing
		1023102907 Construction of a perimeter fence Mbaraka Prison	04-05-16	30-06-24	G-1	18,200,000	3,000,000	-	-	-	The project is ongoing
		1023102908 Construction of two (2) staff houses Mbaraka Prison	03-07-14	30-06-24	G-1	4,173,700	4,173,700	-	-	-	The project is ongoing
		1023102913 Construction of water tank, Shikima III	20-12-2013	30-06-24	G-1	7,000,000	3,500,000	-	-	-	The project is ongoing
		1023102914 Construction of 2 Segreg. Tank, Kisumu Prison	04-08-16	30-06-24	G-1	1,200,000	1,200,000	-	-	-	The project is ongoing
		1023102914 Construction of two bedrooms mena staff houses Shimo Mombasa Prison	07-01-09	30-06-24	G-1	7,071,700	7,071,700	-	-	-	The project is ongoing
		1023102915 Construction of 4 unit B&I staff house Taveta OK Prison	23-06-2013	30-06-24	G-1	2,947,100	2,947,100	-	-	-	The project is ongoing
		1023102916 Construction of Prison Ward Kisumu Medium	08-07-15	30-06-24	G-1	2,210,000	2,210,000	-	-	-	The project is ongoing
		1023102917 Construction of Ekipa unit segregation block Shimo Mombasa	20-06-2007	30-06-24	G-1	3,500,000	3,500,000	-	-	-	The project is ongoing
		1023102918 Construction of a Dining, Kitchen Area & Cold Room Shimo Mombasa	07-01-09	30-06-24	G-1	16,000,000	11,500,000	-	-	-	The project is ongoing
		1023102919 Construction of a Perimeter Wall at Taveta OK Prison	12-02-10	30-06-24	G-1	4,800,000	4,800,000	-	-	-	The project is ongoing
		1023102922 Construction of Dining hall, Kisumu main Prison	11-12-15	30-06-24	G-1	7,500,000	4,750,000	-	-	-	The project is ongoing
		1023102923 Construction of classroom, Kisumu main Prison	17-06-13	30-06-24	G-1	1,600,000	1,600,000	-	-	-	The project is ongoing
		1023102924 Construction of Prisoners Bathroom and toilet, Kisumu Prison	16-04-15	30-06-24	G-1	1,700,000	1,000,000	-	-	-	The project is ongoing
		1023102925 Construction of 10 units of Staff Houses Kisumu main Prison	17-06-16	30-06-24	G-1	2,400,000	1,000,000	-	-	-	The project is ongoing
		1023102929 Construction of dining, Elshere main prison	03-07-15	30-06-25	G-1	11,400,000	4,500,000	-	-	-	The project is ongoing
		1023102930 Construction of security perimeter wall Nanyamba medium	05-07-15	30-06-25	G-1	18,990,478	12,278,378	-	-	-	The project is ongoing
		1023102932 Construction of perimeter wall at Shimo women	04-05-16	30-06-25	G-1	17,460,000	6,020,000	-	-	-	The project is ongoing
		1023102939 Construction of Prisoners Wash Kisumu Main Prison	20-11-14	30-06-24	G-1	4,800,000	3,000,000	-	-	-	The project is ongoing
		1023103000 Perimeter Wall, Wachi Towers & Gate Lodge	10-11-23	30-06-25	G-1	27,448,014	27,448,014	-	-	-	The project is ongoing
		1023103007 Construction of Perimeter Fence, Isodo Prison	18-210,000	30-06-25	G-1	18,210,000	18,210,000	-	-	-	The project is ongoing
		1023103014 Construction of Prisoners Ward At Mombasa Prison	30-06-2012	30-06-25	G-1	18,210,000	10,500,000	-	-	-	The project is ongoing
		1023103050 Administration Blocks	01-07-20	30-06-26	G-1	26,300,000	36,300,000	-	-	-	The project is ongoing
		1023103101 Construction of Segreg. Tank Kapeguwa Prison	07-01-20	30-06-25	G-1	6,970,695	6,970,695	-	-	-	The project is ongoing
		1023103110 Construction of Of Rain Store At Kisumu Medium Prison	02-05-20	30-06-25	G-1	9,000,000	9,000,000	-	-	-	The project is ongoing
		1023104000 Construction of Magerwa Level 4 Referral Hospital-BETA	28-10-21	30-06-25	G-1	1,200,000,000	400,000,000	-	-	-	The project is ongoing
		1023104001 Construction of Magerwa Level 4 Referral Hospital	16-06-2016	30-06-25	G-1	1,200,000,000	216,709,738.00	-	-	-	The project is ongoing
		1023104000 Maintenance of Prison staff training facilities	16-06-2016	30-06-25	G-1	90,000,000	27,000,000	-	-	-	The project is ongoing
		1023104001 Construction of perimeter wall Phase III (1,000 M) at PSC	16-06-2016	30-06-25	G-1	90,000,000	27,000,000	-	-	-	The project is ongoing
		1023104000 Emergency Flood Mitigation for Prisons				100,000,000	100,000,000.00	-	-	-	The project is ongoing
		1023104001 Emergency Flood Mitigation for Prisons				100,000,000	100,000,000.00	-	-	-	The project is ongoing
		1023105010 Provision Services				100,000,000	100,000,000.00	-	-	-	The project is ongoing
		1023105010 Provision Office accommodations				200,000,000	47,343,110	-	-	-	The project is ongoing
		1023105014 Automation of provision services	07-01-17	30-06-24	G-1	200,000,000	51,989,880	-	-	-	The project is ongoing
		1023105022 Construction of Provision office block for County director at Busia	07-01-17	30-06-24	G-1	9,000,000	5,303,270	-	-	-	The project is ongoing
		1023105100 Construction of Provision Office Blocks	30-12-2013	30-06-26	G-1	233,024,773	182,977,906	-	-	-	The project is ongoing
		1023105101 Completion of Office Construction at Mbaraka East	30-12-2013	30-06-26	G-1	36,660,000	19,708,276	-	-	-	The project is ongoing
		1023105104 Construction of Provision office block at KandarSub (GWSB)	07-01-18	30-06-26	G-1	14,948,340	11,082,222	-	-	-	The project is ongoing
		1023105106 Extension of offices and office equipment at Mbaraka	07-01-18	30-06-26	G-1	14,948,340	1,155,000	-	-	-	The project is ongoing
		1023105110 Construction of office block for the Provision offices at Kapeguwa	07-01-18	30-06-26	G-1	50,110,000	23,540,000	-	-	-	The project is ongoing
		1023105111 Construction of office block and equipment at Vihara	07-01-18	30-06-24	G-1	34,005,333	28,802,838	-	-	-	The project is ongoing
		1023105112 Refurbishment and equipping of four HQ offices at Mbaraka	07-01-18	30-06-24	G-1	47,982,110	5,042,536	-	-	-	The project is ongoing
		1023105114 Refurbishment of finishing roof and refurbishment works at Mbaraka	07-01-18	30-06-24	G-1	4,500,000	1,500,000	-	-	-	The project is ongoing
		1023105118 Extension of office space for camp and equipping at Mbaraka	07-01-13	30-06-25	G-1	30,318,999	10,000,000	-	-	-	The project is ongoing
		1023105030 Refurbishment of Kisumu Provision Office	07-01-21	30-06-25	G-1	6,015,173	6,015,173	-	-	-	The project is ongoing

NAME OF MDA: STATE DEPARTMENT FOR CORRECTIONAL SERVICES  
 PROJECT IMPLEMENTATION STATUS AS OF 30<sup>th</sup> June, 2024

Project Name (a)	Project Commencement Date (b)	Expected date of Completion of the project (c)	Source of funds (Govt/External/ Foreign/Borrowings/ Commercial) (d)	Estimated Value of the Project (e)		Cumulative	Total Funding as of 30th June 2024 (f) (Approved Budget)	Actual Expenditure as at June 30th, 2024 (g)	Project completion % as at March, 2023 (h) %/a	Remarks/Challenges faced in implementing projects
0628020 After Care Services				326,035,179	326,035,179	141,298,395	59,271,879,000	54,094,895,000		
1023102000 Probation Hostels				166,680,000	166,680,000	114,203,595	17,355,150,000	17,349,877,000	10.41	The project is ongoing
1023102001 Completion Of Hostel Construction at Suya Girls Probation Hostel	01-07-11	30-06-26	Govt	48,865,179	48,865,179	12,304,800	11,988,501,000	11,982,369,000	99.95	The project is ongoing
1023102003 Construction of workshops & kitchen at Nairobi Boys probation Hostel	07-03-17	30-06-24	Govt	71,490,000	71,490,000	12,750,000	17,818,098,000	12,779,509,000	17.88	The project is ongoing
1023102004 Complete of constr. of Girls ward, Kitchen & facility at NCR Hostel	30-10-16	30-06-24	Govt	39,000,000	39,000,000	2,040,000	12,110,130,000	11,982,740,000	30.72	The project is ongoing
1023102005 Refurbishment of facilities at Shauri Moyo Probation hostel	07-01-18	30-06-26	Govt	8,129,154,136	8,129,154,136	1,850,314,121	795,000,000,000	635,793,134,900	80.0	Absorption Rate
TOTAL FOR VOTE D1023 State Department for Correctional Services										

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REPUBLIC OF KENYA

THE STATE LAW OFFICE

PRESENTATION BY THE SOLICITOR GENERAL TO THE DEPARTMENTAL  
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON BUDGET IMPLEMENTATION  
MONITORING FOR THE F.Y. 2023/2024

*Dated: 7<sup>th</sup> August 2024*

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## **VISION, MISSION, MANDATE AND FUNCTION**

### **VISION**

To be the best institution in the region in the provision of public legal services and promotion of a just, democratic and corruption free nation.

### **MISSION**

To facilitate the realization of good governance and respect for the rule of law through the provision of public legal services, protection and promotion of human rights and upholding of ethics and integrity.

### **MANDATE**

The State Law Office derives its mandate from Article 156 of the Constitution, Office of the Attorney General Act, 2012 and other functions conferred by Acts of Parliament. These include:

1. Representing the National Government in all civil and constitutional matters and representing the Government in matters before foreign courts and tribunals;
2. Advising government ministries, departments, constitutional commissions, independent offices and state corporations on legislative and other legal matters;
3. Advising the Government on all matters relating to the constitution, international law, human rights, consumer protection, anti-corruption policy, protection of victims of crime;
4. Provision of legal aid, protection of victims of crime, negotiating, drafting, vetting and interpreting local and international documents, agreements and treaties for and on behalf of the government and its agencies;
5. Coordinating reporting obligations to international human rights and anti-corruption treaty bodies to which Kenya is a member or on any matter which member states are required to report;
6. Drafting legislative proposals for the Government and advising the Government and its agencies on legislative and other legal matters;
7. Reviewing and overseeing legal matters pertaining to the registration of companies, partnerships, business names, societies, adoptions, marriages, charities, and Coat of Arms;
8. Reviewing and overseeing legal matters pertaining to the administration of estates and trusts; and
9. In consultation with the Law Society of Kenya, advising the Government on the regulation of the legal profession.

## **EXECUTIVE SUMMARY**

The State Law Office, which falls under Governance, Justice, Law and Order Sector (GJLOS) is composed of 9 technical departments and 8 Semi-Autonomous Government Agencies.

The Office implements its mandate through the following programmes:

1. Legal Services to Government and Public;
2. Governance, Legal Training and Constitutional Affairs; and
3. General Administration, Planning and Support Services.

The gross budget allocation for the FY2023-24 was **Kshs. 6,086.15 million**; being **Kshs. 5,910.65 million** and **Kshs.175.50 million** under the recurrent and development votes respectively. The actual A-I-A collection during the fiscal period was **Kshs. 581.68 million** whilst the actual exchequer receipt was **Kshs. 557.71 million**.

In the FY 2023/2024, the Office of Attorney General and Department of Justice (OAG&DOJ) expanded its legal aid services to 32,789 people and resolved 2,344 cases against the government. The office also developed 50 bills to harmonize existing laws with the Constitution and drafted 297 subsidiary legislations. The transformation of public services, including Marriages, Societies, public Trustee, and College of Arms, was implemented. The office also developed reports on the international covenant on economic, social, and cultural rights and attended international meetings. The Assets Recovery Agency verified intelligence and traced suspected proceeds of crime in 111 cases. The Business Registration Service increased the number of registered businesses from 43.5% to 48.6%.

Challenges faced during the implementation of FY2023-24 budget include: high staff turnover as a result of retirement of the senior and skilled staff; inadequate budgetary allocation and lack of exchequer which has led to pending bills amounting to Kshs. 456,936,040.18 million, insufficient training and capacity building of staff to ensure efficiency in service delivery, and reduction in A-I-A collection by SAGAs as a result of low provision to expand their operations to generate A-I-A; Changing Legal Landscapes due to changes in laws, regulations, and court procedures, training is necessary to enable NLAS adapt and this may require additional resources, Inadequate office accommodation, leading to separation of the officers and working in shifts.

## 1. FINANCIAL PERFORMANCE BY VOTE AND PROGRAMME FY2023/2024

### 1.1 Revenue Receipts

*Table 1: Revenue Receipts FY 2023/24*

Department/Section/Unit at head quarters	Quarter One	Quarter Two	Quarter Three	Quarter Four
Registration of Coat of Arms	26,000	36,000	87,000	138,000
Registration of Societies	7,453,350	12,758,900	19,539,650	26,341,750
Registration of Newspapers, Books and Periodicals	10,500	11,500	11,500	14,700
Registration of Marriages	31,641,342	78,742,085	96,266,900	139,764,486
Public Trustee Fees	15,718,826	27,760,393	42,243,815	83,038,339
<b>Sub- Total</b>	<b>54,718,826</b>	<b>119,308,878</b>	<b>169,749,430</b>	<b>249,297,276</b>

### 1.2 Appropriation In Aid (A-I-A)

The approved provision for A-I-A for FY 2023/24 was Kshs. 581.68 Million. The actual collection was Kshs. 557.71 Million, which translate to A-I-A performance of 96%. This is summarized in table 2:

*Table 2: Summary of A-I-A Collection FY 2023/24*

Quarters	Cumulative Target	Cumulative Actual	Cumulative Variance	Percentage
Quarter One	145,420,000	109,085,597	36,334,403	75%
Quarter Two	290,840,000	283,476,436	7,363,564	97%
Quarters Three	436,260,000	389,899,227	46,360,773	89%
Quarters Four	581,680,000	557,108,229	24,571,771	96%

The following is the summary of Semi-Autonomous Government Agencies that receives A-I-A with their target and actual collection for the FY 2023/24.

*Table 3: Summary of Semi-Autonomous Government Agencies that receives A-I-A with their target and actual collection for the FY 2023/24*

S/No.	Delivery Unit	Target (Kshs.)	Actual (Kshs.)	Variance (Kshs.)
1.	Kenya Law Reform Commission (KLRC)	100,000	100,000	0
2.	Kenya School of Law (KSL)	377,480,000	377,480,000	0
3.	Council for Legal Education (CLE)	170,100,000	146,128,229	54,071,177
4.	Nairobi Center for International Arbitration (NCIA)	24,000,000	24,000,000	0
5.	National Council for Law Reporting (NCLR)	10,000,000	10,000,000	0
	<b>TOTAL</b>	<b>581,680,000</b>	<b>557,708,229</b>	<b>54,071,177</b>

The main reason for the under-collection of A-I-A was the decreased enrollment of students seeking Advocates Training Programme (ATP) examination.

### 1.3 Exchequer Issues

The cumulative exchequer request for FY 2023/24 was **Kshs. 6,086.15 Million** while the actual exchequer received was **Kshs. 5,599.54 Million** resulting to a variance of **Kshs. 487.00 Million** as contained in the schedule below:

*Table 4. Exchequer Requests Vs Exchequer Receipts FY 2023/24*

Quarters	Cumulative Exchequer Requested		Total	Cumulative Exchequer Received		Total
	Recurrent (Kshs.)	Development (Kshs.)		Recurrent (Kshs.)	Development (Kshs.)	
Quarter One	1,194,358,503	0	1,194,358,503	1,068,360,618	0	1,068,360,618
Quarter Two	2,425,826,342	0	2,425,826,342	2,415,826,342	0	2,415,826,342
Quarter Three	5,811,685,993	192,500,000	6,004,185,993	3,426,418,567	0	3,426,418,567
Quarter Four	5,910,654,436	175,500,000	6,086,154,436	5,568,044,355	31,496,320	5,599,540,675

### 1.4 Donor Disbursement

In the FY 2023/24 Budget, the National Treasury made provision of **Kshs. 48.8 Million** for Programme for Legal Aid Delivery in Kenya (PLEAD). This amount was revised downward during Supplementary Estimates No.2 to **Kshs. 32 Million** as per the request made to the donor. However, the requested amount of **Kshs. 16.8 Million** was not received by the closure of the FY 2023/24.

### 1.5 Expenditure

#### 1.5.1 Expenditure by Programme

Table 5 shows the State Law Office recurrent budget allocation (**Kshs. 5,910.65 Million**) in relation to absorption (**Kshs. 5,807.67 Million**) by programmes and sub-programmes for the FY 2023/24:

*Table 4: Cumulative Recurrent Budget Quarterly Allocation vs Absorption by Programmes and Sub-programmes FY 2023/24*

Recurrent Expenditure	Quarter One		Quarter Two		Quarter Three		Quarter Four	
	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure
	Kshs.	Kshs.	Kshs.	Kshs.	Kshs.	Kshs.	Kshs.	Kshs.
1.0 Legal Services	3,002,428,456	567,340,595	2,990,192,624	1,377,241,575	2,990,192,624	2,128,478,653	3,086,302,624	3,040,044,422
1.1 Civil Litigation and promotion of legal ethical services	1,495,691,296	289,133,640	1,514,447,185	697,682,082	1,514,447,185	1,082,231,420	1,606,947,185	1,596,553,658
1.2 Legislations, treaties and advisory services	361,045,036	48,940,567	346,438,743	133,719,917	346,438,743	224,125,657	350,048,743	341,567,535
1.3 Public Trusts and Estates Management	389,799,120	73,143,553	385,973,930	182,341,920	385,973,930	278,970,893	385,973,930	374,513,850
1.4 Registration services	755,893,004	156,122,835	743,332,766	363,497,656	743,332,766	543,150,683	743,332,766	727,409,379
1.0 Governance, legal Training and Constitutional reforms	1,993,989,356	420,463,863	2,023,356,054	674,818,561	2,023,356,054	1,025,063,071	1,455,600,388	1,448,151,487

2.1 Governance reforms	355,909,356	46,433,224	345,276,054	94,618,561	345,276,054	206,698,821	312,200,388	304,706,688
2.2 Constitutional and Legal reforms	738,940,000	187,624,820	778,940,000	404,420,000	778,940,000	586,630,000	791,840,000	791,884,800
3.0 Legal Education Training and Policy	899,140,000	186,405,819	899,140,000	175,780,000	899,140,000	231,734,250	351,560,000	351,559,999
3.1 General Administration, Planning and Support Services	1,222,882,188	143,500,000	1,379,817,315	344,866,170	1,379,817,315	669,531,346	1,368,751,424	1,319,469,769
3.2 Transformation of Public Legal Services	209,000,000	55,654,958	226,000,000	101,000,000	226,000,000	151,500,000	202,000,000	202,000,000
3.3 Administrative Services	1,013,882,188	81,675,353	1,153,817,315	243,866,170	1,153,817,315	518,031,346	1,166,751,424	1,117,469,769

The Development budget allocation was **Kshs. 175.50 Million** in respect of the FY 2023/24 whilst absorption levels stood at **Kshs. 172.12 Million** as summarized in table 5:

*Table 5: Cumulative Development Budget Quarterly Allocation vs Absorption by Programmes and Sub-programmes FY 2023/24*

Development Expenditure	Quarter One		Quarter Two		Quarter Three		Quarter Four	
	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure
	Kshs. Million		Kshs. Million		Kshs. Million		Kshs. Million	
2.0 Governance, Legal Training and Constitutional Reforms	48.81	0.00	49.00	0.00	49.00	0.00	32.00	31.94
2.1 Governance reforms	48.81	0.00	49.00	0.00	49.00	31.94	32.00	31.94
3.0 General Administration, Planning and Support Services	143.50	0.00	143.50	0.00	143.50	0.00	143.50	140.18
3.2 Administrative Services	143.50	0.00	143.50	0.00	143.50	0.00	143.50	140.18
<b>TOTAL</b>	<b>192.31</b>	<b>0.00</b>	<b>192.31</b>	<b>0.00</b>	<b>192.31</b>	<b>31.94</b>	<b>175.50</b>	<b>172.12</b>

### 1.5.2 Expenditure by Economic Classification

Table 6 shows the budget allocation in relation to absorption for the FY 2023/24 on cumulative expenditure quarterly on the basis of economic classification:

*Table 6: Cumulative Quarterly Budget Allocation vs Absorption by Economic Classification for the FY 2023/24*

Economic Classification	Quarter One		Quarter Two		Quarter Three		Quarter Four	
	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure	Approved Estimates	Cumulative Expenditure
	Kshs. Million		Kshs. Million		Kshs. Million		Kshs. Million	
<b>Recurrent Expenditure</b>	6,219.31	1,303.44	6,393.37	2,396.93	5,811.69	3,876.65	6,492.34	6,389.35
Compensation to Employees	1,913.38	440.06	1,938.91	891.48	1,938.91	1,366.93	1,914.88	1,837.46
Use of goods and services	1,232.55	224.84	1,082.40	366.45	1,082.40	483.46	1,201.01	1,178.62
Current Grants to Semi-Autonomous Government Agencies	2,806.47	637.13	2,903.47	1,096.19	2,321.79	1,852.02	2,892.86	2,892.86
Social contributions	6.05	1.41	6.05	2.99	6.05	3.56	6.05	5.97
Acquisition of Non-Financial Assets	260.86	0.00	462.54	39.82	462.54	170.68	477.54	474.44
<b>Development Expenditure</b>	<b>192.31</b>	<b>0.00</b>	<b>192.50</b>	<b>0.00</b>	<b>192.5</b>	<b>31.94</b>	<b>175.5</b>	<b>172.18</b>
Acquisition of Non-Financial Assets (Fixed Capital Assets)	143.50	0.00	143.50	0.00	143.50	0.00	74.00	72.52
Acquisition of Inventories, Stock and Commodities	0.00	0.00	0.00	0.00	0.00	0.00	69.50	67.66
Acquisition of Land and Intangible Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Acquisition of other Inventories	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Capital Transfers to SAGAs	48.81	0.00	49.00	0.00	49.00	31.94	32.00	32.00

2. NON-FINANCIAL PERFORMANCE FY2023/2024

Table 7: Non-financial Performance during the FY 2023/24

Programme	Delivery Unit	Key Outputs	Key Performance Indicators	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Remarks
				Target	Actual	Variance	Target	Actual	Variance	Target	Actual	Variance	Target	Actual	Variance	
<b>Programme 1: Legal Services</b>																
<b>Outcome: Enhanced rule of law, access to justice, good governance and provision of quality legal services for all</b>																
P 1.1: Civil Litigation and Promotion of Legal Ethical Standards	Civil Litigation Department	Civil Litigation Services	No. Cases filed Against the government concluded	1,500	399	1,101	1,500	720	780	1,500	1,290	210	1,500	2,344	844	surpassed our annual target by 844 concluded cases
			% of Researched Legal opinions in all civil disputes given within 7 days	100	176	-76	100	321	-221	100	441	-341	100	100	0	464 briefs/Opinions researched
			% of pleadings filed in all cases by or against the government within 14 days	100	100	0	100	2362	-2262	100	3688	-3,588	100	100	0	5979 pleadings filed
	Advocates Complaints Commission	Advocates complaints services	% of complaints against advocates investigated and finalized	100	100	0	100	100	0	100	100	0	100	100	0	2,014 complaints investigated and finalized
			% of complaints against Advocates subjected to ADR sessions and resolved	100	100	0	100	100	0	100	100	0	100	100	0	142 complaints subjected to ADR and resolved
			No. of affidavits of charges against Advocates filed at the Disciplinary Committee.	200	99	101	200	128	72	200	181	19	200	261	61	Surpassed our target by 61 affidavits of charges
			% of restructuring ACC into SAGA.	50	0	50	50	0	50	50	0	50	50	0	-50	There were no activities carried out due to budget constraints/lack of funds.
	Assets Recovery Agency	Assets Recovery services	% of suspected proceeds of crime traced and identified.	100	100	0	100	100	0	100	100	0	100	100	0	Verified all intelligence gathered, and developed actionable intelligence reports. The Agency identified and traced suspected proceeds of crime in respect to 111 cases. The

													approximate value of the suspected proceeds of crime investigated was Kshs 30,177,256,839.75 Cash restricted in banks was Kshs 399,899,087.00 Million. 334 Motor Vehicles and 114 Parcels of land were restricted and investigated as suspected proceeds of crime.
% of suspected proceeds of crime preserved	100	100	0	100	100	0	100	100	0	100	100	0	Preservation orders obtained in respect to 76 motor vehicles 6 motorcycles 2 tractors, 21 parcels of land, 9 properties one with rental income and cash amounting to Khs 214,678,926 and USD 1,200,191.77
% of suspected proceeds of crime forfeited to the Government	100	100	0	100	100	0	100	100	0	100	100	0	Forfeiture proceedings filed in respect to 25 motor vehicles, 5 motorcycles and one property with rental income
% of seized, preserved and forfeited /confiscated assets managed	100	100	0	100	100	0	100	100	0	100	100	0	All assets seized, preserved, forfeited/confiscated prudently managed. Kshs 26,191,700 was collected as rental income . Valuation was conducted to 58 motor vehicles and 12 Parcels of land.
% of operationalization of the	80	0	80	80	80	0	80	60	20	80	80	0	The Assets Recovery Advisory

			Assets Recovery Advisory Board and completion of the delinking process														Board was fully operationalized The Agency is operating as a State Corporation in the final stages of delinking from the office of the Attorney General and Department of Justice
SP 1.2: Legislation, Treaties and Advisory Services	Legislative Drafting Department	Legislative drafting services	% of Bills to harmonize existing laws with the Constitution drafted upon request by client Ministries	100	100	0	100	100	0	100	100	0	100	100	0	13 bills drafted	
			% of other Prioritized Bills drafted upon request by client Ministries	100	100	0	100	100	0	100	100	0	100	100	0	Drafted 25 other prioritized bills	
			% of routine subsidiary legislation drafted within 7 working days upon receipt of all necessary information from the client ministries.	100	100	0	100	100	0	100	100	0	100	100	0	Drafted 182 other routine subsidiary legislation	
			% of substantive subsidiary legislation drafted within 30 working days upon receipt of all necessary information from the client ministries.	100	100	0	100	100	0	100	100	0	100	100	0	Drafted 115 substantive subsidiary legislation	
	International Law Division	International legal services	% of legal advice on international Law matters issued within 6 days	100	100	0	100	100	0	100	100	0	100	100	0	1089 Legal advisories on regional and international law matters issued to MDAs	
			% of matters successfully represented in International arbitration and litigation	100	100	0	100	100	0	100	100	0	100	100	0	Five (5) international arbitration matters defended	
% of requests coordinated on international judicial			100	100	0	100	100	0	100	100	0	100	100	0	267 requests on Mutual Legal Assistance matters coordinated		

			cooperation in criminal matters within 6 working days													
	Government Transactions Division	Government transactions advisory services	% of procurement contracts vetted within 20 days upon request by MDAs	100	34	66	100	100	0	100	100	0	100	0	225 procurement contracts vetted	
			% of legal advice on commercial matters issued within 20 days upon request by MDAs	100	214	-114	100	100	0	100	100	0	100	0	463 legal advice on commercial matters issued	
			% of legal advice issued on bilateral and multilateral financing agreements within 7 days upon request by MDAs	100	23	77	100	100	0	100	100	0	100	0	95 legal advice issued on bilateral and multilateral financing agreements	
	Legal Advisory and Research Division	Legal Advisory and Research services	% of legal advisory opinions issued within 7 days upon request by MDAs	100	100	0	100	100	0	100	100	0	100	0	431 legal opinions issued	
			No. of reports on legal research on international best practices on emerging areas of law.	9	0	9	9	4	5	9	2	7	9	9	0	Target achieved
			% of Legal compliance audits undertaken for state corporations	100	0	100	100	100	0	100	0	100	100	0	State Law did not receive instructions from MDAs	
			No. of annual SLO colloquium held	1	0	1	1	0	1	1	0	1	1	0	-1	Target not achieved due to budget constraints
			No. of MDAs sensitized on the Attorney General's circular on the provision of Legal advisory services to the Government	2	0	2	2	0	2	2	0	2	2	0	-2	Target not achieved due to budget constraints
SP 1.3: Public Trusts and Estates Management	Public Trustee	Trusteeship Services	No. of quality assurance audits undertaken in Public Trustee regional offices.	13	0	13	13	0	13	13	0	13	13	7	6	Target achieved partially due to budget constraints/lack of funds.
			No. of Public Trustee interagency	46	0	46	46	39	7	46	42	4	42	42	0	Target achieved

		collaboration frameworks with ex-officio agents established														
		% of estates and trust files finalized upon fulfillment of all legal requirements	100	878	-778	100	100	0	100	90	10	100	0	0	4213 files on Trusts and estates finalized.	
P 1.4: registration services	Business Registration Service	No. of business entities registered	146,561	36,069	110,492	146,561	68,796	77,765	146,561	105,552	41,009	14,656	136,209	-10,352	By Q4 the Service had registered 92.9% of the target for the year. The decline is due to the reduced number of applications in Q4 due to political tension on finance bill.	
		Revenue collected from service fees (Ksh. Billions)	1	0	1	1.21	0.57	0.64	1.21	0.894	0.32	1.21	1.18	-0.03	The Service collected 97.5% of the annual revenue target. The decline is due to reduction in the registration applications in Q4	
		No. of days taken to register a private company	5.5	8.2	-2.7	5.5	9.4	-3.9	5.5	10.6	-5	5.5	12.1	-6	The average time of registration for private companies was 11.1 for the period brought about by the delays from incomplete applications	
		% of Private Companies with declared Business Ownership status	48	45	3	48	45.84	2.16	48	45.63	2	48	48.51	1	The Service surpassed the target of 48% to 48.51%. This represents 101.1% of the target.	
		No. of Movable Property Security Rights notices (Loan collateral securities) registered	168,770	36,295	132,475	168,770	82,385	86,385	168,770	101,261	67,509	16,877	117,231	-51,539	The Service registered 69.5% of the targeted notices. The deficit is due to reduced business activities during Q4.	
	Registration Service	Marriage, Societies' & Coat of Arms Registration Services	No. of Marriages registered and other related applications processed under the Marriage	60,500	16,000	44,500	60,500		60,500	60,500	54,900	5,600	60,500	60,700	200	Target surpassed by 200 attributed to the availability of the services online.

			Act.															
			No. of Societies registered under the Societies Act.	1,100	258	842	1,100	584	516	1,100	737	363	1,100	1118	18			Target surpassed by 18 attributed to the availability of the services online.
			No. Arms Registered under the College of Arms Act.	20	0	20	20	3	17	20	6	14	20	7	-13			Target not achieved. The variance is due to unpaid registered grant issued.
<b>Programme.2: Governance, Legal Training and Constitutional Affairs</b>																		
<b>Outcome: Enhanced ethics, integrity, access to justice and constitutional order</b>																		
S.P 2.1: Governance Reforms	National Anti-Corruption Campaign Steering Committee	Anti-Corruption Awareness services	No. of social accountability forums conducted on corruption in public projects	282	0	282	282		282	282	113	169	282	148	134			Target achieved
			No. of partnerships forged with stakeholders in the anti-corruption sector	2	0	2	2		2	2	0	2	2	3	1			Target achieved and surpassed
			No. of citizens reached with messages against corruption through Radio	10,000,000	0	10,000,000	10,000,000		10,000,000	10,000,000	0	10,000,000	10,000,000	36,600,000	35,600,000			Target achieved and surpassed, and English Service
			No. of citizens reached with messages against corruption through Television	0	0	0	2,000,000		2,000,000	2,000,000	0	2,000,000	2,000,000	0	2,000,000			Activity was not factored in the work plan as additional funds requested for during MTEF budgetary process was not provided
			No. of religious leaders participating in the delivery of scripture-referenced anti-corruption messages	500	0	500	500		500	500	315	185	500	602	102			Target achieved and surpassed
			No. of surveys on level of awareness on corruption in Kenya	0	0	0	1		1				1	0	-1			Activity was not factored in the work plan as additional funds requested for during MTEF budgetary process was not provided
	Directorate of Legal	Justice & Constitutional Affairs	No. of Counties where civic	12	0	12	12	8	4	12	8	4	12	12	0			The Target achieved.

Affairs	Services	education on the Constitution has been conducted													
		% of Whistleblower Protection Framework developed.	50	5	45	50	20	30	50	35	15	50	50	0	Whistleblower Protection Bill developed and approved
		% of National Ethics and Anti-Corruption Policy strategies implemented	50	5	45	50	10	40	50	12	38	50	17	-33	Inadequate Human and financial resources to fully implement the policy.
		% of implementation of recommendations of the taskforce on review of legal and institutional framework against corruption.	50	5	45	50	10	40	50	12	38	50	17	-33	Inadequate Human and financial resources to fully implement the Taskforce Report
		% of East African Community (EAC) Anti-Corruption protocol developed.	20	5	15	20	2	18	20	2	18	20	20	0	A baseline survey to assess the status of implementation of the National Policy on Human Rights was prepared. The review of the policy is to be undertaken in the FY 2024/2025
		No. of reports on State compliance with international and regional anti-corruption, human rights, democracy, elections & governance treaties prepared	5	1	4	5	2	3	5	2	3	5	3	-2	Submitted the following Reports; UNCAC-Conference of State Parties, The midterm report on the Universal Periodic Review (UPR), Replies to List of Issues on the ICESCR
		% of development of National Policy on the reform & Modernization of the Legal Sector in Kenya.	100	0.25	99.75	100	35	65	100	70	30	100	100	0	This target was achieved. The draft National Policy on the Reform & Modernization of the Legal Sector in Kenya
National Coroner	National Coroners	No. of office space	1	0	1	1	0	1	1	0	1	1	0	1	Target not achieved

s Service	Services	Acquired and partitioned													due to budget constraints
		No. of office furniture and ICT equipment acquired	50	0	50	50	0	50	50	0	50	50	0	50	Target not achieved due to budget constraints
Victim Protection Board	Victim Protection Services	% of Victim Protection Act operationalized	70	0	70	70	50	20	70	70	0	70	70	0	Target achieved
		% of the Victim Protection Act (Trust Fund) Regulations developed	50	0	50	50	50	0	50	50	0	50	50	0	Target achieved
		% of the Victim Protection Act( General) Rules and Regulations developed	50	0	50	50	50	0	50	50	0	50	50	0	Target achieved
		% of the Victim Protection Act amended	50	0	50	50	50	0	50	50	0	50	50	0	Target achieved
		No. of, opinion leaders, NGAOs and "nyumba kumi" sensitized on the Victim Protection Act,2014 and Victim Rights Charter disseminated	2,400	0	2,400	2,400	1,200	1,200	2,400	1,600	800	2,400	2,400	0	Target achieved
		No. of Baseline Survey reports prepared on Victims of crime to enhance protection of victims	1	0	1	1	0	1	1	0	1	1	0	-1	Was not undertaken due to budget constraints
		No. of indigent persons offered legal aid	130,000	6,872	123,128	130,000	18,816	111,184	70	70	0	130,000	647,762	517,762	Target surpassed due to donor support
National Legal Aid Service	Legal aid services	% of legal aid fund regulations and scale of fees developed	50	2.5	47.5	50	0	50	50	50	0	50	10	-40	Target not achieved. legal aid fund regulations drafted
		No. of legal aid providers educated on use of ADR mechanism to promote access to justice.	1,000	120	880	1,000	0	1,000	50	50	0	1,000	1,200	200	Target surpassed due partnership with AJS secretariat
		No. Legal Aid offices operationalized	3	0	3	3	0	3	50	50	0	3	4	1	4 offices operationalized in the counties

		No. of officers recruited	26	0	26	26	0	26	2,400	1600	800	26	16	-10	Target not achieved since under the PLEAD project, NLAS is yet to implement its HR documents	
GJLOS Sector-wide Reform Coordination Department (SRCD)	Sector-wide Reforms Coordination Services	% of GJLO Sector Policy reviewed	0	0	0	50	0	50	50	0	50	50	50	0	Target achieved	
		No. of GJRoL Sector Plan Implementation Reports	0	0	0	1	0	1	1	0	1	1	0	1	1	Target not achieved due to budget constraints
		% Development of Integrated Public Complaints Referral Mechanism (IPCRM) system	0	0	0	50	0	50	50	0	50	50	-	-50	-50	Target not achieved due to budget constraints
Kenya Law Reform Commission	Law Review & Reform Services	% of bills drafted/reviewed to facilitate effective implementation of the Constitution and National Priorities	100	0.25	99.75	100	50	50	100	75	25	100	100	0	Target achieved	
		No. of County governments educated on Legislative and Law reform knowledge	18	5	13	18	10	8	18	15	3	18	18	0	Target achieved	
		% of Technical Assistance offered to MDAC's and Constitutional Offices with regard to the reform or amendment of a branch of the law	100	0.25	99.75	100	50	50	100	75	25	100	100	0	Target achieved	
		No. of legal research reports, advisories, policy interventions developed relating to law reform	1	0	1	1	1	0	1	1	0	1	3	2	Target achieved	
Auctioneers Licensing Board	Auctioneers Regulatory Services	No. of Licenses issued to qualified applicants.	790	0	790	790	423	367	790	800	-10	790	810	20	Target achieved	
		No. of Auctioneers inspected	720	0	720	720	0	720	720	0	720	720	720	720	0	Target achieved
		% of cases filed against the Auctioneers resolved	100	0	100	100	100	0	100	100	0	100	100	0	Target achieved	

National Council for Law Reporting	Legal Reporting and Publication Services	No. of Laws of Kenya volumes published	4,500	0	4,500	4,500	0	4,500	4,500	0	4,500	4,500	0	4,500	4,500	0	4,500	Not Achieved due to budget constraints	
		No. of Volumes of Kenya Law Reports published.	5	0	5	5	0	5	5	4	1	5	4	-1					Target not fully achieved due to inadequate budget
		No. of publications on trending Thematic areas.	12,000	3,000	9,000	12,000	6,500	5,500	12,000	7,500	4,500	12,000	10,500	-1,500					Target not fully achieved due to inadequate budget
		% of completion of the ICT system on specialized publications	40	40	0	40	40	0	40	40	0	40	40	0					Target achieved
		The Annual supplement prepared and submitted	1	1	0	1	1	0	1	1	0	1	1	0					Target achieved
	Online Legal Information and Publication Services	% of public legal information published and disseminated	100	100	0	100	100	0	100	100	0	100	100	0					Target achieved
	% of Laws of Kenya updated, consolidated and published	100	100	0	100	100	0	100	100	0	99	100	1					Target achieved	
2.3: Legal Education Training and Policy	Kenya School of Law	Legal Training & Capacity Building Services	No. of lawyers trained under the Advocates Training Programme (ATP).	1,500	0	1,500	1,500		1,500	1,500	1,748	-248	1,500	1,748	248			Target achieved	
			No. of students trained under the paralegal Training Programme (PTP).	200	195	5	200	195	5	200	195	5	200	401	201				Target achieved
			No. of needy students supported through enhancement of KSL-HELB Fund.	300		300	300		300	300	0	300	300	370	70				Target achieved. All needy students who applied were considered.
			No. of Continuing Professional Development (CPD) courses delivered.	27	5	22	27	5	22	27	0	27	27	22	-5				Target not fully achieved due to budget cuts
	Council of Legal Education	ATP Examination Administration Services	No. of candidates examined on Advocates Training Programme (ATP)	4,150	0	4,150	4,150		4,150	4,150	2,947	1,203	4,150	4,758	608				Target achieved.
% of Qualified ATP			100	100	0	100	100	0	100	100	0	100	100	0				A total of 1,358 qualified	

			candidates gazetted for admission to the Roll of Advocates													candidates gazetted for admission to the Bar
		Quality Assurance Compliance and Licensing Services	No. of Quality assurance audits conducted to legal education providers for compliance with the Act	7	0	7	7	1	6	7	1	6	4	4	0	Target achieved
			No. of on-site inspections conducted on legal education providers for compliance with the Act	4	0	4	4	3	1	4	5	-1	4	7	3	The positive variance is attributed to the fact that Kisii and Mount Kenya Universities had each two programs which were inspected during the year
<b>Programme: P.3: General Administration, Planning and Support Services</b>																
<b>Outcome: Efficient and effective service delivery</b>																
SP 3.1: Transformation of Public Legal Services	Nairobi Centre for International Arbitration (NCIA)	Commercial Arbitration Services	% of Operationalization of NCIA Arbitral Court.	80	50	30	80	75	5	80	75	5	80	75	5	The Centre received an approval from SRC to recruit members of the arbitral court in
			% of disputes on commercial contracts processed.	100	100	0	100	100	0	100	100	0	100	100	0	A total of fifteen (15) new request received and processed
			Value in (KSh. Billion) released to the economy through Arbitration and ADR services.	7.7	0	8	7.7	0.21	7.49	7.7	0.326	7	7.7	0.326	-7.374	Only two (2) disputes finalized within the financial year, however there are over 46 ongoing disputes with a case value of over 7.8 billion.
			No. of county awareness fora undertaken towards sensitization on uptake of ADR mechanism	5	0	5	5	4	1	5	8	-3	5	10	5	Target achieved.
			No. of practitioners trained on ADR	100	49	51	100	169	-69	100	180	-80	100	392	292	Target achieved and surpassed.
SP 3.2: Administrative Services	General Administration	Administration Support Services	No. of state counsel recruited	100	0	100	100		100	100	0	100	100	0	100	No appointments from PSC
			No. of post pupils recruited	70	0	70	70		70	70	65	5	70	70	0	Target achieved
			No. of pupil	70	0	70	70		70	70	71	-1	70	71	1	Target

offered pupilage														achieved
No. of State Counsel trained on emerging and specialized areas of the law	300	0	300	300		300	300	50	250	300	50	250	Rationalization of training allocation	
No. of officers capacity build on professional areas	0	0	0	500	0	500	0	0	0	500	300	200	Rationalization of training allocation	
% of restructuring of State Law Office	30	0	30	30		30				30	10	20	Rationalization of training allocation	
No. of service delivery processes re-engineered.	3	1	2	3	0	3	3	3	0	3	3	0	Target achieved	
No. of ICT equipment acquired.	100	0	100	100	0	100	100	104	-4	100	299	199	Target achieved and surpassed	
% of the State Law office processes automated.	4	2	2	25	80	-55	25	20	5	25	25	0	Target achieved	
No. of State Law Office manual records digitized.				5,000	0	5,000	5,000	0	5,000	5,000	0	5,000	The activity will be undertaken during the next financial year.	
% of Sheria House Local Area Network upgraded	20	0	20	20	10	10	20	10	10	20	5	15	Target not achieved due to lack of funds	
No. of SLO regional offices Local Area Network upgraded	0	0	0	4	0	4	4	0	4	4	12	8	Target surpassed. All regional offices were connected to the internet through the Safaricom network. New network switches/access points were installed to upgrade the old ones	
No. of County offices where SLO services are decentralized.	16	0	16	16	0	16				16	0	-16	The activity will be undertaken during the next financial year.	
No. of office furniture and equipment procured	750	0	750	750	0	750	750	0	750	750	60	690	Target was not achieved due to settling of Pending bills	
No. of Bills of quantities and designs developed for	5	0	5	5	0	5	5	0	5	5	1	4	Target not achieved. BQ for Kericho Regional	

construction of Sheria house headquarters and regional office blocks														Office developed.
No. of regional office blocks constructed	2	0	2	2	0	2	2	0	2	2	0	2	2	Target not achieved due to unavailability of budget
% of modernization of the SLO legal resource center to enhance quality of research	50	0	50	50	0	50	50	0	50	50	0	50	50	The activity will be undertaken during the next financial year.
No. of motor vehicles purchased	2	0	2	2	0	2	2	0	2	2	2	2	0	Target achieved
% Partitioning of CBK pension towers.	80	0	80	80	0	80	80	20	60	80	80	80	0	Target achieved
% Partitioning and refurbishment of DOJ and ACC offices at Co-operative Bank building.	100	0	100	100	0	100	100	0	100	100	0	100	100	Target not achieved due to unavailability of budget
% Refurbishment of the former company registry	86	0	86	86	0	86	86	70	16	86	95	11	11	Target achieved
No. of regional offices refurbished	11	0	11	11	0	11	11	0	11	11	0	11	11	Target not achieved due to unavailability of budget
No. of Ministerial Strategic Plan Developed.	1	1	0	1	0	1	1	0	1	1	1	1	0	Target achieved
No. of M & E reports.	2	0	2	2	0	2	2	0	2	2	0	2	2	Target not achieved due to unavailability of budget

### 3. QUARTERLY PROJECT INFORMATION FY2023/2024

#### 3.1 New Projects

The State Law Office did not have any new projects in FY 2023/24.

#### 3.2 On-going Projects

Table 8 shows the status of various on-going projects under implementation by the Office during the FY 2023/24:

*Table 8. Quarterly Project Information FY2023/2024*

Project Name	Estimated Value of the Project (Kshs. Million)	Total Funding in the FY 2023/24 (Kshs. Million)	Expenditure in the FY 2023/24 (Kshs. Million)	Cumulative project expenditure as of 30th June 2024 (Kshs. Million)	Percentage (%) of Completion
Refurbishment Sheria House and company's Registry-Nairobi.	285.00	68.00	67.30	152.96	54
Construction of Office Buildings - Field Offices	1,000.00	8.00	6.63	6.63	1
Automation of the State Law Office Services	262.00	62.50	62.29	62.29	24
Programme for Legal Empowerment & Aid Delivery in Kenya (PLEAD)	290.38	32.00	31.94	119.42	41
Refurbishment of Regional offices - Malindi	108.00	5.00	4.00	92.00	85

#### 3.3 Stalled Projects

The Office does not have any stalled projects

#### 4. OTHER INFORMATION

##### a. Information on Re-allocations FY 2023/24.

First re-allocation for FY2023/2024 was undertaken to enable State Counsel to attend court sessions to represent the government internationally on legal matters thus curtail legal risks to the Government. This follows guidance from the National Treasury to re-allocate funds from items in programmes with low absorption to finance additional funds request. The summary is as below:

**Table 9. Re-allocation to**

VOTE,SUBHEAD(S) AND ITEMS	Amount (Kshs.)
002801-2210300-Domestic Travel and Subsistence, and Other Transportation Costs	4,029,944
002801-2210400-Foreign Travel and Subsistence, and other transportation costs	6,954,785
003001-2210300-Domestic Travel and Subsistence, and Other Transport Costs	5,970,056
003102-2210400-Foreign Travel and Subsistence, and other transportation costs	8,045,215
<b>Total</b>	<b>25,000,000</b>

**Table 10. Re-allocation from**

VOTE,SUBHEAD(S) AND ITEMS	Amount (Kshs.)
002801-2210100-Utilities Supplies and Services	4,000,000
002801-2210500-Printing, Advertising and Information Supplies and Services	1,500,000
002801-2211300-Other Operating Expenses	5,000,000
002801-3111000-Purchase of Office Furniture and General Equipment	6,500,000
002801-3110300-Refurbishment of Buildings	8,000,000
<b>Total</b>	<b>25,000,000</b>

Second re-allocation of Kshs. 33,610,000 from Victim Compensation Fund was used to purchase motor vehicles (Kshs. 15 Million), operationalization of the WAQF Commission selection panel (10 Million), domestic travel costs (Kshs. 5 Million) and foreign travel (Kshs. 3.61 Million). The summary is as below:

**Table 11. Re-allocation to**

VOTE, SUBHEAD(S) AND ITEMS	Amount (Kshs.)
002801-2210300-Domestic Travel and Subsistence, and Other Transportation Costs	2,000,000
002801-2210800-Hospitality Supplies and Services transportation costs	5,000,000
002801-3110700-Training Expenses	15,000,000
002802-2210500-Printing, Advertising and Information Supplies and Services	500,000
002802-2210700-Training Expenses	2,000,000
002802-2211100-Office and General Supplies and Services	500,000
003001-2210300-Domestic Travel and Subsistence, and Other Transportation Costs	5,000,000
003102-2210400-Foreign Travel and Subsistence, and other transportation costs	3,610,000
<b>Total</b>	<b>33,610,000</b>

**Table 12. Re-allocation from**

VOTE,SUBHEAD(S) AND ITEMS	Amount (Kshs.)
005001-2630100-Current Grants to Government Agencies and other Levels of Government	33,610,000

**Note:** The Victims Compensation Fund is a Semi-Autonomous Government Agency under the State Law Office that was undergoing operationalization that may have not been concluded before the closure of the FY 2023/24 thus the re-allocation of Kshs. 33.61 million.

**b. Summary of Pending Bills FY2023/24**

**Table 13: Summary Pending Bills**

S/NO	FINANCIAL YEARS	Recurrent (Kshs.)	Development (Kshs.)	Cumulative Payment FY2023/24 (Kshs)	Total Pending Payment (Kshs.)
1.	2023/2024	276,834,240.36	103,368,508.55	0.00	380,202,748.91
2.	2022/2023	113,517,531.79	0.00	86,233,725.98	27,283,805.81
3.	2021/2022	2,414,915.00	1,499,200.00	0.00	3,914,115.00
4.	2020/2021	13,693,641.87	0.00	1,874,166.12	11,819,475.75
5.	2019/2020	14,825,259.20	0.00	0.00	14,825,259.20
6.	2018/2019	634,660.00	0.00	0.00	634,660.00
7.	2017/2018	6,335,815.51	0.00	0.00	6,335,815.51
8.	2015/2016	7,141,245.00	0.00	0.00	7,141,245.00
9.	2014/2015	4,778,915.00	0.00	0.00	4,778,915.00
	<b>TOTAL</b>	<b>440,176,223.73</b>	<b>104,867,708.55</b>	<b>88,107,892.10</b>	<b>456,936,040.18</b>



**ETHICS AND ANTI-CORRUPTION COMMISSION**

**BUDGET IMPLEMENTATION MONITORING REPORT  
FOR THE FINANCIAL YEAR 2023/2024  
SUBMITTED TO THE NATIONAL ASSEMBLY DEPARTMENTAL  
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

=====  
**Tuesday**  
**10<sup>th</sup> December 2024**  
=====

**BUDGET IMPLEMENTATION MONITORING REPORT FOR THE FINANCIAL YEAR 2023/2024 SUBMITTED TO THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

**1.0 Introduction**

- The Ethics and Anti-Corruption Commission (EACC) is a statutory body established under section 3 of the Ethics and Anti-Corruption Commission Act of 2011. The Act was enacted pursuant to the requirement of **Article 79** of the *Constitution of Kenya, 2010*.
- The mandate of the Commission is to combat corruption and economic crime in Kenya through law enforcement, prevention, public education and promotion of standards and practices of integrity, ethics and anti-corruption.
- The Commission also derives its statutory mandate from a number of other statutes namely, *the Anti-Corruption and Economic Crimes Act of 2003, the Leadership and Integrity Act, 2012, the Public Officer Ethics Act, 2003 and the Bribery Act, 2016* among others.
- The Commission received a letter **Ref. No. NA/DDC/JLAC/2024/078** dated **18<sup>th</sup> November 2024** by the Departmental Committee on Justice and Legal Affairs of the National Assembly to provide information on Budget Implementation Monitoring for the Financial Year 2023/2024.

**2.0 Terms of Reference**

The Commission submits information covering the following areas:

1. Financial Performance by Vote and program
  - a. Actual Revenue receipts: Exchequer issues, donor and appropriation in aid (AIA).
  - b. Actual Expenditure by Vote and program
    - Classified under Recurrent and Development
    - Detailed by economic classification
2. Non-Financial Performance for FY 2023/2024
3. Quarterly Project Information; project funding received including exchequer issues, actual expenditure and completion status; and
4. Information on pending Payments.
5. Any other information.

### 3.0 Financial Performance by Vote and Program

#### a.) Actual Revenue Receipts: Exchequer issues, Donor and Appropriation in Aid (AIA)

##### i. FY 2023/2024 Recurrent Exchequer

- The Commission received Recurrent Exchequer Disbursements of **Kshs 3,784,874,583** for the FY 2023/2024 as of 30<sup>th</sup> June 2024 against a total revised Recurrent Budget of **Kshs 3,915,620,000** representing a collection level of **97%**, as shown in Table 1.

**Table 1: FY 2023/2024 Recurrent Exchequer Receipts Analysis**

DATE	DETAILS	AMOUNT (KSHS)
01/08/2023	Treasury Exchequer	198,893,214
18/08/2023	Treasury Exchequer	100,000,000
08/09/2023	Treasury Exchequer	204,515,098
22/09/2023	Treasury Exchequer	93,015,203
26/09/2023	Treasury Exchequer	100,000,000
03/10/2023	Treasury Exchequer	204,472,445
09/11/2023	Treasury Exchequer	205,573,341
21/11/2023	Treasury Exchequer	54,202,870
04/12/2023	Treasury Exchequer	223,493,827
18/12/2023	Treasury Exchequer	120,647,868
29/12/2023	Treasury Exchequer	216,196,712
16/01/2024	Treasury Exchequer	82,002,674
22/01/2024	Treasury Exchequer	317,959,733
06/02/2024	Treasury Exchequer	205,020,827
01/03/2024	Treasury Exchequer	203,106,087
14/03/2024	Treasury Exchequer	115,502,732
08/04/2024	Treasury Exchequer	215,459,652
19/04/2024	Treasury Exchequer	100,000,000
02/05/2024	Treasury Exchequer	207,837,100
22/05/2024	Treasury Exchequer	100,000,000
07/06/2024	Treasury Exchequer	204,301,830
18/06/2024	Treasury Exchequer	100,000,000
26/06/2024	Treasury Exchequer	212,673,370
	<b>TOTAL EXCHEQUER COLLECTED</b>	<b>3,784,874,583</b>
	<b>TOTAL REVISED BUDGET</b>	<b>3,915,620,000</b>
	BALANCE	<b>130,745,417</b>

Source: EACC Finance

- The Commission had requested for full exchequer funding by The National Treasury. However, the requests amounting to **Kshs 130,745,417** were not disbursed. The amounts relate to operational activities resulting to pending bills and some activities that were not implemented.

## ii. FY 2023/2024 Development Exchequer

- The Commission received exchequer funding of **Kshs 59,566,717** for the development projects. The development exchequer funding was fully used to settle the Refurbishment works at the Integrity Centre.
- The Commission did not receive funds into its accounts from donor and Appropriation in Aid (AIA).

## b.) Actual Expenditure by Vote and Program

- The Commission overall budget absorption was **Kshs 3,826,697,420** which represents **96%** against an approved Budget of **Kshs 3,983,760,000** as at **30<sup>th</sup> June 2024**.
- The Summary of Financial Performance is provided in **Table 2** below:

**Table 2: Summary for Financial Performance for FY 2023/24 – Recurrent and Development Budget**

Description	Approved Budget (Kshs)	Actual Expenditure (Kshs)	Balance (Kshs)	Absorption %
<b>Recurrent Budget</b>				
Personnel Emoluments	2,496,179,450	2,470,297,188	<del>25,882,262</del>	99%
Operations and Maintenance	1,419,440,550	1,296,833,515	122,607,035	91%
<b>Sub Total</b>	<b>3,915,620,000</b>	<b>3,767,130,703</b>	<b>148,489,297</b>	<b>96%</b>
<b>Development Budget</b>				
Development	68,140,000	59,566,717	8,573,283	87%
<b>Total Budget</b>	<b>3,983,760,000</b>	<b>3,826,697,420</b>	<b>157,062,580</b>	<b>96%</b>

**Financial Performance for FY 2023/2024 by Economic Classification**  
**Table 3: Analysis by Category of Expenditure Recurrent (Kshs. Million)**

<b>Sub-Sector Name: Ethics and Anti-Corruption Commission</b>				
<b>Vote...1271...</b>				
<b>Economic Classification</b>	<b>Approved Budget</b>	<b>Supplementary I</b>	<b>Supplementary II</b>	<b>Actual Expenditure</b>
<b>Gross</b>	<b>3,823.62</b>	<b>3,693.62</b>	<b>3,915.62</b>	<b>3,767.13</b>
AIA				
<b>NET</b>	<b>3,823.62</b>	<b>3,693.62</b>	<b>3,915.62</b>	<b>3,767.13</b>
Compensation to Employees	2,502.08	2,502.08	2,502.08	<b>2,476.79</b>
Transfers	-		-	-
Other Recurrent	1,321.54	1,191.54	1,413.54	<b>1,290.34</b>
<b>Of Which</b>				
<i>Utilities</i>	20.12	20.12	20.12	<b>19.63</b>
<i>Rent</i>	87.29	87.29	87.29	<b>85.69</b>
<i>Insurance</i>	265.87	265.87	265.87	<b>264.36</b>
<i>Subsidies</i>	-	-	-	-
<i>Gratuity</i>	-	-	-	-
<i>Contracted guards and cleaners services</i>	14.17	14.17	14.17	<b>12.52</b>
<b>Others specify</b>	<b>934.09</b>	<b>804.09</b>	<b>1,026.09</b>	<b>908.14</b>

- The approved Recurrent Budget was **Kshs 3,823,620,000**. During Supplementary I, the budget was reduced by **Kshs 130,000,000** and later increased during Supplementary II Budget estimates by **Kshs 222,000,000** resulting to a budget of **Kshs 3,915.620,000** at the end of the Financial Year.
- The Recurrent Budget actual expenditure was **Kshs 3,767,130,703** which represents **96%** absorption levels against a Budget of **Kshs 3,915.620,000**.

**Table 4: Analysis by Category of Expenditure: Development (Kshs. Million)**

<b>Sub –Sector Name: Ethics and Anti-Corruption Commission</b>			
<b>Vote and Vote Details</b>	<b>Description</b>	<b>Approved Budget Allocation</b>	
		<b>2023/24</b>	<b>2023/24</b>
<b>1271: Ethics and Anti-corruption</b>	<b>Gross</b>	<b>68.14</b>	<b>59.57</b>
	GOK	68.14	59.57
	Loans		
	Grants		
	Local AIA		

- The Development Budget absorption was **Kshs 59,566,717** which represents **87%** absorption against the final development budget of **Kshs 68,140,000**.
- The Development Budget did not change during supplementary budgets in FY 2023/2024.

#### 4.0 Non-Financial Performance

- The Commission achieved the following targets for the period under review FY 2023/2024. The details performance is depicted in Annexure 1
  - i. EACC completed **126** cases and files forwarded to the Director of Public Prosecutions (DPP) with appropriate recommendations. **49** bribery operations were conducted. **28** cases on corruption, economic crimes and bribery were finalized in court; resulting in 11 convictions, 13 acquittals and 4 withdrawals.
  - ii. EACC also undertook **12** proactive investigations resulting into disruption of corruption networks and averting public loss of approximately **Kshs. 2.9 Billion**.
  - iii. The Commission recovered unexplained and corruptly acquired assets valued at approximately **Kshs. 2.94 Billion**.
  - iv. The Commission provided **166** advisories to Ministries, Departments and Agencies (MDAs) on prevention of Bribery and Corruption.
  - v. The Commission also conducted **8** system examinations and corruption risk assessments in various public institutions aimed at identifying and mitigating corruption loopholes.
  - vi. The Commission conducted general sensitizations on ethics, integrity and good governance to **137,930** persons and sensitized **13** education stakeholders on ethics and integrity from **204** institutions of learning with a total of **142,493** learners being reached.

#### 5.0 Quarterly Project Information

In the period under review, the Commission had **two projects** financed by the Government of Kenya as follows;

- i. **Refurbishment and Extension of the EACC Headquarter**
  - It is estimated to cost **Kshs 828,190,000** while the actual cost of the project as of 30<sup>th</sup> June 2024 was **Kshs 111,014,659**. The remaining project cost to completion is thus **Kshs 717,173,341** which the Commission will pursue to get

funding in order to complete other phases of the project. Currently the project is in phase two (2).

ii. **Automation of the EACC Business Processes**

- This is projected at a cost of **Kshs 1,599,000,000** and the actual cost of the project as of 30<sup>th</sup> June 2024 was **Kshs 19,317,090**. The remaining project cost to completion is **Kshs 1,579,682,910**. However, there was no budget allocation in the FY 2023/2024.

**Table 5: Development Projects**

Project Title	Source of funds	Estimated value of the project	Revised Budget FY 2023/24	Actual Cumulative Expenditure	Percent of completion	Remarks/Challenges
Refurbishment of EACC Headquarters	GOK	828,190,000	68,140,000	111,014,659	13%	Ongoing project
Automation of business processes	GOK	1,599,000,000	-	19,317,090	1%	No budget allocation 2023/2024
<b>Gross Expenditure</b>		<b>2,427,190,000</b>	<b>68,140,000</b>	<b>130,331,749</b>		
<i>Less: AIA</i>		-	-	-		
<b>Net Expenditure</b>		<b>2,427,190,000</b>	<b>68,140,000</b>	<b>130,331,749</b>		

## 6.0 Pending Bills

- The Commission had a total pending bill of **Kshs 25,077,435** due to non-funded exchequer requests from the National Treasury by closure of FY 2023/2024, whose details are as follows:
  - Recurrent Expenses** totaling to **Kshs 25,077,435** were not paid out due to pending exchequer. The pending bills were as a result of recurrent exchequer requests lodged but the National Treasury did not disburse **Kshs 130,745,418**. The **Kshs 105 Million** would have catered for staff mortgage. The pending bills were settled as first charge as guided under Public Finance Management (PFM) Act.

**Table 6: Pending Bills**

Project Title	Budget FY 2023/24	Exchequer Received	Exchequer Pending/ Budget Cut	Pending Bills	Remarks
Recurrent Expenses	3,915,620,000	3,784,874,583	130,745,418	25,077,435	Non-Funding from the National Treasury
<b>Total Pending Bills</b>				<b>25,077,435</b>	

- ii. **Development Budget exchequer** funding was provided in full.

## 7.0 Any other information

- The Commission requests the Support of the Committee on the following areas

**Table 7: Critically un-funded areas**

CRITICALLY UNFUNDED ANALYSIS	
UNFUNDED AREAS	AMOUNT(KSHS)
<b>Recurrent Budget</b>	
a. Recruitment of new staff as per approval of the National Treasury	304,842,600
b. Core Mandate Operations on Law enforcement Legal & Investigation Services, preventions, education	204,375,468
<b>Total</b>	<b>509,218,068</b>
<b>Development Budget</b>	
a. Phase II on 4 <sup>th</sup> Floor Refurbishment unfunded works	17,430,061
b. Phase III on 2 <sup>nd</sup> & 3 <sup>rd</sup> Floor Refurbishment unfunded works	30,000,000
<b>Total</b>	<b>47, 430,061</b>
<b>Grand Total</b>	<b>556,648,129</b>

- The Commission requests the support of honorable members in implementing the Presidential Directive on the proposed legislation amendment to ensure completion of trial in anti-corruption cases within Six (6) months. To fully implement the Presidential Directive, it will require the Commission to recruit additional officers, acquisition of modern investigative tools as well as effective facilitation of investigators and attorney to attend court across the country.

**Dated this Tuesday, 10<sup>th</sup> day of December 2024**



**Abdi A. Mohamud, MBS**  
**Deputy Chief Executive Officer**  
**Ethics and Anti-Corruption Commission**

**NON- FINANCIAL PERFORMANCE FOR ETHICS AND ANTI-CORRUPTION PROGRAMME - FY 2023/24**

**ANNEXUTUTE 1: ANALYSIS OF PROGRAMME TARGETS VS ACTUAL ACHIEVEMENT**

Programme	Delivery units	Key Output	Key Performance Indicators	Planned Targets	Achieved Targets	Remarks
				2023/24	2023/24	
<b>Programme Outcome</b>						
Ethics and Anti-Corruption Programme	Investigation Directorate	Corruption and economic crimes investigation services	Number of corruption and economic crimes investigations completed	419	126	The Commission focused majorly on high impact cases which are sophisticated & Complex.
			Number of unethical violation investigations completed	80	56	These investigations are majorly demand driven and highly dependent on intelligence reports received from the Public.
			Value (Kshs in billion) of public funds loss averted	7	2.9	Most of the targeted investigations are ongoing.
	Legal Services and Asset Recovery Directorate	Assets tracing and recovery services	Value(in billions) of illegally and unexplained assets preserved	2	9.25	Existence of a dedicated anti-corruption court and conclusion of pending cases from previous year.
			Value ( in billion) of corruptly acquired assets, unexplained wealth and irregularly	3.1	2.94	The Commission has shifted its focus to Alternative Dispute Resolution) ADR to boost recoveries.

Programme	Delivery units	Key Output	Key Performance Indicators	Planned Targets	Achieved Targets	Remarks
				2023/24	2023/24	
<b>Programme Outcome</b>						
			obtained benefits recovered			
	Prevention Services	Public education and awareness	Number in millions of persons reached	25	14	The cost of media escalating higher than budgetary provisions.
		Systems review services	Number of advisories on bribery and corruption prevention undertaken	100	166	The Commission received more responses from institutions in compliance guidelines are issued.
			Number of institutions assessed on implementation of advisories provided	10	8	Budgetary challenge where the Commission could not attend to some institutions especially regional offices.
		Anti-corruption training services	No of persons trained on ethics and integrity	100	204	Increased demand for training on ethics and integrity from public institutions.
			Number of learners sensitized on value based education in institutions of learning	250	371	Increased demand for value based education institutions of learning.

Programme	Delivery units	Key Output	Key Performance Indicators	Planned Targets	Achieved Targets	Remarks
				2023/24	2023/24	
<b>Programme Outcome</b>						
	Ethics and Leadership Directorates	Ethics compliance services	Compliance level (%) with requirements for submission of DIALs by State and Public Officers	70	55	Several responsible Commissions did not submit information on compliance by officers under them.
			No. of institutions supported on implementation of gifts , donations, and conflict of interest registers	10	16	The Commission accelerated the engagements on set up & operationalization of gift registers with institutions.



## **OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS**

**BUDGET IMPLEMENTATION MONITORING FOR THE 2023/2024  
FINANCIAL YEAR AND FAMILIARIZATION RETREAT WITH THE  
DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

**DATE: 10<sup>TH</sup> – 13<sup>TH</sup> DECEMBER, 2024**

**VENUE: MOMBASA**

### **INDEX OF DOCUMENTS**

<b>S/NO</b>	<b>DOCUMENT</b>	<b>FOLIO</b>
<b>1.</b>	Invitation Letter	<b>1</b>
<b>2.</b>	ODPP Budget Implementation Report	<b>2</b>

ODPP/CONF/2/18A



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*When replying, please quote*

**Ref: NA/DDC/JLAC/2024/078**

**18<sup>th</sup> November, 2024**

**Hon. Winfridah Boyani Mokaya**  
Chief Registrar of the Judiciary / Secretary  
Judicial Service Commission  
Supreme Court Building  
**NAIROBI**

**Ms. Salome W. Muhia-Beacco, CBS**  
Principal Secretary  
State Department for Correctional Services  
Ministry of Interior and National Administration  
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**Ms. Jedidah W. Waruhiu**  
Chief Executive Officer  
Witness Protection Agency  
Liaison office Milimani Law Courts  
4th Floor, Room 413  
**NAIROBI**

Dear **Mr. Ingonga**

**RE: BUDGET IMPLEMENTATION MONITORING FOR THE 2023/2024 FINANCIAL  
YEAR AND FAMILIARIZATION RETREAT WITH THE DEPARTMENTAL  
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

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The Departmental Committee on Justice and Legal Affairs is established pursuant to National Assembly Standing Order 216 which mandates it to *inter-alia*, "on a quarterly basis monitor and report on the implementation of the national budget in respect of its mandate". Further, Standing Order 245(2)(c) provides that each Departmental Committee shall as per S.O 216(5) (ba) "(c) examine and report on the expenditures and non-financial performance of the budget of the national government".

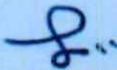
The Committee acknowledges your written financial and non-financial information related to the budget implementation for the Financial Year 2023/2024.

In line with its mandate, the Committee has resolved to hold a retreat with the Ministries, Departments and Agencies (MDAs) under its purview to conduct a Budget Performance Review for the Financial Year 2023/2024.

The purpose of this letter is to invite you to the retreat scheduled for **Tuesday, 10<sup>th</sup> December to Friday, 13<sup>th</sup> December, 2024 in Mombasa County**. The specific venue will be communicated in due course (*a copy of the tentative retreat programme is attached*). You are requested to appear with twenty-three (23) copies of your submissions to the meeting.

The liaison officers for this activity are **Mr. Ahmed Salim Abdalla** who may be contacted on tel. no. **0710204056** or email: [ahmed.salim@parliament.go.ke](mailto:ahmed.salim@parliament.go.ke), **Ms. Jael Ayiego Kilaka**, tel. no. **0725385945** or email: [jael.kilaka@parliament.go.ke](mailto:jael.kilaka@parliament.go.ke) and **Mr. Abdikafar Abdi**, tel. no. **0715456403** or email: [abdikafar.sheikh@parliament.go.ke](mailto:abdikafar.sheikh@parliament.go.ke)

Yours



**JEREMIAH NDOMBI, MBS**  
**FOR: CLERK OF THE NATIONAL ASSEMBLY**

*Encls*

**Copy to: - Hon. Wycliffe Musalia Mudavadi, EGH**  
Ag. Cabinet Secretary  
Ministry of Interior and National Administration  
Harambee House, Harambee Avenue  
**NAIROBI**

**Ms. Dorcas Agik Oduor, OGW, EBS, SC**  
The Attorney-General  
Office of the Attorney-General and Department of Justice  
Sheria House, Harambee Avenue  
**NAIROBI**



**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS**

**PRESENTATION OF THE FINANCIAL YEAR 2023/24 BUDGET  
IMPLEMENTATION MONITORING**

*To*

**The National Assembly Departmental  
Committee**

**On Justice and Legal Affairs**

*By*

**Renson M. Ingonga, OGW**

**Director of Public Prosecutions**

*On*

**11<sup>th</sup> December, 2024**

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## **1.0 Introduction**

**Mr. Chairman,**

The Office of the Director of Public Prosecutions (ODPP) is established under Article 157 of the Constitution of Kenya, 2010. The mandate of the ODPP is to exercise state powers of prosecutions. In exercising prosecutorial authority, the ODPP has due regard to public interest, interests of administration of justice and the need to prevent and avoid abuse of the legal process. While doing so, the ODPP strives to provide quality, impartial and timely services in a manner that is professional, efficient and fair.

The functions of the ODPP include:

- i) To institute and undertake criminal proceedings against any person before any court of law other than a court martial in respect of any offences alleged to have been committed by that person;
- ii) To direct investigations and supervise the conduct of criminal investigations;
- iii) To handle matters relating to international relations including extradition and Mutual Legal Assistance (MLA);
- iv) To advise Government Ministries, Departments and State Corporations on matters pertaining to the application and development of criminal law;
- v) To appoint, train, monitor and gazette public prosecutors;
- vi) To facilitate victims of crime and witnesses during prosecution; and
- vii) To develop and implement policy and procedure and contribute to law reform

## **1.1 The DPP's Strategic Agenda**

Following my appointment as the Director Public Prosecutions (DPP), I have developed my aspirations for the Office of the Director of Public Prosecutions (ODPP) through my Strategic Agenda, which outlines my vision, mission, and strategic commitments to the Office. This agenda serves as a roadmap towards achieving a responsive prosecutorial service. It not only provides direction but also outlines a critical component that will guide the office in resource mobilization and utilization.

In this strategic framework, I have taken into consideration new developments in the administration of justice arising from constitutional requirements, new laws, human rights considerations, technology, and the diversity in crimes against rapidly changing global needs. By aligning our strategies with these realities, we ensure that the ODPP remains adaptable and responsive to the dynamic challenges of our times. This approach will allow us to effectively navigate the complexities of the legal landscape while upholding the principles of justice and fairness. Through this Strategic Agenda, I aim to lead the ODPP towards a future where our prosecutorial service is not only effective but also compassionate and just, meeting the needs of our society while upholding the highest ethical standards. The agenda identifies 3 strategic commitments/approaches as follows:

- People's Centered Prosecution Service
- Innovative Prosecutions Performance Framework
- Prosecutions as an Enabler to National Development

### ***1.1.1 People's Centered Prosecution Service***

I aim to enhance collaboration with other state and non-state actors by strengthening partnerships in order to address crime-related activities. In addition, this approach will ensure active public awareness through engaging and sensitizing the community on the criminal justice matters. As part of this approach, I am dedicated to promoting staff wellness programs and human resource capacity and enhancement programs in a bid to ensure professionalism and accountability. Having established and operationalized the Prosecutions Training Institute (PTI), I am committed to ensuring continuous professional development of ODPP staff and officers from other criminal justice agencies and stakeholders both in Kenya and the region. The development of infrastructure at the Institute is currently in progress.

### ***1.1.2 Innovative Prosecutions Performance Framework***

Our primary goal is to reduce case backlog by promoting alternatives to trial and pursuing criminal justice reforms. This means not only reviewing existing laws but also implementing programs and best practices that ensure greater access to justice for all.

To achieve this, our approach centers on the use of technology and strategic communication to enhance criminal prosecution and service delivery by the dedicated staff of the ODPP. By leveraging technology, we aim to streamline the legal process and make it more efficient, allowing us to serve the public better. Strategic communication is essential to ensuring that the public is aware of their rights and the services available to them.

In essence, our commitment is to modernize and improve the criminal justice system, making it more accessible and efficient for everyone involved. I believe that by embracing these strategic prosecutions and reforms, we can help deliver justice more effectively and address the backlog of cases that has plagued our legal system.

### ***1.1.3 Prosecution as an Enabler of National Development***

The administration's Bottom-up Economic Transformation Agenda (BETA) Framework is geared towards economic turnaround and inclusive growth for Kenya. Towards this the government undertook to ensure zero tolerance to corruption by making all public servants accountable and submitting to the oversight of Parliament and other constitutionally mandated institutions. To strengthen governance, the Government pledged to among others bolster the financial and technical capabilities as well as the independence of all independent institutions to make sure they are capable of defending the national interest and the people's sovereignty.

I am committed to pursuing criminal justice reforms through a comprehensive approach that involves reviewing our existing laws and implementing programs and best practices to enhance access to justice. One of the key aspects of this approach is the establishment and maintenance of an efficient case management system that will link the entire criminal justice system.

We are currently in the process of rolling out the Uadilifu case management system at the

ODPP. Uadilifu represents a significant step forward in our efforts to modernize the criminal justice system. It serves as a centralized electronic repository designed to capture, store, and update case information, including case documents, proceedings, and records related to suspects. All of these are accessible through a unified user application.

The implementation of Uadilifu case management system has far-reaching implications. It not only streamlines our internal processes but provides valuable insights into the trends and prevalence of crime across the country. By actively pursuing these reforms and embracing modern technology like Uadilifu, we are taking a significant step forward in our mission to ensure a fair and efficient criminal justice system that serves the best interests of the public and aligns overall goal for economic turnaround and inclusive growth for Kenya.

The objective of these commitments is to facilitate the realization of our strategic focus by infusing accountability, transparency, public confidence and quality control in all our operations. The overall aim of the Strategic Agenda is to transform the ODPP into a prosecution service which is more responsive to the *Mwananchi's* needs.

The strategic Agenda will focus on the following aspects:

- the fight against corruption;
- public awareness; Community engagement and sensitization
- enhancing quality prosecutions;
- efficient budget allocation.
- construction and continuous development of the Prosecution Training Institute;
- enhancing integrity through the Internal Compliance Unit;
- Capacity building of ODPP Staff.
- Criminal Justice policy reforms.
- Research and development.
- Green Plan Policy

## 2.0 Budget Allocation and Implementation Status F/Y 2023/24

For the FY 2023/24 the ODPP was allocated a total of **KShs. 4.163 Billion**, consisting of **Kshs. 4.107 Billion** in Recurrent Budget and **Kshs 0.055 Billion** in Development Budget.

### 2.1 Recurrent Expenditure

The allocation for Recurrent expenditure is **KShs. 4.107 Billion**. The table below provides a detailed analysis of resource allocation versus expenditure for Recurrent expenditure.

**Table 1 Analysis of Recurrent Resource Allocation vs. Expenditure for F/Y 2023/24.**

<b>Description</b>	<b>Resource Allocation 2023/24 FY (Kshs. Millions)</b>	<b>Expenditure (Kshs. Millions)</b>	<b>%Utilization</b>
Compensation of Employees	2,671	2,671	100
Other Recurrent (Operations and Maintenance)	1,436	1,435	100
<b>Total</b>	<b>4,107</b>	<b>4,106</b>	

On the item *Compensation of Employees* above, **Kshs 2.44 Billion** was paid towards Salaries and Wages and **Kshs 226 Million** was incurred by the ODPP towards Employer Social Contributions for the Housing Levy, ODPP Pension Scheme and the National Social Security Fund (NSSF).

On *Other Recurrent Expenditure* the ODPP spent **KShs. 1.435 Billion** mainly towards operational costs on items such as rent, medical cover for staff whose numbers have increased, operationalization of the Prosecutor's Training Institute, court attendance with emphasis on mobile courts, rolling out of Uadilifu Case Management, and Human Resource costs among others.

**Table 2 Analysis of Recurrent Budget Implementation Status for the FY 2023/24.**

<b>Economic Item &amp; Title</b>	<b>Gross Estimates (Original) for FY 2023/24 (Kshs.)</b>	<b>Revised Estimates FY 2023/24 (Kshs.)</b>	<b>Cumulative Expenditure (Kshs)</b>	<b>% Utilization</b>
<b>1) Compensation to Employees</b>	<b>2,740,459,806.00</b>	<b>2,671,387,511.00</b>	<b>2,671,387,510.60</b>	<b>100%</b>
<b>Wages and Salaries Contributions</b>	<b>2,510,877,950.91</b>	<b>2,444,912,192.00</b>	<b>2,444,912,192.00</b>	
Basic Salaries-Permanent Employees	1,428,393,106.91	1,431,670,370.95	1,431,670,370.95	100%
Basic Salaries-Temporary Employees	800,000.00	2,400,000.00	2,400,000.00	100%
Personal Allowances Paid as part of Salary	1,081,684,844.00	1,010,841,821.05	1,010,841,821.05	100%
Personal Allowances Paid as Reimbursements	-	-	-	
Personal Allowances provided in kind	-	-	-	
<b>Social Contributions</b>	<b>229,581,855.09</b>	<b>226,475,319.00</b>	<b>226,475,318.60</b>	
Employer Contribution to Compulsory National Social Security Schemes	15,382,896.00	14,893,880.00	14,893,880.00	100%
Employer Contribution to Social Benefit Schemes Outside Government	175,653,142.74	173,019,021.00	173,019,020.60	100%
Employer Contribution to Compulsory Housing Levy	35,951,013.35	35,984,675.00	35,984,675.00	100%
Employer Contribution to Compulsory NITA	2,594,803.00	2,577,743.00	2,577,743.00	100%
<b>2) Use of Goods and Services</b>	<b>1,266,580,194.00</b>	<b>1,439,348,373.00</b>	<b>1,437,097,569.25</b>	<b>100%</b>
Utilities, Supplies and Services	14,206,000.00	17,286,000.00	17,266,647.00	100%
Communication, Supplies and Services	75,801,035.00	75,911,035.00	75,867,128.25	100%
Domestic Travel and subsistence and Other Transportation	133,472,094.00	167,295,094.00	166,830,298.00	100%

Economic Item & Title	Gross Estimates (Original) for FY 2023/24 (Kshs.)	Revised Estimates FY 2023/24 (Kshs.)	Cumulative Expenditure (Kshs)	% Utilization
Foreign Travel and subsistence and Other Transportation	36,000,000.00	50,750,000.00	50,706,401.89	100%
Printing, Advertising and Information Supplies	7,681,940.00	7,761,940.00	7,741,313.45	100%
Rentals of produced Assets	257,771,207.00	248,607,207.00	248,605,949.75	100%
Training Expenses	68,920,740.00	82,655,740.00	82,257,945.00	100%
Hospitality Supplies and services	93,546,018.00	106,551,018.00	105,999,018.85	100%
Insurance Costs	361,893,801.00	376,693,801.00	376,635,097.00	100%
Specialized Materials and supplies	2,200,000.00	2,200,000.00	2,145,358.00	100%
Office and General Supplies and Services	57,244,070.00	69,644,070.00	69,396,836.00	100%
Fuel Oil and Lubricants	33,500,000.00	41,600,000.00	41,529,676.00	100%
Other Operating Expenses	80,680,600.00	135,609,779.00	135,376,211.50	100%
Routine Maintenance - Vehicles	27,149,507.00	30,299,507.00	30,281,656.56	100%
Routine Maintenance - Other Assets	16,513,182.00	26,483,182.00	26,458,032.00	100%
<b>Gross Expenditure</b>	<b>4,007,040,000.00</b>	<b>4,107,040,000.00</b>	<b>4,104,789,195.85</b>	
Appropriations-in-Aid	2,000,000.00	2,000,000.00	-	
<b>Net Expenditure (Gross Expenditure less A-I-A)</b>	<b>4,005,040,000.00</b>	<b>4,105,040,000.00</b>	<b>4,104,789,195.85</b>	
<b>Budget Performance Summary</b>				
Source of Fund	Estimates	Actual Receipt	Variance	Remarks
a) Exchequer Issues	4,105,040,000.00	4,086,463,637.45	18,576,362.55	Delays in exchequer
b) Appropriations-In-Aid	2,000,000.00	-	2,000,000.00	Unmet Revenue Expectations
<b>Total Funds available (a+b)</b>	<b>4,107,040,000.00</b>	<b>4,086,463,637.45</b>	<b>20,576,362.55</b>	Unpaid Commitments

## 2.2 Development Budget

For Development Expenditure the ODPP was allocated **KShs. 56 million**. The Office of ODPP has three on-going projects in the medium term. Two projects are financed by the Government of Kenya (GoK) while the other one is fully financed by the Development partner United Nations Population Fund (UNFPA). The table below lists ODPP's projects funded under the development budget, showing resource requirement against resources allocated.

**Table 3 Analysis of Development Resource Allocation Vs Expenditure FY 2023/24**

SNO	Project Title	Resource Allocation 2023/24 FY (Kshs. Millions)	Expenditure (Kshs. Millions)	% Utilization
1	Construction of PTI (Administration Block and Lecture halls)	35	35	100%
2	Uadilifu Case Management System	15	15	100%
3	UNFPA 10th Country Programme on FGM	6	4.7	78%
<b>Total</b>		<b>56</b>	<b>54.4</b>	

Expanding the ODPP's processes and procedures has been limited due to inadequate infrastructural capacity, including ICT, and limited office space. This has in turn hindered the efficient roll out of the *Uadilifu* Case Management System across the country occasioned by shortages of Computers, printers, scanners among others.

Table 4 Analysis of Development Budget Implementation Status for the FY 2023/24

Economic Item & Title	Gross Estimates FY 2023/24 (Kshs.)	Revised Estimates FY 2023/24 (Kshs.)	Cumulative Expenditure (Kshs)	% Utilization
<b>1) Acquisition of Non-Financial Assets (Fixed Capital Assets)</b>				
Uadilifu Case Management	15,000,000	15,000,000	14,999,990	100%
UNFPA 8th Country Programme on FGM	5,000,000	6,000,000	4,669,871	78%
Construction of PTI Moot Court	35,000,000	35,000,000	34,688,170	100%
<b>Gross Expenditure</b>	<b>55,000,000</b>	<b>56,000,000</b>	<b>54,358,031</b>	
Source of Fund	Estimates	Actual Receipt	Variance	
a) Exchequer Issues	50,000,000.00	47,148,170.00	2,851,830.00	
b) Other Receipts (List)	-	-	-	
	Estimates	Actual Receipt	Variance	
c) Appropriations-in-Aid				
Grants	6,000,000.00	5,000,000.00	1,000,000.00	
Loans			-	
<b>Total Funds available (a+b+c)</b>	<b>56,000,000.00</b>	<b>52,148,170.00</b>	<b>3,851,830.00</b>	Unpaid commitments

### **3.0 Project Implementation Status**

The ODPP implemented three projects in FY 2023/2024 namely:

- i. Construction of Prosecutors Training Institute Moot Court at a cost of KShs 35,000,000
- ii. Roll out of Uadilifu Case Management at a cost of Kshs 15,000,000 and
- iii. UNFPA 10<sup>th</sup> Country Program at a cost of Kshs 6,000,000.

**Table 5 Analysis of Project Implementation Status as 30<sup>th</sup> June 2024.**

SNO	Project Title	Project Commence Date	Expected duration of the project	Source of Funds	Estimated Value of the Project (Kshs.)	FY 2023/24 (Kshs.)		Status of the Project/Percent of Completion
						Total Disbursements	Actual Expenditure	
1.	UNFPA 8th Country Programme on FGM	2019/20	5 Year	UNFPA	23,500,000	5,000,000	4,669,871	Partner's FY runs within the calendar year, delayed disbursement of funds
2.	Uadilifu Case Management	2022/23	2 Year	GOK	500,000,000	14,999,990	14,999,990	100%
3.	Construction of PTI Moot Court	2020/21	2 Year	GOK	3,000,000,000	32,148,180	34,688,170	100%

#### **4.0 Pending Bills**

During the implementation of the FY 2023/24 budget, the Office accrued a pending bill of **KShs. 21.9 Million** in the Recurrent vote due to lack of exchequer.

Pending bills formed the first charge to the FY 2024/25 budget allocation in line with The National Treasury guideline that require pending bills to take priority in the subsequent year's budget.

**Table 6 Analysis of Pending Bills as at 30<sup>th</sup> June 2024.**

<b>Vote</b>	<b>Budget allocation for the contract</b>	<b>Financial year when the pending bill was incurred</b>	<b>cumulative payment as at 30<sup>th</sup> June 2024</b>	<b>outstanding amount as at 30<sup>th</sup> June 2024</b>
<b>a) Recurrent</b>				
Crowne Plaza	100,000.00	2023/2024	-	100,000.00
Safaricom Limited	19,151,652.89	2023/2024	-	19,151,652.89
Real Edge Ventures	8,250.00	2023/2024	-	8,250.00
CFAO Motors	125,215.00	2023/2024	-	125,215.00
Naivasha Country Lodge	517,500.00	2023/2024	-	517,500.00
CFAO Motors	107,635.00	2023/2024	-	107,635.00
Salvador Caetano	119,304.25	2023/2024	-	119,304.25
Neo Gulf Logistics	475,762.01	2023/2024	-	475,762.01
Neo Gulf Logistics	159,752.17	2023/2024	-	159,752.17
Neo Gulf Logistics	370,331.19	2023/2024	-	370,331.19
Neo Gulf Logistics	111,849.26	2023/2024	-	111,849.26
Postal Corporation Kenya	654,930.00	2023/2024	-	654,930.00
<b>Sub-Total</b>	<b>21,902,181.77</b>			<b>21,902,181.77</b>
<b>b) Development</b>				
	-	-	-	-
<b>Grand Total (a+b)</b>	<b>21,902,181.77</b>		-	<b>21,902,181.77</b>

## 5.0 Non-Financial Performance

The matters handled by the Office on a day to day basis revolves around five broad thematic areas: Criminal Trials, Appeals & Applications, Extraditions & MLA proceedings, Advice Files and Complaints processing. The performance of the Office is assessed on the following parameters: caseload, conviction rates, success rate for criminal appeals and applications, conclusion rates and jurisprudential development.

### 5.1 F/Y 2023/24 Non-Financial Performance.

The overall caseload as at 2023/24 is **343,597** matters handled. The matters handled include criminal cases, appeals and applications, investigation files for advice, public complaints, extradition applications and mutual legal assistance requests.

**Table 7 Highlights of Prosecution Performance of the ODPP and Statistical Analysis of Cases Handled During the Review Period**

<b>Matters Handled</b>	<b>2023/2024</b>
Criminal Trial	315,503
Appeals	9,104
Applications	8,774
Extraditions and MLA	24
Advice Files	8,219
Complaints	1,974
<b>TOTAL</b>	<b>343,597</b>

### 5.2 F/Y 2023/24 Non-Financial Performance Analysis.

The table below shows the non-financial performance of the ODPP as at the end of the F/Y 2023/24

Table 7 Analysis of Non-financial performance indicators as at 30<sup>th</sup> June 2024.

Programme	Sub-Programme	Key Outputs	Key Performance Indicators	Target 2023/24	Actual as at 30 <sup>th</sup> June 2024	Variance	Remarks
Public Prosecution Services	Public Prosecution Services	Public Prosecution services	% of investigative files reviewed and decision to charge made	100	100	0	Target achieved
			No. of criminal cases litigated	350,000	315,503	34,497	Target not achieved
			No. of corruption and economic crime cases litigated	120	34	86	Target not achieved, projections based on previous target achieved in FY 2022/23 (baseline)
			Overall Conviction rate	93.5%	93.01%	0.49%	Target achieved
			Corruption Conviction rate	70%	67%	3%	Target not achieved, 2 acquittals registered and 4 convictions.
			Success rate in appeals & applications	62	53.05	8.95	Target not achieved, matters still pending in court.
			No. of inter- Agency fora convened	5	175		Target achieved, increased engagements with the new DPP to foster new areas of possible collaborations
		Legal advisory services	% of investigative files advised within set timeline	100	100		Target achieved
			No. of investigative files advised	5500	8,219	286	Target achieved

Programme	Sub-Programme	Key Outputs	Key Performance Indicators	Target 2023/24	Actual as at 30 <sup>th</sup> June 2024	Variance	Remarks
			% of public complaints processed within 21 days	100	100		Target achieved
		Witness and victim facilitation	% of eligible witnesses facilitated to attend court	100	100		Target achieved
		Legal framework and policy	No. of policies, guidelines, SOPs and MOUs reviewed and developed.	9	15		Target achieved
		Statutory Reports	No. of statutory reports submitted	4	4		Target achieved
		Roll out of Uadilifu Case Management System	No. of ODPP offices with Uadilifu system in place.	30	47		Target achieved, increased integration with Judiciary's e-filing
		Training services	No. of staff trained in various skills and competencies	500	628	128	Target achieved
		Prosecution Quality Assurance	% of prosecution related complaints on misconduct addressed within set timeline	100	100	0	Target achieved
			No. of Inspection and Quality assurance reports	39	7	32	Target not achieved. Carried out inspections in Nairobi region & its environs only due to budgetary constraints
		Corporate services	% Budget utilization	100	100	0	Target achieved
			% achievement of optimal staffing levels	60	59	1	Target Achieved

Programme	Sub-Programme	Key Outputs	Key Performance Indicators	Target 2023/24	Actual as at 30 <sup>th</sup> June 2024	Variance	Remarks
		Administration block and lecture halls Moot court	% completion	100	90	10	Target not achieved, pending equipping.
			% completion of PTI Moot Court	100	90	10	Target not achieved, pending furnishing.

## 6.0 Implementation of the Financial Year 2024/25 Budget

Mr. Chairman,

The Office of the Director of Public Prosecutions (ODPP) plays a critical role in advancing government priorities, including the zero-tolerance policy on corruption and upholding the rule of law.

In the current Financial Year 2024/25, the ODPP was allocated **KES 3.95 billion** in its recurrent expenditure, of which **KES 2.96 billion** provides for Personnel Emoluments (PE). This leaves **KES 997 million** for Operations and Maintenance (O&M) which presents significant operational hurdles, as outlined below:

### 6.1 ODPP O&M Allocation for the period 2022/23-2024/25 (KES Millions)

O&M Item	2022/23	2023/24	2024/25
Rent	223	247.8	257
Medical insurance	346.7	388	400
Contracted Guards & Cleaning Services	15.5	26	58
Subscriptions to International Organizations	-	3.9	5.2
Utilities	12.2	17.2	18.7
Others	552.6	680.1	258.1
<b>Total O&amp;M Budget</b>	<b>1,150</b>	<b>1,363</b>	<b>997</b>

These figures demonstrate the growing funding gap in our operations as the contractual non-discretionary obligations increase, thus affecting ODPP's ability to effectively execute its mandate.

Furthermore, the Office of the Director of Public Prosecutions is currently implementing its recently launched **Strategic Plan 2023-2027**, which is designed to modernize and enhance the efficiency of the prosecution service. In alignment with these strategic objectives and to address rising operational demands, the ODPP has submitted a formal request to the **National Treasury** for an additional allocation of **KES 421 million** for O&M in the

current **FY 2024/25** budget. The ODPP is anticipating a favorable response as these funds are critical to supporting key initiatives outlined in the strategic plan as follows:

1. Rollout of the *Uadilifu* case management system aligned with the Judiciary's e-filing system.
2. Operationalizing new ODPP stations to serve recently established court stations.
3. Mobile court attendance support, including the prosecution of high public interest cases such as Shakahola.
4. Equipping of prosecutors with working tools including equipment and office supplies.
5. Improving the terms of service for the ODPP staff, including allowances and staff mortgage and car loan, to attract and retain talent.
6. Management of high-profile, public interest, and complex corruption cases.
7. Continuous capacity building for prosecutors.
8. Witness facilitation (pre-trial).
9. Pending bills that resulted from lack of exchequer.

Your support in securing these additional funds is crucial for ensuring that we meet our strategic goals, advance our mission and uphold the principles of justice.

**Mr. Chairman,**

Finally, I sincerely thank your committee and the National Assembly for the continued support of the ODPP.

Thank you.

**RENSON M. INGONGA, OGW**  
**DIRECTOR OF PUBLIC PROSECUTION**

**Dated 11<sup>th</sup> December 2024**

INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



**PRESENTATION BY**

**INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION  
(IEBC) VOTE 2031**

**TO**

**THE NATIONAL ASSEMBLY  
DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS  
(JLAC)**

**2023/24 FINANCIAL YEAR ESTIMATES OF REVENUE AND  
EXPENDITURE**

**DECEMBER, 2024**

## A. Introduction

Article 88 of Constitution of Kenya, establishes the Independent Electoral and Boundaries Commission (IEBC) [‘the Commission’] as the body mandated to conduct and/or supervise elections and referenda in Kenya.<sup>1</sup> In carrying out its mandate, the Commission is responsible for

- i. Continuous registration of citizens as voters;
- ii. Regular revision of the voters’ roll;
- iii. Delimitation of constituencies and wards;
- iv. Regulation of the process by which parties nominate candidates for elections;
- v. Settlement of electoral disputes, including disputes relating to or arising from nominations but excluding election petitions and disputes subsequent to the declaration of election results;
- vi. Registration of candidates for election;
- vii. Voter education;
- viii. Facilitation of the observation, monitoring and evaluation of elections;
- ix. Regulation of the amount of money that may be spent by or on behalf of a candidate or party in respect of any election;
- x. The development of a code of conduct for candidates and parties contesting elections; and
- xi. Monitoring of compliance with the legislation required by Article 82(1)(b) relating to nomination of candidates by parties.

This mandate is further amplified in other Acts of Parliaments and Regulations.<sup>2</sup>

## B. Budget Implementation Status

1. The Commission has the following budget summary on actual revenue receipts, exchequer issues and appropriations in aid (AIA).

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<sup>1</sup>Article 88 (4) of the Constitution of Kenya, 2010.

<sup>2</sup> The Independent Electoral and Boundaries Commission Act, 2011;

**Table 1: Revenue Receipts, Exchequer Issues and Appropriations In Aid (AIA)**

Budget Performance Summary for FY 2023/24				
Source of Fund	Estimates (Kshs)	Amount received (Kshs)	Variance (Kshs)	Remarks
a) Exchequer Issues	4,631,512,632	4,411,588,786	219,923,846	The Commission did not receive all Exchequer request resulting to pending bills of Kshs 173,257,564
b) Other Receipts (List source):- Sale of tender				
(i) Sale of Register	-	1,613,516	(1,613,516)	
c) Appropriations-In-Aid:-				
Grants				
Loans				
<b>Total Funds available (a+b+c)</b>	<b>4,631,512,632</b>	<b>4,413,202,302</b>	<b>218,310,330</b>	

2. The Commission's actual expenditure by vote for the FY2023/24 is Kshs 4,552Million itemized as indicated below against a budget:

**Table 2: Budget Expenditure**

Expenditure by Economic Classification	Gross/Printed Estimate FY 2023/24 (after Supplementary II (Kshs)	Cumulative Expenditure (Kshs.)	Balance (Kshs.)
1) Compensation to Employees	2,506,893,921	2,457,065,840	34,100,014
Wages and Salary Contributions			
Basic Salaries - Permanent Employees	1,291,215,633	1,289,428,171	1,787,462
Basic Wages - Temporary Employees	72,661,827	59,407,049	13,254,778
Personal Allowances paid as part of Salary	938,557,217	928,147,410	10,409,807
Employer Contributions to Social Benefit Schemes Outside Government	204,459,244	180,083,210	24,376,034
2) Use of Goods and Services			-
Utilities, Supplies and Services	13,382,469	13,160,147	222,322
Communication, Supplies and Services	46,215,759	37,130,136	9,085,623
Domestic Travel and Subsistence, and Other Transportation Costs	95,253,468	93,995,534	1,257,934
Foreign Travel and Subsistence, and other transportation costs	4,065,773	3,130,030	935,743
Printing , Advertising and Information Supplies and Services	11,931,084	5,420,211	6,510,873
Rentals of Produced Assets	308,788,442	308,788,442	-
Training Expenses	29,129,952	26,373,266	2,756,686
Hospitality Supplies and Services	35,178,362	21,315,802	13,862,560
Insurance Costs	284,020,000	283,994,877	25,123
Specialized Materials and Supplies	2,397,436	-	2,397,436
Office and General Supplies and Services	24,811,922	14,323,789	10,488,133
Fuel Oil and Lubricants	55,855,005	47,549,283	8,305,722
Routine Maintenance - Vehicles	28,192,088	23,292,946	4,899,142
Routine Maintenance - Other Assets	1,819,415	-	1,819,415
Other Operating Expenses			
Hire of Transport, Equipment	650,000,000	-	-
Contracted Guards and Cleaning Services	12,252,320	1,336,560	1,587,120
Contracted Professional Services	31,778,353	1,330,733	1,330,733
Legal Dues/fees, Arbitration and Compensation Payments	125,282,220	127,283	127,283
Membership Fees, Dues and Subscriptions to Professional and Trade Bodies	4,655,153	1,884,847	2,102,947
Maintenance of Computers, Software, and Networks	299,093,314	14,805,750	4,168,787

Expenditure by Economic Classification	Gross/Printed Estimate FY 2023/24 (after Supplementary II (Kshs)	Cumulative Expenditure (Kshs.)	Balance (Kshs.)
Licencing fees for Communication	64,876,011	336,977	4,634,488
Housing loans to public servants	3,000,000	-	-
<b>3)SOCIAL BENEFITS</b>			-
Social Security Benefits	27,383,498	17,619,089	9,764,409
<b>4)Acquistion of Financial Assets</b>			-
<b>5)Acquisition of Non-financial Assets</b>			-
Purchase of Office Furniture and Fittings	10,765,111	1,167,688	1,167,688
Purchase of Computers, Printers and other IT Equipment	-	1,000,000	1,000,000
<b>Gross Expenditure</b>			-
<i>Appropriations-in-Aid</i>	-	(1,866,436)	1,866,436
<b>Net Expenditure (Gross Expenditure less A-I-A)</b>	<b>4,699,010,914</b>	<b>4,552,995,436</b>	<b>146,015,478</b>

3. The Commissions absorption was at **97%**.

### C. Project Implementation Status

1. The Commission has been allocated **Kshs.77Million** for development in the FY2023/2024 of. The amount was used to complete four projects as indicated in the table below.

**Table 3: Development Expenditure**

Warehouse Name	Amount in Kshs.	Spent	Status
Regional warehouse Isiolo	15,000,000	15,000,000	Completed
Regional warehouse Machakos	20,000,000	20,000,000	Completed
Regional warehouse Wajir	27,000,000	27,000,000	Completed
Regional warehouse Garissa	15,000,000	15,000,000	Completed
<b>Total</b>	<b>77,000,000</b>	<b>77,000,000</b>	

### D. Non-Financial Performance

1. The Commission settled some of the pending bills that had been carried over in the previous financial years in compliance with the Treasury circular and PFMA. This impacted on the activities of the Commission as they had to be scaled down.
2. However, the Commission conducted preliminary activities with regard to boundary review, public participation forums, Continuous Voter registration and education, legal reforms as mandated by the Constitution.
3. The Commission was not fully able to deliver its mandate due to Supplementary budget cuts and delay in reconstitution of the Commissioners.
4. The Table below summarizes the key achievements against the set targets:-

Table 4: Non-Financial Performance

Programme and Sub Programme Performance Report -Non-financials for FY 2023/24									
Programme	Sub-Program	Delivery Unit	Key Output	KPI	Annual Target	Actual as at 30th June 2024	Variance	Remarks	
Program 1: Management of Electoral Process in Kenya									
Outcome: Free Fair and Credible Elections									
Program 1: Management of Electoral Process in Kenya	SP 1: General Administration Planning and Support Services.	Legal	Review of electoral and Boundary delimitation laws	% Election Petitions defended successfully	100	0	-100	No By elections have taken place as the Commission is awaiting Constitution of Commission	
				Number of electoral laws reviewed	12	5	-7	Pending laws at parliament awaiting Constitution of Commission	
		HRA	Construction of 4 county IEBC warehouses	Number of IEBC warehouses constructed	4	4	-	projects completed	
			Vacancies filled	% of vacancies filled	100	95	-5	The Commission was not in place to recruit and replace retired staff	
			Enhance efficiency in HR function	Number of policies reviewed	5	0	-5	The Commission was not in place to approve policies.	
		Risk	Compliance with Data Protection	No. of policies developed	1	0	-1	The Commission was not in place to approve policies.	
		Research	Improved service delivery	Number of thematic studies on election process	3	0	-3	Funds reduced in Supplementary Estimates	
		Finance & Procurement	Compliance with PFMA&PPADA	Number of financial statements prepared and submitted	10	10	10	All Quarterly reports prepared and submitted within stipulated timelines	
				Number of work plans prepared	56	56	-	Workplans successfully prepared and implemented	
				Number of compliance reports	9	9	-	Third quarter Compliance Reports Prepared	
		Internal Audit		Number of Internal Audit reports generated	10	10	-	All quarter Reports Prepared and submitted to Management	
		SP 2: Voter Registration and Electoral Operations	DVREO	Elections conducted	% of vacancies filled in electoral positions	100	0	-100	No By elections have taken place as the Commission is awaiting Constitution of Commission
					% of statutory elections conducted	100	0	-100	Awaiting Constitution of Commission
				Register of voters	Number of newly registered voters	0.3MN	0	-0.3Mn	Awaiting Constitution of Commission for gazettelement of Registration officers and Commencement of the Registration
		SP 3: Voter	DVEP	Empowerment of	% of voter turnout in Election	65	0		No By elections have taken place as the

Table 4: Non-Financial Performance

Programme and Sub Programme Performance Report -Non-financials for FY 2023/24

Programme	Sub-Program	Delivery Unit	Key Output	KPI	Annual Target	Actual as at 30th June 2024	Variance	Remarks
Program 1: Management of Electoral Process in Kenya								
	Education, Partnerships & Communications		citizens to exercise their civic and democratic rights	% decrease in the number of rejected ballot	95	0		Commission awaits Constitution of Commission
				Number of accredited election observers	300	0		
				Number of voter education materials developed	10	4	-6	The Commission was not in place to approve drafts prepared.
				Number of voter education information disseminated	339	0		Awaiting Constitution of Commission
			Public participation on issues around the electoral cycle	Number of stakeholder forums held	200	10	- 190	Awaiting Constitution of Commissions
	Enhance corporate image	Number of CSR initiative	50	50	50			
	%SP 4: Electoral Communication Information Technology	ICT	Electronic collation, transmission and tallying of electoral data operationalized	% of voters in the electronic register	100	100	-	Awaiting Constitution of Commissions
			% Voters Electronically identified	100	100	-		
			% results electronically transmitted and tallied	100	0			
Program 2: Delimitation of Electoral Boundaries								
Outcome: To promote equity in representation and participation in the electoral process								
Program 2: Delimitation of Electoral Boundaries	Delimitation of Electoral Boundaries	Research, Boundaries and Development	Boundaries Delimitation	Number of administrative boundaries updated	47	0		Awaiting Constitution of Commission
				Number of constituencies Delimited	290	0		
				Number of CAWS Delimited	1450	0		
				Number of electoral area maps produced	1882	0	1,882	

#### E. Status of pending bills

1. The Commission has pending bills accumulated from prior years to the 2022 General Elections (**Annex 4**) as categorized below:

**Table 4: Pending Bills**

IEBC PENDING BILLS -CLASSIFICATION		
S.NO	DESCRIPTION	AMOUNT(KSH)
1	LEGAL FEES & COSTS AWARDED	2,662,871,094
2	ELECTION LOGISTIC - POSTAL CORPORATION	362,312,120.28
3	GOODS & SERVICES	750,082,018.64
4	GOODS & SERVICES FY 2023/24	173,256,933.30
<b>TOTAL PENDING BILLS</b>		<b>3,948,522,166.22</b>

2. The Commission had a current allocation of **Kshs.0.5Million** for legal fees and was therefore, unable to pay the bulk of Pending bills which comprises legal fees of **Kshs.2.66Billion**.
3. In view of the above and the magnitude of the bills, the whole amount cannot be settled within the budget provision of financial year 2023/24.
4. The Commission has written severally to the National Treasury requesting for additional funding due to lack of budgetary provision with no positive response.
5. Facilitate and fast track the reconstitution of Commissioners to enable the Commission carry out its mandate.

#### **Request to the Committee**

The Commission requests JLAC to:

- a. Note the Commission's submission for financial and non-financial performance for FY 2022/23.
- b. Note the pending bills of **Kshs.3.95Billion** arising from lack of budgetary and exchequer provisions.

- c. Appeal to the Committee to facilitate the allocation of Kshs.3.95Billion to Commission to clear all the pending bills.
- d. Facilitate and fast track the reconstitution of Commissioners to enable the Commission carry out its mandate
- e. Note issues affecting the Commission.

The Commission would like to thank the Committee for its continued support in enabling us to meet its constitutional Mandate.



**Marjan Hussein Marjan, MBS**  
**Commission Secretary/CEO**



## OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

### **PARTS**

PART 1: FINANCIAL PERFORMANCE

PART 2: NON-FINANCIAL PERFORMANCE

PART 3: QUARTERLY PROJECT INFORMATION

PART 4: REALLOCATIONS AND PENDING BILLS

PART 5: OTHER INFORMATION FOR THE COMMITTEE TO NOTE

### **ANNEXTURES**

ANNEX 1: NATIONAL TREASURY LETTERS ON AUTHORITY TO REALLOCATE FUNDS

ANNEX 2: STATUS OF PENDING BILLS AS OF 30<sup>TH</sup> JUNE – 10<sup>TH</sup> DECEMBER 2024

ANNEX 3: QUARTERLY NON-FINANCIAL PERFORMANCE



**OFFICE OF THE REGISTRAR OF POLITICAL PARTIES**

**SUBMISSION ON BUDGET IMPLEMENTATION MONITORING FOR  
THE FY2023/2024**

**PRESENTED TO**

**THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL  
AFFAIRS**

**13<sup>TH</sup> DECEMBER, 2024**

## **1.0 Introduction**

The Republic of Kenya is a multi-party democratic state founded on the national values and principles of governance (Article 4). The people of Kenya are free to exercise their political and democratic rights through free, fair and credible electoral process. The Constitution provides that every person is equal before the law and has a right to make political choices, which include the right to belong and campaign for a political party and candidate of their choice (Article 38).

The Office of the Registrar of Political Parties (ORPP) is a State Office established under Article 260 of the Constitution of Kenya, 2010, and the Political Parties Act, 2011. The mandate of the office, among others is to regulate the formation, registration and funding of political parties in accordance with the Constitution and rule of law. The office is responsible for implementing the Political Parties Act, which is the primary legal reference for management of political parties in accordance with Article 91 and 92 of the Constitution.

Political parties are key institutions of social, economic and political governance. They play several and important roles including promoting pluralistic debates by presenting alternative policy platforms and providing a forum for selection of leadership.

### **1.1 Mandate of the Office of the Registrar of Political Parties**

The mandate of ORPP is to register and regulate political parties as well as administer the Political Parties' Fund. Section 34 of the Political Parties Act, 2011 provides for the functions of the office, which includes:

- (a) register, regulate, monitor, investigate and supervise political parties to ensure compliance with this Act;
- (b) administer the Fund;
- (c) ensure publication of audited annual accounts of political parties;
- (d) verify and make publicly available the list of all members of political parties;
- (e) keep and maintain a register of members of registered political parties;

- (f) maintain a register of political parties and the symbols of the political parties; ensure and verify that no person is a member of more than one political party and notify the Commission of the findings;
- (g) certify that an independent candidate in an election is not a member of any registered political party;
- (h) certify that the symbol intended to be used by an independent candidate in an election does not resemble the symbol of a registered political party;
- (i) certify that the names appearing in a party list are the names of members of the political party presenting the party list;
- (j) train political party election agents upon the request and financing by the political party;
- (k) investigate complaints received under this Act; and
- (l) perform such other functions as may be conferred by this Act or any other written law

## **1.2 Vision, Mission and Core Values**

### **Vision**

A model regulator of political parties for a credible democratic multiparty system.

### **Mission**

To promote the realization of political rights through registration and regulation of political parties in Kenya.

### **Core Values**

The Office of the Registrar of Political Parties is guided in all its work and operations by core values and principles as stipulated in Article 232 of the Constitution. The core values include: Professionalism, Integrity, Respect for the rule of law, Innovativeness and Impartiality.

## **1.3 Programme and Sub - Programmes**

### **1.3.1 Programme: Registration, Regulation and Funding of Political Parties**

The office implements one programme namely **Registration, Regulation and Funding of political parties** whose strategic objective is to promote democratic governance through institutionalized, competitive, accountable and issue based political parties.

### **1.3.2 Sub - programmes**

The programme comprises of three sub-programs namely:

1. Registration and Regulation of political parties;
2. Funding of Political Parties, and
3. Political Parties Liaison Committee

#### **i) Registration and Regulation of political parties**

In line with the ORPP mandate of registration of political parties, the office scrutinizes and processes applications for both provisional and full registration of political parties. The office keeps data on the names, symbols and particulars of registered political parties. The office maintains an accurate register of political parties' members as recruited by political parties and ensures that no person is a member of more than one political party at the same time.

The office manages the Integrated Political Parties Management System (IPPMS) that among other things host a database for political parties' particulars, which includes; political party membership, membership details, officials and their signatures, headquarters and county offices, symbols and colours, records of assets and liabilities, and bank accounts details.

Regulation of political parties entails continuous monitoring of political parties to ensure compliance with the Constitution of Kenya 2010 (COK), Political Parties Act (PPA) 2011 and their respective Constitutions. In line with the COK, 2010, political parties are required to have a national outlook which the PPA further qualifies to have a presence in at least half of the counties.

The Office therefore ensures that every political party have at least 1000 members and a physical office location in at least half of the 47 counties. The office regulates the process by which political parties effect changes on their particulars including changes to party constitution, governing body officials, symbols, addresses etc. Further, the office conducts inspection of political party records and carries out investigation on complaints received.

## **ii) Funding of Political Parties**

The Office administers the Political Parties Fund (PPF), which is established under section 23 of the Political Parties Act, 2011. The fund is disbursed to qualifying political parties as per the criteria set out under section 25 of the PPA. The purpose of the PPF is to:

- a) Promote the representation in Parliament and in county assemblies of women, persons with disabilities, youth, ethnic and other minorities and marginalized communities;
- b) Carry out civic education in democracy and other electoral processes by political parties;
- c) Cover election expenses of the political parties;
- d) Bring the political parties' influence to bear on the shaping of public opinion; and
- e) Cover Administrative expenses of the political parties' (should not exceed 30% of the monies allocated).

## **iii) Political Parties Liaison Committee**

The Political Parties Act, 2011 establishes the Political Parties Liaison Committee at the national and county levels. The principle function of the committee is to provide a platform for dialogue between the Registrar, IEBC and political parties. The PPLC is crucial for the promotion of public participation, inclusiveness and respect for diversity. This has gone a long way in fostering democracy within the political establishment.

## 2.0 BUDGET IMPLEMENTATION STATUS

During FY2023/24, the Office of the Registrar of Political Parties had printed budget estimates amounting to **Kshs. 2,072,563,233** (two billion, seventy-two million five hundred sixty-three thousand two hundred thirty-three shillings). During supplementary estimates no. 1, the budget was reduced to **Kshs. 1,260,259,375** (one billion two hundred sixty million two hundred fifty-nine thousand three hundred seventy-five shillings), the budget was further revised to **Kshs. 1,460,259,375** (one billion four hundred sixty million two hundred fifty-nine thousand three hundred seventy-five shillings) during supplementary 2 of FY2023/24. This led to additional **Kshs. 200,000,000** to the Political Parties Fund as tabulated below.

**Table 1: FY2023/24 Overall Budget Allocation**

Printed Estimates	Supplementary 1	Supplementary 2
2,072,563,233	1,260,259,375	1,460,259,375

**Table 2: FY2023/24 Budget Allocation by Sub-programme**

Sub-Programme	Printed Estimates	Supplementary 1	Supplementary 2
Registration and regulation of political parties	580,372,233	635,068,375	635,068,375
Funding of political parties	1,475,300,00	608,300,000	808,300,000
Political parties' liaison committee	16,891,000	16,891,000	16,891,000
<b>Total Budgetary Allocation</b>	<b>2,072,563,233</b>	<b>1,260,259,375</b>	<b>1,460,259,375</b>

The Office had an approved budget allocation of **Kshs. 1,460,259,375** (One billion, four hundred and sixty million, two hundred and fifty-nine thousand, three hundred and seventy-five shillings) in the financial year 2023/2024. Out of the overall budget, **Kshs. 635,068,375** (six hundred and thirty-five million, sixty-eight thousand, three hundred and seventy-five thousand shillings) was for the sub-programme on registration and regulation of political parties, **Kshs. 808,300,000** (eight hundred and eight million, three hundred thousand shillings) was for the sub-programme

on funding of political parties while **Kshs. 16,891,000** (sixteen million, eight hundred and ninety-one thousand shillings) was for the sub-programme on political parties' liaisons committee.

**Table 3: Budget Allocation during financial year 2023/2024**

Sub-Programme	Budget Allocation
Registration and regulation of political parties	635,068,375
Funding of political parties	808,300,000
Political parties' liaison committee	16,891,000
<b>Total Budgetary Allocation</b>	<b>1,460,259,375</b>

## 2.1 Actual Revenue Receipts

During the period under review, the Office of the Registrar of Political Parties received exchequer issues amounting to **Kshs. 1,431,744,712.70** (Kenya shillings one billion, four hundred thirty-one thousand, seven hundred and forty-four thousand seven hundred and twelve thousand and seventy cents) against an expected exchequer issue of **Kshs. 1,460,259,375** (Kenya shillings One billion, four hundred and sixty thousand two hundred and fifty-nine thousand three hundred and seventy-five shillings)

**Table 4: Exchequer issues during FY2023/24.**

Source of Funds	Estimates	Actual Receipts	Variance
a) Exchequer Issues	1,460,259,375	1,431,744,712.70	(28,514,662.30)
b) Donor (List source)	-	-	-
c) Appropriations-In-Aid	-	-	-
Grants	-	-	-
Loans	-	-	-
<b>Total Amount</b>	<b>1,460,259,375</b>	<b>1,431,744,712.70</b>	<b>(28,514,662.30)</b>

Further, the Office received Appropriations-In-Aid amounting to **Kshs. 613,879** (six hundred thirteen thousand eight hundred seventy-nine shillings) which was surrendered to the National Treasury.

The table below indicates exchequer amounts received in each quarter of FY2023/24

**Table 5: Quarterly Exchequer Receipts**

Source of Funds	FY2023/24 Estimates (M)				FY2023/24 Actual Receipts (M)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
a) Exchequer Issues	365.06	365.06	365.06	365.06	444.04	503.19	138.40	346.11
b) Donor (List source)	-	-	-	-	-	-	-	-
c) Appropriations-In-Aid	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-
Loans	-	-	-	-	-	-	-	-
<b>Total Amount</b>	<b>365.06</b>	<b>365.06</b>	<b>365.06</b>	<b>365.06</b>	<b>444.04</b>	<b>503.19</b>	<b>138.40</b>	<b>346.11</b>

## 2.2 Expenditure by Vote and Economic Classification during FY2023/24 (Kshs. Millions)

During the Financial Year 2023/2024, the Office of the Registrar of Political Parties had a cumulative expenditure of **Kshs. 1,429,816,863.00** (one billion, four hundred twenty-nine million, eight hundred sixteen thousand eight hundred sixty-three shillings) against an approved budget of **KShs. 1,460,259,375.00** (one billion, four-sixty million, two hundred fifty-nine thousand, three hundred seventy-five shillings) translating to a budgetary absorption level of **97.92%**.

**Table 6: Expenditure by Vote and Economic Classification FY2023/24**

<b>Expenditure Classification (VOTE R1311)</b>	<b>Printed Estimates FY2023/24 (Million)</b>	<b>Approved Budget FY2023/24 (Million)</b>	<b>Cumulative Expenditure FY2023/24 (Million)</b>	<b>Percentage absorption</b>
<b>Current Expenditure</b>	<b>2,072.56</b>	<b>1,460.26</b>	<b>1,429.82</b>	<b>97.92%</b>
Compensation to Employees	232.02	232.02	223.01	96.12%
Use of goods and services	318.52	335.20	314.83	93.92%
Interest	-	-	-	-
Subsidies	-	-	-	-
Current Transfers to Govt. Agencies	1,475.30	808.30	808.30	100%
Social Benefits	-	7.20	7.20	100%
Other Expense	-	-	-	-
Non –Financial Assets	46.72	77.53	76.48	98.65%
Financial Assets	-	-	-	-
<b>Capital Expenditure</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Compensation to Employees	-	-	-	-
Use of goods and services	-	-	-	-
Interest	-	-	-	-
Subsidies	-	-	-	-
Capital Transfers to Govt. Agencies	-	-	-	-
Non-Financial Assets	-	-	-	-
Financial Assets	-	-	-	-
<b>Total Expenditure of Vote</b>	<b>2,072.56</b>	<b>1,460.26</b>	<b>1,429.82</b>	<b>97.92%</b>

## 2.3 Expenditure Sub-Programmes

Table 7 below indicates actual expenditure versus the approved estimates by sub programmes;

**Table 7: Expenditure by Programme and Sub-Programmes**

Name of the Programme & Sub-Programme	Approved Estimates (Kshs.)	Expenditure (Kshs.) Recurrent	Percentage Expenditure (Kshs.)
<b>Sub-Programme 1:</b> Regulation of Political Parties	635,068,375	604,625,863.00	
<b>Sub-Total</b>	<b>635,068,375</b>	<b>604,625,863.00</b>	<b>95.21%</b>
<b>Sub-Programme 2:</b> Funding of Political Parties	808,300,000	808,300,000	
<b>Sub-Total</b>	<b>808,300,000</b>	<b>808,300,000</b>	<b>100%</b>
<b>Sub-Programme 3:</b> Political Parties Liaison Committee	16,891,000	16,891,000	
<b>Sub-Total</b>	<b>16,891,000</b>	<b>16,891,000</b>	<b>100%</b>
<b>Grand Total</b>	<b>1,460,259,375</b>	<b>1,429,816,863.00</b>	<b>97.92%</b>

### 3.0 NON-FINANCIAL PERFORMANCE

Table 8: Non-Financial performance as at 30<sup>th</sup> June 2024

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
<b>Registration, Regulation and Funding of Political Parties</b>	1) Registration and Regulation of Political Parties	ORPP	Political Parties Registration Services	Percentage of applications for name searches processed	100	100	0	The Office received 898 applications for name search which were reviewed in line with section 8 of the PPA, 85 names were reserved / approved for use while 813 names were rejected for non-compliance.
				Percentage of applications for provisional registration processed	100	100	0	The office in line with section 5 and 6 of PPA received and processed three (3) applications for provisional registration.  During the year under review, three political parties were provisionally registered.
				Percentage of applications for full registration processed	100	100	0	The office in line with section 7 of the PPA and regulation 4 of the political parties (registration) regulation 2019 received and

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
								processed one (1) application for full registration.
			Oversight of political parties Compliance with Political Parties Act, 2011	No. of Political Parties supervised to ensure compliance with the Political Parties Act, 2011	90	90	0	During the year under review a compliance audit was conducted and the audit revealed that, nine (9) fully registered political parties were fully compliant and eighty-one (81) non-compliant. The non-compliant parties were notified on areas of non-compliant and requested to remedy the breaches.
			Political Parties Capacity Building	Percentage of political parties National Executive Council Officials sensitized	100	100	0	The office convened a compliance clinic with ninety (90) secretary generals of fully registered political parties to sensitize and update them on the compliance status. Political parties NEC members were sensitized on strong governance and effective

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
								leadership, compliance requirements, dispute resolution mechanisms, data protection amongst other pertinent issues.
				Percentage of political parties Women, Youth and PWDs sensitized	100	100	0	<p>The women dialogue forum was attended by 52 women leaders drawn across fully registered political parties.</p> <p>The Youth dialogue forum was attended by 86 youth leaders drawn across fully registered political parties and other key stakeholder organizations.</p> <p>The PWD's dialogue forum was attended by 79 PWD/representatives drawn across fully registered political parties and other key stakeholder organizations</p> <p>Various dialogue forums were held on PPA legal</p>

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
								review and the salient issues therein, two-thirds gender principle and expanding the democratic Space for marginalized groups.
				Percentage of political parties' secretaries general and technical persons sensitized on improvements on the Integrated Political Parties Management System (IPPMS)	100	100	0	The office trained one hundred and five (105) secretaries generals and technical persons of fully registered political parties on IPPMS.  The IPPMS improvements were informed by the need to align the system with Data Protection Act and also incorporate feedback from political parties
				No. of county political party sensitization forums held	7	7	0	The clustered sensitization forums were held in the counties of Kisumu, Mombasa, Murang'a, Transnzoia, Meru, Nakuru and Machakos. The participants were

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
								sensitized on effective management of political party affairs
			Policy Documents developed	No. of policy documents developed	8	5	-3	The Office developed Field services guidelines, Registration policy and SOPs, Transport Policy and Finance and Procurement Manual for parties. The target was not met due to budgetary constraints
			General Public Sensitized on Political Rights and ORPP mandate	No. of ASK shows, exhibitions and open days where public was sensitized on political rights and ORPP mandate	10	2	-8	The Office attended the Nairobi and Meru ASK shows. The target was not met due to budgetary constraints

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
				No. of brochures disseminated to sensitize the public on their political rights and ORPP mandate	10,000	6,500	-3,500	The Office disseminated 6,500 brochures during the Nairobi and Meru ASK shows and county sensitization forums. The target was not met due to budgetary constraints.
			Launch of Post-Election Evaluation report	No. of copies disseminated at the launch of the report	450	300	-150	The office disseminated 300 copies of post-election evaluation report. The Report was disseminated to various stakeholders- state and non-state actors. The target was not met due to budgetary constraints
	2) Funding of Political Parties	ORPP	Political Parties Financial Services	Percentage of Political parties' Fund Managers sensitized on distribution of the Political Parties Fund, Funding Regulations and Public Finance Management Act, 2012	100	100	0	The office sensitized 48 qualifying political parties fund managers on distribution of Political Parties Fund. The Office sensitized Fund Managers from the forty-eight (48) political parties eligible for funding

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th June 2024	Variance	Remarks
				Amount of money disbursed to political parties (Kshs. Million)	808.30	808.30	0	The Office disbursed 808.3 million to political parties during the period under review. Disbursements were made to qualifying parties in line with the Fund distribution criteria.
	3) Political Parties Liaison Committee	ORPP	Tripartite Administrative Services	No. of consultative dialogue forums held at the National Level	4	4	0	The Office held four consultative dialogue forums between the commission and political parties for the period under review.
				No. of consultative dialogue forums held at the County Level	4	0	-4	The office was not able to conduct dialogue forums at county level during the year under review. The target was not met due to budgetary constraints

#### 4.0 QUARTERLY PROJECT INFORMATION

The Office of the Registrar of Political Parties does not have projects.

#### 5.0 RE-ALLOCATIONS AND PENDING PAYMENTS

##### 5.1 Re-allocations

During the FY2023/24 the Office sought and received approvals to carry out reallocations amounting to **Kshs. 11,012,426.00** (eleven million twelve thousand four hundred and twenty-six shillings). *(Letters on approval for reallocations attached as Annex I)*

##### 5.2 Pending Payments

The Office incurred pending bills amounting to **Kshs. 1,702,758** (one million, seven hundred and two thousand, seven hundred and fifty-eight-shillings during FY 2023/24. The pending bills arose due to system closure, non-response of some service providers and delays in submission of payment documents by some vendors. *(schedule of pending bills attached as Annex II)*

As of 10<sup>th</sup> December 2024, the Office had cleared pending bills amounting to **KShs. 958,392** leaving a balance of **KShs. 744,366**. Payment of the outstanding pending bills is in progress awaiting release of exchequer. *(Schedules attached as Annex III and IV)*

#### 6.0 OTHER INFORMATION FOR THE COMMITTEE TO NOTE

The Office of the Registrar of Political Parties has been grossly underfunded and has continuously been engaging the National Treasury and the National Assembly for additional funds. The Office has faced litigations arising from non-compliance with Section 24 of the Political Parties Act, 2011 which requires that the Political Parties Fund shall receive 0.3% of the National Government share of revenue as divided by the Annual Division of Revenue act enacted pursuant to article 218 of the Constitution as may be determined by the National Assembly.

During the period under review, the Office had requested Kshs. **6,532.096,278** for the political parties' fund but was allocated **Kshs. 808,300,000** hence a deficit of **Kshs. 5,723,796,278** PPF is critical in promoting democracy in the country and undertaking other activities such as promotion of inclusion of women, youths, PWDs and marginalized communities in the political process.

Going forward, the Office is required to start the preparations for the 2027 General Elections through training of TOT's, training of political parties, sensitization of special interest groups, digital transformation and automation of political processes, recruitment of critical staff, additional county offices to bring services to the grassroots and finalization of legal reforms among others.

During FY2025/26, the Office has requested **Kshs. 9,237.84 million** through the Governance, Justice Law and Order Sector (GJLOs) for undertaking crucial Office programmes and activities and has been proposed an allocation of only **Kshs. 1,985.46 million** and thus a short fall of **Kshs. 7,252.38 million**. This will negatively impact the Implementation of Office programmes and activities. This Office requests the Committee for support on additional funding once the proposed allocation is tabled before the Committee.

The Office is grateful to the Committee for its support through additional budget allocation and fast tracking of the legal reforms.

**Thank You**



REPUBLIC OF KENYA  
THE NATIONAL TREASURY AND ECONOMIC PLANNING

Telegraphic Address: 22921  
FINANCE-NAIROBI  
Fax No.: 330426  
Telephone: 2252299

THE NATIONAL TREASURY  
P.O. Box 30007-00100  
NAIROBI, KENYA

When replying please quote  
Ref: RES 1311/23/01/'A' (36)

Date: 23<sup>rd</sup> January, 2024

Ann Nderitu, CBS  
Registrar of Political Parties/CEO  
Office of the Registrar of Political Parties  
P.O. Box 1131-00606  
NAIROBI

Dear

*RPP/CEO*

RE: **AUTHORITY TO REALLOCATE AND ACCESS FUNDS FOR THE FY 2023/24 – VOTE R1311 FOR THE OFFICE OF THE REGISTRAR OF POLITICAL PARTIES**

This is in reference to your letter Ref. RPP/ORG./18 VOL.X (41) dated 10<sup>th</sup> January 2024 on the above subject matter.

We note that the Office of the Registrar of Political Parties has proposed to reallocate **KSh. 8,512,426** from Insurance costs to cater for General Office Supplies, Purchase of ICT Networking and Communication Equipment; Boards, Committees and Conferences; Supplies and Accessories of Computers; and Publishing and Printing Services.

Further, we note that the Office of the Registrar of Political Parties intends to pay Pending Bills amounting to KSh.1.9 million, Develop Political Parties Regulations, Review the Strategic Plan 2020/25, Develop a Bill to Review Political Parties Act, 2011 and Review HRM Documents amongst other activities planned in the 3<sup>rd</sup> and 4<sup>th</sup> quarter of the Current Financial Year.

We have reviewed the request and wish to note as follows:

1. Adequate budget is available to accommodate the proposed reallocation of **KSh.8,512,426** from Insurance Costs. We note that the newly recruited Officers reported in October, 2023 while the Medical Cover for the same Officers started in November, 2023 hence the savings; and

*CS  
Please deal  
13*

2. The proposed reallocation is within the same Programme and does not violate provisions of the PFM Act, 2012 and its regulations.

In this regard, the proposed reallocation is approved subject to regularization in the FY 2023/24 Supplementary Estimates No.2; and full access of the following expenditure items is granted to facilitate implementation of the planned activities.

2210802	-	Boards, Committees, Conferences and Seminars;
2211101	-	General Office Supplies;
3111111	-	Purchase of ICT and Networking Equipment;
2211102	-	Supplies and Accessories for Computers; and
2210502	-	Publishing and Printing

Attached please find the signed F.O.3 forms for your necessary action and ensure strict adherence to the Public Finance Management Act, 2012, the Public Procurement and Asset Disposal Act, 2015 and their attendant Regulations.

Yours *Sincerely*



**DR. CHRIS KIPTOO, CBS**  
**PRINCIPAL SECRETARY/THE NATIONAL TREASURY**

Copy to: **CPA Nancy Gathungu, CBS**  
Auditor General  
Office of the Auditor General  
Kenya National Audit Office  
**NAIROBI**

**CPA Dr. Margaret Nyakang'o, CBS**  
Controller of Budget  
Office of the Controller of Budget  
Bima House  
**NAIROBI**



RECURRENT / DEVELOPMENT\*  
 SERIAL NO...  
 QUOTE THE NATIONAL TREASURY  
 REFERENCE NO.  
 \*Delete not Applicable.

APPLICATION FOR REALLOCATION OF PROVISION  
 (To be submitted in Quadruplicate)

FINANCIAL YEAR 2023/2024

TO: THE PRINCIPAL SECRETARY  
 THE NATIONAL TREASURY,  
 P.O BOX 30007, NAIROBI

1. I hereby apply for permission to incur excess expenditure on the Subheads(s) Items(s) shown below

Vote, SUBHEAD(S) AND ITEMS(S) (State in full)	PROVISION IN PRINTED ESTIMATES	PREVIOUS REALLOCATION OR SUPPLEMENTARY ESTIMATES		EXCESS EXPENDITURE TO BE INCURRED
		No	Kshs Increase	Kshs Decrease
VOTE 1311 HEAD 002				
2211101 General office supplies (papers, pencils, forms, small office equipment	6,883,200			1,800,000
3111111 Purchase of ICT Networking and Communication Equipment	2,050,000			512,426
2210802 Boards, committees, conferences and seminars	18,111,923			3,100,000
2211102 Supplies and accessories for computer and printers	5,882,437			1,900,000
2210502 Publishing and printing services	5,627,685			1,200,000
<b>TOTAL</b>				<b>8,512,426</b>

2. I confirm that savings is sufficient to cover the total of excess expenditure applied for above will be found from the following:

SUBHEADS(S) ITEMS(S) (State in full)

2210901 Group Personal Insurance  
 2210910 Medical Insurance  
**TOTAL**

874,615  
 7,637,811  
**8,512,426**

*[Signature]*

Accounting Officer  
 Registrar of Political Parties  
 Reference

Date

For Treasury use only

Date

3. TO ACCOUNTING OFFICER (two copies).

The additional provision applied for above is approved subject to the excess expenditure being covered by the savings from the Subheads(s)/items specified in para. 2

*[Signature]* 23/1/24  
 For Principal Secretary to the Treasury

Copy to: The Auditor General,  
 NAIROBI



REPUBLIC OF KENYA

THE NATIONAL TREASURY AND ECONOMIC PLANNING

Telegraphic Address: 22921  
FINANCE-NAIROBI  
Fax No.: 330426  
Telephone: 2252299  
When replying please quote

THE NATIONAL TREASURY  
P.O. Box 30007-00100  
NAIROBI, KENYA

Ref: RES 1311/23/01/ 'A' (29)

Date: 19<sup>th</sup> December, 2023

Ms. Anne Nderitu, CBS  
Registrar of Political Parties  
Office of the Registrar of Political Parties  
P.O. Box 1131-00606  
NAIROBI.



Dear *Anne*

**RE: AUTHORITY TO REALLOCATE AND ACCESS FUNDS FOR THE FY 2023/24 – VOTE R1311 FOR THE OFFICE OF THE REGISTRAR OF POLITICAL PARTIES**

This is in reference to your letter Ref. No: RPP/ORG./18 VOL. X (35) dated 8<sup>th</sup> December, 2023 in regard to the above subject.

The National Treasury has reviewed and approved your request for authority to reallocate funds amounting to **KSh.2,500,000** within the FY 2023/24 Recurrent Budget. We note that this is to facilitate procurement of ICT equipment for new and existing staff, for effective execution of their duties.

Returned herewith, please find duly approved F.O.3 (Revised forms) for your necessary action. Please ensure that the proposed amendment is regularized in the FY 2023/24 Supplementary Estimates No.2, and strict adherence to the Public Finance Management Act, 2012 and the Attendant Regulations.

Yours

*Stacey*  
*[Signature]*

**DR. CHRIS KIPTOO, CBS**  
**PRINCIPAL SECRETARY/THE NATIONAL TREASURY**

*UFO*  
*please deal*  
*13*  
*19/12/2024*

**CPA. Nancy Gathungu, CBS**  
Auditor General  
Office of the Auditor General  
Kenya National Audit Office  
**NAIROBI**

**CPA Dr. Margaret Nyakang'o, CBS**  
Controller of Budget  
Office of the Controller of Budget  
Bima House  
**NAIROBI**

APPLICATION FOR REALLOCATION OF PROVISION  
 (To be submitted in Quadruplicate)

FINANCIAL YEAR 2023/2024

TO: THE PRINCIPAL SECRETARY  
 THE NATIONAL TREASURY,  
 P.O BOX 30007, NAIROBI

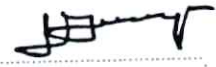
1. I hereby apply for permission to incur excess expenditure on the Subheads(s) Items(s) shown below

Vote, SUBHEAD(S) AND ITEMS(S) (State in full)	PROVISION IN PRINTED ESTIMATES	PREVIOUS REALLOCATION OR SUPPLEMENTARY ESTIMATES			EXCESS EXPENDITURE TO BE INCURRED
		No	Kshs Increase	Kshs Decrease	Kshs
VOTE 1311 HEAD 002					
3111002 Purchase of Computers, Printers and other IT Equipment	4,066,750				2,000,000
3111112 Purchase of Software	500,000				500,000
<b>TOTAL</b>					<b>2,500,000</b>

2. I confirm that savings is sufficient to cover the total of excess expenditure applied for above will be found from the following:

SUBHEADS(S) ITEMS(S) (State in full)

2220210 Maintenance of Computers, Software and Networks  
 2,000,000  
 2220210 Maintenance of Computers, Software and Networks  
 500,000  
**TOTAL**  
2,500,000

  
 Accounting Officer  
 Registrar of Political Parties  
 Reference


Date

For Treasury use only

Date 8/12/2023

3. TO ACCOUNTING OFFICER (two copies).

The additional provision applied for above is approved subject to the excess expenditure being covered by the savings from the Subheads(s)/items specified in para. 2

  
 For Principal Secretary to the Treasury

Copy to The Auditor General,  
NAIROBI

GPK 2216-100M-12/85-(e60)

## OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

Pending Bill Status as at 30<sup>th</sup> June 2024

VOTE	Budget Allocation for the Contract amount (Kshs)	Financial Year when the pending bill was incurred	Cumulative payment as at 30 <sup>th</sup> June 2024	Outstanding amount (Kshs) as at 30 <sup>th</sup> June 2024	Remarks
<b>a) Recurrent</b>					
Burch Resort	178,500.00	2023/2024	Nil	178,500.00	Delays in submission of payment documents by the vendor
Fast Choice Limited	87,975.00	2023/2024	Nil	87,975.00	Delays in submission of payment documents by the vendor
Longrock Tours	28,905.00	2023/2024	Nil	28,905.00	Delays in submission of payment documents by the vendor
Grand Oasis Hotel	150,800.00	2023/2024	Nil	150,800.00	Delays in submission of payment documents by the vendor
Longrock Tours	179,940.00	2023/2024	Nil	179,940.00	Delays in submission of payment documents by the vendor
G4S	406,166.18	2023/2024	Nil	406,166.18	Delays in submission of payment documents by the vendor
Safaricom PLC	59,666.00	2023/2024	Nil	59,666.00	Delays in submission of payment documents by the vendor
Telkom Kenya	90,367.82	2023/2024	Nil	90,367.82	Delays in submission of payment documents by the vendor
Square Metre	136,903.00	2022/2023	Nil	136,903.00	Delays in submission of payment documents by the vendor
Premier Tours	26,835.00	2023/2024	Nil	26,835.00	Delays in submission of payment documents by the vendor
Mwiwandii Enterprises	338,200.00	2023/2024		338,200.00	Delays in submission of payment documents by the vendor
Pride inn Paradise	18,500.00	2021/2022	Nil	18,500.00	Delays in submission of payment documents by the vendor
<b>Sub-Total</b>	<b>1,702,758.00</b>			<b>1,702,758.00</b>	
<b>b) Development</b>					
N/A	0	N/A	Nil	0	N/A
Sub-Total	0			0	
<b>Grand Total (a+b)</b>	<b>1,702,758.00</b>			<b>1,702,758.00</b>	

## OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

## Payment of Pending Bills at at 13th December 2024

VOTE 1311	Budget Allocation for the Contract amount (Kshs)	Financial Year when the pending bill was incurred	Cumulative payment as at 30 <sup>th</sup> June 2024	Outstanding amount (Kshs) as at 30 <sup>th</sup> June 2024	Cumulative payment as at 13th December 2024
<b>a) Recurrent</b>					
Burch Resort	178,500.00	2023/2024	Nil	178,500.00	178,500.00
Fast Choice Limited	87,975.00	2023/2024	Nil	87,975.00	87,975.00
Longrock Tours	28,905.00	2023/2024	Nil	28,905.00	28,905.00
Grand Oasis Hotel	150,800.00	2023/2024	Nil	150,800.00	150,800.00
Longrock Tours	179,940.00	2023/2024	Nil	179,940.00	179,940.00
Safaricom PLC	59,666.00	2023/2024	Nil	59,666.00	59,666.00
Telkom Kenya	90,367.82	2023/2024	Nil	90,367.82	90,367.82
Square Metre	136,903.00	2022/2023	Nil	136,903.00	136,903.00
Premier Tours	26,835.00	2023/2024	Nil	26,835.00	26,835.00
Pride inn Paradise	18,500.00	2021/2022	Nil	18,500.00	18,500.00
<b>Sub-Total</b>	<b>958,391.82</b>			<b>958,391.82</b>	<b>958,391.82</b>
<b>b) Development</b>					
N/A	0	N/A	Nil	0	0
<b>Sub-Total</b>	<b>0</b>			<b>0</b>	<b>0</b>
<b>Grand Total (a+b)</b>	<b>958,391.82</b>			<b>958,391.82</b>	<b>958,391.82</b>

## OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

Pending Bill Status as at 30<sup>th</sup> November 2024

VOTE	Budget Allocation for the Contract amount (Kshs)	Financial Year when the pending bill was incurred	Cumulative payment as at 30 <sup>th</sup> November 2024	Outstanding amount (Kshs) as at 30 <sup>th</sup> November 2024	Remarks
<b>a) Recurrent</b>					
G4S - Kenya	406,166.18	2023/2024	Nil	406,166.18	Delays in submission of payment documents by the vendor
Mwiwandii Enterprises	338,200.00	2023/2024	Nil	338,200.00	Delays in submission of payment documents by the vendor
<b>Sub-Total</b>	<b>744,366.18</b>			<b>744,366.18</b>	
<b>b) Development</b>					
N/A	0	N/A	Nil	0	N/A
<b>Sub-Total</b>	<b>0</b>			<b>0</b>	
<b>Grand Total (a+b)</b>	<b>744,366.18</b>			<b>744,366.18</b>	

"E"

## MDA: OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

Programme and Sub-Programme Performance Report - non-financial for the First Three Months of FY 2023/24 (As of 30th September 2023)

Registration , Regulation and Funding of Political Parties	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 30th September 2023	Variance	Remarks
	1) Registration and Regulation of Political Parties	ORPP	Political Parties Registration Services	Percentage of applications for provisional registration processed	100	100	0	The target was met
				Percentage of applications for full registration processed	100	100	0	The target was met
			Compliance with Political Parties Act, 2011	No. of Political Parties supervised to ensure compliance with the Political Parties Act, 2011	90	90	0	Compliance status report continuously updated for all the fully registered political parties on various parameters and non- compliant parties notified on areas of non-compliance and requested to rectify the breaches.
			Political Parties Capacity Building	No. of political parties National Executive Committee Members sensitized on compliance status	90	90	0	Political parties NEC members were sensitized on statutory membership, party constitution, composition of governing bodies, maintenance county offices etc.
			General Public Sensitized on Political Rights and ORPP mandate	No. of ASK shows, exhibitions and open days where public was sensitized on political rights and ORPP mandate	1	1	0	The Office attended planned Nairobi ASK show

			No. of brochures disseminated to sensitize the public on their political rights and ORPP mandate	3,500	3,500	0	The Office disseminated the brochures during the ASK show	
			Launch of Post Election Evaluation report	No. of copies disseminated at the launch of the report	300	300	0	The launch of the report was attended by various state and non-state actors
2) Funding of Political Parties	ORPP	Political Parties Financial Services	Percentage of Political parties' Fund Managers sensitized on distribution of the Political Parties Fund, Funding Regulations and Public Finance Management Act, 2012	100	100	0	The Office sensitized Fund Managers from the forty-eight (48) political parties eligible for funding	
			Amount of money disbursed to political parties (Kshs. Million)	368.83	368.83	0	Disbursements were made to qualifying parties in line with the distribution criteria.	
3) Political Parties Liaison Committee	ORPP	Tripartite Administrative Services	No. of consultative dialogue forums held at the National Level	1	1	0	The target was met	
			No. of consultative dialogue forums held at the County Level	4	0	-4	The target was not met due to budgetary constraints	

"E"

MDA: OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

Programme and Sub-Programme Performance Report - non-financial for the First Six Months of FY 2023/24 (As of 31st December 2023)

	SUB-PROGRAMME	Delivery Unit	Key Output	Key Performance Indicator	Annual Target(s)	Actual As of 31st December 2023	Variance	Remarks
1) Registration and Regulation of Political Parties	ORPP		Political Parties Registration Services	Percentage of applications for provisional registration processed	100	100	0	The target was met
				Percentage of applications for full registration processed	100	100	0	The target was met
			Oversight of political parties Compliance with Political Parties Act, 2011	No. of Political Parties supervised to ensure compliance with the Political Parties Act, 2011	90	90	0	Compliance status report continuously updated for all the fully registered political parties on various compliance issues and non-compliant parties notified on areas of non-compliance and requested to remedy the breaches.
			Political Parties Capacity Building	Percentage of political parties National Executive Committee Members sensitized on governance	100	100	0	Political parties NEC members were sensitized on good governance, compliance requirements, dispute resolution mechanisms amongst other topical issues.
				Percentage of political parties secretaries general and technical persons sensitized on improvements on the Integrated Political Parties Management System (IPPMS)	100	100	0	The IPPMS improvements were informed by the need to align the system with Data Protection Act and also incorporate feedback from political parties

Registration , Regulation and Funding of Political Parties			No. of county political party sensitization forums held	7	7	0	The sensitization forums were held in Kisumu, Kwale, Murang'a, Transnzoia, Meru, Nakurua and Machakos counties. The participants were sensitized on effective management of political party affairs	
			General Public Sensitized on Political Rights and ORPP mandate	No. of ASK shows, exhibitions and open days where public was sensitized on political rights and ORPP mandate	1	1	0	The Office attended planned Nairobi ASK show
			No. of brochures disseminated to sensitize the public on their political rights and ORPP mandate	5,000	5,000	0	The Office disseminated the brochures during the ASK show and county sensitization forums	
			Launch of Post Election Evaluation report	No. of copies disseminated at the launch of the report	300	300	0	The launch of the report was attended by various state and non-state actors
	2) Funding of Political Parties	ORPP	Political Parties Financial Services	Percentage of Political parties' Fund Managers sensitized on distribution of the Political Parties Fund, Funding Regulations and Public Finance Management Act, 2012	100	100	0	The Office sensitized Fund Managers from the forty-eight (48) political parties eligible for funding
				Amount of money disbursed to political parties (Kshs. Million)	608.30	368.825	239.475	Disbursements were made to qualifying parties in line with the distribution criteria.

	3) Political Parties Liaison Committee	ORPP	Tripartite Administrative Services	No. of consultative dialogue forums held at the National Level	2	2	0	The target was met
				No. of consultative dialogue forums held at the County Level	4	0	-4	The target was not met due to budgetary constraints



Registration , Regulation and Funding of Political Parties				Percentage of political parties secretaries general and technical persons sensitized on improvements on the Integrated Political Parties Management System (IPPMS)	100	100	0	The IPPMS improvements were informed by the need to align the system with Data Protection Act and also incorporate feedback from political parties	
				No. of county political party sensitization forums held	7	7	0	The clustered sensitization forums were held in the counties of Kisumu, Mombasa, Murang'a, Transzoia, Meru, Nakuru and Machakos .The participants were sensitized on effective management of political party affairs	
				General Public Sensitized on Political Rights and ORPP mandate	No. of ASK shows, exhibitions and open days where public was sensitized on political rights and	10	1	-9	The Office only attended the Nairobi ASK show. The target was not met due to budgetary constraints
					No. of brochures disseminated to sensitize the public on their political rights and ORPP mandate	10,000	5,000	-5000	The Office disseminated the brochures during the Nairobi ASK show and county sensitization forums
				Launch of Post Election Evaluation report	No. of copies disseminated at the launch of the report	450	300	-150	The Report was disseminated to various stakeholders- state and non-state actors

					100	100	0	The Office sensitized Fund Managers from the forty-eight (48) political parties eligible for funding
2) Funding of Political Parties	ORPP	Political Parties Financial Services	Percentage of Political parties' Fund Managers sensitized on distribution of the Political Parties Fund, Funding Regulations and Public Finance Management Act, 2012	608.30	608.3	0	0	Disbursements were made to qualifying parties in line with the Fund distribution criteria.
3) Political Parties Liaison Committee	ORPP	Tripartite Administrative Services	Amount of money disbursed to political parties (Kshs. Million)	4	3	-1	-1	The target for the reporting period was met
			No. of consultative dialogue forums held at the National Level	4	0	-4	-4	The target was not met due to budgetary constraints



**BUDGET IMPLEMENTATION  
MONITORING FOR THE 2023/2024  
FINANCIAL YEAR BUDGET  
SUBMITTED TO THE DEPARTMENTAL COMMITTEE ON  
JUSTICE AND LEGAL AFFAIRS ON 11TH DECEMBER 2024**

**PRESENTED BY:**

Dr. Bernard Mogesa PhD, CPM.

CHIEF EXECUTIVE OFFICER

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## **A** Background

The Kenya National Commission on Human Rights (KNCHR or The National Commission) is a Constitutional Commission established under Article 59 (1) and Chapter 15 of the Constitution of Kenya (CoK) and subsequently operationalized through an Act of Parliament, the Kenya National Commission on Human Rights Act No. 14 of 2011, (Revised 2012).

The National Commission 2023-2028 Strategic Plan articulates the National Commission's strategic direction for the next five years towards its mandate on the promotion, fulfilment and protection of human rights and fundamental freedoms. As the sixth strategic document, this plan builds on the successful implementation of the previous five strategic plans.

National Commission pursues four (4) strategic objectives that it believes will be crucial in realizing increased enjoyment of human rights and fundamental freedoms by all. These Strategic Objectives are as follows:

- Strategic Objective 1:** To Enhance Education and Capacity Building on Human Rights;
- Strategic Objective 2:** To Enhance Monitoring Compliance and Observation of Human Rights;
- Strategic Objective 3:** To Enhance Access to Justice, Redress and Accountability on Human Rights Violations;
- Strategic Objective 4:** To Enhance Institutional Efficiency and Effectiveness.

To deliver on the key strategic objectives, KNCHR employs various strategies including public education and training, advocacy for reforms through submission of advisories to Parliament, enhancing strategic partnerships with different stakeholders through referral partners forum, redress mechanisms through Alternative Dispute Resolution (ADR) and seeking judicial interventions as petitioners, co-petitioners, interested party or as an amicus curiae (friend of the court) to guarantee human rights and freedoms are enjoyed by all in Kenya.

<b>Vision:</b>	A society that Respects and Upholds Human Rights and Fundamental Freedoms
<b>Mission:</b>	To Protect and Promote Human Rights and Freedoms through Policy, Law and Practice
<b>Goal:</b>	Increased Enjoyment of Human Rights & Fundamental Freedoms

## **B** Budget Implementation Status

### 1. Actual Revenue Receipts

Source of Funds	Quarter 1 KShs. Millions	Quarter 2 KShs. Millions	Quarter 3 KShs. Millions	Quarter 4 KShs. Millions	Total
Exchequer Issues	118.33	128.97	65.21	212.28	524.79
Donor Receipts	46.89	123.01	3.18	41.52	214.60
<b>Total</b>	<b>165.22</b>	<b>251.98</b>	<b>68.39</b>	<b>253.80</b>	<b>739.39</b>

### 2. Actual Expenditure

Economic Classification	Quarter 1 KShs. Millions	Quarter 2 KShs. Millions	Quarter 3 KShs. Millions	Quarter 4 KShs. Millions	Total
Compensation to Employees	72.38	75.04	73.06	76.80	297.28
Social Contributions (Pension)	6.82	6.71	6.89	6.88	27.30
Social Security Benefits (Gratuity)	3.57	2.44		9.81	15.82
Use of Goods and Services	49.84	16.60	61.27	56.59	184.30
Acquisition of Fixed Capital Assets					
<b>Total GOK Expenditure</b>	<b>132.61</b>	<b>100.79</b>	<b>141.22</b>	<b>150.08</b>	<b>524.70</b>
Donor Expenditure	13.75	69.73	32.31	52.97	168.76
<b>Grand Total</b>	<b>146.36</b>	<b>170.52</b>	<b>173.53</b>	<b>203.05</b>	<b>693.46</b>

The Kenya National Commission on Human Rights was allocated KShs. 539.80 million in the Financial Year 2023/2024. The net amount available was KShs. 511.40 million since the year was

began with Pending Bills totalling to KShs. 28.40 million. The total amount for programme work was KShs. 32 million. The balance of KShs. 507.80 was utilized in paying of the employees' salaries and the other operating expenses. The Commission reallocated KShs. 15 million in the Supplementary Estimates II from the Compensation to Employees Budget line to Internet Connections (5.5 million) and Gratuity (9.5 million) to cater for the budget shortfalls in these two areas.

## **C** Programmatic Activities Funded By Government of Kenya – FY 2023/2024

### **8th Annual Indigenous Conference 2023**

The KNCHR participated in the 8th Annual National Indigenous Women Conference held in Isiolo County.

The conference which was hosted by Samburu Women Trust (SWT) aimed at bringing together indigenous women, women human rights defenders, women leaders in national and county government and development partners to amplify issues affecting indigenous women.

The theme for the conference was 'Strengthening Indigenous Women Participation in Land Governance and Climate Negotiations'.

In his address, KNCHR Commissioner spoke of the Kenya national Commission on human Rights significant contribution of Indigenous People to the climate change mitigation and adaptation efforts including conservation and the role in addressing the historical land injustices as one way of giving the indigenous women access and ownership rights to land.

The Kenya National Commission on Human Rights is alive to the fact that conservation efforts have often times disadvantaged Indigenous People who have since time immemorial engaged in conservation. It is time to adopt and mainstream a Human Rights Based Approach to conservation. Such an approach appreciates the role and significant contribution of Indigenous People to climate

change, mitigation and adaptation. Therefore, there is need to adopt, in consultation with Indigenous Peoples, adequate legislation on collective intellectual property rights and equal and fair benefits sharing. Dr. Nyeris stated as he made his remarks.

This Conference was a platform that aims to provide an opportunity for Indigenous women across Kenya to address Indigenous women exclusion in all aspects of life especially land and natural resource management, leadership and governance and climate change negotiations.

The Chief Guest of the Conference was Dr. Joyce Mwikali Mutinda, Chair, NGEC also present were; Ms. Jane Meriwas, Executive Director, SWT, Mumina Bonaya, Women Representative, Isiolo County, Hassan Shire, Executive Director Defend Defenders/ Chair, Pan-African Human Rights Defenders Network among others.

### **Watching brief**

The commission continued to attend courts to watch briefs. During the period under review, the commission visited courts in Kericho, Kakamega totalling to 9 court sessions; issues that were observed included – Assault (3 cases), Murder (4 cases).

### **Human rights awareness activity in selected institution in Bungoma and Marsabit Counties**

The Human Rights Awareness campaigns in Bungoma and Marsabit aimed to raise awareness and promote a culture of respect for human rights within the community. The program encompassed a series of workshops, interactive sessions, and community engagements to educate residents of about their human rights, focusing on civil, political, economic, social, and cultural rights.

The campaigns successfully reached over 100 of community members and 500 students and teachers through a series of meetings, and interactive sessions. Key outputs included increased understanding of basic human rights principles, legal frameworks, and avenues for redress.

It was recommended that the commission should:

- Implement continuous and sustained human rights education initiatives in the community.
- Collaborate with local community leaders and influencers to enhance program acceptance.

- Develop multilingual materials to address language diversity within the community.

### **Sensitization and quarterly meeting of Kenya Board of mental health**

The KNCHR commissioner, prof. Marion Mutugi, a Kenya Mental Health Board member, presented at a Council of Governors forum in Naivasha on county governments' obligations under the Mental Health Act. The session enhanced participants' understanding of the Act, providing actionable insights for its implementation in counties. Strengthened collaboration between the Council of Governors and County Executive Committee Members was emphasized, fostering a collaborative approach to mental health initiatives. The forum also involved compiling feedback and suggestions from participants for potential improvements in future mental health policies.

The feedback compiled, informed the Board meeting that was held after the sensitization forum.

### **Mini inquiry in Kilifi**

The Commission received a complaint- from HUDA (a Human rights NGO) and HRD from Mwangulu area- broaching concerns of alleged threats to personal security and challenges in access to justice in Lungalunga Constituency, Kwale County. The petitioners reported an upsurge in assault and killings of targeted persons in Mwangulu area targeting human rights defenders, suspected criminals and older persons to either silence them, settle scores or on the alleged practice of witchcraft respectively.

The role of the commission in the pre inquiry mission was to obtain witness statements from the families of the victims and establish the human rights violations around the subject of witchcraft.

The fact-finding mission established that there were systemic human rights violations around allegations of witchcraft and that there were many reported and unreported cases. In particular, there were concerns around the following issues:

- Violation of the right to life;
- Violation of the freedom and security of the person; and
- Violation of the right to property, particularly land rights.
- Protection of the rights vulnerable persons

## **Audit of prisons to ensure compliance with National and International standards**

The inspection team initiated the visits in the seven (7) prison facilities in Kisii, Nyamira, Migori and Homabay Counties with courtesy calls on the officers in charge with of the respective institutions. The inspection team subsequently facilitated focus group discussions using the KNCHR tool with the prison staff represented in most instances by the Officer in Charge and/or Deputy Officer In Charge, Human Rights Officer, Welfare Officer, Documentation Officer and Medical personnel where possible. Thereafter, the inspection team also conducted on-site inspection visits to the seven (7) prison facilities in Kisii, Nyamira, Migori and Homabay Counties. The team also addressed a media briefing on what exercise the Commission was undertaking and highlights of its preliminary findings; <https://youtu.be/7dF5MLeGC0s?si=LRGNLTwsCosjSg5W>

The KNCHR inspection team conducted a total of seven (7) inspection visits at Kisii Main GK Prison, Kisii Women GK Prison, Nyamira Main GK Prison, Migori Main GK Prison, Migori Women GK Prison, Homabay Main GK Prison and Homabay Women GK Prison in the counties of Kisii, Nyamira, Migori and Homabay. The inspection team also held a total of 7 focus group discussions with prison staff and engaged prisoners for brief remarks in the course of carrying out the inspections. The team also relied on field observations to assess the level of compliance by the prisons.

The KNCHR inspection team assessed compliance with measures that ensure access to justice and fair administrative action. All the Male prisons except Nyamira Main GK Prison had an information board on rights of arrested persons erected with support from KNCHR. Information to prisoners was therefore through verbal communication on what is expected of them as well as through print in the form of information boards and other IEC materials. The Kisii Main GK prison for instance had a human rights office where materials on bail and bond guidelines by ODPP could be accessed.

The team also assessed whether a paralegal program existed within the facilities. Out of the 7 prisons, only 3 had paralegal programs and systems for virtual court. Migori Main GK, Homabay Main GK and Kisii Main GK Prisons had paralegal programs administered by a human rights officer who supported the prisoners in drafting of pleadings which mainly constituted those of appeal. In Migori Main GK Prison the space available was however limited as it also doubled as the office of the Deputy OIC and the documentation office. Nyamira Main GK Prison did not have a system for

virtual courts, neither did they have paralegal programs. They relied fully on the human rights officer based at Kisii Main GK Prison to undertake paralegal duties. The prison however ensured that those required in court were presented when their matters were coming up. The female prisons either relied on the virtual court facilities for the male prisons or attended court physically.

All the prison facilities both male and female had prison inspections being carried out daily. Further to that, Kisii Main GK Prison had an established system where supplementary reports would be received twice a day highlighting what transpired within the Prison facility. Any complaints documented within the facilities was recorded in the duty offices journal and would be addressed internally unless there was need for outside intervention, like in criminal cases.

### **Invitation to the East Africa regional workshop on shrinking space and protection mechanisms for HRDs**

The East and Horn of African Human Rights Defenders Project (Defend Defenders) in collaboration with Defenders Coalition Kenya hosted a regional workshop on shrinking civic space and protection mechanisms for most at risk Human Rights Defenders (HRDs). The three-day workshop for HRDs was held in Naivasha Kenya from 4th to 6th March 2024 at The Great Rift Valley Lodge located at North Lake Road, Naivasha.

The workshop was designed as a platform for a regional dialogue for most at risk HRDs to discuss best practices pertaining to civic space context, advocacy, and protection mechanisms. This platform doubled as a safe space to dialogue on the operating environment/ contextual analysis and devise strategies to increase safety mechanisms for HRDs to continue their work. Participants further shared experiences and formulated strategies on joint actions and solidarity networks that can be used to advance human rights and mobilize communities for human rights promotion.

### **Rapid response investigations**

3 rapid response missions were carried out. They targeted the following regions and facilities where complaints were lodged from; Shimo la Tewa prison, Kilifi GK prison and Roso village in West Pokot. The nature of the complaints were mistreatment and torture, violation of right to health and arbitrary arrests.

## **CID Complaint Documentation**

In line with its above mandate, the Commission had been monitoring the demonstrations that had been called by the Azimio La Umoja One Kenya coalition political Party. During the nationwide demonstrations, there were many allegations of human rights violations (police brutality) that happened leading to multiple cases of fatal and non-fatal police shooting.

Upon assessment of the various reports on the number of fatalities occasioned by police shooting and injuries of citizenry through police brutality, the commission conducted a fact-faction mission to documents cases of police brutality in affected counties including Machakos, Makueni and Nairobi counties. 9 cases were documented, out of these 5 persons had gunshot wounds and were being treated while 4 suffered fatal shooting.

## **Stakeholder Consultative Forums with HRDs in Kisumu and Homabay**

### **Objectives**

1. Engaging HRDs for complaints documentation due to the 2023 police response to the Azimio protests on cost of living
2. Participate in HRD training forum by the Defenders Coalition on person safety and security management
3. Offer support in advocacy and solidarity over the passing of HRD George Collins Owuor and solidarity with partner institutions.

### **Mission Plan**

The HOD was able represent the Commission at the funeral of Comrade George Collins Owuor, a HRD and the Executive Director of TEAM, a CSO based in Kisumu. The funeral was held in Homabay on 11th August 2023. After the funeral, the HOD participated in a consultative meeting with local HRDs on 12th and 13th August on documentation of the atrocities and extrajudicial killings committed by police during the recent protests by the Azimio Coalition. The travel and training logistics shall be facilitated by the defenders coalition, but the officer was to cater for his accommodation expenses.

## **KNCHR advisory to the senate ad-hoc committee to investigate proliferation of religious Organisation**

The Senate Ad Hoc Committee mandated to investigate the proliferation of religious organizations and the circumstances leading to the deaths of more than 200 people in Shakahola, Kilifi County invited the Commission to deliberate on the following issues with regard to the subject matter-

The extent to which human rights may have been violated in the Shakahola tragedy;

1. Proposals on how to avert human rights violations of this nature (if any) in the future;
2. Proposals for preventing religious organizations from engaging in extreme indoctrination of their followers, including radicalization and spiritual and financial exploitation;
3. Proposals regarding a regulatory framework to govern religious organizations;
4. Any additional information from your findings that would assist the Committee to understand the tragedy in Shakahola, Kilifi County; and
5. The Commission prepared and submitted a report addressing the above issues, among others.

## **Circuit fact finding mission in Kirinyaga County and Kajiado County**

In the period between November 2023 to March 2024, KNCHR participated in public forums in Kirinyaga County and Kajiado County. The KNCHR and referral partners were able to participate and KNCHR was able to document over 50 cases in the 2 forums. From the cases documented, some were admitted for further action by KNCHR to inform interventions.

## **Engagement forum with stakeholders on sports and human rights/Public forum**

In February 2024, the KNCHR received eight (8) cases of alleged violation of rights of athletes based in Laikipia County (follow-ups were done separately). These violations ranged from discrimination in selection to participate in competitions outside Kenya to non-payment of prize monies to abuse of power by sports officials and consequently,

denial of human dignity characterized by the poor living conditions that these athletes are forced to endure. Also, there is lack of adequate training facilities for athletes.

Given the seriousness of the allegations raised, KNCHR carried out in-depth investigations into the (mal) treatment of athletes based in Laikipia and Nyandarua Counties. These investigations assessed the severity of the issues and designed actionable recommendations for implementation by relevant duty bearers.

The investigations targeted coaches, athletes, Athletics Kenya officials, County Government officials (Sports Departments) in Laikipia and Nyandarua Counties.

**D** Status of Non – Financial Performance Indicators

KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (KNCHR)

PROGRAMME AND SUB-PROGRAMME NON-FINANCIAL PERFORMANCE REPORT FOR FY 2023/2024

Programme	Delivery Unit: 2011000100 (Kenya National Commission on Human Rights)	Key Outputs	Key Performance Indicators	Annual Target(s)	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Cumulative Achievement	Variance	Remarks
					Target	Achievement	Variance	Target	Achievement	Variance	Target	Achievement	Variance	Target	Achievement	Variance			
Protection and Promotion of Human Rights	Sub Programme Complaints, Investigations and Redress	Human rights Protection and Promotion Services	% of cases received and processed (No.)	100%	100%	100%	0	100%	100%	0	100%	100%	0	100%	100%	0	100%	0	Target successfully met
			No. of cases investigated and reported	175	44	29	-15	44	30	-14	44	29	-15	44	33	-11	121	-54	Less cases investigated due to budget cuts
			No. of cases redressed through formal court system	36	9	9	0	9	9	0	9	8	-1	9	8	-1	34	-2	Less public interest litigation cases filed because of budget cuts
			No. of Human Rights cases resolved through ADR	36	9	4	-5	9	5	-4	9	6	-3	9	6	-3	21	-15	The uptake of ADR as a way of resolving human rights violations is slowly gaining







			and physical offices (Huduma Centres & County Govt.) to extend KNCHR's services to public (legal aid, complaints processing and awareness)	services to the public															
			Improved human resources to implement new staffing structure and KNCHR's expanded mandate	No. of newly staff recruited	35	0	-35	35	0	-35	35	0	-35	35	0	-35	-00	0	
			Improved visibility of KNCHR towards promotion human rights and fundamental freedoms	Visibility Campaigns to promote human rights and fundamental freedoms conducted	10	6	-4	10	6	-4	10	5	-4	10	2	-8	19	19	Achieved as planned through the use of Community Radios

			Technological solutions mainstreamed in the protection and promotion of human rights and fundamental freedoms.	No. of assorted equipment and licences (computers, UPS, printers, projectors etc.)	25	0	-25	25	0	-25	25	0	-25	25	0	-25	-00	0	
			human rights and fundamental freedoms.	No of Integrated ICT system solutions in monitoring human rights and fundamental freedoms	3	0	-3	3	0	-3	3	1	-3	3	0	-3	1	1	Met as planned. KNCHR with the support of ICT Authority successfully developed a web based recruitment system

## **E** Pending Bills

The Kenya National Commission on Human Rights closed the Financial Year 2023/2024 with Pending Bills totalling to KShs. 17.08 million. Kes. 8,896,285 has been processed leaving a balance of Kes. 8,201,707 which will be paid before the end of the financial year. *(See the attached Annex 1 for more details).*

## **F** Conclusion

The Kenya National Commission on Human Rights does not have Development Vote and Projects and Appropriations in Aid (AIA). The total budget requirement from the Government of Kenya was KShs. 861.00 million and we were allocated KShs. 539.80 million in the Financial Year 2023/2024 Budget. The Institution still faced the challenges of limited staff and geographical spread in the Counties. We need to devolve our services to the Counties so that Human Rights issues can be addressed at the grassroots level. The Commission continues to be staff constrained with filled positions standing at 25% of the approved establishment. There is need to address staff capacity gap and build adequate infrastructure in order to improve on the implementation of programme activities and facilitate the realization of the Institution's Mandate. The National Commission should be adequately funded by the Government of Kenya so that we can minimize over reliance on the Donor funds for programmatic work and also to devolve our services to the Counties.

# **ANNEX 1**

KENYA NATIONAL COMMISSION ON HUMAN RIGHTS DETAILED SCHEDULE OF PENDING BILLS						
S/NO	Supplier/Contractor	Invoice No.	Nature of Goods/Services	Amount (Kshs.)	Amount Paid	Outstanding Amount (Kshs.)
NERO001	Kenya Reinsurance corporation Ltd	2246-5C22	Rent ServiceCharge -Kisumu office	26,936.00	-	26,936.00
NERO001	Ahmed Abdi Mohamed	48	Office Rent -Wajir office (April,May and June 2024 )	220,110.00	-	220,110.00
NERO001	Ahmed Abdi Mohamed	45	Office Rent -Wajir office (Oct,Nov and Dec 2023 )	220,110.00	-	220,110.00
CERO001	Agricultural Finance Corporation	INV0000586	Office Rent -Nyahuru office (Feb, March and April 2024)	402,124.00	-	-
CERO002	Agricultural Finance Corporation	INV0000612	Office Rent -Nyahuru office (May and June 2024)	268,083.00	-	268,083.00
CORO001	kestrel management limited	01103704600000000 692	rent and service charge-Mombasa office (January-March 2024)	1,313,210.89	-	1,313,210.89
NERO003	Dasheq Cleaners Limited	INV 21	Cleaning Services-Wajir office (April,May and June 2024)	90,000.00	-	90,000.00
NORRO001	Skitex Cleaning services company ltd	INV 1007	Cleaning Services-Kitale office March 2024	48,500.00	-	-
NORRO002	Skitex Cleaning services company ltd	INV 1007	Cleaning Services-Kitale (April,May and June 2024)	145,500.00	-	-
CERO003	Skitex Cleaning services company ltd	INV 9838/984 & 985	Cleaning Services-Nyahuru office (Jan and Feb, March 2024)	48,000.00	-	48,000.00
WERO002	Skitex Cleaning services company ltd	INV 1005& 1006	Cleaning Services-Nyahuru office (Jan and Feb 2024)	96,000.00	-	96,000.00
WERO003	Skitex Cleaning services company ltd	INV 1005& 1006	Cleaning Services-Nyahuru office (Feb, March, April, May and June 2024)	300,000.00	-	300,000.00
HRAO001	Chania Cleaners Limited	SIN-08140	Cleaning Services-Kisumu office (part of Feb, March, April, May and June 2024)	37,500.00	-	37,500.00
CERO004	Skitex Cleaning services company ltd	INV 1008	Cleaning Services-Nairobi office (Nov - Dec 2024)	204,620.00	-	204,620.00
NERO004	G4s Kenya Ltd	8114	Security Services-Wajir office (April, May and June 2024)	144,000.00	-	144,000.00
NERO005	G4s Kenya Ltd	1	Security Services-Wajir office (July, August and September 2023)	283,452.96	-	283,452.96
NERO006	G4s Kenya Ltd	3108	Security Services-Wajir office (Jan, Feb and March 2024 )	283,452.00	-	283,452.00
HRAO02	Institute of Directors	NO.ADCP/P1104	Training fee	139,200.00	-	139,200.00
HRAO03	Institute of Directors	100-INV-23-2350	Membership of professional body	15,000.00	-	15,000.00
HRAO04	Postal Corporation of Kenya	PKC-091628	Courier	32,805.00	-	32,805.00
HRAO05	Postal Corporation of Kenya HQ	4532	Post office box Rental fee	9,450.00	9,450.00	-
HRAO06	Memory international Limited	720991	Payroll maintenance	40,600.00	-	40,600.00
HRAO13	Tymstarmotors	102989	Gearbox repairs	75,400.00	-	75,400.00
HRAO14	Tymstarmotors	102984	Repairs	53,360.00	-	53,360.00
HRAO15	Tymstarmotors	102976	Repairs	65,540.00	-	65,540.00
HRAO16	Tymstarmotors	102809	Service/Repairs	67,860.00	-	67,860.00
HRAO17	Tymstarmotors	102968	Radiator repairs	26,100.00	-	26,100.00
HRAO18	CFAO LIMITED	91978088	Sun roof repairs	124,573.00	-	124,573.00
HRAO19	ISUZU KENYA	3257908	Service /repairs	74,152.00	-	74,152.00
HRAO20	Terranova Auto	1631	Service	18,394.00	-	18,394.00
..	Wells Fargo	WX3015276	Staff Access Cards	9,570.00	9,570.00	-
HRAO08	Wells Fargo	WX3015277	Staff Access Cards	8,410.00	8,410.00	-
WERO004	Nyahuru Water and Sanitation Company	INV146863433	Water and Sanitation Services	1,785.00	-	1,785.00
WERO005	Safaricom PLC	BI-20120079754	Mobile Services	3,299.99	-	3,299.99
WERO006	Safaricom PLC	BI-20120044515	Mobile Services	1,726.91	-	1,726.91
ICT001	Safaricom PLC	BI-20104051937 & BI-20104038319	Internet Services	96,045.00	96,045.00	-
HRAO09	ALPINE COOLERS LIMITED	INV227386	Supply of Drinking water	34,057.60	-	34,057.60
HRAO10	ALPINE COOLERS LIMITED	INV228762	Sully of Drinking water	34,058.00	-	34,058.00
HRAO11	ALPINE COOLERS LIMITED	INV230244	Supply of Drinking water	34,058.00	-	34,058.00
AUD001	Royal Tulip Caanan	68987	Conference Services	76,000.00	-	76,000.00
AUD002	Samuel Christopher Okello	N/A	Allowance	16,000.00	-	16,000.00
AUD003	Jone Kimeu	N/A	Sitting allowance	20,000.00	-	20,000.00
AUD004	Margaret Warmuyu	N/A	Sitting allowance	16,000.00	-	16,000.00
SUPP001	Viatel	21001	Stationery items	200,000.00	-	200,000.00
SUPP002	Kenya Institute of Supplies Management	BK/24/25/85	Training	69,600.00	69,600.00	-
FIN001	Total Energies Marketing Kenya Plc	FA23/238811	Fuel for Commission's vehicle -July 2023	586,238.75	-	586,238.75
FIN002	Total Energies Marketing Kenya Plc	FA23/238811	Fuel for Commission's vehicle Sept 2023	672,985.00	-	672,985.00
FIN003	Total Energies Marketing Kenya Plc	FA23/240168	Fuel for Commission's vehicle OCT 2023	659,770.60	-	659,770.60
FIN004	PAYE Petronella Mukando	N/A	PAYE charged on gratuity	1,060,962.90	1,060,962.90	-
FIN005	Petronella Karimi Mukando	N/A	Gratuity	2,627,164.15	2,627,164.15	-
FIN006	Echotai Kenya/Iway Africa	IA890575	Provision of Internet Services	772,000.00	-	772,000.00
FIN007	PAYE Veronica Mwangi	N/A	PAYE charged on gratuity	1,063,959.90	1,063,959.90	-
FIN008	Veronica Wambui Mwangi	N/A	Gratuity	2,624,167.15	2,624,167.15	-
FIN009	Nation Media Group Ltd	N/A	advert for tender qualification	142,680.00	-	142,680.00
FIN010	Frozeck Enterprises	N/A	stationery supplies	267,000.00	-	267,000.00
FIN011	Koisan Safaris	N/A	flitit costs	220,000.00	-	220,000.00
FIN012	Whitesands Hotel	N/A	Conference Services	230,350.00	-	230,350.00

HRA012	Academy of Certified Human Resource	KRACU0200001792/67	Training	69,600.00	69,600.00	-	69,600.00	in finance awaiting exchequer
COR002	chania cleaners limited	8455	Cleaning services	217,684.00	217,684.00	-	217,684.00	in finance awaiting exchequer
COR003	safaricom pic	B1-20120014292	Telephone services	60.00	60.00	-	60.00	paid
COR004	safaricom pic	B1-20120113017	Telephone services	2,871.98	2,871.98	-	2,871.98	paid
RAO002	Veronica Mwangi	RCT/24/037018	Practicing certificate	20,360.00	20,360.00	-	20,360.00	paid
RAO003	Okutuyi Anne Mary	RCT/24/022574	Practicing certificate	29,360.00	29,360.00	-	29,360.00	paid
NER0006	Law society of Kenya	PSI/23/29477	Membership of professional body	36,120.00	36,120.00	-	36,120.00	paid
NER0007	Law society of Kenya	P.105/18731/21	Membership of professional body	16,560.00	16,560.00	-	16,560.00	paid
				17,097,992.78	17,097,992.78		17,097,992.78	
				8,896,285.08	8,896,285.08		8,896,285.08	
				8,201,707.70	8,201,707.70		8,201,707.70	

**THE COMMISSION ON  
ADMINISTRATIVE JUSTICE**



*"Hata mnyonge ana haki"*

**A PRESENTATION ON BUDGET IMPLEMENTATION  
MONITORING FOR THE 2023/24 FINANCIAL YEAR TO  
THE JUSTICE AND LEGAL AFFAIRS COMMITTEE OF THE  
NATIONAL ASSEMBLY**

**BY**

**THE COMMISSION ON ADMINISTRATIVE JUSTICE**

**10<sup>TH</sup> DECEMBER, 2024**

**THE COMMISSION ON  
ADMINISTRATIVE JUSTICE**



*"Hata mnyonge ana haki"*

## 1.1 INTRODUCTION

The Commission on Administrative Justice (CAJ) also referred to as "Office of the Ombudsman", is a Constitutional Commission anchored under Article 59(4) of the Constitution. It is mandated to promote and enforce administrative justice and the right to information, as per the Commission on Administrative Justice Act, 2011 and the Access to Information Act, 2016. The Commission provides an alternative avenue for dispute resolution which is affordable, and resonates with the Government's **Bottom-up approach**. Further, the Commission is mandated to implement the Fair Administrative Action Act, 2015, as envisaged under Article 47 of the Constitution.

## 1.2 BUDGET PERFORMANCE FOR THE 2023/24 FINANCIAL YEAR

In the financial year under review, the Commission was allocated a total budget of **Ksh. 730,194,42** out of which **Ksh. 687,843, 545** was expended to facilitate the planned activities. This represents **94%** absorption rate. Provided in Fig 1 is a table indicating the allocation by economic classification, the adjustment (reduction) in the Supplementary Estimates, expenditure and the budget absorption rate, for the period under review.

**Fig 1. Summary of Allocation, Expenditure and absorption rate**

Budget Classification by Economic Classification	Initial Budgetary Allocation Kshs	Supplementary Estimates Adjustments Kshs	Final Budget Kshs	Actual Expenditure Kshs	Absorption Rate
Compensation of employees	439,140,000	(20,000,000)	419,140,000	411,644,214	98%
Use of goods and services	259,170,000	(11,328,076)	247,841,924	220,634,884	89%

Budget Classification by Economic Classification	Initial Budgetary Allocation Kshs	Supplementary Estimates Adjustments Kshs	Final Budget Kshs	Actual Expenditure Kshs	Absorption Rate
Transfers to the staff Mortgage and car loan fund	10,000,000	0	10,000,000	10,000,000	100%
Social security benefits	13,000,000	(2,000,000)	11,000,000	10,144,186	92%
Acquisition of assets	46,200,000	(3,987,500)	42,212,500	35,420,261	84%
<b>Total Allocation</b>	<b>767,510,000</b>	<b>37,315,576)</b>	<b>730,194,424</b>	<b>687,843,545</b>	<b>94%</b>

A detailed analysis per item of expenditure is provided in **Annex I**

### 1.3 NON-FINANCIAL PERFORMANCE FOR THE 2023/24 FINANCIAL YEAR

During the 2023/24 financial year, the Commission had committed to undertake various activities, towards realization of the set targets for the period under review. In this regard, notable milestones were achieved as follows: -

#### 1. Decentralization of Ombudsman Services

The Commission managed to procure and refurbish office space in Meru during the 2023/24 Financial year. The Office was officially launched on 18<sup>th</sup> July 2024. In addition, office space was also acquired for the establishment of a branch office in Makueni County, which was commissioned on 1<sup>st</sup> October 2024.



The official opening of the Meru Branch office held on 18<sup>th</sup> July 2024

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## **2. Resolution of Complaints**

The Commission handled 5,365 complaints, out of which 2,660 were resolved.

### **Public awareness Creation**

The Commission reached out and sensitized 1,030,191 people, through a multi-faceted approach involving the mainstream and social media platforms, as well as physical and virtual meetings.

## **3. Certification of MDACs on resolution of complaints**

The Commission enforced compliance on resolution of complaints indicator by Government Ministries, Departments and Agencies (MDAs), under the performance contracting framework. In this regard 391MDAs were issued with quarterly assessment reports and annual compliance certificates.

## **4. Promotion of access to Information**

In its endeavor to promote and enforce the access to information Act, the Commission handled and determined all the 293 appeals on access to information received in the year under review. In addition, the ATI Regulations were gazetted in October and approved by the National Assembly in November 2023. The National ATI policy and the ATI Reviews Manual were developed and reviewed in the period under review respectively.

**N/B.** A summary of the programme non-financial performance report for the 2023/24 financial year is as indicated in **Annex II**



*Mrs. Lucy Ndung'u, the ATI Commissioner sensitizing security agencies from Meru and Isiolo Counties on Access to Information*

## 5. PENDING BILLS STATUS

Due to factors beyond its control, the Commission carried forward Pending bills amounting to Kshs. **3,171,769**. The bills will be settled in the 2024/2025 Financial Year as a first charge on the budgetary allocation. The bills are indicated in fig 2.

**Fi2. List of Pending Bills Carried forward and current Status**

S/NO.	Supplier of Goods or Services	Description	Amount Kshs	Current Status
1.	M/s Fast Choice Ltd	Supply of office furniture	49,400	Pending due lack of budgetary provision on purchase of furniture in the current year
2.	M/s New KCC	Supply of milk	3,960	Paid on 03/10/2024
3.	M/s Ramji Haribhai Devani Ltd	Supply Fuel for motor-vehicles	901,706	Paid on 23/10/2024
4.	M/s Mukau Ltd	Office rent for Meru Branch Office	315,000	Paid 07/10/2024
5.	M/s Communication Authority of Kenya	Charges for Toll free SMS short code	320,000	Pending due to incompatible payment details on the e-citizen platform. CAK is addressing the challenge
6.	M/SHenia Anzala & Associates	Legal Services	26,000	Paid on 24/09/2024

S/NO.	Supplier of Goods or Services	Description	Amount Kshs	Current Status
7.	M/s Konza Technopolis Development Authority	Supply of e-mail Licenses	359,883	Pending due to budgetary constraints arising from drastic reduction of budgetary allocation from Kshs. 3,600,000 in 2023/24 FY to Kshs. 960,000 in 2024/25 F.
8.	M/s African Touch Safaris	Provision of air travel tickets	36,200	Payment in Progress
9.	M/s Proactive Networks Ltd	Maintenance services for the UPS	31,320	Paid on 16/10/2024
10.	M/s Stoni Athi Resort Ltd	Conference facility	621,000	Payment in progress
11.	M/s Sarova Panafric	Conference facility	368,300	Paid on 16/10/2024
12.	M/s Little Limited	Hire of transport	139,000	Paid on 16/09/2024
	<b>TOTAL</b>		<b>3,171,769</b>	

## 7. Challenges and Recommendations

The Commission experienced some challenges that hindered absorption of the budgetary allocation in total, key among them the following: -

- i) Austerity measures instituted by the Government, which affected settlement of bills for goods and services under running contracts, such as supply of fuel and provision of cleaning services. There is need to ring-fence items with running contracts from budgetary reductions, to avoid breaching of contracts which may attract legal action. The Commission will be seeking for additional funds in the Supplementary estimates to cater for the unpaid bills;
- ii) Delayed exchequer releases which hampered timely implementation of the budget and processing of payment for goods and services rendered. There is need to ensure timely release of Exchequer issues;
- iii) Failure by some of the suppliers to observe timely delivery of goods and services, leading to cancellation of the purchase orders and

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retendering was time barred. The Commission will endeavor to sensitize its registered suppliers on the need to adhere to the stipulated timelines; and

- iv) IFMIS down-time which affected timely implementation and payments for planned activities. There is need to minimize IFMIS downtime.



**MERCY K. WAMBUA, OGW**  
**COMMISSION SECRETARY/CEO**

VOTE R2131 THE COMMISSION ON ADMINISTRATIVE JUSTICE						
RECURRENT EXPENDITURE - FOR THE PERIOD FROM JUL-2023 TO JUN-2024						
Head	ITEM	TITLE AND DETAILS	Approved Estimates	Actual Expenditure	Over	Under
			Kes	Kes	Kes	Kes
'0001		<b>Headquarters Administrative Services</b>				
		<b>Headquarters</b>				
	2110101	Basic Salaries - Civil Service	284,398,551	283,279,215	-	1,119,336
	2110201	Contractual Employees	7,639,620	7,639,620	-	-
	2110301	House Allowance	44,643,716	43,106,602	-	1,537,114
	2110307	Hardship Allowance	814,500	814,500	-	-
	2110310	Top-up Allowance	5,885,276	5,885,256	-	20
	2110313	Entertainment Allowance	1,094,000	1,093,085	-	915
	2110314	Transport Allowance	17,589,819	15,965,865	-	1,623,954
	2110315	Extreneous Allowance	1,647,500	1,647,500	-	-
	2110320	Leave Allowance	2,568,996	2,388,939	-	180,057
	2120101	Employer Contributions to National Social Security Fund	3,347,559	1,549,099	-	1,798,460
	2120103	Employer Contribution to Staff Pensions Scheme	49,510,463	48,274,534	-	1,235,929
	2210101	Electricity	3,100,000	3,031,773	-	68,227
	2210102	Water and Sewerage Charges	8,000	-	-	8,000
	2210201	Telephone, Telex, Facsimile and Mobile Phone Services	6,491,069	5,870,089	-	620,980
	2210202	Internet Connections	3,554,664	2,834,000	-	720,664
	2210203	Courier & Postal Services	4,592,830	4,034,871	-	557,959
	2210204	Leased Communication Lines	360,000	9,450	-	350,550
	2210301	Travel Costs (airlines, bus, railway, mileage allowances etc.)	5,740,542	5,730,900	-	9,642
	2210302	Accommodation - Domestic Travel	11,903,375	11,903,375	-	-
	2210303	Daily Subsistence Allowance	16,243,810	16,088,070	-	155,740
	2210401	Travel Costs (airlines, bus, railway, etc.)	9,197,804	6,348,553	-	2,849,251
	2210402	Accommodation	7,693,229	6,303,796	-	1,389,433
	2210403	Daily Subsistence Allowance	9,499,774	7,325,871	-	2,173,903
	2210404	Sundry Items (e.g. airport tax, taxis, etc?)	1,948,365	1,237,826	-	710,539
	2210502	Publishing & Printing Services	1,888,985	1,327,859	-	561,126
	2210503	Subscriptions to Newspapers, Magazines and Periodicals	992,510	755,300	-	237,210
	2210505	Trade Shows and Exhibitions	537,500	277,216	-	260,284
	2210603	Rents and Rates - Non-Residential	61,000,000	59,669,811	-	1,330,189
	2210604	Hire of Transport, Equipment	3,600,000	3,569,318	-	30,682

	2210701	Travel Allowance	1,178,270	1,097,090	-	81,180
	2210703	Production and Printing of Training Materials	1,310,000	858,400	-	451,600
	2210704	Hire of Training Facilities and Equipment	2,712,500	2,021,042	-	691,458
	2210710	Accommodation Allowance	1,931,287	1,878,334	-	52,953
	2210711	Tuition Fees Allowance	3,033,765	2,650,654	-	383,111
	2210801	Catering Services (receptions), Accommodation, Gifts, Food and Drinks	5,521,550	4,800,844	-	720,706
	2210802	Boards, Committees, Conferences and Seminars	18,312,471	15,837,283	-	2,475,188
	2210901	Group Personal Insurance	3,200,000	3,200,000	-	-
	2210903	Plant, Equipment and Machinery Insurance	1,200,000	348,398	-	851,602
	2210904	Motor Vehicle Insurance	3,500,000	2,469,262	-	1,030,738
	2210910	Medical Insurance	24,000,000	23,990,619	-	9,381
	2211009	Education and Library Supplies	370,000	339,689	-	30,311
	2211016	Purchase of Uniforms and Clothing - Staff	720,000	-	-	720,000
	2211101	General Office Supplies (papers, pencils, forms, small office equipment etc)	3,743,455	3,458,423	-	285,032
	2211102	Supplies and Accessories for Computers and Printers	3,158,238	2,859,319	-	298,919
	2211103	Sanitary and Cleaning Materials, Supplies and Services	304,689	116,045	-	188,644
	2211201	Refined Fuels and Lubricants for Transport	5,746,009	5,737,256	-	8,753
	2211301	Bank Service Commission and Charges	10,000	1,879	-	8,121
	2211305	Contracted Guards and Cleaning Services	3,600,000	3,578,496	-	21,504
	2211306	Membership Fees, Dues and Subscriptions to Professional and Trade Bodies	2,100,000	1,564,555	-	535,445
	2211308	Legal Dues/fees, Arbitration and Compensation Payments	400,000	400,000	-	-
	2211310	Contracted Professional Services	4,808,950	1,209,537	-	3,599,413
	2211318	Witness Expenses	820,000	76,020	-	743,980
	2211321	Parking charges	380,000	39,800	-	340,200
	2211322	Binding of Records	325,000	41,400	-	283,600
	2220101	Maintenance Expenses - Motor Vehicles	4,756,899	4,096,561	-	660,338
	2220201	Maintenance of Plant, Machinery and Equipment (including lifts)	120,400	49,506	-	70,894
	2220202	Maintenance of Office Furniture and Equipment	378,850	138,562	-	240,288
	2220205	Maintenance of Buildings and Stations -- Non-Residential	500,000	123,470	-	376,530
	2220210	Maintenance of Computers, Software, and Networks	1,347,134	1,334,362	-	12,772
	2710102	Gratuity - Civil Servants	11,000,000	10,144,186	-	855,814
	3110302	Refurbishment of Non-Residential Buildings	6,000,000	4,994,666	-	1,005,334
	3110701	Purchase of Motor Vehicles	14,000,000	12,906,350	-	1,093,650
	3111001	Purchase of Office Furniture and Fittings	3,500,000	2,688,884	-	811,116
	3111009	Purchase of other Office Equipment	712,500	402,722	-	309,778

	3111111	Purchase of ICT Networking and Communication Equipment	15,500,000	12,082,249	-	3,417,751
	3111112	Purchase of Software	2,500,000	2,345,389	-	154,611
	4110403	Housing loans to public servants	5,000,000	5,000,000	-	-
	4110405	Car loans to Public Servants	5,000,000	5,000,000	-	-
			<b>730,194,424</b>	<b>687,843,544</b>	-	<b>42,350,880</b>
			<b>730,194,424</b>	<b>687,843,544</b>	-	<b>42,350,880</b>
		<b>Net Expenditure Head 000100 .....</b>	<b>730,194,424</b>	<b>687,843,544</b>	-	<b>42,350,880</b>
		<b>Total</b>	<b>730,194,424</b>	<b>687,843,544</b>	-	<b>42,350,880</b>

**COMMISSION ON ADMINISTRATIVE JUSTICE - VOTE 2131**

**FINANCIAL PERFORMANCE FOR THE 2023/24FY**

***(a) Financial performance per quarter:***

Quarter	Budgetary Allocation (KSh.)	Exchequer Issues (KSh.)	Expenditure (KSh.)	Absorption rate (%)
1	182,548,606.00	145,917,679.30	136,518,718.00	
2	182,548,606.00	117,810,140.30	141,085,696.00	
3	182,548,606.00	199,311,893.30	192,909,788.00	
4	182,548,606.00	251,161,178.00	217,329,341.00	
<b>Total</b>	<b>730,194,424.00</b>	<b>714,200,890.90</b>	<b>687,843,543.00</b>	<b>94%</b>

***(b) Actual expenditure by economic classification:***

Item	Description	Approved Budget	Actual Payments	Variance
Program	Promotion of Administrative Justice	730,194,424.00	687,843,543.50	42,350,880.50
2110000	Wages and Salary Contributions	366,281,978.00	361,820,581.55	4,461,396.45
2120000	Social Contributions	52,858,022.00	49,823,632.60	3,034,389.40
2210000	Goods and Services	240,738,641.00	214,892,422.40	25,846,218.60
2220000	Routine Maintenance	7,103,283.00	5,742,461.00	1,360,822.00
2620000	Grants and Other Transfers to International Organizations	-	-	-
2710000	Social Security Benefits	11,000,000.00	10,144,185.55	855,814.45
3110000	Acquisition of Fixed Capital Assets	42,212,500.00	35,420,260.40	6,792,239.60
4110000	Domestic Lending and On-lending	10,000,000.00	10,000,000.00	-
	<b>Grand Total</b>	<b>730,194,424.00</b>	<b>687,843,543.50</b>	<b>42,350,880.50</b>

**COMMISSION ON ADMINISTRATIVE JUSTICE - VOTE 2131**

**PENDING BILLS STATUS REPORT - AS AT 28TH NOVEMBER 2024**

No	Supplier/ Contractor	Date	Invoice No.	Nature of goods/ services	Amount (KShs.)	Amount Paid as at 28th Nov 2024	Outstanding Amount (KShs.)
1	Mukau Ltd	03/09/2024	58	Rent for Makueni branch office	315,000	315,000	-
2	Fast Choice Ltd	10/6/2024	41539	Supply of furniture	49,400	-	49,400
3	Communications Authority of Kenya	19 & 24/02/2024	30099/230181/2 30180/230179	Charges for SMS shortcode	320,000	-	320,000
4	Henia Anzala & Associates	5/6/2024	LIT/041/24	Legal fees - Owino Kojo Vs CAJ	26,000	26,000	-
5	New KCC Ltd	26/06/2024	95419504	Supply of milk to Isiolo office in the month of June 2024	3,960	3,960	-
6	Konza Technopolis Development Authority	12/6/2024	KOTDA/PSINV004 78	Delivery of Zimbra Licences	359,883	-	359,883
7	African Touch Safaris	2/7/2024	12070134/12407 0047	Return air ticket to Mombasa for the AD/CILs	36,200	-	36,200
8	Proactive Networks Ltd	6/8/2024	38674	Maintenance service for the UPS in quarter 3	31,320	31,320	-
9	Ramji Haribhai Devani Ltd	03/06/2024 & 02/07/2024	314058/312072	Balance on May 2024 fuel supply and June 2024 supplies	901,706	901,706	-
10	Stoni Athi Resort Ltd	18/03/2024	234	Conference facility-NA Committee on Delegated Legislation	621,000	-	621,000
11	Sarova Panafric	18/04/2023 & 29/08/2024	351347/351348	Conference facility-Malawi Ombudsman in Feb 2023	368,300	368,300	-
12	Little Limited	28/06/2024	29087	Hire of transport for the FLOCCA activities	139,000	139,000	-
<b>Total</b>					<b>3,171,769</b>	<b>1,785,286</b>	<b>1,386,483</b>

**COMMISSION ON ADMINISTRATIVE JUSTICE - VOTE 2131**

**APPROVED RE-ALLOCATION FOR THE 2023/24FY**

**APPLICATION FOR REALLOCATION OF PROVISION**

(to be submitted in Quadruplicate)

FINANCIAL YEAR: 2023/2024

To: THE PRINCIPAL SECRETARY TO THE NATIONAL TREASURY,  
P. O. Box 30007, NAIROBI.

1. I hereby apply for permission to incur excess expenditure on the sub heads shown below:

VOTE, SUBHEAD(S) AND ITEM(S) (state in full)	PROVISION IN PRINTED ESTIMATES	PREVIOUS REALLOCATION OR SUPPLEMENTARY ESTIMATES		EXCESS EXPENDITURE TO BE INCURRED
		Kshs Increase	Kshs Decrease	Kshs
<b>VOTE: HEAD-SUBHEAD: ITEM:</b>				
2131 00001 2210203 Courier and Postal Services	3,870,000	-	(77,170)	800,000
2131 00001 2210503 Subscriptions to Newspapers	790,000	-	(297,490)	500,000
2131 00001 2210711 Tuition Fees Allowance	4,400,000	No.1	(1,766,235)	400,000
2131 00001 2210802 Boards, Committees and Seminars	13,000,000	4,112,471	-	1,200,000
2131 00001 2211101 General office supplies	5,000,000	-	(2,056,545)	800,000
2131 00001 2211102 Supplies & Computer Accessories	4,200,000	-	(1,741,762)	700,000
2131 00001 2220101 Maintenance Expenses - M/Vehicles	6,150,000	-	(2,793,101)	1,400,000
				<b>5,800,000</b>

2. I confirm that savings sufficient to cover the total of excess expenditure applied for above will be found from the following items:

<b>VOTE: HEAD-SUBHEAD: ITEM:</b>	
2131 0001 2210204 Leased Communication lines	900,000
2131 0001 2210703 Production and Printing of Training	500,000
2131 0001 2211305 Contracted cleaning services	600,000
2131 0001 2211306 Membership fees to professional bodies	1,200,000
2131 0001 2211308 Legal Dues/Fees	600,000
2131 0001 2710102 Gratuity - Civil Servants	2,000,000
	<b>5,800,000</b>

Non-Financial Performance Report for the FY 2023/24

Sub - Programme	Key Output	Key Performance Indicator	Quarter I			Quarter II			Quarter III			Quarter IV			Remarks	
			Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance		
1) General administration and support services	Decentralized Ombudsman services	Additional offices and service delivery points established	1	0	-1	1	0	-1	0	0	0	0	0	0	0	Procurement of office space in Meru and Makueni counties through open tenders was completed in the period under review. Official launch of the Meru Office held on 18 <sup>th</sup> July 2024, with launch and operationalization of Makueni Office to follow in FY 2024/25.
	Public awareness on the mandate of the Commission, policies and procedures	Number of people sensitized	5,000	5,648	648	5,000	1,006,404	1,004	5,000	5,101	101	5,000	13,038	8,038	The Commission leveraged on high impact activities to reach many people including the Devolution Conference 2023; Huduma Ombudsman Award Ceremony 2023; the Customer Service Week 2023; partnerships under the FLLoCA programme and social/mass media i.e. twitter space in order to surpass the target.	

Programme 1: Promotion of Administrative Justice

Sub - Programme	Key Output	Key Performance Indicator	Quarter I			Quarter II			Quarter III			Quarter IV			Remarks
			Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	
	Trained public officers	Number of officers trained	375	422	47	375	2,929	2,554	375	910	535	375	2,210	1,835	The Commission leveraged on use of ICT through conducting webinar sensitization programs and also donor support to train more officers.
2) Administrative Justice Services	Resolved public complaints on maladministration	Percentage of complaints resolved	100%	41.5%	58.5%	100%	47%	53%	100%	49%	51%	100%	49.6%	50.4%	A total of 5,365 complaints, comprising of both new complaints and complaints brought forward were handled in the FY 2023/24 out of which 2,660 complaints were resolved.  Unresponsiveness/delay by public institutions in resolution of complaints referred to them, and, failure by the complainants to provide required information to facilitate resolution of complaints affected 100% resolution of the complaints.

Sub - Programme	Key Output	Key Performance Indicator	Quarter I			Quarter II			Quarter III			Quarter IV			Remarks
			Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	
	Certified MDACs on resolution of public complaints indicator, (Performance Contracting )	Number of MDACs issued with quarterly feedback report	345	406	61	345	350	5	345	401	56	345	350	5	The overachievement was attributed to: <ul style="list-style-type: none"> <li>•New MDAs joining PC framework.</li> <li>•Effort by the Compliance Division in processing Quarterly feedback. This has encouraged more MDAs to comply.</li> </ul>
3) Access to Information Services	Guidelines on Access to Information Act, 2016	Number of guidelines developed	1	1	0	1	1	0	1	0	0	0	0		The ATI reviews manual and the National Policy on ATI were developed in Q1 and Q2 respectively.

Sub - Programme	Key Output	Key Performance Indicator	Quarter I			Quarter II			Quarter III			Quarter IV			Remarks
			Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	Target(s)	Actual	Variance	
	Determined appeals on request for information	Percentage of appeals determined	100 %	100 %	0%	100 %	100 %	0%	100 %	100 %	0%	100 %	100 %	0%	<ul style="list-style-type: none"> <li>•A total of 293 appeals on access to information were received in the FY 2023/24, all of which were determined/resolved.</li> <li>•Public entities and relevant private bodies disclosed information and/or provided justifiable reasons to limit disclosure upon the Commissions' intervention.</li> </ul>

# WITNESS PROTECTION AGENCY

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Ref: WPA/COLLABO/PARLIAMENT/011/BW VOLII

Date: 10<sup>th</sup> December 2024

Clerk of National Assembly  
NAIROBI

Att: Jeremiah W. Ndombi, MBS

**RE: BUDGET IMPLEMENTATION MONITORING FOR THE FY2023/2024 AND FAMILIARIZATION RETREAT WITH THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

Your letter referenced NA/DDC/JLAC/2024/078 dated 18<sup>th</sup> November 2024 on the above subject refers.

As noted in your letter, the Agency had submitted the said report on 2<sup>nd</sup> August 2024 (a copy of which is hereby attached). We hereby re-submit the audited budget implementation information for the FY2023/24 as follows:

**a) Financial Performance:**

	Budget	Expenditure	Performance Difference	% of utilization	Note
	Kshs	Kshs			
<b>Revenue</b>					
Government grants	791,444,990	777,163,605	14,281,385	98%	1
<b>Total income</b>	<b>791,444,990</b>	<b>777,163,605</b>	<b>14,281,385</b>	<b>98%</b>	
<b>Expenses</b>					
Use of Goods and Services	35,573,844	35,573,844	0	100%	
Employees Costs	441,246,884	424,134,405	17,112,479	96%	2
Witness Related Expenses	290,144,262	289,895,572	248,690	99%	3
Advisory Board Expenses	800,000	800,000	0	100%	
Staff Mortgage	20,000,000	20,000,000	0	100%	
Repairs and maintenance	3,680,000	3,610,626	69,374	98%	4
<b>Total Expenditure</b>	<b>791,444,990</b>	<b>774,014,447</b>	<b>17,430,543</b>	<b>98%</b>	

**Notes:**

**1. Government Grants**

The appropriated budget for the Agency for the FY2023/24 was Kes791,444,900 out of which exchequers of Kes777.163,605 were received. Exchequers of Kes14,281,385 relating to personnel emoluments were not requested for since the earmarked officers had not reported. During the year, the National Treasury approved recruitment of an extra 22 officers in the month of November 2023. The process of recruitment and vetting was completed in May/June 2024 and the officers reported in the month of August 2024 hence the variance in government grants of 2%.

**2. Employee Costs**

The Agency had a budget for Personnel Emoluments and other employee cost of Kes436,050,000 out of which an expenditure of Kes424,134,405 was realized. Hence a variance of Kes17,112,479 (4%). This was due to the late reporting of the 22 new officers in August 2024 as explained in Note No.1 above.

**3. Witness Expenses**

The Agency had a budget of Kes290,144,262 for witness expenses out of which an expenditure of Kes289,895,572 was actualized. The realized variance of Kes248,690 (1%) was a result of imprest refunds as at 30<sup>th</sup> June 2024 that would not have been re-allocated to other activities due to year end closure.

**4. Repair and Maintenance**

The Agency had a budget of Kes3,680,000 for repairs and maintenance out of which and expenditure of Kes3,610,626. The variance of Kes69,374 (2%) was due to favorable prices for spare parts realized at year end during the servicing of the equipment.

## **b) Non-Financial Performance:**

The following key service outputs guided the operations of the Witness Protection Programme:

### **a) Admission of threatened witnesses**

This involved collaboration with law enforcement agencies in the security system and justice sector to identify threatened witnesses, assess them, admit and offer alternative advice for the rejected applications. In undertaking admission of the witnesses, requirements included human capacity, resources in terms of motor vehicles for travel, fuel, repair and maintenance, security, office space and operational houses to carry out such activities prior to admission.

### **b) Testimony in a court of law**

The ultimate objective of the Witness Protection Programme is to facilitate the administration of justice through testimonies in a court of law. The Agency employed protection measures requisite for the security of the protected persons as given by the High Court through the various protection orders. The witnesses were escorted to and from the courts under tight security.

### **c) Re-settlement and Re-integration of Protected Person**

Once the witness has fully testified in a court of law and the security threats have reduced, then the Agency enters into a resettlement agreement with the protected persons to re-settle in a safe area and re-integration back to the society. The Agency facilitated the protected persons in resettlement and re-integration through financial support within a period of at least three (3) to six (6) months after successful testimony in court.

During the 2023-2024 period, the Agency received a total of two hundred and fifty (250) new applications into the Witness Protection Programme compared to one hundred and eighty eight (188) during the 2022-2023 period being an increase of sixty two (62) applications. One hundred and twenty-two (122) applicants did not meet the admission criteria compared to one hundred and seventy-four (174) applicants in the previous year. The number of witnesses admitted rose from sixty-seven (67) in previous year to seventy-six (76) in the year under review. At the end of the F/Y, the Agency had handled a total of one hundred and sixty-eight (168) witnesses under the WPP and three hundred and thirty-eight (338) related persons inclusive of carry overs.

During the period under review, 6 cases involving protected witnesses were concluded in various courts. This can be attributed to good collaboration with judicial officers as well as direct engagement with the Office of Director of Public Prosecution for fast tracking of cases. All of them were convictions with sentences ranging from death sentences, life imprisonment or imprisonment for a number of years.

**Summary**

No.	Description	Total
1.	Carryover from 2022/2023 to 2023/2024	85
2.	Protected Persons in safe houses as at 30 <sup>th</sup> June 2024	65
3.	Witnesses on in-court protection as at 30 <sup>th</sup> June 2024	4
4.	Protected Persons in the Special Children Centers	16
5	Total dependents and/or associates under the WPP as at 30 <sup>th</sup> June 2024	98

Unit of Measure	Key Performance Indicators	Target	Actual	Variance	Remarks
Days	Number of days taken to acknowledge receipt of applications to WPP	1.54	0.526	1.014	The target was met with as the responses are done at headquarters and with a 1 day favorable variance.
Days	Number of days taken to interview and record statements from the applicants to Witness Protection Programme.	5.9	8.04	-2.14	This target has unfavorable variance of 2 days as there was a delay in availing of resources/witnesses in fourth quarter within western and coastal region. Cumulatively the variance gave unfavorable variance during period under review.
Days	Number of days taken to carry out detailed threat/risk assessments from time of	6.14	3.805	2.335	This target was achieved during the quarter with favorable 2 days cumulatively variance.

Unit of Measure	Key Performance Indicators	Target	Actual	Variance	Remarks
	interview and recording statements.				
Days	Number psychosocial assessments on the witnesses and related persons from time of signing MOU.	213	243	-30	This was favorable variance of 30 witnesses due to decentralization of psychosocial Unit to the region and recruitment of more officers.
Days	Provide response to the applicants /referral authorities	2	1.457	0.543	The target was met both within the quarter and cumulatively due to initiatives that were employed at the headquarters.
Days	Number of days taken to procure safe houses for the witnesses and related persons after admission into the program.	7.06	7.733	-0.673	The target was marginally not achieved due to delay in resources availability on time and centralization of procurement process.
Days	Number of days taken to relocate witnesses and related persons to safe houses/place of safety after admissions.	3.11	2.991	0.119	This is within target both quarter and cumulatively as resources to relocate witnesses were availed in time.
No.	Number of witnesses successfully managed.	108	167	-59	This is above the projected target with a favorable variance of ninety seventy witnesses due surge in applications following aggressive sensitization activities.
%	Percentage witness satisfaction levels in the programme.	97	95.2	1.8	The administration of questionnaire for first and second and third quarters were done, data entry, analysis and report writing is in process to be completed where the satisfaction index of 95.2% was achieved.
Time	Time taken for armed witness rescue from time of reporting.	2.91	3.75	-0.84	This is within target with un favorable variance due to vastness of the regional coverage.

Unit of Measure	Key Performance Indicators	Target	Actual	Variance	Remarks
%	Percentage of witnesses offered armed escort to and from pre-trial and in-court-protection	100	100	0	Within target due to effectiveness and efficiency of the officers in their duties due to continuous training on matters VIP protection.
Days	Number of days taken to undertake post-trial risk assessment.	6.74	5.822	0.918	This is not within target for the quarter and cumulatively due to availability of resources. Logistical challenges of mobility that were experienced in western region.
Days	Number of days taken to resettle and re-integrate witnesses.	6.37	6.196	0.174	This within target for the quarter and cumulatively.

The Agency faces several challenges in its pursuit to execute its mandate. They include: -

**1. Inadequate budget allocation to the Agency**

The limited budget from National Treasury had an effect in both human resource capacity and operational targets. For instance, the continued admission of witnesses in the programme without corresponding increase of enabling facilities such as vehicles hinders smooth movement of Protection Officers to visit witnesses in the programme. Currently there are **30** protection officers handling **85** witnesses exclusive of the dependants i.e. one officer to three witnesses, which is far beyond the internationally best practices of **1** officer to **1** witness.

**2. Release of prior evidence to the accused.**

Article 50 (2) (j) of the Constitution requires the accused person to be informed in advance of the evidence the prosecution intends to rely on and to have reasonable access to the evidence. This expose witnesses to danger and scares them from testifying.

**3. Bond and/or bail policy**

Article 50 (1)(h) of Constitution provides that a person arrested can be released on bond or bail, on reasonable conditions pending a charge or trial, unless there are compelling reasons not to be released. This provision makes many witnesses fear to give evidence.

**4. Lengthy trials**

The slow pace of trials contributed immensely to the exorbitant costs of sustaining witnesses and their dependents in the Witness Protection programme.

**5. Decentralization of witness protection services**

Article 6 of the Constitution provides for the devolution of services to all counties. Currently, the Agency is in only 3 counties; Nairobi, Mombasa and Kisumu with a liaison office in Embu and expansion has been hampered due to funding challenges.

**6. Poor, insufficient and slow pace of investigations of some of the referred cases**

Some cases referred to the Agency for protection are insufficient and poorly investigated while others take long to complete investigations. This poses a big risk to the witnesses expected to give evidence due to investigative loopholes that expose the witness to crime perpetrators.

**7. Lack of appropriate infrastructure in the courtroom**

Most courtrooms lack appropriate architecture such as witness protection boxes and screens to safeguard and conceal witnesses under protection when they are giving their

testimony. There are also no separate entry alleys to courtrooms, which endangers the protected witnesses since they access the court room in the same entry as the accused.

**8. Awareness levels among some of the stakeholders is still low**

This poses a challenge because issues related to witness protection and the critical role played in the justice sector remain largely unnoticed. At times stakeholders such as donors and development partners fail to fund/support the Agency because of failure to exhaustively understand and appreciate the role of the Agency.

We sincerely thank you for your continued support and it's our sincere hope and belief that the information submitted above is in compliance with your request.

Yours Sincerely,



Jedidah W. Waruhiu  
**DIRECTOR/CHIEF EXECUTIVE**

**END**