The Judiciary plays a very significant role in the socio-economic and political development of any democracy.

In Kenya, prior to the promulgation of the Constitution of Kenya in 2010, the efficiency, independence, integrity and public confidence in the judiciary was at its lowest ebb. According to the July 2010 final report of the Task Force on Judicial Reforms, runaway and unabated corruption, political interference, ‘gatekeeping’, tribalism, nepotism were amongst the factors that contributed to this low public trust and confidence in the Judiciary. This report summarizes the state of the Judiciary then as; 

“Over the years, patronage took hold at different levels of the institution, taking the form of political appointments; nepotism and tribalism; favouritism in appointments and promotion; and judicial subservience by some judicial officers.” As per page 2

The Kenyan Constitution heralded a number of progressive reforms in the Judiciary. With its full implementation, it is hoped that Kenyan judiciary will transform into an effective, efficient, independent and responsive institution that timely dispenses justice to all.

The Judiciary Perception Survey was commissioned by International Commission of Jurists (ICJ Kenya) and conducted by Infotrak Research and Consulting from 15th June to 29th June 2012.
The overall objective of the survey was to establish Perceptions of Court Users towards Kenyan Judiciary.

Specific objectives included:
- To gauge Kenyans’ level of knowledge, awareness and perceptions on the on-going judicial reforms;
- To establish the impact of constitutional and judicial reforms on access to justice and service delivery in the justice system;
- To establish the achievements/challenges in the administration of justice as perceived by court users in Kenya;
- To assess the perceptions of court users on access to and administration of justice in Kenya.
The Methodology

- Quantitative Approach was adopted and involved using face to face interviews with:
  - A representative sample of 1500 adult males and females from the general public

- Desk research involving comprehensive review of previous reports, legislative and policy instruments as well as other documents relevant to the survey

- Qualitative Approach was also used. Focused Group Discussions with members of the public and Key In-depth Interviews were conducted with persons working in the Justice sector.
The Quantitative Sample defined

The sample distribution was arrived at using stratified sampling method as tabulated in the current slide.

<table>
<thead>
<tr>
<th>Region</th>
<th>Sample Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nairobi</td>
<td>153</td>
</tr>
<tr>
<td>Eastern</td>
<td>337</td>
</tr>
<tr>
<td>N. Eastern</td>
<td>31</td>
</tr>
<tr>
<td>Nyanza</td>
<td>245</td>
</tr>
<tr>
<td>Western</td>
<td>184</td>
</tr>
<tr>
<td>Central</td>
<td>306</td>
</tr>
<tr>
<td>Coast</td>
<td>122</td>
</tr>
<tr>
<td>R. Valley</td>
<td>122</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1500</td>
</tr>
</tbody>
</table>
Margin of Error Illustration

- Margin of Error decreases as sample size increases.

Sample size vs. Margin of Error:
- Sample size (50, 200, 400, 600, 800, 1000, 1200, 1400, 1600, 1800, 2000, 2200, 2400, 2600, 3000, 4500, 6000, 8000, 10000)
- Margin of Error (13.9, 9.8, 6.9, 4.9, 3.7, 3.3, 3.0, 2.7, 2.2, 2.1, 2.0, 2.0, 1.5, 1.4, 1.2, 1.1, 1.0, 1.0, 0.0)
Survey findings
Judicial Reforms
About Judicial Reforms

A great number of reforms have been initiated in the Judiciary since the Constitution of Kenya 2010 came into force. Notable examples include:

- The competitive and fair appointment of senior Judicial staff (CJ, DCJ, Supreme Court and High Court Judges);
- Advanced plans for automation of court processes and digitalization of court registry;
- Reconstitution of Judicial Service Commission;
- Judiciary open days;
- Vetting of Judges and Magistrates who were in office before the Promulgation of the new constitution;

The survey sought to determine the Public knowledge levels on the on-going Judicial reforms and the perceptions thereof.
Nearly 60% of the respondents are aware of the ongoing reforms in Kenya

- Approximately four in ten indicated they were not aware of the ongoing judicial reforms in Kenya.

- More males (63%) than females (53%) indicated they are aware of the ongoing reforms in Kenya.

Survey Results:

- **Gender:**
  - Male: 63% Yes, 33% No, 4% Don’t know
  - Female: 53% Yes, 41% No, 6% Don’t know

- **Location:**
  - Urban: 66% Yes, 29% No, 5% Don’t know
  - Rural: 52% Yes, 44% No, 4% Don’t know

*Are you aware of any ongoing judicial reforms in Kenya?*

*Number of respondents (n): 1462*
Public understanding of Judicial Reforms is as diverse as sampled:

“…..I think when we talk about the Judicial Reforms we are talking about the changes, Judiciary Bodies and how we want things done now compared to what we had before the passage of the new Constitution.” **FGD**  
**Respondent without a case in court**

“…..to me, Judicial Reforms means doing away with those issues of court files getting lost. Eradicate corruption in the Judiciary. Thank God the Judges and Magistrates are being vetted....” **Respondent without a case in court**

“…..Judicial reform means restoring confidence in the common man to make them believe that our courts can handle their disputes justly; a case example is what happened after Post- Election Violence. You had people say they did not have trust in our Courts.....” **Key in-depth informant, Nairobi**
The top 8 ongoing judicial reforms Kenyans are aware of

<table>
<thead>
<tr>
<th>Reform</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>The transparent appointment of Judicial Officers</td>
<td>25%</td>
</tr>
<tr>
<td>The automation and digitalization of court processes</td>
<td>23%</td>
</tr>
<tr>
<td>The vetting of Judges and Magistrates</td>
<td>23%</td>
</tr>
<tr>
<td>Reconstitution of Judicial Service Commission</td>
<td>15%</td>
</tr>
<tr>
<td>Ending impunity and disrespect of court orders</td>
<td>14%</td>
</tr>
<tr>
<td>The establishment of the Supreme Court</td>
<td>14%</td>
</tr>
<tr>
<td>Financial autonomy in the Judiciary</td>
<td>9%</td>
</tr>
<tr>
<td>Enhancing mechanisms for a broader access to justice</td>
<td>5%</td>
</tr>
</tbody>
</table>

Are you aware of any ongoing judicial reforms in Kenya? If yes, which reforms in the judiciary are you aware of?

n = 862
66% of the surveyed respondents indicated that the institution responsible for interpreting the law in Kenya is the judiciary.

- The Judiciary/ courts – 66%
- The Police – 16%
- The Parliament – 13%
- The Chief/ Assist. Chief – 4%
- The President – 1%

Nearly two in ten (16%) of the respondents indicated that the police is responsible for interpreting laws. This finding underscores the importance of reforms in the Police department.

Which institution would you say is responsible for interpreting the law in Kenya?

n= 1449

Which institution would you say is responsible for interpreting the law in Kenya?
Institutions respondents mentioned are responsible for interpreting the law in Kenya **By Region**

- Majority of those who mentioned the judiciary/ courts as the institutions responsible for interpreting the law in Kenya were from North Eastern, Coast and Nairobi at 93%, 88% and 76% respectively.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Coast</th>
<th>N. Eastern</th>
<th>Eastern</th>
<th>Central</th>
<th>R. Valley</th>
<th>Western</th>
<th>Nyanza</th>
<th>Nairobi</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Police</td>
<td>7%</td>
<td>0%</td>
<td>21%</td>
<td>10%</td>
<td>22%</td>
<td>25%</td>
<td>17%</td>
<td>6%</td>
</tr>
<tr>
<td>The Judiciary/ courts</td>
<td><strong>88%</strong></td>
<td><strong>93%</strong></td>
<td>57%</td>
<td><strong>70%</strong></td>
<td>62%</td>
<td><strong>70%</strong></td>
<td>70%</td>
<td><strong>76%</strong></td>
</tr>
<tr>
<td>Parliament</td>
<td>5%</td>
<td>7%</td>
<td>15%</td>
<td>16%</td>
<td>7%</td>
<td>17%</td>
<td>11%</td>
<td>15%</td>
</tr>
<tr>
<td>The President</td>
<td>0%</td>
<td>0%</td>
<td>2%</td>
<td>2%</td>
<td>0%</td>
<td>1%</td>
<td>2%</td>
<td>1%</td>
</tr>
<tr>
<td>The Chief/ Assist. Chief</td>
<td>0%</td>
<td>0%</td>
<td>5%</td>
<td>2%</td>
<td>9%</td>
<td>8%</td>
<td>0%</td>
<td>2%</td>
</tr>
</tbody>
</table>

*n = 1449*
70% of Surveyed respondents have confidence in the Chief Justice Dr. Willy Mutunga and other newly appointed judges

- 18% of the respondents mentioned they don’t have confidence in the Chief Justice and other newly elected judges

- Majority of those who mentioned they have confidence in the Chief Justice and other newly appointed judges were respondents from North Eastern and Nairobi at 93% and 76% respectively.

The current Chief Justice and his team enjoys support even from the general public and among his professional peer as highlighted below: -

“...Dr. Willy Mutunga is a humble, highly qualified, impartial, objective and Independent Chief Justice Kenya has ever heard. His conduct in and out of court leaves no doubt that the judiciary under his leadership can achieve quite a lot and regain the public confidence it had initially lost...” As per a Focussed Group Respondent from Nairobi.
Reasons for the level of confidence respondents have in the CJ and other Senior Judicial Staff recently appointed

**Reasons for confidence**

- Judges have been vetted: 43%
- Impartiality & fairness in recruiting: 24%
- Good track record: 21%
- They are persons of high integrity: 17%
- They are best qualified & experienced: 16%
- The judiciary is independent: 8%
- It’s a change from the old regime: 7%
- They are newly contracted in office: 5%

**Reasons for not having confidence**

- Corruption will still creep in the judiciary: 27%
- Have not seen their performance yet: 23%
- Still too early to tell: 21%
- Don’t know the track record of the new judges: 19%
- There is no justice in Kenya: 17%
- I don’t expect any significant change: 17%
- They are the same judges: 8%
- Justice in Kenya is for the rich: 8%

Please give reasons for your answer in the question above?
Low Public awareness on the Supreme Court

- Asked which is the highest court in Kenya, 64% of the respondents gave an incorrect response or didn’t know. Only 36% correctly mentioned the Supreme Court. The low public awareness on this otherwise important Court ought to inform Public sensitization campaigns.

The low public confidence is aggravated by lack of Public knowledge on the composition of this court as highlighted

“.....Me I know that they are five Supreme Court Judges; we have the CJ, Deputy CJ, Chief Kadhi, Kalpana Rawal and Smokin Wanjala.....” FGD Respondent without a case in court

n= 1464
Knowledge of highest court in Kenya
By Location & Gender

- More respondents from Urban areas (41%) are aware that the Supreme Court is the highest court in Kenya compared to their rural counterparts (29%).
- Additionally, more males (38%) than females (32%) correctly mentioned the Supreme Court as the highest court in Kenya.

<table>
<thead>
<tr>
<th>Which is the highest court in Kenya?</th>
<th>Location</th>
<th>Gender</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Urban</td>
<td>Rural</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>41%</td>
<td>29%</td>
</tr>
<tr>
<td>High Court</td>
<td>28%</td>
<td>42%</td>
</tr>
<tr>
<td>Court of Appeal</td>
<td>25%</td>
<td>16%</td>
</tr>
<tr>
<td>Magistrate’s Court</td>
<td>2%</td>
<td>3%</td>
</tr>
<tr>
<td>Kadhi’s Court</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>International Criminal Court</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>3%</td>
<td>7%</td>
</tr>
</tbody>
</table>

n= 1464
The Vetting of Judges and Magistrates

- Majority of respondents are aware of the on-going vetting of Judges and Magistrates at 69%. Public awareness was highest in North Eastern and Nyanza regions at 97% and 86% respectively.

Are you aware of the on-going vetting of Judges and Magistrates?

- Yes, 69%
- No, 26%
- Don't know, 5%

n= 1455

Coast: 24% Yes, 10% No, 3% Don't know
N.Eastern: 36% Yes, 6% No, 4% Don't know
Eastern: 58% Yes, 6% No, 4% Don't know
Central: 69% Yes, 28% No, 4% Don't know
R.Valley: 54% Yes, 43% No, 3% Don't know
Western: 69% Yes, 23% No, 9% Don't know
Nyanza: 86% Yes, 10% No, 4% Don't know
Nairobi: 74% Yes, 19% No, 8% Don't know
A majority (64%) of respondents are emphatic that the Vetting of Judges and Magistrates Board is doing a commendable Job.

- More males (68%) than females (56%) indicated that the Vetting Board is doing a good job.

**How would you rate the performance of the Vetting of Magistrates and Judges Board?**

- **Male:**
  - Very good: 68%
  - Good: 17%
  - Poor: 16%

- **Female:**
  - Very good: 56%
  - Good: 17%
  - Poor: 27%

- **Aggregate:**
  - Very good: 64%
  - Good: 17%
  - Poor: 20%

**n = 1423**
84% of surveyed respondents trust the Kenyan Courts

How much trust, if any, do you currently have on the Kenyan courts?

Respondents from Rift Valley region recorded the highest level of trust on the Kenyans courts at 91% followed by those from Nairobi and Central regions at 88%

<table>
<thead>
<tr>
<th>How much trust, if any, do you currently have on the Kenyan courts?</th>
<th>Coast</th>
<th>N. Eastern</th>
<th>Eastern</th>
<th>Central</th>
<th>R. Valley</th>
<th>Western</th>
<th>Nyanza</th>
<th>Nairobi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very much trust</td>
<td>20%</td>
<td>60%</td>
<td>21%</td>
<td>16%</td>
<td>32%</td>
<td>19%</td>
<td>27%</td>
<td>18%</td>
</tr>
<tr>
<td>Some trust</td>
<td>62%</td>
<td>27%</td>
<td>62%</td>
<td>72%</td>
<td>59%</td>
<td>53%</td>
<td>60%</td>
<td>70%</td>
</tr>
<tr>
<td>No trust at all</td>
<td>19%</td>
<td>13%</td>
<td>11%</td>
<td>11%</td>
<td>9%</td>
<td>21%</td>
<td>12%</td>
<td>12%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
<td>0%</td>
<td>6%</td>
<td>0%</td>
<td>0%</td>
<td>8%</td>
<td>1%</td>
<td>0%</td>
</tr>
</tbody>
</table>
Reasons for the different level of trust respondents have in the Judiciary

**Sampled reasons for varying level of Public trust in the Judiciary**

**Very much trust**
- “…The judiciary is initiating positive reforms and it’s more independent these days” Nairobi FGD Respondent
- “…Judges are of high integrity and competent” Key Informant from Machakos

**Some trust**
- “…Some judges are still corrupt and not all reforms have been implemented” Key Informant from Wajir
- “…Not all judges have been vetted” Advocate Mombasa

**No trust at all**
- “There is no justice especially for the poor” FGD respondent in Nairobi
- “…Slow pace of delivering justice” Key Informant from Nakuru
A majority (77%) of Kenyans prefer using Kenyan Courts to resolve disputes

- Majority of those who said they would take a case or dispute requiring the intervention of a third party to a Kenyan court were from Nyanza and Eastern region at 93% and 83% respectively.

Assuming you had a case or dispute requiring the intervention of a third party, would you take it to the Kenyan courts?

- Yes, 77%
- No, 20%
- Don’t know, 3%

n=1462
Likes & dislike of Kenyan Courts

**Likes about Kenyan courts**

- They are just & fair - 35%
- Ready for reforms - 30%
- Independent - 28%
- Incorruptible - 18%
- Have competent staff like judges and Magistrates - 13%
- Technologically up to date - 13%
- Capable of handling complicated cases well - 10%

**Dislikes about Kenyan courts**

- Delay in handling cases - 45%
- Easily corruptible - 44%
- Courts are expensive avenues - 22%
- Politically influenced - 14%
- Rampant nepotism - 7%
- Poor working environment - 4%
- Can't enforce their decisions easily - 4%
- Very disorganized - 3%
- Kenyan courts are redundant (do same things over & over again) - 2%

n=1132  
n=1222
59% was the rating the public gave to the Kenyan Judiciary/ courts performance

- Nyanza, Nairobi and Eastern were the regions that gave the Judiciary highest performance rating at 68%, 61% and 60% respectively.

On a scale of 1 to 5 where 1 is very poor, 2 is poor, 3 is fair, 4 is good and 5 is very good, how would you rate the performance of the Kenyan judiciary/ courts so far?

n= 1452
Majority of respondents (58%) do not support local Judicial trials for the 4 Post Election Violence Suspects

Majority of the surveyed respondents who mentioned they prefer the post-election violence suspects to be tried by the Kenyans courts were from Central and Rift Valley regions at 63% and 52% respectively.

Following the ongoing judicial reforms, would you prefer the post-election violence suspects to be tried by the Kenyan Courts?

Yes, 38%
No, 58%
Don’t know, 4%

<table>
<thead>
<tr>
<th>Region</th>
<th>Yes (%)</th>
<th>No (%)</th>
<th>Don’t know (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>63%</td>
<td>31%</td>
<td>6%</td>
</tr>
<tr>
<td>R.Valley</td>
<td>52%</td>
<td>48%</td>
<td>6%</td>
</tr>
<tr>
<td>Nairobi</td>
<td>37%</td>
<td>37%</td>
<td>1%</td>
</tr>
<tr>
<td>Eastern</td>
<td>56%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>N.Eastern</td>
<td>67%</td>
<td>33%</td>
<td>7%</td>
</tr>
<tr>
<td>Western</td>
<td>67%</td>
<td>30%</td>
<td>3%</td>
</tr>
<tr>
<td>Coast</td>
<td>73%</td>
<td>22%</td>
<td>5%</td>
</tr>
<tr>
<td>Nyanza</td>
<td>81%</td>
<td>15%</td>
<td>3%</td>
</tr>
</tbody>
</table>

n = 1459
Reasons advanced for supporting and opposing Local trials for the 4 PEV Suspects

- 35% of those who prefer PEV suspects to be tried locally said because our courts have made reforms

**Prefer suspects to be tried locally**

- Reforms have been made at our courts: 35%
- Independence of the judiciary: 21%
- Our Courts are competent: 20%
- We now have high court judges: 15%
- Justice will prevail: 14%
- To save time: 13%
- Saves on money & resources: 13%

**Don’t prefer suspects to be tried locally**

- Only the ICC can deliver justice: 32%
- The suspects are superior in society: 28%
- Local Judges are corrupt and untrustworthy: 24%
- Local Courts lack the capability: 16%
- Political influence: 9%
- The local Kenyan courts are corrupt: 6%
- Judges will be compromised: 6%
- Cases are already at the ICC: 6%
- Witnesses will not be free to testify: 5%
- Judges will be intimidated and threatened by influential people: 3%

*Following the ongoing judicial reforms, would you prefer the post-election violence suspects to be tried by the Kenyan Courts?*
Access to justice in Kenyan Courts
13% of the respondents indicated that their cases had taken over 2 years to be heard and determined by courts.

- 27% of those who mentioned the cases took over 2 years were those from Western Province whereas 17% were from Nairobi.

### Longevity

<table>
<thead>
<tr>
<th></th>
<th>Coast</th>
<th>N. Eastern</th>
<th>Eastern</th>
<th>Central</th>
<th>R. Valley</th>
<th>Western</th>
<th>Nyanza</th>
<th>Nairobi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 3 months</td>
<td>8%</td>
<td>7%</td>
<td>12%</td>
<td>10%</td>
<td>42%</td>
<td>18%</td>
<td>27%</td>
<td>28%</td>
</tr>
<tr>
<td>3 to 6 months</td>
<td>30%</td>
<td>43%</td>
<td>24%</td>
<td>41%</td>
<td>16%</td>
<td>16%</td>
<td>29%</td>
<td>20%</td>
</tr>
<tr>
<td>7 to 12 months</td>
<td>35%</td>
<td>29%</td>
<td>33%</td>
<td>32%</td>
<td>0%</td>
<td>23%</td>
<td>26%</td>
<td>20%</td>
</tr>
<tr>
<td>1 to 2 years</td>
<td>22%</td>
<td>11%</td>
<td>18%</td>
<td>16%</td>
<td>26%</td>
<td>15%</td>
<td>11%</td>
<td>14%</td>
</tr>
<tr>
<td>Over 2 years</td>
<td>5%</td>
<td>11%</td>
<td>13%</td>
<td>1%</td>
<td>16%</td>
<td>27%</td>
<td>7%</td>
<td>17%</td>
</tr>
</tbody>
</table>

*For how long has the case taken so far? n = 442*
36% of the respondents indicated they were not satisfied at all with the progress of their cases in court

Below is a sample of opinions the public had with regards to the progress of their cases in court

- “...It is time consuming the way cases are handled and whenever you go the cases are adjourned. Sometimes you have to travel from Upcountry to Nairobi to attend to a case...it becomes tiresome...” Kisumu Respondent with case in court

- “.....Sometimes they are just colluding to frustrate you, the Magistrate is never in attendance and all the time they postpone.....” An in-depth Informant in Kericho

- “....Mine required that we go with certificate of urgency and I remember there was a time our Lawyer was asked for a case number and he said he forgot and I realized he was making a joke of the whole thing.....” Embu Respondent with case in court

On a scale of 1 to 3, where 1 is not satisfied at all, 2 is Somewhat satisfied and 3 is very satisfied, kindly rate your satisfaction with regard to the progress of the case you indicated you have been part of?

- Not satisfied at all: 36%
- Somewhat satisfied: 40%
- Very satisfied: 23%
- Don’t know: 1%
- Total: 442
62% of the surveyed respondents considered the cost for accessing justice unaffordable

- Only 35 percent of the respondents surveyed found the costs affordable
- Majority (68%) of the respondents who found the costs not affordable were from rural areas as compared to urban (56%)

**Below is a sample of the views respondents had on cost of justice in Kenya**

“....It depends on the magnitude of the case. The legal fee for the common man is quite high. Hiring a Lawyer or booking just an appointment is around Ksh.1,500/=, so for a common man like us who may be earning less than a dollar in a day, it becomes too expensive.....” **Respondents with case in Court**

“.......Like mine which was involving a letter of administration you must have a court order and a court order is almost 20,000=/. And the court order is only active within the first one and half years. So on the second year when you want to renew you are told to give the same amount until I asked myself, what was I doing?.....” **Respondent with a case in court**
Asked what kind of costs they incurred, majority (74%) mentioned travelling costs. Advocate and case filling costs were mentioned by the respondents at 36% and 32% respectively.

Many respondents expressed their outrage at the cost of accessing justice. Below is a sample of such outrage:

“...it is not in doubt that if you have no money, your chances of getting justice are very slim. First you cannot even transport yourself and witnesses to court. Because you cannot also hire an advocate, you are likely to lose a case in court on legal technicalities...” FGD Respondent in Nairobi
Majority (61%) of the surveyed respondents had no access to legal services

- Unaffordable cost of litigation is made worse by the fact that more than six in ten of the respondents had no access to legal services and aid.

- More rural dwellers (64%) compared to urbanites (54%) were not able to access any legal services / aid.

**Did you have access to any legal services / aid?**

- Yes, 35%
- No, 61%
- Don’t know, 4%

**n= 750**
Majority of those who mentioned they got legal services indicated they contracted their own advocate, with 27% saying an advocate was provided by the government.

- 27% Advocate provided by the government
- 13% Legal aid provided by other NGOs/institutions
- 60% Contracted my advocate

If yes, what kind of legal services/aids did you have to access to?

n=263
35% of the respondents mentioned on average they walk for over 10KM to access the court.

On average, how long do you walk / travel to access the court?

- Less than 1 KM: 11%
- 2- 5 KM: 29%
- 6- 10 KM: 25%
- 11- 50 KM: 25%
- More than 50 KM: 10%

n= 750

10% of respondents travel for over 50km to access court services. This calls for the establishment of more court structures.

<table>
<thead>
<tr>
<th>Distance</th>
<th>Urban</th>
<th>Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 1 KM</td>
<td>6%</td>
<td>15%</td>
</tr>
<tr>
<td>2- 5 KM</td>
<td>30%</td>
<td>28%</td>
</tr>
<tr>
<td>6- 10 KM</td>
<td>30%</td>
<td>20%</td>
</tr>
<tr>
<td>11- 50 KM</td>
<td>24%</td>
<td>26%</td>
</tr>
<tr>
<td>More than 50 KM</td>
<td>10%</td>
<td>10%</td>
</tr>
</tbody>
</table>
Delays in court proceedings at 42% is the main challenge facing access to justice in Kenya.

Other challenges include:

- Lack of transparency (21%)
- Poverty (19%)
- Procedural technicalities in the legal system (16%)
- Language barrier (14%)
- Corruption and lack of professionalism in the Judiciary (14%)
- Discrimination (12%)
- Lack of information on the workings of Kenyan courts (9%)

Which challenges, if any, did you encounter in accessing justice from the courts? n=902
Organizations which promote/ enhance access to justice amongst Kenyans

- Kenya National Commission on Human Rights (KNCHR): 42%
- FIDA Kenya: 37%
- International Criminal Court (ICC): 22%
- Ethics and Anti-Corruption Commission: 17%
- UNICEF-Kenya: 6%
- United Nations Development Programme (UNDP): 5%
- USAID: 4%
- National Council for Law Reporting: 2%
- Amkeni Wakenya: 4%
- Act Kenya Forum (AKF): 1%
- European Union (EU): 1%
- UK AID: 1%

More than four in ten of the respondents mentioned Kenya National Commission on Human Rights (KNCHR) as the organization which promotes/ enhances access to justice in Kenya. FIDA Kenya was mentioned by 37% of respondents.

Interestingly International Criminal Court was mentioned by 22% of the respondents.

Which organizations, if any, are you aware of which promote/ enhance access to justice among Kenyans?

n = 1217
If you were to change anything in the Kenya Judiciary, what would it be?

- Efficiency and **timeliness** of court proceedings - 26%
- Ensuring justice is felt across all social divide - 17%
- Declare corruption a common enemy & strive to finish it completely - 16%
- Employ more professional & competent judicial officers - 14%
- Initiating civic education to the general public on legal matters - 14%
- Automate and digitalize all court processes - 14%
- Ensure advocates are affordable & accessible to all - 9%
- Promote ethical standards on the bench and in the bar - 9%
- Adherence to performance contracts - 8%
- Avoid use of police prosecutors - 7%
- Ensure the reforms in the judiciary are adhered to - 4%
- Pay the judicial staff well to reduce temptations of bribery - 3%

n= 1043
Generally, what would you recommend to be done in order to enhance access to justice in Kenya?

- Fight corruption to the fullest - 23%
- Install more courts especially in rural areas - 22%
- Initiate Civic Education to the general public on legal matters - 19%
  - Avoid discrimination along any line - 12%
  - Make courts easily accessible - 10%
  - Hire competent & Judicial officers - 17%
- Strengthen bodies that supervises the Judicial staff and advocates - 9%
  - Ensure the judiciary is independent - 9%
  - Good customer care services in courts - 8%
- Ensure advocates are affordable & accessible to all - 7%
- Increase working hours in courts - 4%
- Have a reward system for competent judicial officers - 7%