



COUNCIL OF GOVERNORS

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ADDRESS BY H.E. ANNE WAIGURU, EGH  
VICE CHAIR, COUNCIL OF GOVERNORS  
AND  
GOVERNOR KIRINYAGA COUNTY

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NCAJ CRIMINAL JUSTICE REFORM COMMITTEE

15<sup>TH</sup> JANUARY 2018

*Hon. David Maraga, the Chief Justice and Chairperson of the NCAJ,  
Anne Amadi, the Chief Registrar of the Judiciary and the Secretary to the NCAJ,  
Hon. Lady Justice Grace Ngenye, Chair of the NCAJ Committee on Criminal Justice Reform,  
Distinguished members of the Judiciary,  
Fellow representatives of the various NCAJ agencies,  
Invited guests,  
Ladies and Gentlemen,*

**Good morning,**

I am truly honoured and grateful to be part of this launch of the National Council on the Administration of Justice (NCAJ) Criminal Justice Reform Committee. This event is a result of various consultative meetings between the various NCAJ agencies together with the County Governments, where the agencies felt the need to have a committee to explore ways and means of permeating the administration of criminal justice in Kenya. Having a judicial system that cooperates all the way from the National architecture and trickles down to the County Governments would not only ensure that order is maintained but that potential conflicts are minimized.

**Ladies and Gentlemen,**

The Constitution of Kenya (2010) constructed a fairly political and administrative Judiciary to independently and without prejudice, implement and defend the Constitution. When we all took our oaths of office, the first thing we swore was to protect and defend the Constitution. In this regard, the Judiciary remains a core institution in adjudicating the legality, constitutionality, and the exercise of state power. Further, the Constitution reinforces the independence of the Judiciary to guard against the influence and manipulation of other organs of the two levels of government.

The exercise of this judicial authority is derived from the people and vests in the courts and tribunals established under Article 159 of the Constitution. In light of the principles and objects of devolution, every National State organ shall ensure reasonable access to its services in all parts of the Republic so far as it is appropriate to do so having regard to the

nature of the service. Therefore this fully justifies the continuous engagements with NCAJ agencies to decentralize their services to ensure administration of justice to the lowest levels.

**Ladies and Gentlemen,**

The NCAJ framework signed between the various NCAJ agencies and the Council of Governors on 3<sup>rd</sup> March 2015 resulted in the establishment of the NCAJ Criminal Justice Reform Committee. This engagement was premised on Article 48 of the Constitution that enshrines access to justice as a right of every citizen and perpetuated by the old adage that justice delayed is justice denied. Resultantly, NCAJ agencies, County Governments and other agencies of the criminal justice system have had fruitful engagements which include the development of the audit report on the Criminal Justice System in Kenya.

It is imperative that the NCAJ Criminal Justice Reform Committee in fulfilling its mandate works closely with County Governments as they will be critical in the full realization of the findings of the aforementioned audit report. The Council of Governors delighted to be a member of the NCAJ Criminal Justice Reform Committee and we will endeavour to work hand in hand with the Committee members and other agencies in the Criminal Justice System in ensuring that at the end of their mandate, we will have a reformed Criminal Justice System.

**Ladies and Gentlemen,**

As I conclude, I would like to applaud this collaboration between the Judiciary and County Governments and particularly through the NCAJ Criminal Justice Reform Committee that is

being launched today. This is an assurance that the findings of the audit report on the Criminal Justice in Kenya will be fully implemented. We at the Council of Governors are committed to ensuring that justice becomes accessible and timely to all Kenyans, in every county.

**THANK YOU.**