THE COMMISSION ON ADMINISTRATIVE JUSTICE
ANNUAL REPORT FY 2024/25

Prepared and issued in accordance with Article 254(1) of the Constitution and Section 53(1) of the Commission on Administrative Justice Act No 23 of 2011 and Section 26(1) of the Access to information Act No. 31 of 2016.

THE COMMISSION ON ADMINISTRATIVE JUSTICE
(Office of the Ombudsman)

OMBUDSMAN

Hata Mnyonge ana Haki

ANNUAL REPORT FOR FY 2024/25

Prepared and issued in accordance with Article 254(1) of the Constitution and Section 53(1) of the Commission on Administrative Justice Act No 23 of 2011 and Section 26(1) of the Access to information Act No. 31 of 2016.

ABBREVIATIONS and ACRONYMS

AfDB	African Development Bank
AFC	Agricultural Finance Corporation
ANIC	African Network of Information Commissions
AOMA	African Ombudsman and Mediators Association
ATI	Access to Information
BETA	Bottom-Up Economic Transformation Agenda
CAJ	Commission on Administrative Justice
CAF	County Assemblies Forum
CBOs	Community Based Organizations
CCIOs	Constitutional Commissions and Independent Offices
CECM	County Executive Committee Member
CEO	Chief Executive Officer
CLD	Centre for Law and Democracy
CoG	Council of Governors
CSOs	Civil Society Organizations
DCI	Directorate of Criminal Investigations
EACC	Ethics and Anti-Corruption Commission
EBS	Elder of the Order of the Burning Spear
EIA	Environmental Impact Assessment
EU-TAIEX	European Union - Technical Assistance and Information Exchange
EYP	ENABLE Youth Program
FBOs	Faith Based Organizations
FLLoCA	Financing Locally Led Climate Action
FoC	Framework of Collaboration
FY	Financial Year
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
IATI	International Aid Transparency Initiative

ICJ	International Commission of Jurists
ICT	Information and Communication Technology
IEC	Information, Education and Communication
IDUAI	International Day for Universal Access to Information
IDLO	International Development Law Organization
IOI	International Ombudsman Institute
IWD	International Women's Day
KDSP	Kenya Devolution Support Program
KES	Kenya Shilling
KFCB	Kenya Film Classification Board
KICC	Kenyatta International Convention Centre
KNADS	Kenya National Archives and Documentation Services
MDAs	Ministries, Departments, and Agencies
MDACs	Ministries, Departments, Agencies and Counties
NCAJ	National Council for the Administration of Justice
NEMA	National Environment Management Authority
NSSF	National Social Security Fund
OGP	Open Government Partnership
PSC	Public Service Commission
SDGs	Sustainable Development Goals
SIGs	Special Interest Groups
TSC	Teachers Service Commission
UNESCO	United Nations Educational, Scientific and Cultural Organization

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STATEMENT BY THE CHAIRPERSON

On behalf of the Commission on Administrative Justice, I am pleased to present the 2024/2025 Annual Report of the Commission (Office of the Ombudsman), in accordance with Article 254 of the Constitution, Section 53 of the Commission on Administrative Justice Act, and Section 26 of the Access to Information Act.

Having assumed office on 9th December 2024 alongside Commissioners; Dorothy Jemator - Vice Chairperson and Commissioner in charge of Access to Information and Charles Njagua - Commissioner Complaints and Investigations, this report reflects the Commission's progress and priorities during our first year in office.

During the year under review, the Commission continued to play a central role in promoting administrative justice and safeguarding the right to access information. While the Secretariat managed the day-to-day implementation of the Commission's programmes and activities, the Commission provided strategic leadership and ensure that public institutions upheld the principles of fairness, accountability, and transparency in service delivery.

The Commission handled a total of 7,265 complaints during the reporting period, compared to 6,474 in the previous period, representing an increase of 12.2%. This caseload comprised both new and carried-forward cases. These complaints reflect systemic challenges within public service, including delays, maladministration, and inattention. In response, the Commission strengthened its oversight role through targeted investigations and the issuance of advisories aimed at addressing the root causes and improving institutional practices.

Further, the Commission promoted the right to information enshrined under Article 35 of the Constitution, the Commission reviewed a total of 459 requests during the reporting period, compared to 293 in the previous year, translating to an increase of 56.7%. Additionally, the Commission submitted Kenya's fifth report to UNESCO, underscoring the country's ongoing commitment to international standards on access to information and transparency.

The Commission also prioritized preventive interventions by promoting a culture of accountability within public institutions. Through sustained engagement and capacity-building initiatives, public bodies have demonstrated improved responsiveness in resolving complaints, reflecting the growing impact of administrative justice mechanisms across government.

Despite the notable progress, the Commission acknowledges the systemic challenges, resource constraints, and technological limitations have continued to restrict its regional presence and overall operational reach. Moving forward, the Commission is strategically focused on strengthening institutional capacity, investing in modern technology, and enhancing human capital to expand its reach and deliver efficient, accessible and high-quality service to all our stakeholders.

As a Commission, we reaffirm our dedication to fostering a just and accountable society by advancing administrative justice and open government, guided by our enduring Motto: "Hata Mnyonge ana Haki."

CHARLES DULO, EBS
CHAIRPERSON OF THE COMMISSION

FOREWORD

The Commission on Administrative Justice is a body-corporate, established under Article 259(4) and the Commission on administrative Justice Act, 2011. It is therefore required to prepare a report on its operations, including the audited financial statements in accordance with Article 254(1) of the Constitution, Section 53(1) of its constitutive Act and Section 26(l) of the Access to information Act, 2016. In this regard, I am pleased to present the Annual Report of the Commission, for the Financial year ended 30th June 2025.

During the reporting period, the Commission experienced a transition following expiry of the 2nd cohort Commissioners' tenure on 8th August 2024, and the assumption in office of the current Commissioners on 5th December 2024. This notwithstanding, the Commission achieved notable milestones, towards promoting administrative justice and the right to access information. This report outlines our performance in complaint resolution, determination of appeals on access to information, public education and awareness creation on matters administrative justice and the right to access information, as well as capacity strengthening of public institutions to handle complaints. Promotion of the right to access information is particularly important, in ensuring information-sharing which ensured effective public participation, on public policy issues. These achievements contributed towards improving public administration and services to the public.

The achievements recorded during the year were made possible through the dedicated leadership of the Commissioners, staff of the Commission and the continued cooperation of our partners and stakeholders. As we look ahead, the Secretariat remains committed to strengthening institutional capacity, leveraging technology to improve service delivery, and supporting the Commission in advancing administrative justice and open governance.

It is worthwhile to note that the Auditor General's opinion on our audited accounts for the year under review was unqualified. I take this opportunity to reiterate our resolve to uphold the zero-fault-audit approach, by ensuring prudent management of the resources allocated to the Commission.

D. M. KAROMO
Ag. COMMISSION SECRETARY/CEO

EXECUTIVE SUMMARY

This is the fourteenth Annual Report of the Commission on Administrative Justice. The report is prepared according to Article 254(1) of the Constitution and Section 53(1) of the Commission on Administrative Justice Act No 23 of 2011 and Section 26(1) of the Access to information Act No. 31 of 2016 which obligates the Commission to prepare and submit an Annual Report to Parliament and the President.

The report highlights among other matters: description of the activities undertaken by the Commission, recommendations on legal and administrative measures to address specific concerns identified and the audited financial statements. The Report is structured into eight chapters with each chapter addressing a specific thematic area. Chapter one gives background information on establishment and mandate, vision, mission and core values. The content of the subsequent chapters is highlighted below.

Promotion of Administrative Justice in the Public Sector through Resolution of Public Complaints *(Chapter Two)*

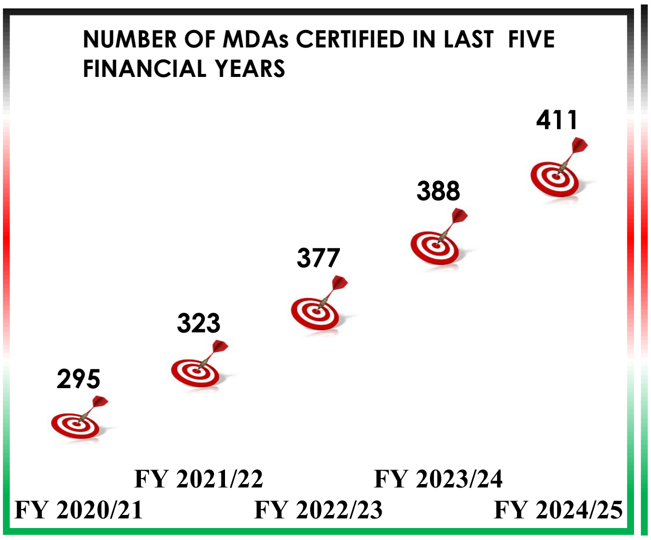
This chapter highlights the activities the Commission undertook in redressing maladministration in the public sector.

During the period under review, the Commission received **2,520** complaints of which **993** complaints were resolved representing a resolution rate of **39.4 %**.

The Commission issued six advisories on key emerging issues that affected democratic values and principles of governance in public service. Advisory opinions provide an important avenue for the Commission to recommend preventive measures and remedial action to government agencies.

Strengthening Complaints Management in the Public Sector *(Chapter Three)*

The Commission facilitates the setting up of, and strengthening of the complaint-handling infrastructure in the public sector. This is realised through training, monitoring of service delivery standard, provision of technical support and certification of MDAs in line with Performance Contracting requirements.



Access to Information *(Chapter Four)*

The Commission is the oversight and enforcement agency of the right to access information held by public authorities as provided for under the Access to Information Act.

During the period under review the Commission developed several mechanisms for evaluating public entities' implementation of the right to access information. These included, but were not limited to, mainstreaming of access to information in all public entities, reporting by public entities on implementation of access to information, review of appeals on access to information applications, capacity building and sensitization of public entities on the access to information law.

Partnerships and Linkages (*Chapter Six)*

Partnerships and linkages provide the Commission with opportunities for collaboration with stakeholders and other associated benefits.

During the period under review, the Commission, enhanced its efforts in the promotion of good governance through strategic local and international partnerships and linkages. This entailed cooperation with other Ombudsman institutions, joint initiatives with players in the administration of justice and engagement with several development partners.

Public Education and Outreach *(Chapter Five)*

Public education and awareness is a key focus area for the Commission towards promoting visibility and creation of demand for services.

During the reporting period, the Commission enhanced public education, created awareness and organized training activities to promote administrative justice and access to information. Public education and capacity building trainings were carried out in a multi-faceted approach to empower citizens and public officers to ensure efficient and effective service delivery as well as promote good governance.

Governance, Human Resource Management and Finance *(Chapter Seven)*

This chapter covers Governance, Human Resource Management, Financial Management, ICT and General Administration. During the period under review, The Commission strengthened its capacity to deliver on its mandate by sponsoring various staff members for various professional development courses and training programmes, and furthered decentralization of Ombudsman Services through creation of two new regional offices located in Meru and Makueni.

Challenges and Recommendations

(Chapter Eight)

Challenges

The Commission faced a number of challenges in the period under review, which hindered achievement of some of the targets. These included, but were not limited to:

- Budgetary constraints which affected implementation of planned activities and contributed to accumulation of pending bills.
- Continued use of manual records management systems across the public sector which inhibit timely retrieval and access to information.
- Low implementation of CAJ recommendations by public institutions which limited the Commission's effectiveness in promoting administrative justice and access to information.
- Unresponsiveness and lack of cooperation by some public institutions and officers which affected the turnaround time for complaint resolution.
- Persistence of the culture of secrecy and impunity in the public sector which hampers information sharing.

Recommendations

To enhance the Commission's effectiveness in the implementation of its mandate, the following recommendations are proposed:

- Enhanced budgetary support to enable the Commission to adequately execute its mandate.
- Timely disbursement of quarterly exchequer allocations.
- Public institutions should expedite the digitization of records in compliance with Section 17 of the ATI Act.
- Public institutions and relevant private bodies should ensure compliance with the Commission's recommendations and statutory obligations under the Act.
- Continuous training and sensitization of public officers to institutionalize complaints handling and facilitate access to information

CHAPTER ONE

1. ESTABLISHMENT AND MANDATE

1.1. Introduction

The Commission on Administrative Justice (CAJ) is established under Article 59(4), Chapter Fifteen of the Constitution of Kenya, 2010 and the Commission on Administrative Justice Act, 2011. The need for good governance was the impetus for establishment of the Commission, as envisaged in Kenya vision 2030.

1.2. Mandate

The Commission derives its mandate from the Constitution of Kenya, 2010; the Commission on Administrative Justice Act, 2011; and the Access to Information Act, 2016. The constitutive Act mandates the Commission to deal with maladministration and redress grievances by citizens against public officers and institutions in National and County Governments. Further, the Fair Administrative Action Act, 2015 empowers the Commission to review administrative action or decisions affecting the public. The Commission is also mandated to enforce and oversee implementation of the right to Access information as guaranteed under Article 35 of the Constitution.

1.3. Composition

The Commission comprises of a Chairperson and two Commissioners appointed in accordance with the provisions of CAJ Act, 2011.

The transition between the second and third cohorts Commissioners was witnessed during the reporting period. The Commission was led by the second cohort of commissioners:

I. Hon. Florence Kajuju, MBS – Chairperson
II. Mr. Washington Opiyo Sati, MBS – Vice Chairperson
III. Mrs. Lucy Ndungu, EBS – Commissioner in charge of Access to Information

Their term expired on 8th August 2024 and the Commission was reconstituted in December, 2024 as follows:

I. Mr. Charles Dulo, EBS – Chairperson
II. Ms. Dorothy Jemator – Vice Chairperson and Commissioner in charge of Access to Information
III. Hon. Charles Njagua Kanyi – Commissioner in charge of Complaints and Investigations

COMMISSIONERS

Mr. Charles Dulo, EBS
Chairperson – Ombudsman

Ms. Dorothy Jemator
Vice Chairperson
Access to Information Commissioner

Hon. Charles Njagua Kanyi
Complaints and investigations Commissioner

The Commission executes its mandate through a Secretariat currently led by Ag. Chief Executive Officer, Daniel Karomo.

SENIOR MANAGEMENT

Daniel Karomo
Ag. Commission Secretary/CEO

Florence Mumbi
Director, Complaints, Investigations and Legal Services

Osman Mohamed
Director, Public Education Advocacy and Corporate Communication

Viola Ochola
Director, Access to Information

Dr. Mary Kimari
Head of Advisory,
Ag. Director, Strategy, Research and Compliance

1.4. Vision, Mission and Core Values

Our Vision

A society that upholds administrative justice and access to information.

Our Core Values

- R Responsiveness
- I Independence
- F Fairness
- T Transparency
- I Integrity

Our Mission

To enforce administrative justice and access to information in kenya through complaints resolution and public education for efficient and effective service delivery.

1.5. Functions

The functions of the Commission are as follows:

A. Section 8 of Commission on Administrative Justice Act, 2011

I. investigate any conduct in state affairs, or any act or omission in public administration by any State organ, State or public officer in national and county governments that is alleged or suspected to be prejudicial or improper or is likely to result in any impropriety or prejudice;
II. investigate complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct within the public sector;
III. report to the National Assembly bi-annually on the complaints investigated under paragraphs (a) and (b), and the remedial action taken thereon;
IV. inquire into allegations of maladministration, delay, administrative injustice, discourtesy, incompetence, misbehaviour, inefficiency or ineptitude within the public service;
V. facilitate the setting up of, and build complaint handling capacity in the sector of public service, public offices and state organs;
VI. work with different public institutions to promote alternative dispute resolution methods in the resolution of complaints relating to public administration;

VII. recommend compensation or other appropriate remedies;
VIII. provide advisory opinions or proposals on improvement of public administration, including review of legislation, codes of conduct, processes and procedures; and
IX. promote public awareness of policies and administrative procedures on matters relating to administrative justice.

B. Section 21 of the Access to Information Act, 2016

I. investigate violations of the provisions in the ATI Act;
II. receive reports from public entities with respect to implementation of the Act and evaluating the use and disclosure of information;
III. facilitate public awareness and develop programmes on the right to access information and the right to protection of personal data;
IV. promote right of access to information in public entities;
V. monitor state compliance with international obligations related to the right to access information and protection of personal data;
VI. hear and determine complaints and review decisions arising from violations of the right to access information; and
VII. perform such other functions as the commission may consider necessary for the promotion of access to information and promotion of data protection.

1.6. Powers

Pursuant to Sections 26, 27 and 28 of the CAJ Act, Sections 23 and 24 of ATI Act as read together with the Commission on Administrative Justice Regulations and the Access to Information Regulations, the Commission has powers to:

I. issue summons;
II. require that statements be given under oath;
III. compel production of documents;
IV. conduct searches and seizures of documents with court orders;
V. interview any person;
VI. require the discovery and disclosure of information from any person;
VII. adjudicate on matters relating to administrative justice and access to information;
VIII. requisition any public record or copy thereof from any public officer.
IX. order release of any information withheld unlawfully; and
X. recommend for the payment of compensation.

Additionally, Section 31 of the CAJ Act empowers the Commission to investigate an administrative action despite a provision in any written law to the effect that the action is final or cannot be appealed, challenged, reviewed, questioned or called in question.

1.7. Execution of the Mandate

The Commission executes its mandate through: -

I. resolution of complaints by way of inquiries, investigations, and application of alternative dispute resolution mechanisms;
II. public education, advocacy and awareness creation;
III. capacity building of public officers and institutions on complaints management and promotion of access to information;
IV. issuance of advisory opinions on matters affecting public administration;
V. undertaking public interest litigation;
VI. reviewing and determining Access to Information applications made to public and certain private institutions; and
VII. promotion of public service delivery standards.

1.8. Key Result Areas

The Commission focused on the following thematic areas in the implementation of its mandate.

I. Resolution of Public Complaints;
II. Oversight and Enforcement of Access to Information;
III. Public Education, Awareness and Visibility; and
IV. Institutional Strengthening and Capacity Building

CHAPTER TWO

2. PROMOTION OF ADMINISTRATIVE JUSTICE IN THE PUBLIC SECTOR

This chapter highlights the performance of the Commission in redressing maladministration in the public sector. Maladministration is any hindrance to efficient public service delivery and manifests itself in various ways including unfair treatment, unresponsive official conduct, delay, discourtesy, misconduct, incompetence, improper conduct, and abuse of power among others. Maladministration may result in public complaints against either the responsible public officer or the concerned public institution.

2.1. Complaints Management

The Commission undertakes complaints management through systematic process of receiving, documenting, analyzing, and resolving or advising complainants on issues of maladministration. This section details the complaints handling processes established at the Commission.

2.1.1. Lodging a Complaint

The Commission receives complaints against public institutions and / or officers on various administrative injustices. Such complaints may be lodged by an aggrieved person or by a person acting on their behalf. Complaints may also be instituted anonymously, and the Commission may take up a matter on its own initiative. Table 1 presents the various channels and service points of lodging complaints.

Table 1: Channels and Service Points of Lodging Complaints

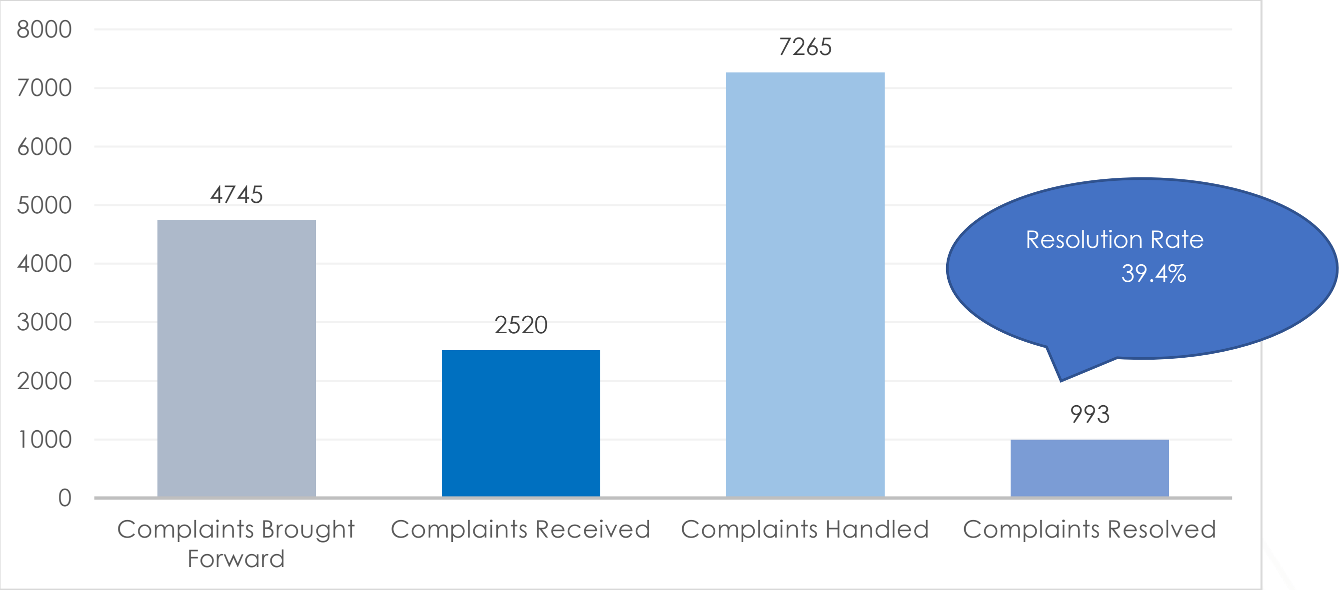
SN.	Channel	Details
1.	**Walk into a Headquarters**	West End Towers, Nairobi - 2nd Floor
2.	**Walk into a Regional Office**	• Kisumu • Mombasa • Eldoret • Nyahururu • Isiolo • Meru • Makueni
3.	**Walk into a Huduma Center**	• Wundanyi, • Makueni,

		• Meru, • Nairobi (GPO), • Embu, • Nyeri, • Nakuru, • Kajiado, • Kakamega, • Kisii, • Bungoma, • Kwale.
4.	**Email**	complain@ombudsman.go.ke
5.	**Complaints Management Information System (CMIS)**	www.ombudsman.go.ke
6.	**Toll free call**	**0800 221 349**

2.1.2. Complaints Handling

During the period under review, the Commission received 2,520 new complaints and brought forward 4,745 complaints from the previous year 2023-24, bringing the total number of complaints handled to 7,265. Out of the 2,520 complaints received during the year, 993 were resolved, representing a resolution rate of 39.4% of the new complaints. This is represented in figure 1 below.

Figure 1: Complaints Handled in the Reporting Period



During the year, the highest number of complaints (45.7%) were recorded at the Head Office in Nairobi. Meru Office recorded 13.5% of the total number of complaints, Mombasa Office, 10.1%, while Kisumu Office recorded, 8.5%, as illustrated in figure 2 below.

Figure 2: Distribution of Complaints

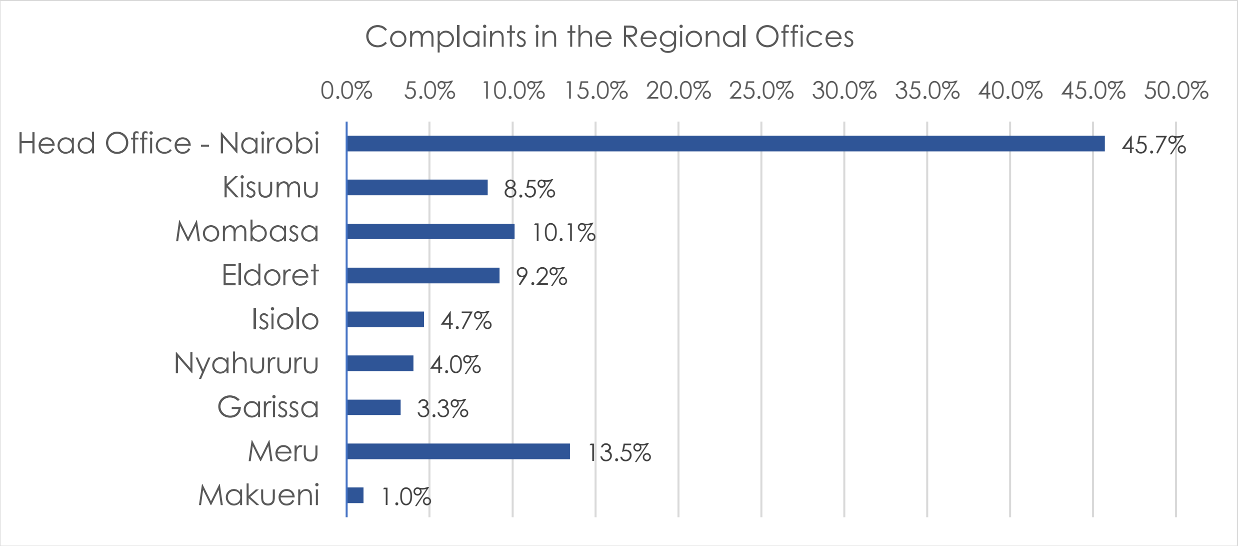


Figure 4 below indicates the number of male complainants at 58.4% was higher than that of female complainants at 24.4. The number of complaints received from corporate entities were at 12.8% while 3.4% of the complaints were from either unidentified or anonymous sources.

Figure 3: Type of Complainant

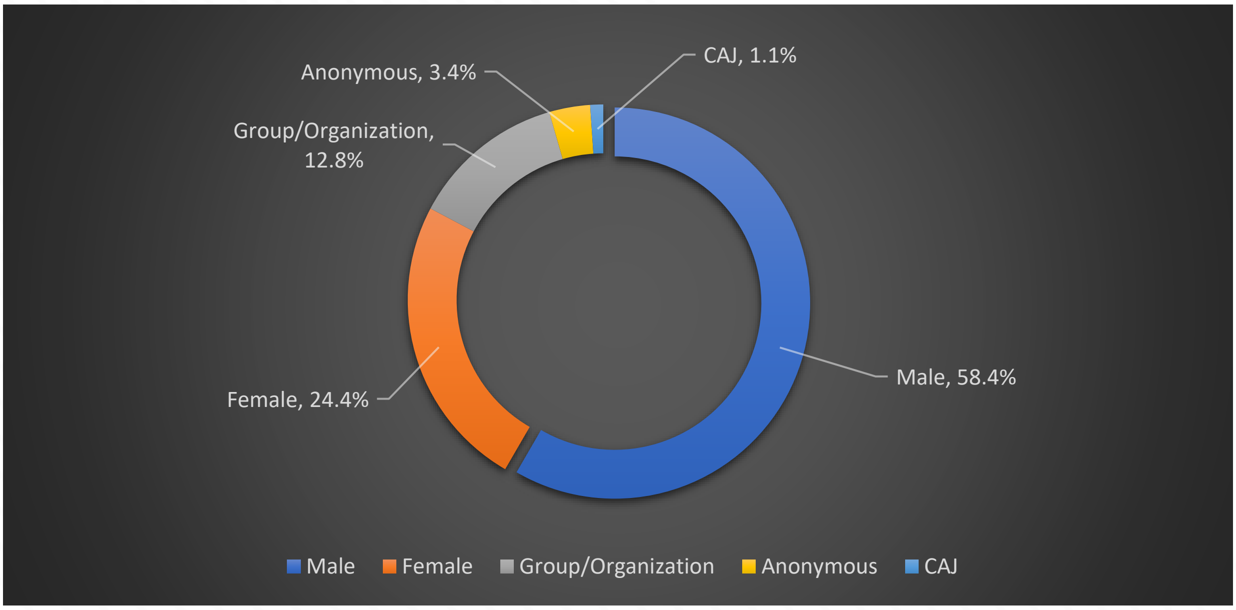
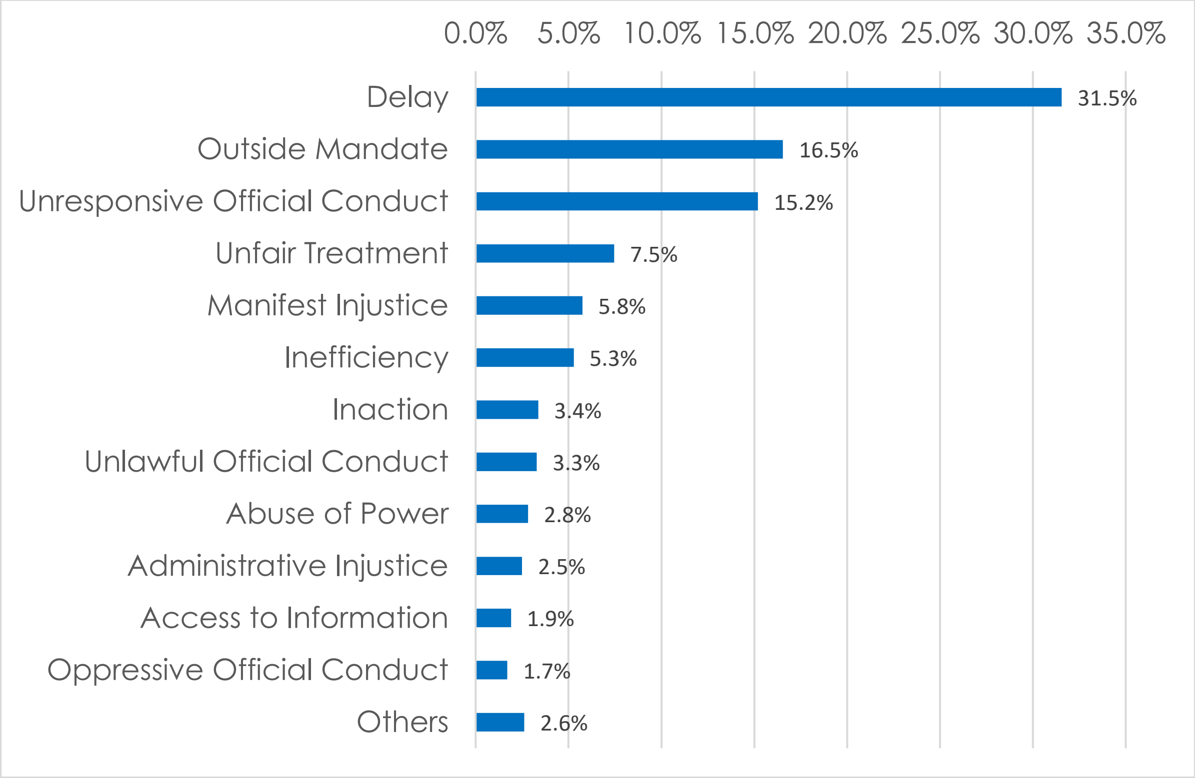


Figure 4 presents the service issues handled by the Commission during the reporting period.

Figure 4: Service Issues Handled



Delay was recorded as the leading service issue at 31.5% followed by unresponsive official conduct at 15.2%.

The Commission receives complaints against various public institutions where there is maladministration in public service. In the year, the highest number of complaints were recorded against National Police service. The table below shows the ranking of top-ten public institutions that were complained against.

Table 2: Top Ten Public Institutions Complained Against in the Reporting Period

	Respondent	**No. of Complaints**
1.	National Police Service	185
2.	Ministry of Lands, Public Works, Housing and Urban Development	149
3.	Pensions Department	126
4.	Judiciary	122
5.	Ministry of Education	119
6.	Teachers Service Commission	108
7.	Ministry of Interior and National Administration	96
8.	Kenya Power and Lighting Company	77
9.	Department of Immigration	74
10	National Registration Bureau	71

2.2. Success Stories

The Commission interventions bore fruit during the period under review, as attested by the following selected success stories:

I. Introductory Letter Issued Following Ombudsman Intervention

A complainant, whose deceased husband was a former police officer, had unsuccessfully sought an introductory letter from the local administration to commence succession proceedings. Despite acknowledgment from another Chief confirming her marital status, she was repeatedly denied the letter on allegations that she was not a lawful spouse, forcing her to seek the Commission's intervention.

The Commission took up the matter with the County Commissioner, Laikipia County, and the Principal Secretary, State Department for Interior and National Administration. Investigations established that the complainant had cohabited with the deceased and had two children with him.

Following intervention by the Commission, the complainant and her co-wife were issued with a joint introductory letter, resolving the matter amicably.

II. Deceased Teacher's Pension File Forwarded After Fifteen Years

A complainant, a beneficiary of the estate of a former Teachers Service Commission (TSC) employee who died in 2008, reported that despite assurances, the deceased's file had not been forwarded to the Pensions Department for over fifteen years. Numerous follow-ups with TSC had yielded no results.

The Commission took up the matter with TSC who finally computed and forwarded the deceased employee's pension file to the Pensions Department. The intervention resolved a long-standing case of inordinate delay, resulting in access to benefits lawfully due to the deceased's estate.

III. Rape Perpetrator Arrested and Charged After Police Inaction

A rape suspect was arrested and charged before the Kapsabet Law Court following the Commission's intervention in a case of police inaction. The complainant reported that despite lodging a rape complaint at Mosoriot Police Station, no updates were provided, and the suspect remained at large while issuing threats. Multiple reports to the police yielded no action, compromising her safety.

The Commission took up the matter with the Office of the Director of Public Prosecutions (ODPP). Subsequently, the suspect was arraigned in court and charged with the offence of rape.

IV. Fifteen Students Re-Admitted Following Unlawful Suspension

Fifteen students were unconditionally re-admitted to St. Mary's Nyangwa Girls Secondary School following the Commission's intervention. Parents complained that their children had been sent home indefinitely without suspension letters or timelines for resumption, following a protest over extra tuition fees and welfare concerns. The prolonged absence violated the learners' right to education.

The Commission engaged the Principal Secretary, State Department for Basic Education. Following investigations by the County Director of Education, the Principal was directed to re-admit all affected students unconditionally and to ensure disciplinary processes comply with due process going forward.

V. Student Graduates After Missing Marks Uploaded

A Moi University student was cleared to graduate after the Commission intervened to resolve missing academic records.

The complainant reported that despite sitting for examinations, one course marks had not been uploaded, excluding her from the December 2024 graduation list. Repeated attempts to resolve the issue internally were unsuccessful. Following the intervention of the Commission, the University confirmed that the missing marks had been uploaded and the student included in the graduation list.

VI. Prison Officer Reinstated After Delayed Appeal

A prison officer was reinstated to service following the Commission's intervention after prolonged delay in the determination of his appeal. The complainant had been dismissed on grounds of desertion of duty and lodged an appeal with the Public Service Commission (PSC). Despite repeated follow-ups, he received no feedback for several months. The Commission engaged the Commissioner-General of Prisons and escalated the matter through statutory notices when no response was forthcoming.

Following the intervention by the Commission, the PSC determined the appeal favorably and the officer was reinstated to duty.

VII. Land Compensation Paid After Ten Years

A complainant's land had been compulsorily acquired in 2015 for the construction of the Kisumu Northern Bypass. Despite an award being issued in 2016, no compensation had been paid for nearly a decade.

Following the Commission's intervention, the Kenya National Highways Authority (KeNHA) finally paid land compensation.

VIII. State House Settles Outstanding Debt with Service Provider

State House settled outstanding payments owed to a service provider following the Commission's intervention. A business entity had lodged a complaint indicating that it had provided cleaning and fumigation services under a valid contract but remained unpaid for the services rendered over a long period, forcing termination of services due to financial strain. The Commission took up the matter with the Comptroller of State House, leading to settlement of all outstanding bill.

IX. Dependant's Pension Processed After Prolonged Delay

A complainant reported that despite submitting all documents in 2021, pension benefits remained unpaid, with conflicting explanations provided by officials. The delay caused significant financial hardship.

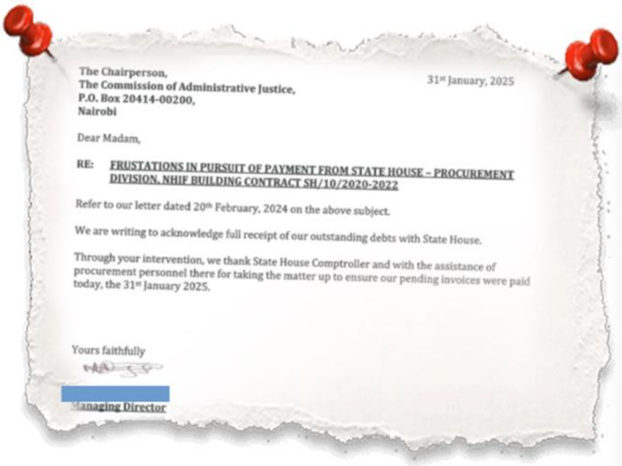
The Commission initiated an inquiry with the Director of Pensions. Following reminders, the Department confirmed payment of death gratuity and arrears.

X. Title Deed Issued Following Ombudsman Intervention

A resident of Uasin Gishu County was issued with a title deed following the Commission's intervention. The complainant had applied for issuance of a title deed in November 2023 but experienced prolonged delays without explanation, affecting proof of ownership.

The Commission took up the matter with the County Lands Office, leading to the processing and issuance of the title deed. The intervention resolved the administrative delay and secured the complainant's property rights.

2.3. Sample Feedback from Complainants



The Chairperson,
The Commission of Administrative Justice,
P.O. Box 20414-00200,
Nairobi

31st January, 2025

Dear Madam,

RE: **FRUSTATIONS IN PURSUIT OF PAYMENT FROM STATE HOUSE – PROCUREMENT DIVISION, NHIF BUILDING CONTRACT SH/10/2020-2022**

Refer to our letter dated 20th February, 2024 on the above subject.

We are writing to acknowledge full receipt of our outstanding debts with State House.

Through your intervention, we thank State House Comptroller and with the assistance of procurement personnel there for taking the matter up to ensure our pending invoices were paid today, the 31st January 2025.

Yours faithfully

[redacted]
Managing Director

10/01/24.

To The Commission for Justice (MRKOJO)
From George Monayo on behalf of Parmino Monayo.

Appreciation

Finally, this issue of my brother Parmino Ujumi Monayo has been successfully come to an END. Parmino has already reported to work.

ALS AND PRODUCE BOAR
agement of Agricultural Commodities
P.O. Box 30586-00100
NAIROBI
KENYA

eals and Produce Board has offered you
ical Officer, Stores on permanent terms

[redacted] s 64,485.00 (Sixty four thousand, four hundred and eighty five Kenya shillings) per month which falls within the Board's salary scale of Job Grade B3.

All other terms and conditions of service shall be those relevant to your grade and applicable to management employees serving on permanent and contract terms.

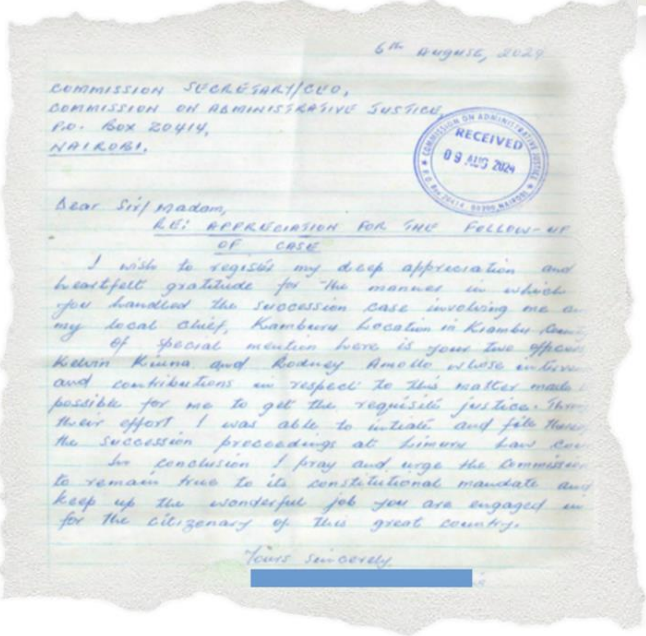
Please report to the Officer, [redacted] for assignment of duties.

Note that this offer is subject to your acknowledgement by signing and returning a copy of this letter to the office of the undersigned.

This letter is issued in duplicate. Please acknowledge acceptance of the appointment by signing and returning a copy to this office.

Yours sincerely

James Thouri
FOR: HEAD OF HR & ADMINISTRATION



6th August, 2024

COMMISSION SECRETARY/CEO,
COMMISSION ON ADMINISTRATIVE JUSTICE,
P.O. BOX 20414,
NAIROBI.

RECEIVED
09 AUG 2024

Dear Sir/Madam,

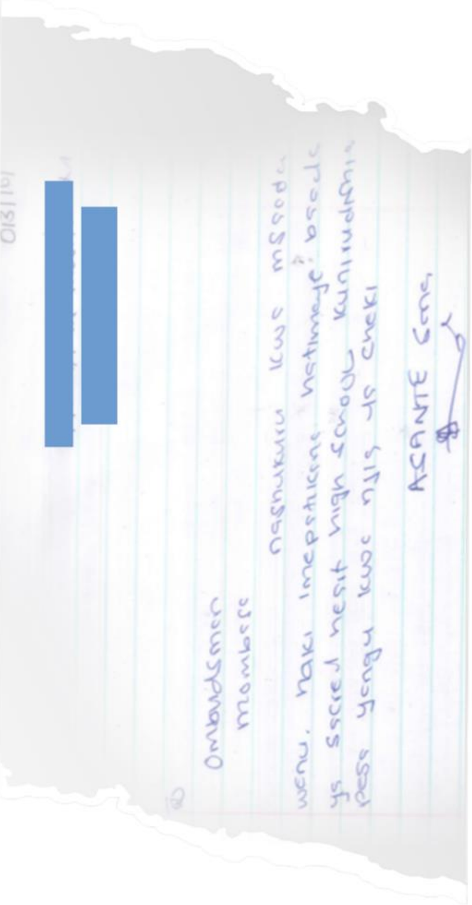
RE: APPRECIATION FOR THE FOLLOW-UP OF CASE

I wish to register my deep appreciation and heartfelt gratitude for the manner in which you handled the succession case involving me a my local chief, Kamburu Location in Kiambu Coun

Of special mention here is your two officer Kelvin Kiuna and Rodney Amollo whose interve and contributions in respect to this matter made possible for me to get the requisite justice. Thro their effort I was able to intiate and file there the succession proceedings at Limuru Law Cou

In conclusion I pray and urge the Commissi to remain true to its constitutional mandate an keep up the wonderful job you are engaged in for the citizenary of this great country.

Yours Sincerely
[redacted]



013|101

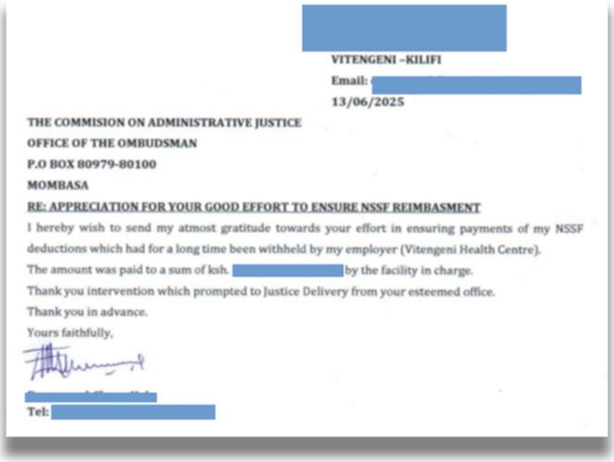
[redacted]

[redacted]

Ombudsman
Mombasa

Nashukuru kwa msaada wenu. Haki imepatikana hatimaye baada ya Sacred Heart high school kunirudishia pesa yangu kwa njia ya cheki

ASANTE sana.



[redacted]
VITENGENI –KILIFI
Email: [redacted]
13/06/2025

THE COMMISION ON ADMINISTRATIVE JUSTICE
OFFICE OF THE OMBUDSMAN
P.O BOX 80979-80100
MOMBASA

RE: APPRECIATION FOR YOUR GOOD EFFORT TO ENSURE NSSF REIMBASMENT

I hereby wish to send my atmost gratitude towards your effort in ensuring payments of my NSSF deductions which had for a long time been withheld by my employer (Vitengeni Health Centre).

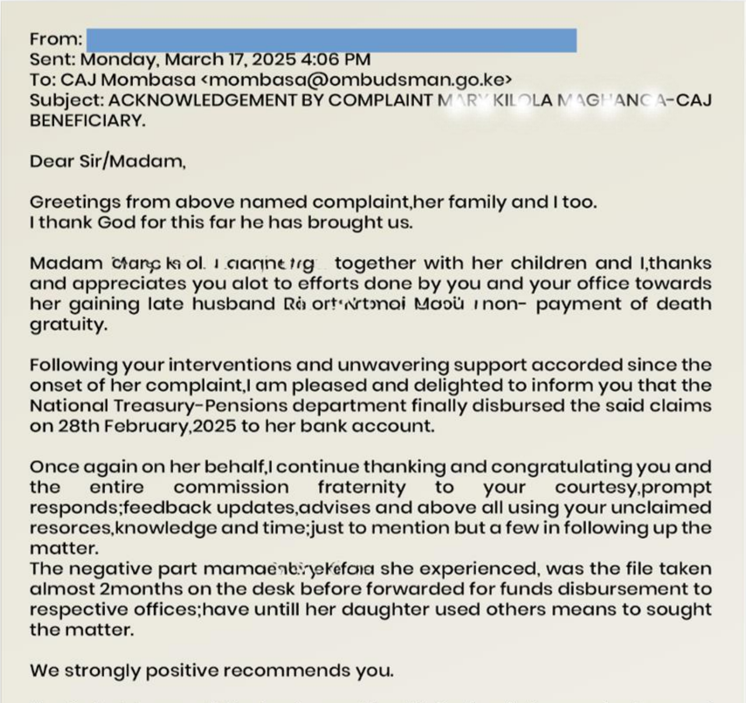
The amount was paid to a sum of ksh. [redacted] by the facility in charge.

Thank you intervention which prompted to Justice Delivery from your esteemed office.

Thank you in advance.

Yours faithfully,

[redacted]
Tel: [redacted]



From: [redacted]
Sent: Monday, March 17, 2025 4:06 PM
To: CAJ Mombasa <mombasa@ombudsman.go.ke>
Subject: ACKNOWLEDGEMENT BY COMPLAINT [redacted]-CAJ BENEFICIARY.

Dear Sir/Madam,

Greetings from above named complaint,her family and I too.
I thank God for this far he has brought us.

Madam [redacted] together with her children and I,thanks and appreciates you alot to efforts done by you and your office towards her gaining late husband [redacted] non- payment of death gratuity.

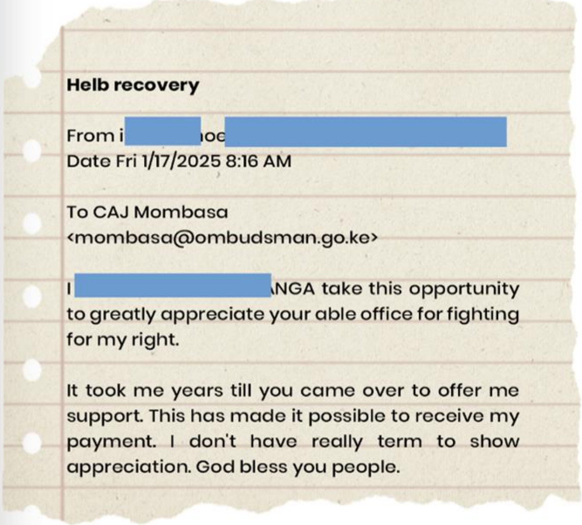
Following your interventions and unwavering support accorded since the onset of her complaint,I am pleased and delighted to inform you that the National Treasury-Pensions department finally disbursed the said claims on 28th February,2025 to her bank account.

Once again on her behalf,I continue thanking and congratulating you and the entire commission fraternity to your courtesy,prompt responds;feedback updates,advises and above all using your unclaimed resorces,knowledge and time;just to mention but a few in following up the matter.
The negative part mama[redacted] she experienced, was the file taken almost 2months on the desk before forwarded for funds disbursement to respective offices;have untill her daughter used others means to sought the matter.

We strongly positive recommends you.

Finally I wish you all the best, good health,God's wisdom,protection and his choicest blessings as you continue discharging your duties.

Your sincerely,
[redacted]
For [redacted]-Complaint-(CAJ beneficiary).



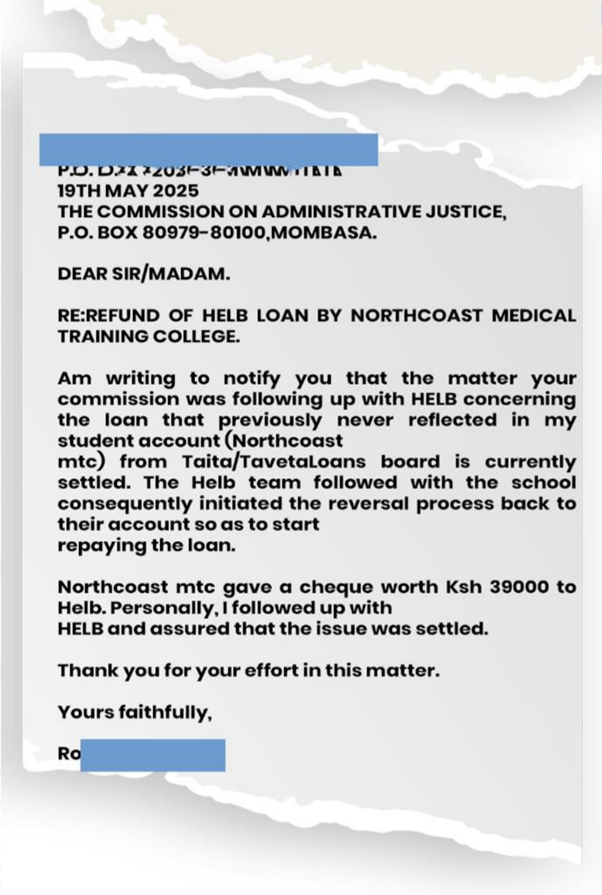
Helb recovery

From [redacted]
Date Fri 1/17/2025 8:16 AM

To CAJ Mombasa
<mombasa@ombudsman.go.ke>

I [redacted] take this opportunity to greatly appreciate your able office for fighting for my right.

It took me years till you came over to offer me support. This has made it possible to receive my payment. I don't have really term to show appreciation. God bless you people.



[redacted]
19TH MAY 2025
THE COMMISSION ON ADMINISTRATIVE JUSTICE,
P.O. BOX 80979-80100,MOMBASA.

DEAR SIR/MADAM.

RE:REFUND OF HELB LOAN BY NORTHCOAST MEDICAL TRAINING COLLEGE.

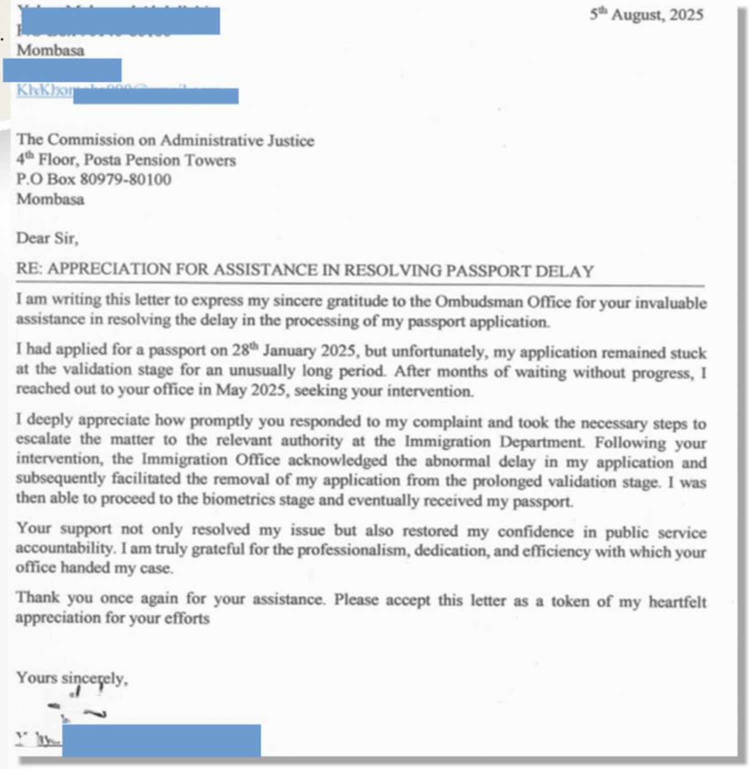
Am writing to notify you that the matter your commission was following up with HELB concerning the loan that previously never reflected in my student account (Northcoast mtc) from Taita/TavetaLoans board is currently settled. The Helb team followed with the school consequently initiated the reversal process back to their account so as to start repaying the loan.

Northcoast mtc gave a cheque worth Ksh 39000 to Helb. Personally, I followed up with HELB and assured that the issue was settled.

Thank you for your effort in this matter.

Yours faithfully,

[redacted]



5th August, 2025

[redacted]
Mombasa
[redacted]
[redacted]

The Commission on Administrative Justice
4th Floor, Posta Pension Towers
P.O Box 80979-80100
Mombasa

Dear Sir,

RE: APPRECIATION FOR ASSISTANCE IN RESOLVING PASSPORT DELAY

I am writing this letter to express my sincere gratitude to the Ombudsman Office for your invaluable assistance in resolving the delay in the processing of my passport application.

I had applied for a passport on 28th January 2025, but unfortunately, my application remained stuck at the validation stage for an unusually long period. After months of waiting without progress, I reached out to your office in May 2025, seeking your intervention.

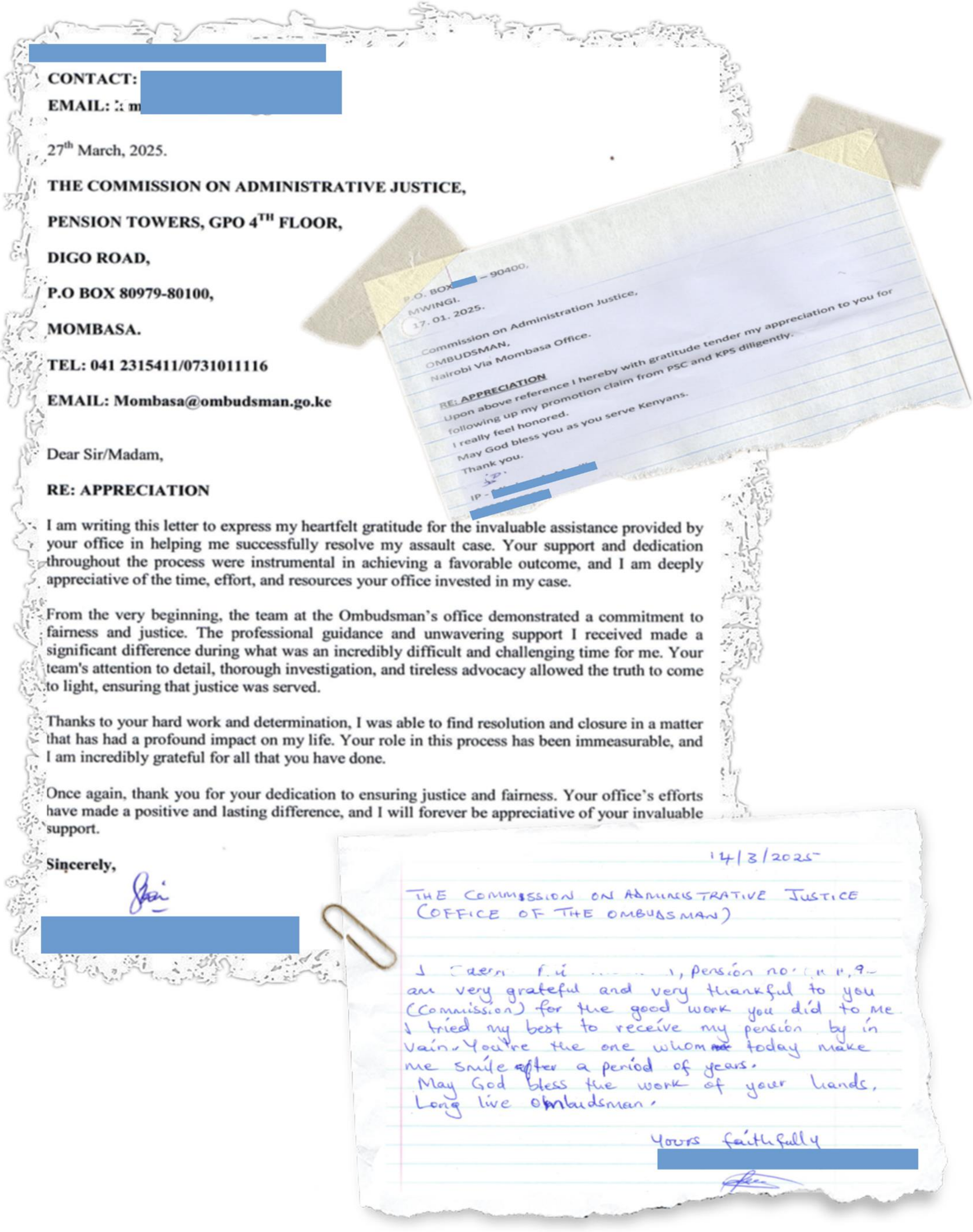
I deeply appreciate how promptly you responded to my complaint and took the necessary steps to escalate the matter to the relevant authority at the Immigration Department. Following your intervention, the Immigration Office acknowledged the abnormal delay in my application and subsequently facilitated the removal of my application from the prolonged validation stage. I was then able to proceed to the biometrics stage and eventually received my passport.

Your support not only resolved my issue but also restored my confidence in public service accountability. I am truly grateful for the professionalism, dedication, and efficiency with which your office handed my case.

Thank you once again for your assistance. Please accept this letter as a token of my heartfelt appreciation for your efforts

Yours sincerely,

[redacted]



[redacted]

CONTACT: [redacted]

EMAIL: [redacted]

27th March, 2025.

THE COMMISSION ON ADMINISTRATIVE JUSTICE,

PENSION TOWERS, GPO 4TH FLOOR,

DIGO ROAD,

P.O BOX 80979-80100,

MOMBASA.

TEL: 041 2315411/0731011116

EMAIL: Mombasa@ombudsman.go.ke

Dear Sir/Madam,

RE: APPRECIATION

I am writing this letter to express my heartfelt gratitude for the invaluable assistance provided by your office in helping me successfully resolve my assault case. Your support and dedication throughout the process were instrumental in achieving a favorable outcome, and I am deeply appreciative of the time, effort, and resources your office invested in my case.

From the very beginning, the team at the Ombudsman's office demonstrated a commitment to fairness and justice. The professional guidance and unwavering support I received made a significant difference during what was an incredibly difficult and challenging time for me. Your team's attention to detail, thorough investigation, and tireless advocacy allowed the truth to come to light, ensuring that justice was served.

Thanks to your hard work and determination, I was able to find resolution and closure in a matter that has had a profound impact on my life. Your role in this process has been immeasurable, and I am incredibly grateful for all that you have done.

Once again, thank you for your dedication to ensuring justice and fairness. Your office's efforts have made a positive and lasting difference, and I will forever be appreciative of your invaluable support.

Sincerely,

[redacted]

P.O. BOX [redacted] – 90400,
MWINGI.
17. 01. 2025.

Commission on Administration Justice,
OMBUDSMAN,
Nairobi Via Mombasa Office.

RE: APPRECIATION

Upon above reference I hereby with gratitude tender my appreciation to you for following up my promotion claim from PSC and KPS diligently.
I really feel honored.
May God bless you as you serve Kenyans.
Thank you.

[redacted]

IP - [redacted]

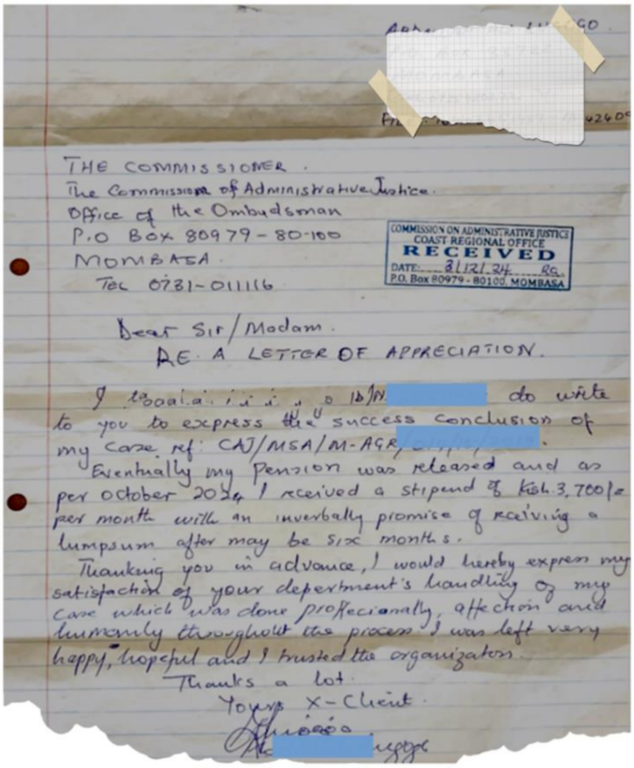
[redacted]

14/3/2025

THE COMMISSION ON ADMINISTRATIVE JUSTICE
(OFFICE OF THE OMBUDSMAN)

I [redacted], pension no: [redacted] am very grateful and very thankful to you (Commission) for the good work you did to me I tried my best to receive my pension by in vain. You're the one whom ~~me~~ today make me smile after a period of years.
May God bless the work of your hands,
Long live ombudsman.

Yours faithfully
[redacted]



[redacted]

THE COMMISSIONER.
The Commission of Administrative Justice.
Office of the Ombudsman
P.O Box 80979 – 80-100
MOMBASA.
Tel 0731-011116

COMMISSION ON ADMINISTRATIVE JUSTICE
COAST REGIONAL OFFICE
RECEIVED
DATE: 3/12/24 RG.
P.O. Box 80979 - 80100, MOMBASA

Dear Sir/Madam.

RE. A LETTER OF APPRECIATION.

I [redacted] ID/N [redacted] do write to you to express the success conclusion of my case ref: CAJ/MSA/M-AGR[redacted].

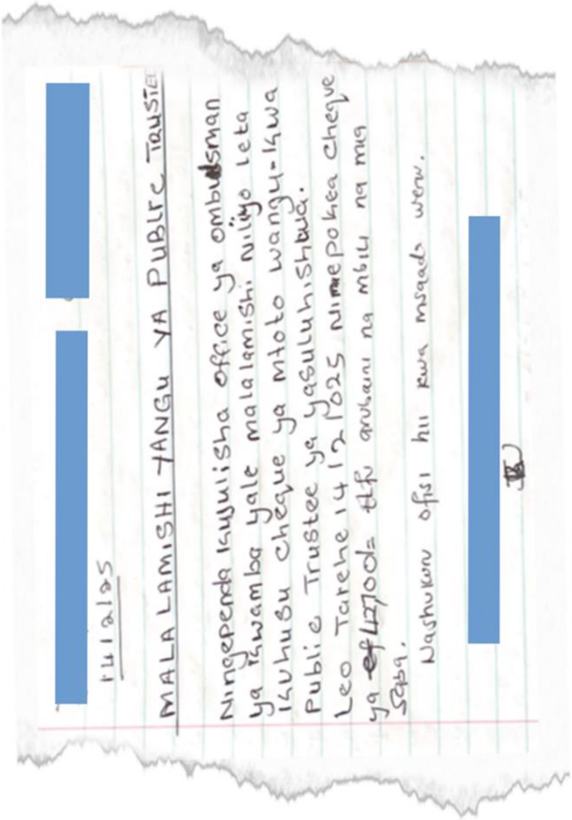
Eventually my Pension was released and as per October 2024 I received a stipend of Ksh.3,700/= per month with an inverbally promise of receiving a lumpsum after may be six months.

Thanking you in advance, I would hereby express my satisfaction of your department's handling of my case which was done proffecianally, affection and humanly throughout the process. I was left very happy, hopeful and I trusted the organization.

Thanks a lot.

Yours X-Client.

[redacted]



[redacted]

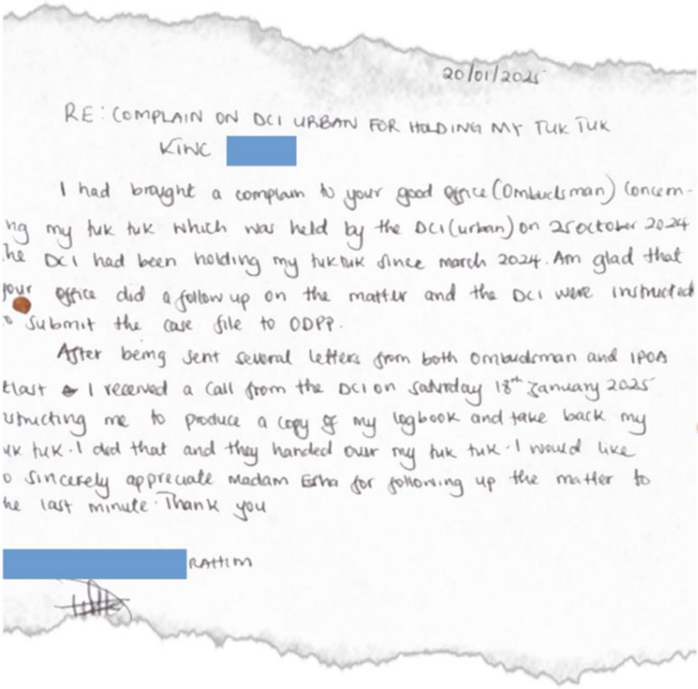
14/2/25

MALALAMISHI YANGU YA PUBLIC TRUSTEE

Ningependa kujulisha office ya ombudsman ya kwamba yale malalamishi niliyo leta kuhusu cheque ya mtoto wangu-kwa Public Trustee ya yasuluhishwa.
Leo Tarehe 14/2/2025 Nimepokea cheque ya ~~ef~~ 42,700/= elfu arubaini na mbili na mia saba.

Nashukuru ofisi hii kwa msaada wenu.

[redacted]



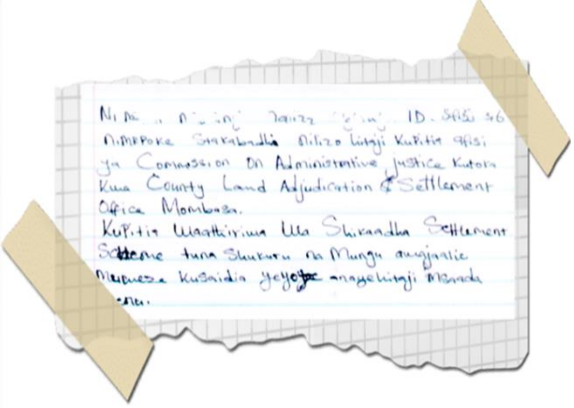
20/01/2025

RE: COMPLAIN ON DCI URBAN FOR HOLDING MY TUK TUK
KING [redacted]

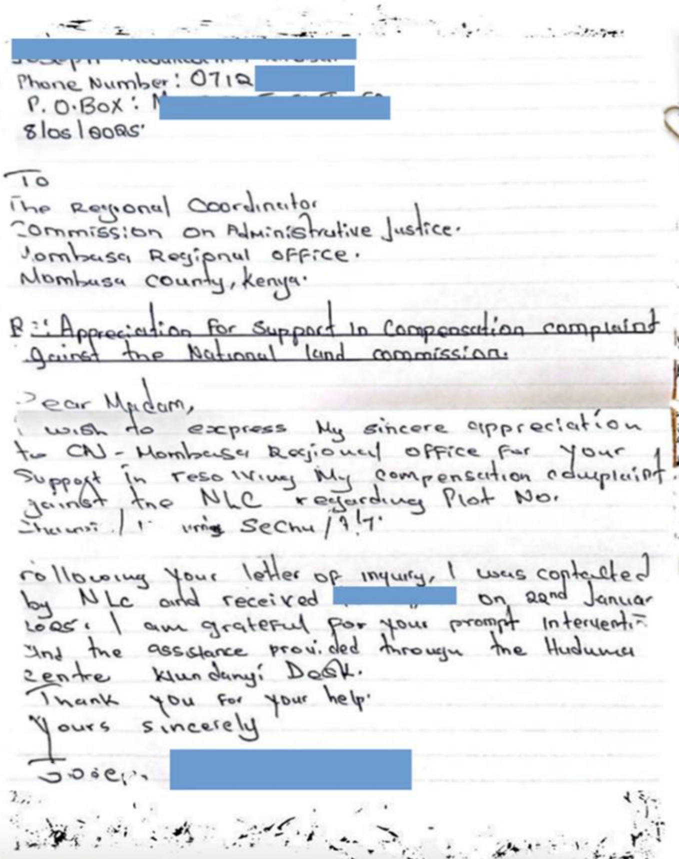
I had braught a complain to your good office (Ombudsman) Concern-
ng my tuk tuk which was held by the DCI (urban) on 25 october 2024
he DCI had been holding my tuk tuk since march 2024. Am glad that
your office did a follow up on the matter and the DCI were instructed
o submit the case file to ODPP.

After being sent several letters from both Ombudsman and IPOA
t last I received a call from the DCI on Saturday 18th January 2025
nstructing me to produce a copy of my logbook and take back my
uk tuk. I did that and they handed over my tuk tuk. I would like
o sincerely appreciate Madam Esha for following up the matter to
he last minute. Thank you

[redacted] RATTIM



Ni [redacted] ID. [redacted]
nimepokea Stakabadhi nilizo hitaji Kupitia ofisi
ya Commission on Administrative Justice Kutoka
Kwa County Land Adjudication & Settlement
Office Mombasa.
Kupitia Waathirima wa Shiraandha Settlement
Scheme tuna Shukuru na Mungu amjaalie
Mupwesa Kusaidia yeyote anayehitaji Msaada
enu.

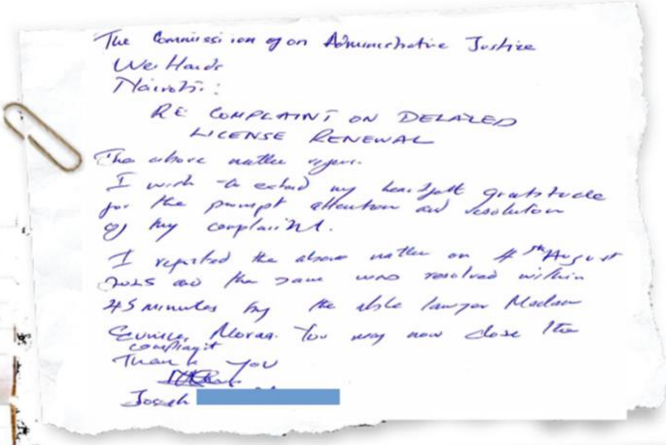

[redacted]
Phone Number: 0712[redacted]
P.O.Box: [redacted]
8/05/2025

To
The Regional Coordinator
Commission on Administrative Justice.
Mombasa Regional office.
Mombasa County, Kenya.

Re: Appreciation for Support in Compensation complaint against the National land commission.

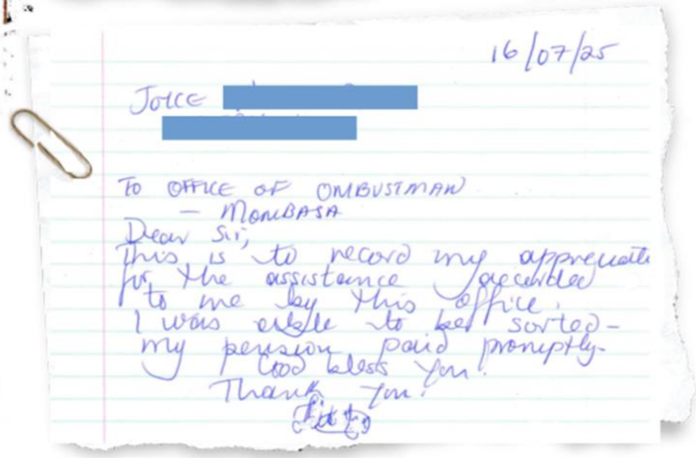
Dear Madam,
I wish to express My sincere appreciation to CAJ - Mombasa Regional office for your Support in resolving My compensation complaint against the NLC regarding Plot No. [illegible]/[illegible] Sechu/[illegible].

Following your letter of inquiry, I was contacted by NLC and received [redacted] on 22nd Januar 2025. I am grateful for your prompt intervention and the assistance provided through the Huduma centre Wundanyi Desk.
Thank you for your help.
Yours sincerely
Joseph [redacted]


The Commission of on Administrative Justice
Westlands
Nairobi:

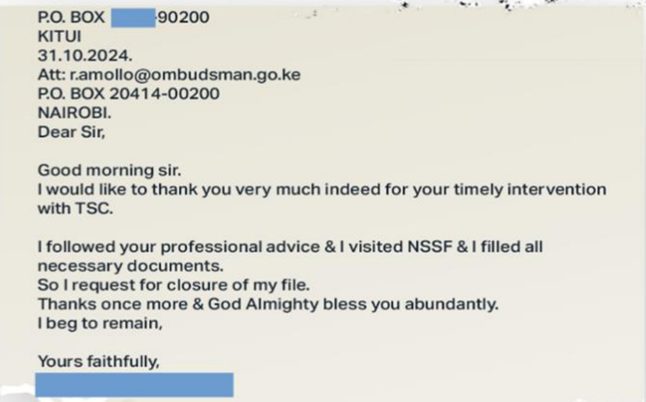
RE: COMPLAINT ON DELAYED LICENSE RENEWAL

The above matter refers.
I wish to extend my heartfelt gratitude for the prompt attention and resolution of my complaint.
I reported the above matter on 4th August 2025 and the same was resolved within 45 minutes by the able lawyer Madam Eunice Moraa. You may now close the complaint
Thank you
Joseph [redacted]


16/07/25

Joyce [redacted]
[redacted]

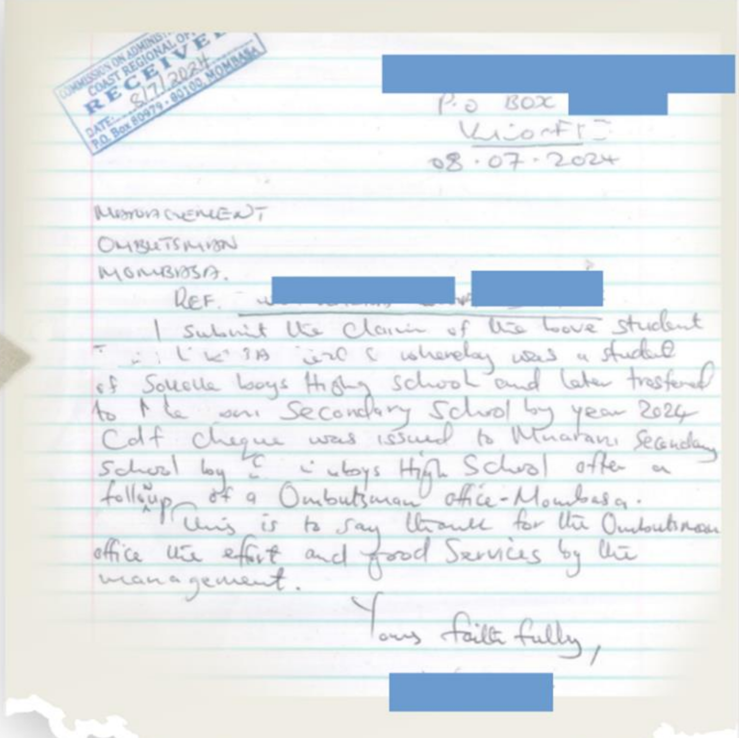
TO OFFICE OF OMBUSTMAN
— MOMBASA
Dear Sir;
This is to record my appreciation for the assistance accorded to me by this office.
I was able to get sorted — my pension paid promptly.
God bless you!
Thank you!


P.O. BOX [redacted]90200
KITUI
31.10.2024.
Att: r.amollo@ombudsman.go.ke
P.O. BOX 20414-00200
NAIROBI.
Dear Sir,

Good morning sir.
I would like to thank you very much indeed for your timely intervention with TSC.

I followed your professional advice & I visited NSSF & I filled all necessary documents.
So I request for closure of my file.
Thanks once more & God Almighty bless you abundantly.
I beg to remain,

Yours faithfully,
[redacted]


COMMISSION ON ADMINIST...
COAST REGIONAL OF...
RECEIVED
DATE: 8/7/2024
P.O. Box 80979 - 80100, MOMBASA

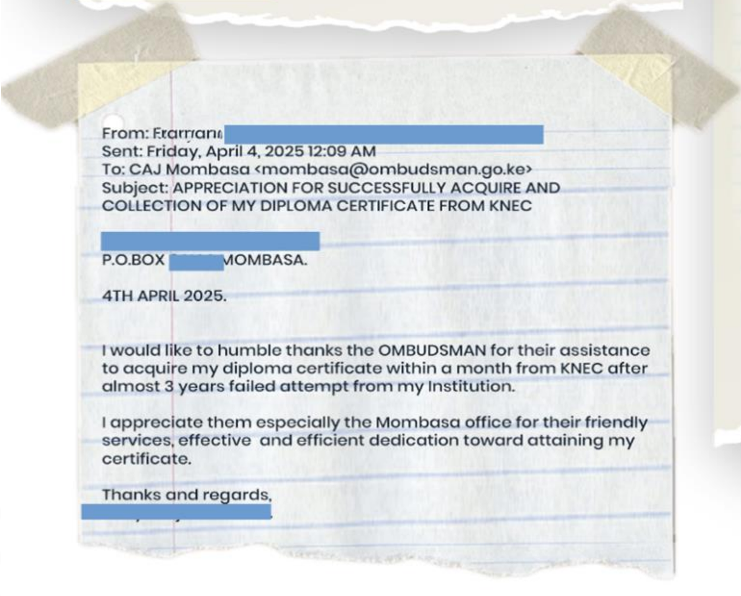
[redacted]
P.O BOX [redacted]
Kilifi
08.07.2024

MANAGEMENT
OMBUTSMAN
MOMBASA.
REF. [redacted] [redacted]

I submit the claim of the above student [illegible] whereby was a student of Sokoke boys High school and later transferred to Mnarani Secondary School by year 2024 Cdf cheque was issued to Mnarani Secondary School by [illegible] boys High School after a followup of a Ombutsman office-Mombasa.

This is to say thank for the Ombutsman office the effort and good Services by the management.

Yours faithfully,
[redacted]


From: [illegible] [redacted]
Sent: Friday, April 4, 2025 12:09 AM
To: CAJ Mombasa <mombasa@ombudsman.go.ke>
Subject: APPRECIATION FOR SUCCESSFULLY ACQUIRE AND COLLECTION OF MY DIPLOMA CERTIFICATE FROM KNEC

[redacted]
P.O.BOX [redacted]MOMBASA.

4TH APRIL 2025.

I would like to humble thanks the OMBUDSMAN for their assistance to acquire my diploma certificate within a month from KNEC after almost 3 years failed attempt from my Institution.

I appreciate them especially the Mombasa office for their friendly services, effective and efficient dedication toward attaining my certificate.

Thanks and regards,
[redacted]

2.4. Investigations

In the FY 2024/25, the Commission completed key investigations summarized as follows:

2.4.1. Key Investigations

I. Maladministration in Human Resource Practices at the Kenya Film Classification Board

The Commission investigated allegations of maladministration in human resource practices at Kenya Film Classification Board (KFCB) between 2019 and 2024, including irregular recruitment, unfair promotions, improper appointments, and salary disparities. The investigation confirmed irregular recruitment, unauthorized appointments, and improper staff placements. Although allegations of promotions and salary disparities were unsubstantiated, the failure by the KFCB Board and the then CEO, to address these issues eroded institutional trust and accountability.

The Commission recommended that the Directorate of Criminal Investigations (DCI) and the Ethics and Anti-Corruption Commission (EACC) investigate possible unethical conduct and fraud by involved officers. It further advised the Public Service Commission (PSC) and KFCB leadership to implement corrective measures and strengthen transparency and accountability in human resource management.

II. Complaints on the ENABLE Youth Program

The Commission initiated an investigation into the ENABLE Youth Program (EYP), jointly funded by the African Development Bank (AfDB) and the Government of Kenya, following complaints of delayed loan processing, financial extortion, and alleged sexual exploitation. The investigation established significant administrative inefficiencies, with only 20% of loans disbursed and a dropout rate exceeding 50%. Causes included poor documentation, weak coordination, and inadequate training quality by service providers. While no sexual exploitation was substantiated, isolated cases of financial extortion and maladministration were confirmed.

The Commission recommended a comprehensive overhaul of the program, including the integration of the Agricultural Finance Corporation (AFC) at the early stages, improved documentation and communication processes, tailored training modules, and the establishment of clear grievance mechanisms. It further proposed that the AfDB designate a representative within the Project Implementation Unit to strengthen oversight and accountability.

III. The Shakahola Tragedy

Following the discovery of mass graves in Shakahola Forest, Kilifi County, where hundreds of followers of Paul Nthenge Mackenzie allegedly died due to cultic indoctrination, the Commission undertook investigations into possible dereliction of duty by public officers. Findings revealed that authorities at Langobaya Police Station, local chiefs' offices, and sub-county security committees received reports of Mackenzie's activities between 2021 and 2023 but failed to take preventive action.

Culpability notification letters were issued to the officers involved, and their responses failed to justify altering the Commission's findings. Consequently, the Commission recommended that the Principal Secretary, State Department for Internal Security, and the National Police Service Commission hold accountable the officers who neglected their duties, and that the DCI undertake comprehensive investigations. It also advised enhanced surveillance, coordination, and accountability mechanisms within the security and administrative structures to prevent similar tragedies.

2.4.2. Report on Monitoring Compliance with Implementation of Commission's Recommendations and Decisions

During the 2024/2025 financial year, the Commission on Administrative Justice (CAJ), through its Investigations Division, closely monitored the implementation of recommendations arising from concluded investigation reports to enhance accountability and administrative justice. The follow-up captures progress made in enforcing corrective measures, identifies responsible officers, and tracks compliance timelines through set follow-up dates. Follow-ups were conducted with key government institutions to ensure adherence to the Commission's directives and to promote transparency in addressing identified injustices.

Seven major cases were actively monitored during the period. These included follow-ups on: fraudulent employment practices at the Ministry of Water, Sanitation and Irrigation; dereliction of duty by public officials in the Shakahola tragedy; unethical conduct at Kitengela Sub-County Hospital; land encroachment in Embu County; welfare of Kenyan migrant domestic workers in Saudi Arabia; systemic inefficiencies in passport issuance; and irregular land allocations in Voi Town. Implementation progress ranged from substantial compliance, such as actions taken by the Public Service Commission, the Kenya Medical Practitioners and Dentists Council, and the Immigration Department, to ongoing engagements with the Directorate of Criminal Investigations, County Governments, and the National Police Service

Commission. Overall, the monitoring exercise highlights the Commission's ongoing efforts to ensure that its recommendations are translated into tangible administrative reforms, strengthened institutional accountability, and enhanced public service delivery.

2.5. Advisories

The Commission, in line with its constitutional mandate and alongside other independent commissions, is entrusted with protecting the sovereignty of the people and ensuring that State organs uphold fair administrative action, democratic values, and principles as stipulated under Article 249(1) of the Constitution.

Further, Article 59(2)(h) and (i) of the Constitution and Sections 8(a) and (b) of the Commission on Administrative Justice Act empower the Commission to investigate any conduct of State officers, or any act or omission in public administration, that is prejudicial, improper, or likely to result in injustice or maladministration. Additionally, Section 8(h) mandates the Commission to issue advisory opinions or recommendations aimed at improving public administration, including through review of legislation, codes of conduct, processes, and procedures.

Moreover, Section 2(1) of the Act authorizes the Commission to address any decision, act, or failure to act in the discharge of a public duty. In exercise of these powers during the reporting period, the Commission issued Six (6) advisories/Position Statements, notably:

I. Statement on the Discovery of Bodies at Mukuru kwa Njenga Dumpsite.

The Commission expressed deep concern over the discovery of bodies at the Mukuru kwa Njenga dumpsite, terming the incident a grave violation of the right to life guaranteed under the Constitution. It strongly condemned the heinous and barbaric acts against humanity and called upon the Government and relevant investigative agencies to conduct prompt, thorough investigations and ensure that the perpetrators are held accountable.

II. Statement on the Maintenance of Major Roads by KURA.

Following numerous public complaints regarding the worsening condition of roads within Nairobi City County, the Commission, on 3rd December, issued a directive to the Director General of the Kenya Urban Roads Authority (KURA), requiring a formal response on the matter. KURA subsequently provided a substantive response, outlining ongoing and planned interventions to address the identified deficiencies in road maintenance and rehabilitation.

https://www.ombudsman.go.ke/sites/default/files/2026-03/Maintenance%20of%20Major%20Roads%20to%20Commence%20in%20January%202025_0.pdf

III. Advisory to the Judicial Service Commission (JSC) on Proactive Disclosure and Transparency in Complaints Management

Following the interview of Hon. Jacqueline Ingutiah, Female Representative of the Law Society of Kenya to the Judicial Service Commission (JSC), on *Spice FM's "The Situation Room"* on December 19, 2024, the Commission on Administrative Justice (CAJ) noted that since the JSCs establishment in 2011, a total of 935 complaints against judges have been received, with 862 concluded and 73 pending. Of the concluded matters, 772 (82.5%) were dismissed on grounds of decisional independence, while seven judges were recommended for removal and one reinstated following a Supreme Court decision.

Recognizing JSCs constitutional role under Articles 168 and 172 in handling complaints and promoting accountability within the Judiciary, the Commission commended the ongoing disclosure of summary statistics through media releases. However, it observed that the information provided remains limited, thereby constraining public understanding and potentially fuelling speculation regarding judicial integrity.

In line with Article 35 of the Constitution and Section 5 of the Access to Information Act, 2016, the Commission advised that the JSC should enhance proactive disclosure by routinely publishing on its website and other public platforms, subject to the Data Protection Act, 2019, the following:

I. Number of complaints/petitions lodged against judges;
II. Nature of complaints/petitions processed;
III. Timelines for processing;
IV. Analytical breakdown by hierarchy, division, and geographical location; and
V. Determinations made to date.

The Commission emphasized that transparent publication of such data would strengthen public confidence, promote accountability, and uphold the independence and integrity of the Judiciary. Accordingly, the Commission requested the JSC to submit a compliance report on proactive disclosure measures within 21 days, pursuant to Section 5 of the Access to Information Act.

This prompted structured engagements between the Commissions, creating a platform for the JSC to discuss practical measures to enhance transparency, improve public access to information, and strengthen public confidence in judicial accountability and integrity. The collaborative approach also established a foundation for ongoing monitoring and compliance reporting by the Commission.

https://www.ombudsman.go.ke/sites/default/files/2026-03/Advisory%20on%20Proactive%20Disclosure%20of%20Complaints%20Received%20and%20Decisions%20Made%20by%20The%20Judicial%20Service%20Commission.pdf

IV. Advisory on the Newspaper Publications by the County Government of Bungoma

The Commission's attention was drawn to a publication in *The Standard* newspaper of February 12, 2025, conveying a Message of Goodwill to Hon. Raila Amolo Odinga from H.E. Kenneth Lusaka, Governor of Bungoma County. While acknowledging the goodwill message, the Commission expressed concern over the potential use of public funds to finance the publication.

Citing the Public Finance Management Act, 2012, the Commission underscored that public funds may only be utilized for purposes that serve the public interest. The use of such resources for partisan or non-official activities constitutes misappropriation and violates the principles of good governance, integrity, transparency, and accountability under Article 10(2)(c) of the Constitution.

The Commission reaffirmed that State and public officers hold public resources in trust for citizens and must ensure their use strictly benefits the public. Any expenditure that does not meet this test is unethical and potentially illegal.

Accordingly, the Commission advised the Governor to regularize the expenditure if public funds were used, cease such practices, and ensure that all resources under the County's stewardship are utilized solely for lawful and public-benefit purposes.

Following the advisory, the County Government of Bungoma responded, clarifying that the Governor had used personal funds to finance the newspaper publication. This response addressed the Commission's concern regarding potential misuse of public resources, reinforcing the importance of transparency and adherence to the principles of integrity and accountability in the management of public funds.

https://www.ombudsman.go.ke/sites/default/files/2026-03/Advisory%20on%20The%20Newspaper%20Publications%20by%20the%20County%20Government%20of%20Bungoma.pdf

V. Advisory Opinion; Section 33(5) of the Land Registration Act,2012 and Regulation 28(4) of the Land Registration (General)Regulations, 2017

Indemnity Requirement for Reconstruction of Lost or Destroyed Land Registers

The Commission considered a complaint regarding the requirement under Regulation 28(4) of the Land Registration (General) Regulations, 2017, which obliges applicants to provide an indemnity when applying for reconstruction of a lost or destroyed land register. The complainant argued that this requirement is unfair and contrary to Article 10 of the Constitution, which upholds principles of equity and accountability in governance.

Upon review, the Commission observed that under Section 33(5) of the Land Registration Act, 2012, the Land Registrar is empowered to reconstruct a lost or destroyed register after conducting due inquiries and issuing a 60-day Gazette notice. Additionally, Section 7 of the same Act establishes that the custody and maintenance of land registers are the responsibility of the Land Registrar.

As the oversight body for implementation of the Access to Information Act, 2016, the Commission emphasized that public entities bear the primary duty to maintain and safeguard public records. Requiring applicants to indemnify the government for loss of a public record amounts to an unjust transfer of institutional responsibility to individuals.

The Commission therefore found that the indemnity requirement under Regulation 28(4) constituted administrative injustice and was inconsistent with the principles of fairness, transparency, and accountability.

Consequently, the matter was referred to the Office of the Attorney-General under Section 5(1)(e) of the Office of the Attorney-General Act for review and possible amendment of the regulation. The Commission requested a formal response within 21 days outlining the Attorney-General's position and proposed corrective actions.

The Attorney General responded, committing to conduct a comprehensive review and provide the necessary legal guidance in due course.

https://www.ombudsman.go.ke/sites/default/files/2026-03/Advisory%20opinion%20Section%2033%20%285%29%20of%20The%20Land%20Registration%20Act%202012%20and%20Regulation%2028%20%284%29%20of

%20The%20Land%20Registration%20%28General%29%20Regulations%2C%202017.pdf

VI. Advisory Opinion on the Mandate, Powers and Functions of the CAJ

During the reporting period, the Commission received an advisory from a key government office regarding the interpretation of its mandate, powers, and functions under Article 59 of the Constitution and the Commission on Administrative Justice Act, 2011.

While the Commission appreciated the guidance provided, it respectfully differed on certain interpretations, particularly regarding the extent of its authority to provide remedies in complaints, its enforcement powers, and its ability to summon officers of other constitutional bodies in exercising its oversight mandate.

The Commission clarified that the absence of binding adjudicative authority limits its ability to fully execute its constitutional mandate to "take steps to secure appropriate redress" and "take remedial action" under Article 59(2). It also highlighted the policy implications of the Supreme Court decision in the Vision 2030 Delivery Board case, noting that reliance on periodic reports to Parliament under Section 42(4) of the CAJ Act is insufficient for addressing individual grievances and ineffective in cases involving county governments.

Furthermore, the Commission emphasized that its power to summon public officers, including members of constitutional commissions, derives from its duty to investigate maladministration, encompassing inaction, unresponsiveness, and undue delay in public administration.

To address these concerns, the Commission has sought an Advisory Opinion from the Supreme Court and initiated proposals to amend the CAJ Act and Regulations to strengthen its legal and operational framework.

2.6. Appeals

In line with Regulation 11 of the Commission on Administrative Justice regulations, 2013, the Chairperson received Forty-Nine (49) appeals which were all processed and the complainants notified of the decision in writing.

2.7. Suo Moto

During the reporting period, in line with Sec 8 (d), the Commission on administrative Justice Act, 2011, the Commission made 33 inquiries of which 19 were resolved while 14 are at different stages of resolution. The table below gives a summary of the Suo Moto inquiries in the reporting period.

Table 3: Suo Moto Inquiries During the FY 2024/25

No.	Subject of (Suo Moto) Inquiry	Respondents	Status
1.	Inquiry regarding media reports of corporal punishment leading to student suicide	State Department for Internal Security and National Administration; Ministry of Interior and National Administration	Resolved
2.	Immigration – inefficiencies in passport processing	Director General; Directorate of Immigration Services	Resolved
3.	Inquiry into delayed distribution of relief food at Kihara police station	Office of the Deputy President; State Department for Devolution	Resolved
4.	Complaints over allegations of delay in issuance of identity cards	National Registration Bureau; Ministry of Interior and Co-ordination of National Government	Resolved
5.	Inquiry regarding media reports on denial of Kenya national examination council result slip to students	The Principal; St. Francis Misyani Girls Secondary School	Resolved
6.	Request for provision of transformers in Buuri Constituency, Ruiri/Rwarera Ward, Kithwene Sub-Location & Ngurumo Village, Kirugua Sub-Location, Ntima East, Imenti North Constituency	Rural Electrification and Renewable Energy Corporation	Pending
7.	Inquiry regarding social media publications of corporal punishment leading to student's injury	The Principal; Songoliet Secondary School	Pending
8.	Inquiry regarding media reports on suspension of LLB programme classes due to student's welfare concerns.	The Dean; School of Law University of Nairobi	Resolved
9.	Response on status of strike by healthcare workers in Meru County.	Chief Officer Health; County Government of Meru	Resolved

No.	Subject of (Suo Moto) Inquiry	Respondents	Status
10.	Inquiry regarding media publications on illegal and irregular employment practices of relatives in Nandi County	Nandi County Public Service Board; County Government of Nandi	Resolved
11.	Inquiry into the status of Kenyan citizens living and working in Lebanon	Ministry of Foreign and Diaspora Affairs; State Department for Diaspora Affairs	Resolved
12.	Inquiry regarding denial of medical services to Kenyans during the transition from NHIF to SHIF	Ministry of Health; State Department for Medical Services	Pending
13.	Inquiry of corporal punishment met out by school prefects leading to a student sustaining severe injuries.	The Principal; Kaaga Boys High School	Resolved
14.	Inquiry regarding media publications of women sleeping on the floor and sharing beds in maternity ward	Chief Executive Officer; Mama Lucy Kibaki Hospital	Pending; Spot Check Report
15.	Inquiry regarding media publications of mismanagement of a rape case reported to Tassia Police Station	Officer Commanding Station; Tassia Police Station	Resolved
16.	Inquiry regarding delay in the issuance of a death certificate in respect of the death of Mr. Walter Odongo Rayola	Secretary; Civil Registration Services	Pending
17.	Inquiry regarding media publications of medical negligence at Longisa County Referral Hospital	The Medical Superintendent; Longisa County Referral Hospital	Pending
18.	Inquiry regarding the deteriorating state of roads within Nairobi City	Director General; Kenya Urban Roads Authority (KURA)	Resolved
19.	Inquiry regarding the illegal arrest & detention of Mr. Brian Odhiambo	Director General; Kenya Wildlife Service	Resolved
20.	Emerging concerns on illegal mining in the County Government of Kitui	Principal Secretary; State Department for Mining	Resolved
21.	Inquiry into the collapse of a gold mine in Musendo	Principal Secretary; State Department for Mining	Resolved

No.	Subject of (Suo Moto) Inquiry	Respondents	Status
	Village, Kakamega County and the safety of artisanal and small-scale miners		
22.	Inquiry regarding media publications of the disappearance of a baby's body at Nakuru Provincial General Hospital	Medical Superintendent; Nakuru Provincial General Hospital (PGH)	Pending
23.	Inquiry regarding reports on poor service delivery and rampant corruption within Kiambu Lands Registry.	Registrar of Lands; Kiambu Land's Registry	Pending; Spot Check
24.	Inquiry into alleged withholding of KCSE Certificates and imposition of unauthorized fees at Goibei Girls Secondary School	The Principal; Goibei Girls Secondary School	Resolved
25.	Inquiry regarding media publications of the death of Dr. Daniel Ndege Chacha	The Chief Executive Officer; Kenyatta National Hospital	Resolved
26.	Inquiry regarding appeals by public schools to fast track process of confirming ownership of disputed public land	Principal Secretary; State Department for Lands and Physical Planning	Pending
27.	Inquiry into distribution of relief food in Turkana County	Principal Secretary; Internal Security & National Administration; Ministry of Interior & National Administration	Pending
28.	Inquiry into media reports concerning patient deaths following oxygen supply disruption at Coast General Hospital	The Chief Executive Officer; Coast General Teaching and Referral Hospital	Resolved
29.	Inquiry into the inclusion of six candidates in the Independent Electoral and Boundaries Commission (IEBC) shortlist	Chairperson of the IEBC selection panel	Resolved
30.	Inquiry regarding the change of IPPD operator's rights	Nyamira County Assembly	Pending
31.	Inquiry into allegations of brutality and sexual exploitation of hawkers by officers within the Nairobi City Inspectorate Department	Nairobi City County Public Service Board	Pending; under investigati on

No.	Subject of (Suo Moto) Inquiry	Respondents	Status
32.	Inquiry regarding the conduct of Nyamira County Assembly Officers/Staff Members	Chairperson; Nyamira County Assembly Service Board	Pending
33.	Inquiry into various complaints regarding KRA Public Services.	Commissioner General; Kenya Revenue Authority.	Pending; A meeting was to be had between the parties

CHAPTER THREE

3. ENHANCING PUBLIC SERVICE DELIVERY

3.1. Monitoring Public Service Delivery through Performance Contracting

Performance Contracting is part of the broader public sector reforms aimed at enhancing efficiency, accountability, and effectiveness in public service delivery. During the reporting period, the Government continued to apply Performance Contracting as a key accountability mechanism for enhancing institutional performance. The Commission, as a specialized agency under the Performance Contracting Framework in Kenya, oversaw the implementation of the Resolution of Public Complaints indicator.

To support effective implementation of the indicator, the Commission continued to facilitate the establishment and strengthening of complaints handling mechanisms within public institutions. This was achieved through capacity-building initiatives, monitoring of service delivery standards, and provision of technical support.

Public institutions submitted quarterly reports on complaints and Access to Information (ATI) requests received and processed, to the Commission for evaluation and certification.

3.1.1. Resolution of Public Complaints Indicator

The Commission mainstreamed complaints management across the public sector through continuous monitoring of the Resolution of Public Complaints indicator under the Performance Contracting framework. Under this indicator, public institutions are required to establish functional mechanisms for addressing complaints, processing Access to Information (ATI) requests, and resolving all complaints received.

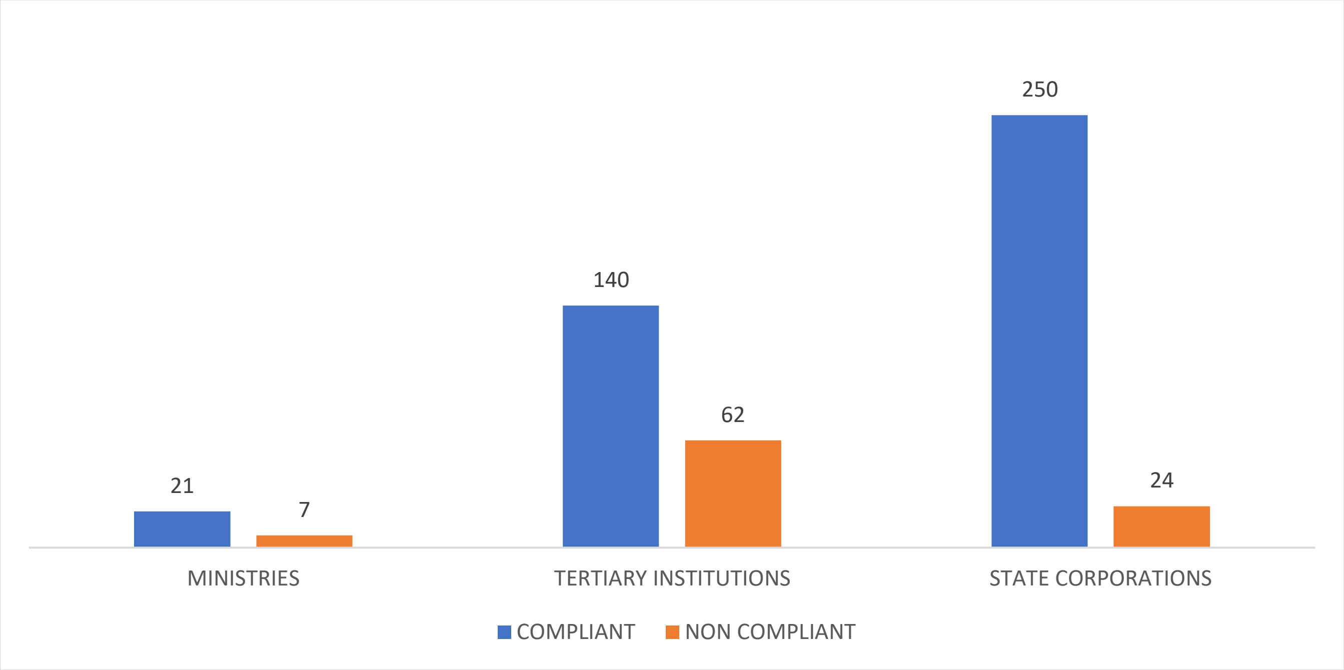
During the period under review, the Commission operationalized the Fourteenth Edition of the Reporting Guidelines for implementation of the indicator. The assessment of reports submitted by public institutions was based on the following parameters:

I. Resolution of all complaints received by public institutions; and
II. Processing of all Access to Information requests received (reactive disclosure).

3.1.2. Compliant Public Institutions

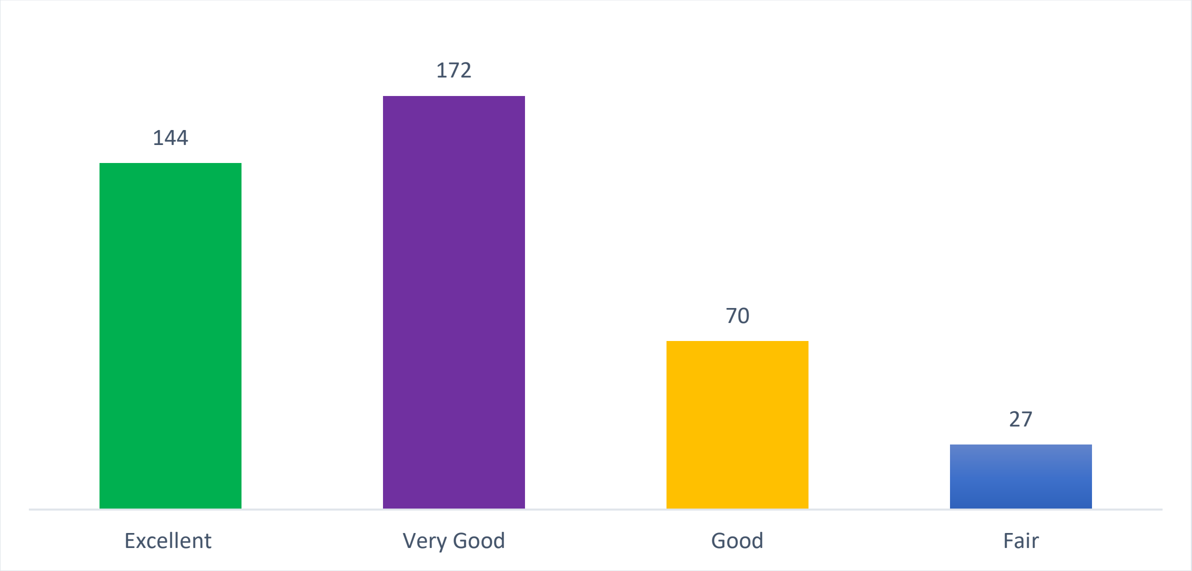
During FY 2024/2025, a total of 411 public institutions were certified on compliance with the Resolution of Public Complaints indicator. These comprised 21 ministries, 250 state corporations, and 140 tertiary institutions. This reflects an increase from 388 institutions in FY 2023/2024 to 411 in FY 2024/2025, as illustrated in Figure 6.

Figure 5: Compliance with Performance Contracting Indicators for 2024/25



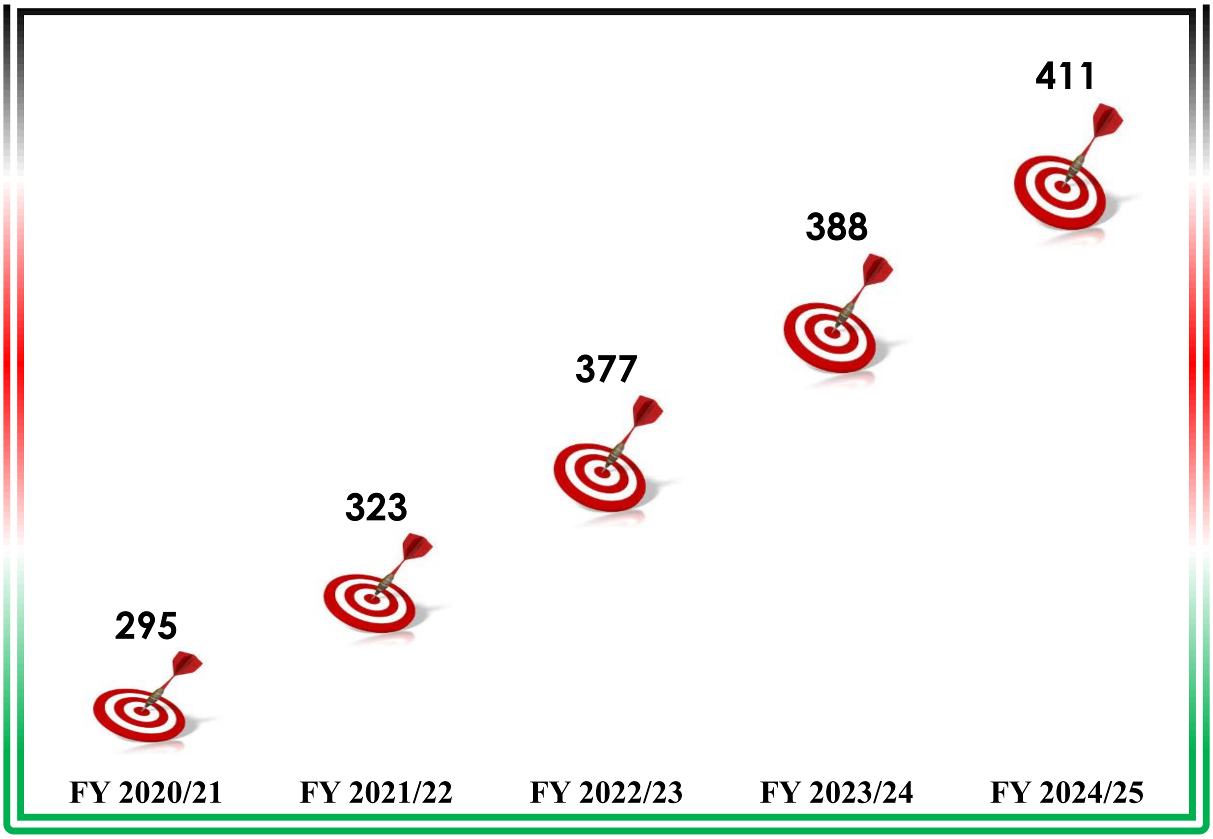
Out of the 411 public institutions certified, 42% attained a "Very Good" grade, forming the majority, while 7% of the institutions attained a "Fair" grade, as illustrated in Figure 7.

Figure 6: Analysis of Public Institutions Certified by Grade



The number of institutions certified by the Commission steadily increased from 295 in FY 2020/21, 323 in FY 2021/22, 377 in FY 2022/23, 388 in FY 2023/24, to 411 in FY 2024/25 as illustrated in figure 8. This growth underscored the positive impact of the Commission's sustained capacity-building, monitoring, and technical support interventions.

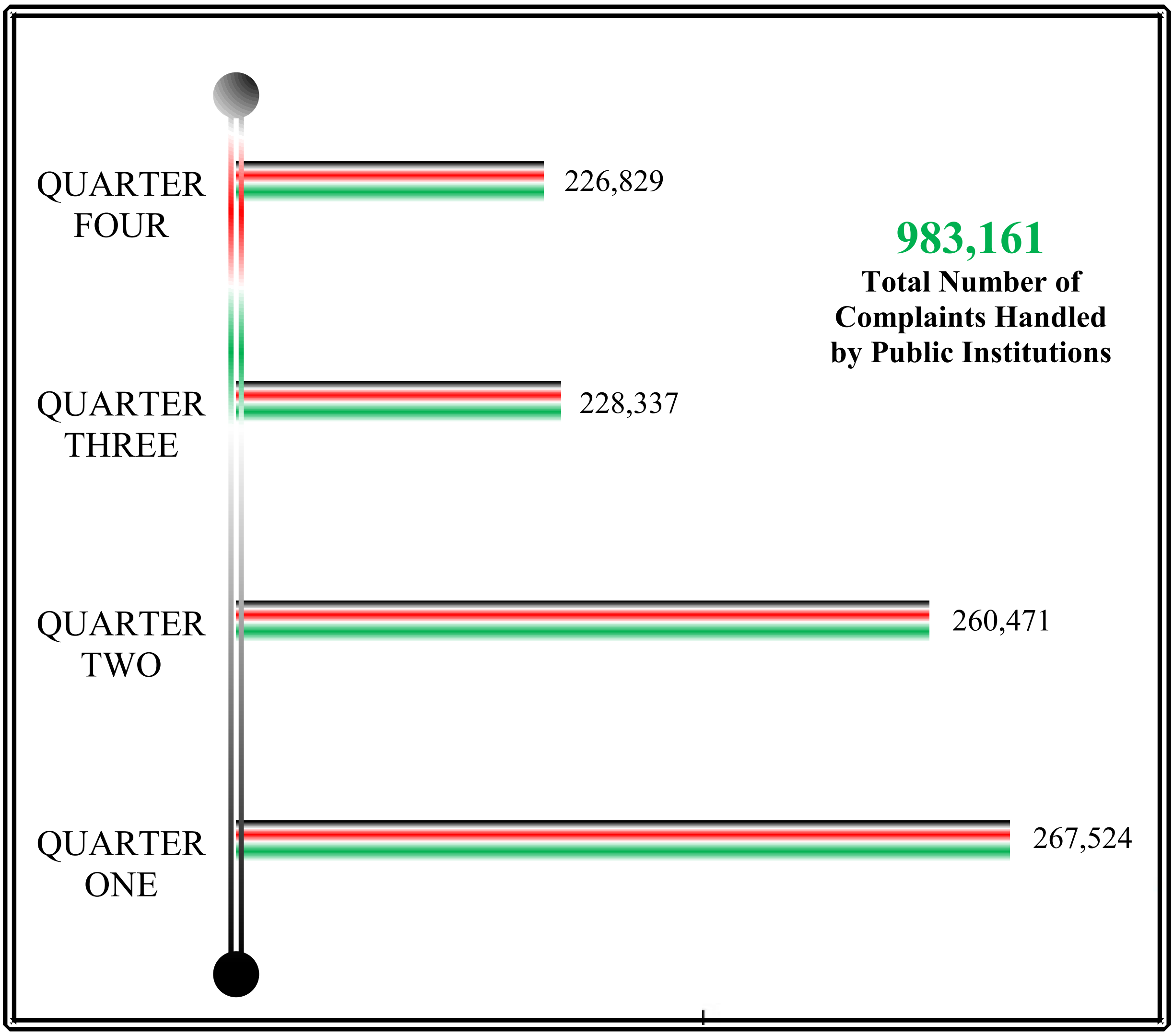
Figure 7: Trend Analysis of the Number of Public Institutions Certified Last Five Years



3.1.3. Complaints Managed by MDAs through Performance Contracting

During FY 2024/25, public institutions received a total of 983,161 complaints. The quarterly distribution was as follows: 267,524 in Quarter One, 260,471 in Quarter Two, 228,337 in Quarter Three, and 226,829 in Quarter Four. The downward trend in complaints received implied progressive improvements in service delivery.

Figure 8: Quarterly Analysis of Complaints Received by Public Institutions FY 2024/25



Out of the total 983,161 complaints received, 971,980 complaints were successfully resolved, translating to a resolution rate of 98.9%. Quarterly resolutions stood at 264,222 in Quarter One, 257,896 in Quarter Two, 226,256 in Quarter Three, and 223,606 in Quarter Four. These results demonstrated institutional responsiveness and strengthened internal complaints handling systems.

3.2. Access to Information Requests Processed by Public Institutions

During the reporting period, public institutions received a total of 60,542 requests for Access to Information. Of these, 60,242 requests were granted and information disclosed, representing a disclosure rate exceeding 99%. Additionally, 195 requests were transferred to relevant custodial institutions, 63 requests were declined, 22 requests were deferred, while 20 requests were not acted upon by the end of the reporting period. This is illustrated in figures 10 and 11.

Figure 9: Number of ATI Requests Processed by Public Institutions

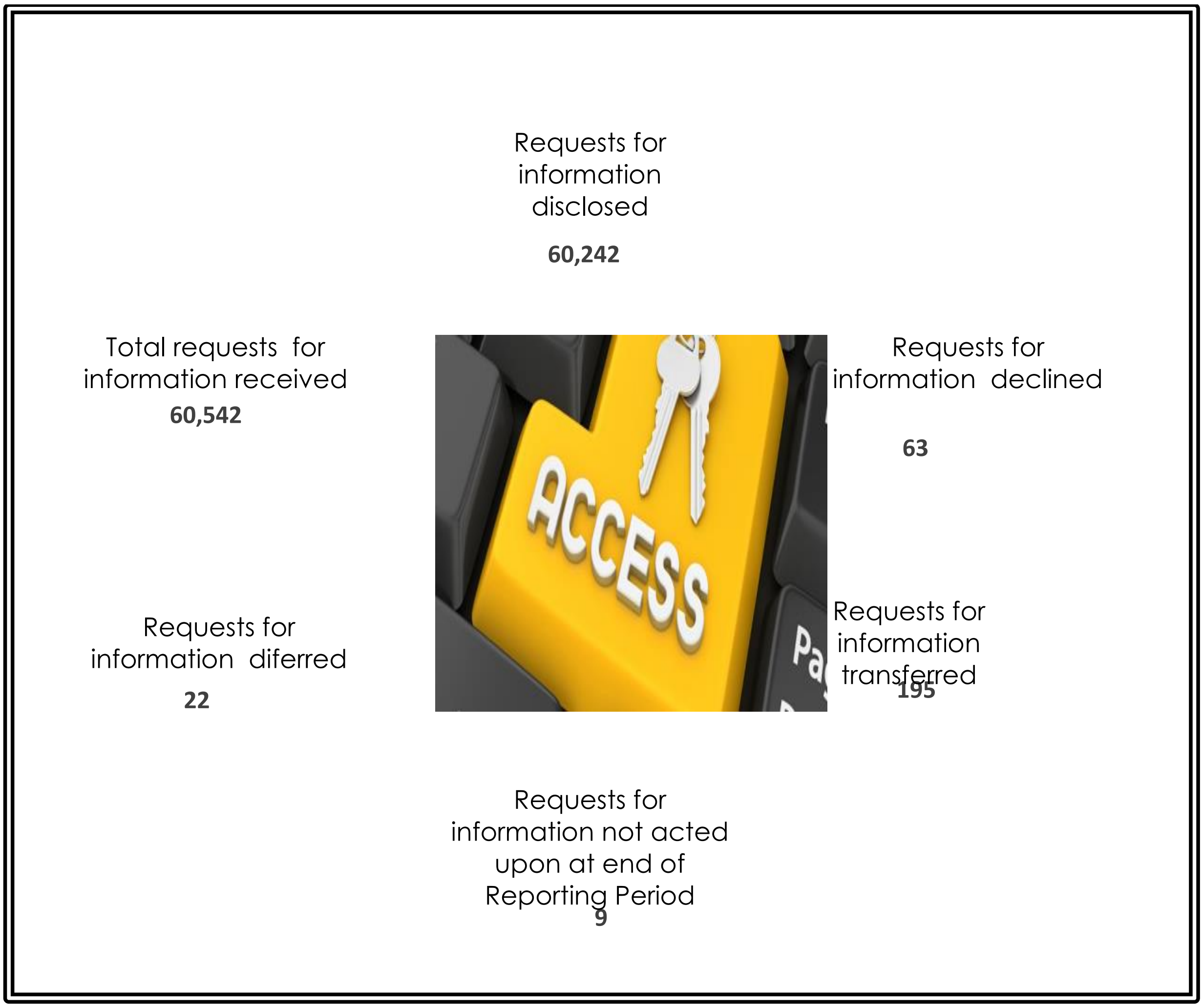
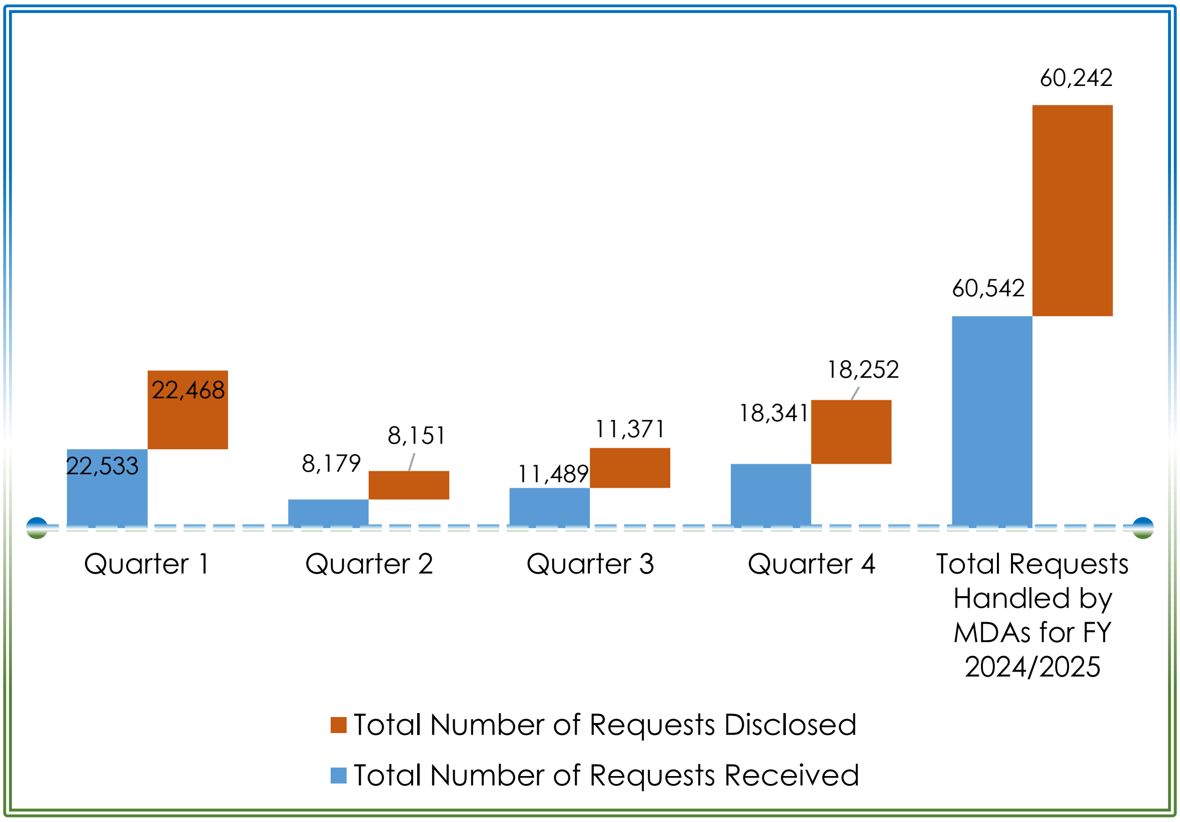


Figure 10: Analysis of Requests for Information Processed by Public Institutions



3.3. Overall Performance Outlook

The performance of public institutions during FY 2024/2025 reflected notable improvements in complaints resolution and Access to Information (ATI) processing. The achievement of a 98.9% complaints resolution rate and an ATI disclosure rate of over 99% underscores strengthened accountability systems, enhanced transparency, and improved responsiveness in the delivery of public services.

CHAPTER FOUR

4. ACCESS TO INFORMATION

4.1. Introduction

The Commission is required to report annually to Parliament in line with the Constitution and the Access to Information Act. The annual report entails the general assessment of the Government's performance with regard to the realization of the right of access to information. In this regard, the Commission has developed several mechanisms for evaluating public entities' implementation of the right to access information. This focuses on mainstreaming access to information in all public entities, reporting by public entities on implementation of access to information, review of appeals on access to information applications, capacity building and sensitization of public entities on the access to information law.

4.2. Access to Information Activities

During the reporting period, the Commission undertook the following activities in line with its oversight and enforcement mandate of the right of access to information.

4.3. Operationalization of the ATI Act, 2016

4.3.1. Assessment on ATI Implementation in Kenya

An assessment was conducted to evaluate Kenya's progress in realizing the constitutional right to access information eight years since enactment of the ATI Act.

The assessment was undertaken by the Commission in collaboration with ARTICLE 19 Eastern Africa, Katiba Institute, Kituo Cha Sheria, The International Communist of Jurist (ICJ) Kenya, and the International Aid Transparency Initiative (IATI), using the Center for Law and Democracy (CLD) methodology aligned with SDG Indicator 16.10.2. Its purpose was to provide an evidence-based evaluation of ATI implementation by public and private bodies and to identify areas requiring targeted intervention.

The assessment examined four key areas: central measures (oversight and enforcement), institutional measures (internal systems and frameworks), proactive disclosure (information published without request), and reactive disclosure (responses to information requests). Performance was scored numerically and categorized using a red-yellow-green grading system indicating weak, average, or effective implementation.

Table 4: Assessment Grading System

Colour Code	Description	Implementation Level
Red Score	Performance in the relevant area is significantly below what ATI Act, 2016 requires, suggesting a need for major improvements to be introduced in terms of frameworks, mechanisms and/or practice.	Weak
Yellow Score	Performance in the relevant area is fair pursuant to the ATI Act, 2016 but there remain important areas for improvement to be introduced to meet fully what the law requires.	Average
Green Score	Performance in the relevant area is strong and the requirements ATI Act, 2016 are largely being met. At the same time, depending on where exactly the performance lies in the green spectrum, there is still room for further improvement to enable the full realization of the right to information.	Effective

Overall, Kenya attained a jurisdiction score of **0.475**, placing ATI implementation at an average level. This means that progress has been made in establishing oversight mechanisms, institutional structures, and proactive disclosure practices. However, significant shortcomings, particularly in reactive disclosure, continue to undermine full realization of the right to access information.

Table 5: Assessment Results

	ASSESSMENT MEASURES	**Scoring**	**Implementation Level**
1	Central Measures	0.54	Average
2	Institutional Measures	0.59	Average
3	Proactive Measures	0.64	Average
4	Reactive Measures	0.13	Weak
	Jurisdiction Score	0.475	Average

https://www.ombudsman.go.ke/sites/default/files/2025-07/Kenya%20ATI%20Assessment%20Report%202025_0.pdf

The assessment affirms that while Kenya has laid a solid foundation for ATI implementation, meaningful realization of the right to access information requires enhanced oversight, stronger institutional capacity, improved public awareness, better resourcing, and urgent reforms to address poor responsiveness to information requests.

4.3.2. Counties Follow-up Activities on ATI Implementation

Based on the above access to information implementation assessment report, the Commission undertook follow-up activities to share the assessment findings, commencing with the County Governments of Baringo and Narok.

Through consultations with county leadership both at the assembly and executive level, staff, civil society, and the public, the Commission promoted goodwill, capacity building, and legislative action, emphasizing the need for county-level ATI laws, stronger information disclosure frameworks, and continued collaboration.

Photo: Meeting with the Governor, Baringo County (3rd left), Vice Chairperson, Commission on Administrative Justice (2nd left), Baringo County Assembly Speaker (3rd right), and the Former Commission Secretary, Commission on

Administrative Justice (2nd right), together with the Commission and ICJ Kenya Chapter technical officers during engagement forum on 19th February 2025, in Kabarnet Town, Baringo County.

Photo: The Commission and Members of the County Assembly of Baringo during a sensitization forum on Access to Information on 19th February 2025.

4.3.3. Community Engagement Forum on Access to Information

The Commission sensitized citizens drawn from various Civil Society Organizations (CSOs), Community Based Organizations (CBOs), Faith Based Organizations (FBOs), Special Interests Groups (SIGs) students and general members of the public from Narok and Baringo Counties. The participants were sensitized on ATI obligations, procedures they can use to access information, limitations on information disclosure and their roles and responsibilities under the ATI regime.

Participants raised several issues such as whistleblower protection mechanism, registration of anonymous requests for information, disclosure of inadequate or irrelevant information on public interest matters such as SHA, Housing Levey matters, budgeting processes and so on. It was noted that there is need to have adequate mechanisms in place to protect whistle blowers since the legals framework in Kernya was inadequate to ensure comprehensive protection. The Commission advised the participants that it had initiated advocacy measures to ensure passage of the Whistleblowers Protection Bill which was pending in Parliament to ensure adequate measures.

4.3.4. Participation in 2025 International Women's Day Celebrations

The Commission participated in International Women's Day (IWD) celebration, held from 7th to 8th March 2025, at the Kenyatta International Convention Centre (KICC) in Nairobi, Kenya. This was a powerful convergence of leaders, advocates, and changemakers. The event embraced the global theme "*Accelerating Action Towards Women Empowerment*", and provided a dynamic platform for dialogue, recognition, and action in support of gender equality and women's advancement across all spheres of society. The Commission participated in this key event being cognizant of the important role of ATI as a facilitative right to ensure realization of fundamental human rights including gender parity, equity and equality, inclusive growth as well as the right to development.

The Commission facilitated a session on right of access to information: accelerating action towards gender parity where the critical role of access to information as a key driver of gender equality was emphasized.

Further, the Commission conducted a legal aid clinic during the 2025 IWD celebrations where citizens and stakeholders were advised and empowered on different legal issues on service delivery and access to information.

The Commission also sensitized a total of 152 persons during a side event on IWD as indicated in the table 6 below:

Table 6: Number of People Reached

Age	Male	Female	Total
18-25	6	18	24
25-35	12	26	38
35>	18	62	80
PWD	2	8	10
Total	**38**	**114**	**152**

Photo: Ms. Dorothy Jemator, Vice Chairperson and Access to Information Commissioner, Commission on Administrative Justice making opening remarks during the 2025 IWD Celebrations in Nairobi.

4.3.5. Development of the State of Openness Report – Kenya

The Commission is spearheading the development of the State of Openness Report (SOR), a national initiative aligned with the Access to Information Act, 2016, the Government's Fourth Medium Term Plan, the Bottom-Up Economic Transformation Agenda (BETA), and Kenya's commitments under the Open Government Partnership (OGP).

Openness in governance is the collaboration between government and citizens through meaningful public participation to achieve improved development outcomes. In Kenya, the Constitution provides a strong foundation for such openness by enshrining national values including transparency, accountability, the rule of law, inclusion, and citizen participation. These principles, together with the Government's Bottom-Up Economic Transformation Agenda (BETA), support efforts to build a more citizen-centered and inclusive government through progressive laws, policies, and administrative reforms.

Despite these efforts, challenges remain. A noticeable gap still exists between government and citizens, partly due to declining public trust, inconsistent disclosure of information, and weak records management systems that limit access to information. These factors reduce transparency and hinder effective engagement between citizens and public institutions.

The State of Openness Report therefore seeks to provide a comprehensive assessment of the level of openness across public institutions. It will generate evidence-based insights to strengthen transparency, improve access to information, and enhance citizen participation in governance. In addition, the report will highlight challenges experienced by citizens when engaging with public institutions and provide recommendations to guide institutions in promoting inclusive, transparent, and accountable governance

The State of Openness Report focuses to assess four key dimensions:

I. Availability of government information including the status of records management, digitization, and automation of information systems.
II. Accessibility of information through examining citizens' ability to access timely, inclusive, and user-friendly information, both proactively and upon request.
III. Citizen engagement in public affairs through evaluating institutional mechanisms for participation and citizen experiences in engaging with government processes.
IV. Impact of policies and frameworks by assessing whether existing strategies have translated into measurable gains in transparency, accountability and trust.

Progress Made in Developing Kenya's State of Openness Report

The Commission constituted a Multi-Agency Steering Committee chaired by the Access to Information Commissioner and composed representatives from the Commission, key government institutions, and civil society organizations. The Committee is responsible for providing leadership and strategic direction in the development of the report.

During the reporting period, the Steering Committee had several engagements where a comprehensive workplan was developed outlining key deliverables, including strategy and planning, data collection, processing, report writing, and the report dissemination. The development of the report is planned over a twelve-month period, commencing in April 2025 and expected to conclude by 30 April 2026.

Additionally, the Committee developed the overall strategy and draft data collection tools with the support of the Organization for Economic Co-operation and Development (OECD). Despite the progress made, the pace of execution has been constrained by limited resources.

4.4. Enforcement of the Right of Access to Information

4.4.1. Review of ATI Decisions

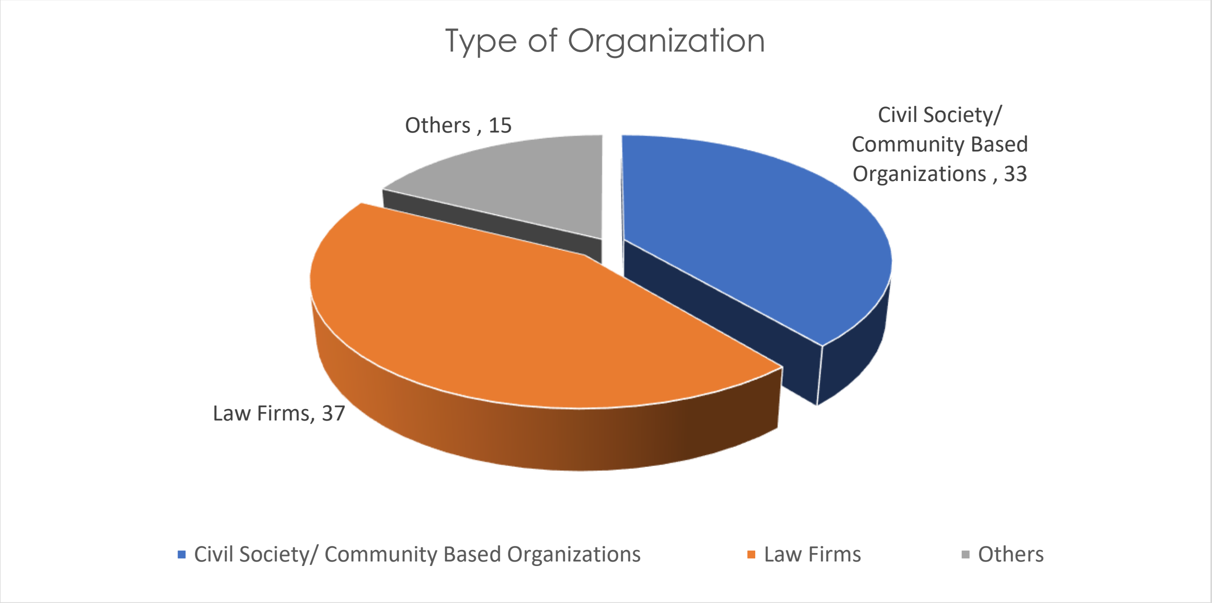
The ATI Act, 2016 confers the Commission with review jurisdiction on decisions of public entities and relevant private bodies on requests for access to information.

During the reporting period, the Commission received a total of 459 applications for the review of decisions made by entities under the Access to Information Act. The majority of these applications were lodged by male applicants, accounting for 60.3% of the total applications, while female applicants accounted for 21.1%. The remaining 18.6% were submitted by organizations, as defined under Section 2 of the ATI Act, 2016. The applications are disaggregated as shown in Table 7 below:

Table 7: Number of Applications Received

Quarter	Individual Applications		Organization	Total
	Male	**Female**		
Quarter 1 (July – Sept)	62	27	16	105
Quarter 2 (Oct- Dec)	50	11	26	87
Quarter 3 (Jan – Mar)	78	21	23	122
Quarter 4 (Apr -Jun)	87	38	20	145
Total	**277**	**97**	**85**	**459**

Figure 11: Applications Received from Organizations



From the applications lodged by organizations, it was noted that the majority originated from law firms, accounting for 43.5% of the total applications submitted by organizations. CSOs, CBOs, and SIGs accounted for 38.8% of the total applications. This indicates that the Commission's continuous engagement with the lawyers' regulatory agency is yielding positive results.

Table 8: Nature of Respondent Institutions

Quarter	Public	Private	Total
1 (Jul-Sept)	93	12	**105**
2 (Oct- Dec)	80	7	**87**
3 (Jan- Mar)	113	9	**122**
4 (Apr -Jun)	134	11	**145**
TOTAL	**420**	**39**	**459**

With regard to the nature of the respondent institutions, the majority were public entities, accounting for 91.5% of the total respondents, while private bodies constituted 8.5%. Further, among the public entities whose decisions were appealed before the Commission, the majority were National Government entities, representing 91.1%, while County Governments accounted for 8.9% of the total public entities

Table 9: Levels of Government

Quarter	National	County	Total
1 (Jul-Sept)	85	8	**93**
2 (Oct- Dec)	69	11	**80**
3 (Jan- Mar)	107	6	**113**
4 (Apr -Jun)	122	12	**134**
Total	**383**	**37**	**420**

4.4.2. Classification of Requests

The applications received during the reporting period were classified into various categories. The majority of these applications (97%) arose from refusals to grant access to information. This suggests that many institutions are not adequately providing information upon request, highlighting the need for increased sensitization on their roles and obligations under the Access to Information Act.

The Commission additionally received five (5) applications, representing 1.1% of the total applications, seeking review of decisions relating to the refusal to correct, update, or annotate records of personal information under Section 14(1)(h) of the Act. Additionally, two (2) applications addressed issues concerning public entities' obligations on proactive disclosure, as provided for under Sections 5 and 14(3) of the Act. During the reporting period, the Commission also initiated four (4) own-motion review applications (suo motu) against public entities implementing the Access to Information Act.

Table 10: Classification of Requests

No	Type of Request	Number of requests				
		Q1	**Q2**	**Q3**	**Q4**	**Total**
1	Refusal to grant access	103	82	120	142	447
2	Refusal to correct/update/annotate	0	2	1	2	5

3	Proactive disclosure	0	1	0	1	2
4	Unreasonable fees	0	0	0	0	0
5	Edited form access	1	0	0	0	1
6	Purported access	0	0	0	0	0
7	Deferred access	0	0	0	0	0
8	Suo moto	1	2	1	0	4
	Total	105	87	122	145	459

4.5. ATI Success Stories

I. Medical Records Provided under ATI Procedures

The Commission received an application for review under Section 14(1) (a), ATI Act, 2016 against Naivasha Sub-County Hospital indicating that on 11th June, 2024, the applicant requested for copies of medical records for a deceased relative but such were not provided. The statutory timelines to process the request for information having lapsed, the Commission vide a letter dated 1st August 2024 requested the Respondent to furnish its Institutional Report in accordance with Section 22(3), ATI Act. The Respondent in a letter dated 20th August 2024 availed the medical report sought to the applicant. The applicant in an email confirmed that the request for information had been responded to satisfactory.

II. Action Taken on Road Damage Due to Overloaded Vehicles

A request for information was received by the Commission addressed to Kenya Urban Roads Authority on road damage caused by overloaded Cement trucks from Simba Cement Company Nakuru plant located in Salgaa area on the Nakuru-Eldoret highway. The Commission requested KURA to respond to the request in accordance with Section 9(4), ATI Act 2016 and also stipulate measures put in place to ensure a long-lasting solution to the issue raised by the requestor. Thereafter, KURA confirmed that it had prioritized axle load monitoring on the road in the first half of the financial year 2024/25 and that they had partnered with KENHA to assist in continuous monitoring of vehicles plying the road.

III. Enhanced Transparency and Accountability

A member of National Social Security Fund (NSSF) wrote to CEO of NSFF requesting for audited Financial statements for Financial Years 2022/2023 and 2023/2024 to be published on the Fund's website as required by Section 5 of ATI Act. Following the Fund's failure to publish these statements, the member applied to the Commission for a review. After the Commission's intervention, NSFF uploaded these statements on its website and further indicated that this was done as soon as the same were approved through the Fund's AGM.

IV. Correction of Information

An applicant who had been charged in Bondo Law courts with an assault case was acquitted on 15th April 2022. Later, when he applied for a certificate of good conduct from Directorate of Criminal Investigations, he noted that the previous charge was still reflecting on it. He sought to have his certificate of good conduct corrected but DCI informed him to avail case proceedings including the acquittal ruling. The Bondo Law Courts did not facilitate access to court's proceedings stating that the key to the archives had been misplaced. Thus, he applied to the Commission for review. The Commission intervened and the proceedings and ruling were granted thus enabling his information corrected.

V. ATI Utilized to Inform Litigation Strategy

An employee who was dismissed from employment engaged a law firm, S&S Advocates LLP to act for him in the matter. The Law firm sought for information from his employer including employment and disciplinary records. The law firm made an appeal to the Commission after the Company declined to provide the records or respond to his request for information. Following the Commission's intervention, the Company noted that some of the requested information including Board's minutes and Investigation Report contained information which was limited from disclosure as it involved other parties. The Commission guided the Company on the legal provisions and advised on ways of striking a balance between disclosure and limitation through provision of a redacted version of the requested documents. Thereafter, the Company complied and thus enabled the law firm to advise and advance its client's cause.

VI. Enabling Decision Making

C.J. Advocates on behalf of their clients sought information from Kenya Railways on the decision by the Company to undertake a railway project over their clients' parcels of land located in Marenyo, North Gem. The information sought included the project decision, National Land Commission documents on compulsory acquisition of the land, documents showing the project interaction with the parcels of land, Public Participation report, Environmental Impact Assessment and Social Impact reports. Following the Commission's intervention, Kenya Railways provided the information thereby enabling appropriate advice to its clients on the matter.

4.6. Remedial Actions on Access to Information Violations

4.6.1. Issuance of ATI Orders by the Commission

The Commission utilized its powers granted by ATI Act, 2016 as well as the CAJ Act such as Summonses to elicit responses. Section 23(2) of the Access to Information Act gives the Commission powers to issue orders where it is satisfied that there has been an infringement of the provisions of the Act.

During the financial year 2024-2025, the Commission issued a total of 62 orders some of which have been enforced as decrees of the High Court in accordance with Section 23(4) of the Act. The following are some of the ATI orders that have been issued by the Commission:

I. **State Department for Environment and Climate Change Ordered to Release Information on Framework of Collaboration Agreement signed between** State Department and Blue Carbon, a company based in the United Arab Emirates

II. **Nairobi City County Government Ordered to Release Information on Land Use over** Land Reference Number 7**3, Karen

III. **National Titling Centre Ordered to Release Information on Land** of the land parcel number MACHAKOS/ NGULUNI/8**

IV. **NEMA Ordered to Release Information on Environmental Compliance** on several land parcels located along Langata-Link Road next to Phenom Estate

4.7. Enforcement of CAJ ATI Orders in Court

Whereas there are oversight mechanisms in the bill of rights, the Court's role in adjudication of various disputes involving alleged violation of rights has been maintained under Article 22 of the Constitution. Consequently, the ATI Act allows the court system to adjudicate on decisions relating to access to information. The Act in Section 23(3) indicates that any person who is dissatisfied by an order made by the Commission may appeal to the High Court within 21 days wherein the order may be affirmed or overturned. In the absence of an appeal, the party to whom the order is in favour of may apply to the High Court for adoption and enforcement as an order of the Court as provided by Section 23(5) of the Act.

4.8. Suo Moto Access to Information Investigations

The Commission, acting on its own motion, followed up on several matters on under its Access to Information mandate, including

I. Inquiry into Non-Remittance of Statutory Deductions by Public Entities including pensions and contributions to the Local Authorities Pension Trust
II. Inquiry into the Massive Livestock Vaccination by Government planned countrywide campaign on livestock vaccination by the National Government following media reports.
III. Inquiry into Contracts between Kenya Electricity Transmission Company Limited and Adani Group for the construction of three transmission lines and two substations.
IV. Inquiry into stalled road development projects in Narok County despite millions of shillings allocated for their completion

4.9. Institutionalizing Access to Information in Devolved System of Governance

While the Access to Information Act applies to both the National and County Governments, the County Governments Act places specific obligations on county governments with regard to the right of access to information. Section 96 of the County Governments Act specifically addresses access to information held by county governments, including county units and departments, and requires county governments to enact legislation to guarantee access to information.

County Governments look to the Commission for support and technical guidance in the development and implementation of county-specific laws on access to information. In response, the Commission developed a ***Model Law on Access to Information for County Governments*** to support county governments in legislating County Access to Information (ATI) laws as a means of increasing access to information at the local level. The model law acts as a guide on the minimum requirements for county ATI laws, thereby ensuring uniformity and maintaining the spirit of the national law.

During the reporting period, the Commission engaged with County leadership in twenty-two (22) counties. This included consultations with County Governors, County Secretaries, County Assembly Speakers, and County Assembly Clerks, with a call for counties to develop and legislate county access to information laws. The counties engaged during the reporting period include Isiolo, Nyeri, Murang'a, Nakuru, Kitui, Makueni, Machakos, Kiambu, Baringo, Narok, Vihiga, Siaya, Kisii, Homa Bay, Elgeyo Marakwet, Uasin Gishu, Trans Nzoia, Bomet, Kilifi, Tana River, Taita Taveta, and Kwale.

The Commission additionally supported twenty (20) counties to draft their own County ATI Bills. By the end of the reporting period, thirteen (13) counties had developed draft ATI Bills with support from the FLOCCA program. These counties include Makueni, Kitui, Nyeri, Nakuru, Kiambu, Kisumu, Siaya, Homa Bay, Kilifi, Bungoma, Bomet, Trans Nzoia, and Elgeyo Marakwet.

It should be noted that two counties, Kwale and Embu have already enacted Access to Information laws. It is expected that other counties will follow suit and adopt similar legislation based on the overarching national Access to Information framework. Such County ATI laws will enable the customization of ATI procedures to county systems, thereby enhancing access to information within devolved systems and local settings.

4.10. Disposal of Public Records

The obligation on proper records management under the ATI Act includes disposal of public records in a manner that enhances access to information. Consequently, Public Archives and Documentation Services Act was amended by ATI Act to enable consultations between Kenya National Archives and Documentation Service (KNADS) and the Commission before authority for destruction of public records is given. The Commission and KNADS developed modalities for disposal based on the following; the applicable law; appraisal reports by KNADS; nature of public records in issue; the need for preservation of information and the need for protection of personal data.

In the reporting period, the Commission reviewed 62 requests for disposal of records and granted concurrence to dispose 1,732,361 records. This is shown in the table below:

Table 11: Concurrence of Authority to Dispose Records

No.	Category	Q1	Q2	Q3	Q4	Total
1	Number of requests	31	0	19	12	**62**
2	No. of Institutions who applied for authority to dispose public records	31	0	19	12	**62**
3	Total number of records where concurrence was granted	1,279,506	0	88,540	364,315	**1,732,361**

4	Total Number of records where concurrence was not given	0	0	95,003	2,193	**97,196**

4.11. Monitoring of International Treaty Obligations

The Access to Information Act, 2016 requires CAJ to monitor and report on Kenya's compliance with its international treaty obligations on freedom of and right of access to information. At the international level, United Nations Educational, Scientific and Cultural Organization (UNESCO) monitors the implementation of the Right to Information (RTI) under the Sustainable Development Goals (SDGs 16.10.2). The reporting mechanism requires both quantitative and qualitative computation of data generated from a national perspective on the implementation process of the right to information. The report should establish the constitutional, statutory and or policy guarantees for public information and the extent to which such national guarantees reflect international agreements.

During the reporting period, the Commission submitted its 5th report to UNESCO on Kenya's compliance with international treaty obligations. It also looked at the implementation mechanisms in place for such guarantees. Among the parameters that the Commission reported on include binding national access to information legislation; presence of national policy on access to information; action plans, standard operating procedures and protocols on ATI implementation; open government strategy or policy; mechanisms for monitoring SDG 16.10.2 in Kenya; institutional mechanisms existing on ATI implementation; oversight system effectiveness and efficacy of records management as well as challenges experienced on ATI implementation and its future plans.

4.12. Access to Information Promotional Activities

Commemoration of the International Day for Universal Access to Information

The International Day for Universal Access to Information (IDUAI) marked annually on 28th September was proclaimed at the UNESCO General Conference in 2015 later affirmed at the 74th UN General Assembly in 2019. The theme for 2024 commemoration was *"Mainstreaming Access to Information and Participation in the Public Sector"*.

The Commission with other key institutions including Media Council of Kenya and Katiba Institute spearheaded the celebrations to mark the International Day on 27th September 2024.

The Commission also participated in the Integrity Walk organized by Transparency International Kenya on 28th September 2024. Additionally, the Commission participated in IDUAI international commemoration in a panel discussion in Ghana on ‘OGP perspective: Role of transparency and Access to Information’ on 1st October 2024.

CHAPTER FIVE

PUBLIC EDUCATION, ADVOCACY AND CORPORATE COMMUNICATIONS

5.1. Introduction

Capacity building of public officers and Public Education, Advocacy function of the Commission is grounded in Section 8(e) and 8(j) of the Commission on Administrative Justice Act, 2011, which requires the Commission to facilitate the establishment of complaint handling mechanisms, and build institutional capacity within public offices and promote public awareness of administrative justice. Additionally, Section 21(1)(c) of the Access to Information Act mandates the Commission to promote public awareness on the right to access information and related procedures.

During the reporting period (2024/2025FY), the Commission carried out robust public education and awareness programs to empower citizens with knowledge of their rights to administrative justice and access to information to promote transparency and accountability in public administration, and strengthen public trust in public institutions. The Commission also facilitated sensitization and training of public officers from National and County Governments on establishment of effective complaints handling and access to information mechanisms within the public service.

5.2. Sensitization and Training of Ministries, Departments and Agencies, and County Governments on Complaints Handling and Access to Information

The Commission facilitated trainings for officers drawn from various Ministries, Departments, Agencies, and Counties (MDACs) on effective complaints management and the implementation of Access to Information Act. In this regard, a total of 3,631 public officers drawn from ninety-one (91) MDAs and twenty-five (25) Counties were trained. The Trainings were conducted through structured capacity-building sessions, sensitization forums, and technical support engagements and webinars targeting public officers.

In addition, the Commission organized two (2) thematic webinars focusing on Alternative Dispute Resolution (ADR) in complaints resolution and the 14th Edition of Performance Contracting, aimed at strengthening institutional compliance, enhancing dispute resolution mechanisms, and promoting effective service delivery within the public sector

The Commission's training programmes were aimed at achieving the following objectives:

I. To enhance understanding of the Commission's mandate and its role in promoting administrative justice and access to information;
II. To strengthen the effectiveness of complaints handling and access to information within the public sector by equipping public officers with the skills necessary to resolve complaints amicably and ensuring adherence to Access to Information (ATI) disclosure obligations;
III. To enhance responsiveness, transparency, and accountability across public institutions;
IV. To build the capacity of public officers to deliver citizen-focused and rights-based public services; and
V. To improve institutional compliance with performance contracting requirements and reporting standards.

REPUBLIC OF KENYA

THE COMMISSION ON ADMINISTRATIVE JUSTICE
(Office of the Ombudsman)
Hata Mnyonge ana Haki

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Table 12: Number of Officers Trained in MDAs during the FY 2024/25

NO	MDA	OFFICERS TRAINED
1.	Capital Markets Authority (CMA)	4
2.	Women Enterprise Fund (WEF)	285
3.	Energy & Petroleum Regulatory Authority (EPRA)	62
4.	Kenya Roads Board (KRB)	24
5.	Retirement Benefits Authority (RBA)	8
6.	National Council for Population and Development (NCPD)	9
7.	Women Enterprise Fund (WEF)	56
8.	Policyholders Compensation Fund	20
9.	Kenya Agricultural and Livestock Research Organisation (KALRO)	31
10.	Kenyatta University	73
11.	Kenya National Highways Authority (KENHA)	12
12.	Policy Holders Compensation Fund (PCF)	9
13.	Kenya National Library Services (KNLS)	17
14.	Engineers Board of Kenya (EBK)	13
15.	Ministry of Defence (MOD)	12
16.	National Museums of Kenya (NMK)	66
17.	Public Service Commission	8
18.	Bio Safety Appeals Board (BSAB)	13
19.	Office of the deputy president - State Department for Devolution	21
20.	Wildlife Research and Training Institute (WRTI)	12
21.	National Police Service	80
22.	14th Edition of Performance Contracting Webinar	246
23.	Clinical Officers Council (CoC)	6
24.	Tana Water Works Development Agency (TWWDA)	46
25.	Independent Policing Oversight Authority (IPOA)	9
26.	Ministry of Energy and Petroleum – State Department for Petroleum	28
27.	Office of the Deputy President (ODP)	10
28.	The Kenya National Bureau of Statistics (KNBS)	34
29.	Kenya Deposit Insurance Corporation (KDIC)	12
30.	Kenya Biovax Institute (KBI)	9
31.	Teachers Service Commission (TSC)	84
32.	Rural Electrification and Renewable Energy Corporation (REREC)	50
33.	Kenya National Commission for UNESCO (KNATCOM)	45
34.	The National Treasury (TNT)	15
35.	University of Eldoret (UoE)	100

NO	MDA	OFFICERS TRAINED
36.	Kenya School of Law (KSL)	132
37.	Kenya Institute of Special Education (KISE)	10
38.	Capital Markets Authority (CMA)	9
39.	Embu university	53
40.	Technical University of Mombasa (TUM)	76
41.	Kenya National Entrepreneurs Savings Trust (KNEST)	10
42.	Kenya Civil Aviation Authority (KCAA)	108
43.	Kenya Law Reform Commission (KLRC)	34
44.	Kenya Biovax Institute (KBI)	15
45.	Kaimosi Friends University (KFU)	5
46.	Agriculture and Food Authority (AFA)	26
47.	Masinde Muliro University of Science and Technology (MMUST)	16
48.	National Industrial Training Authority (NITA)	24
49.	Office of the Data Protection Commissioner	7
50.	State House (SH)	14
51.	Office of the Prime Cabinet Secretary and Ministry of Foreign and Diaspora Affairs (MFA)	10
52.	Kenya Trade Network Agency (KENTRADE)	10
53.	Kenya Electric Generating Company (KENGEN)	52
54.	Nairobi Police Service Academy (NPSA)	80
55.	Kenya National Library Services	34
56.	Kenya Ports Authority (KPA)	41
57.	State Department for Foreign Affairs (SDFA)	11
58.	Ministry of Health - State Department for Medical Services (SDMS)	21
59.	National Biosafety Authority (NBA)	10
60.	Kenya Marine and Fisheries Research Institute (KMFRI)	10
61.	Ministry of Energy and Petroleum State Department for Petroleum (SDP)	30
62.	Kenya Maritime Authority (KMA)	25
63.	Communications Authority of Kenya (CA)	17
64.	Kenya Industrial Property Institute (KIPI)	50
65.	University of Embu (UOE)	15
66.	Office of Registrar of Political Parties (ORPP)	19
67.	National Construction Authority (NCA)	14
68.	Kenya Yearbook Editorial Board (KYEB)	5
69.	Witness Protection Agency (WPA)	53
70.	Uwezo Fund (UF)	23
71.	Commission for University Education (CUE)	7
72.	Kenya Leather Development Council (KLDC)	8
73.	Anti FGM Board (AFGMB)	7

NO	MDA	OFFICERS TRAINED
74.	Nairobi Centre for International Arbitration (NCIA)	7
75.	MDAs Webinar on ADR and resolution of public complaints	186
76.	Kenya National Commission for UNESCO (KNATCOM)	7
77.	Kaimosi Friends University (KAFU)	3
78.	Konza Technopilis (KoTDA)	12
79.	State Department for Petroleum (SDP)	27
80.	Kenya Space Agency (KSA)	10
81.	Kenya Roads Board (KRB)	9
82.	Senate directorate of Litigation and compliance	27
83.	Centre for Mathematics, Science and Technology Education in Africa (CEMASTEA)	16
84.	The Kenya National Bureau of Statistics (KNBS)	16
85.	Kenyatta International Convention Centre (KICC)	73
86.	ICT authority	60
87.	Kenya Film Classification Board (KFCB)	30
88.	Kenya Biovax institute technical support	14
89.	Public Service Superannuation Fund (PSSF)	12
90.	Energy and Petroleum Regulatory Authority (EPRA)	12
91.	Masai Mara University (MMU)	50
	MDA TRAININGS TOTAL	**3191**

Table 13: Number of Officers Trained in the Counties during the FY 2024/25

NO	COUNTY	OFFICERS TRAINED
1.	Tana River County on Complaints Handling & ATI	19
2.	County Assembly of Kilifi on Complaints Handling and ATI	26
3.	Nyamira County training on GRM	24
4.	Kakamega County - Capacity building of ward and subcounty administrators on access to information	63
5.	County Assembly of Siaya	7
6.	Technical support for development of Kilifi County GRM Framework	16
7.	Murang'a County Government training	19
8.	Nyeri County GRM and ATI Policy Development technical Meeting	5
9.	Isiolo County GRM and ATI Policy Development technical Meeting	12
10.	Kilifi County GRM and ATI Policy Development technical Meeting	13
11.	Tana River County GRM and ATI Policy Development technical Meeting	17

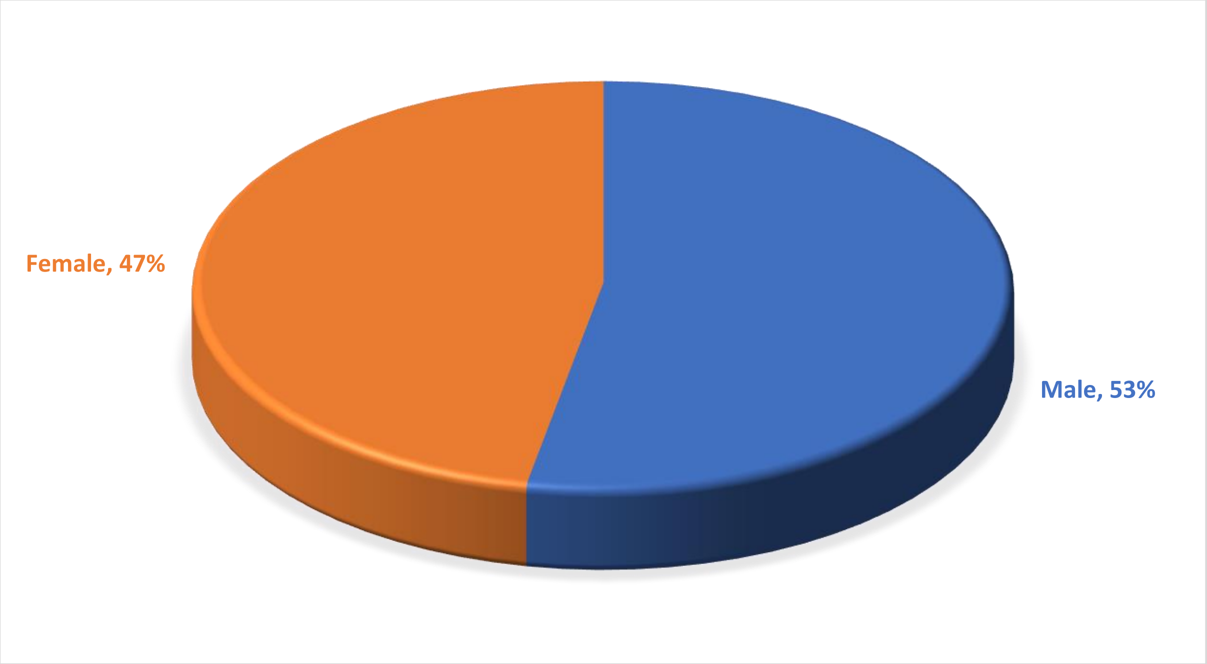
NO	COUNTY	OFFICERS TRAINED
12.	Taita Taveta County - GRM and ATI Policy Development technical Meeting	1
13.	Kwale County - GRM and ATI Policy Development technical Meeting	8
14.	Kitui County GRM Technical Meeting	11
15.	Makueni County GRM Technical Meeting	8
16.	Makueni County ATI Technical Meeting	8
17.	Machakos County GRM Technical Meeting	11
18.	Kiambu County - GRM Technical Meeting	10
19.	Kiambu County ATI Technical Meeting	6
20.	Bomet County - GRM and ATI Technical Meeting	10
21.	Tranzoia County - GRM and ATI Technical Meeting	12
22.	Uasin Gishu County - GRM and ATI Technical Meeting -	5
23.	Elgeyo Marakwet County - GRM Technical Meeting	6
24.	Elgeyo Marakwet County -ATI Drafting Meeting -	6
25.	Embu County Assembly Legal and Justice Affairs Benchmarking support	8
26.	Sensitization of Narok County Government officers on ATI	15
27.	Sensitization of Baringo County Assembly officers on ATI	7
28.	Sensitization of Baringo County Government officers on ATI	26
29.	Sensitization of Baringo County Assembly officers on ATI	14
30.	Sensitization of Isiolo County Government officers on ATI	18
31.	Training to the County Government of Isiolo technical officers on ATI implementation	15
32.	Training to the County Government of Marsabit technical officers on ATI implementation	14
	Total	**440**

Photo: Kilifi County Assembly Members Undergoing Training on Complaints Handling and Access to Information

5.3. Public Officers Trained by Gender

The MDAC officers trained represented 1,493 (52.7%) male and 1,342 (47.3%) female, reflecting an inclusive approach to capacity-building across public institutions.

Figure 12: Gender Distribution of MDACs Officers Trained



5.4. Non-State Actors - Private Sector Trainings

To promote awareness of Access to Information and the role of the Ombudsman among private actors, the Commission successfully held four training sessions for stakeholders affiliated with the Loyola Centre for Media and Communications (LCMC) an organization that advocates for justice, peace, and human rights. A total of 170 participants were trained.

5.5. Public Education and Outreach

During the reporting period, the Commission used a multi-faceted approach to carry out public education and awareness. These approaches included the following,

a) Outreach forums/legal aid clinics,
b) Media engagements,
c) Stakeholder engagements,
d) County visits
e) Courtesy calls

These initiatives not only enhance public awareness and participation in governance processes but also strengthen transparency, accountability, and responsiveness within public institutions, thereby fostering greater trust between citizens and the State.

During the reporting period, the Commission, through multifaceted approaches reached an estimated 8.5 million people across the country.

I. Public Education and Legal Aid Clinics Outreach

Outreach forums and legal aid clinics were conducted to enhance public education and awareness. Key public education and awareness outreach activities were conducted in these facilities:

(a) Kabete Juvenile Home;
(b) Law Society of Kenya (LSK) Legal Awareness Week at Milimani Law Courts, Nairobi;
(c) Awelo Chief's Camp in Siaya County;
(d) Makueni County - on land succession;
(e) Huduma Mashinani forum at Kangemi;
(f) Lang'ata Women's Prison;
(g) Siaya County - focusing on enhancing widows' understanding of land rights.

(h) Meru and Tharaka Nithi Counties – comprehensive public education and awareness caravan prior to the launch of Meru office
(i) Gakoromone Market in Meru

II. Community Engagement Forums

Community engagement forums tailored on different issues like ADR, public education and access to legal Identity documents were conducted in various counties including Meru, Kisumu, Isiolo, Marsabit, Embu and Nakuru.

Photo: Commission's Chairperson (4th from the left) and Speaker Embu County Assembly (3rd from the left) and other officers from the County during one of the County Engagements

These engagements were supported by the Geneva Centre for Security Sector Governance (DCAF), the International Development Law Organization (IDLO), the Catholic Justice & Peace Department, IPS, She's Afrique and NAMATI.

The Commission also engaged in key stakeholder forums including the 6th General Assembly of the Association of African Public Service Commissions, the

5th Annual AKPIA Conference in Mombasa, the Strathmore ADR ToT Graduation at Strathmore University, the IPOA Strategic Stakeholder Engagement, a courtesy visit to Riara University's School of Law, and the Media Council of Kenya Annual Summit, including the launch of a toolkit on protection and promotion of civic space in Kilifi County

III. Ombudsman Mashinani Forums

With support from Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Ombudsman Mashinani activities including radio programmes on Angaaf Radio (Isiolo), Radio Alpha (Eldoret), and Radio Nam Lolwe FM (Kisumu), as well as Open Day events in Kinna Town (Isiolo), Langas (Eldoret), and Manyatta (Kisumu) were successfully implemented boosting public education and awareness.

Photo: Ombudsman Mashinani Open Day in Langas Eldoret

IV. County Visits

County visits were undertaken under the Financing Locally Led Climate Action Program (FLLoCA) in Kisumu, Homa Bay, Kisii, Nyamira, Siaya, Nyeri, and Isiolo Counties to strengthen GRM and create awareness.

Public education and awareness were also achieved under the Kenya Devolution Support Programme (KDSP) II programme during a data collection exercise for the baseline study for the Management of the Social Aspects and Status of Grievance Redress Mechanisms across all the forty-seven (47) counties.

V. People's Dialogue Festival

The Commission participated in the People's Dialogue Festival at Uhuru Park, Nairobi themed "Building a Collaborative Democracy for Kenya's Sustainable Future"

VI. Media Advocacy

During the period under review, the Commission implemented a range of media education and advocacy strategies aimed at enhancing public awareness of administrative justice and the right of access to information. These strategies included targeted Radio talk shows, media appearances and press conferences. The activities were strategically aligned to key events and emerging issues of institutional importance, thereby strengthening message delivery and maximizing outreach and impact.

Key media engagement activities undertaken during the period under review are outlined below:

Table 14: Media Engagement Activities

	BROADCAST MEDIA/ TV CHANNEL	COMMISSIONER/ OFFICER
I.	Weru TV Exclusive Interview https://www.youtube.com/live/4E1pbN5-0ow	Commission's Chairperson
II.	Angaaf Radio Kenya	Legal and Access to Information Officer
III.	Alpha Radio	Senior Legal, Complaints & Access to Information Officer
IV.	PAWA Radio	Commission Secretary
V.	Radio Nam Lolwe	Senior Legal, Complaints and Access to Information Officer for Kisumu Regional Office and Corporate Communications Officer

	BROADCAST MEDIA/ TV CHANNEL	COMMISSIONER/ OFFICER
VI.	TV 47 https://www.youtube.com/live/XLWcvRVRstY	Commission Secretary
VII.	Angaaf FM, Angaaf Asubuhi programme	Director of Public Education, Advocacy and Corporate Communications,

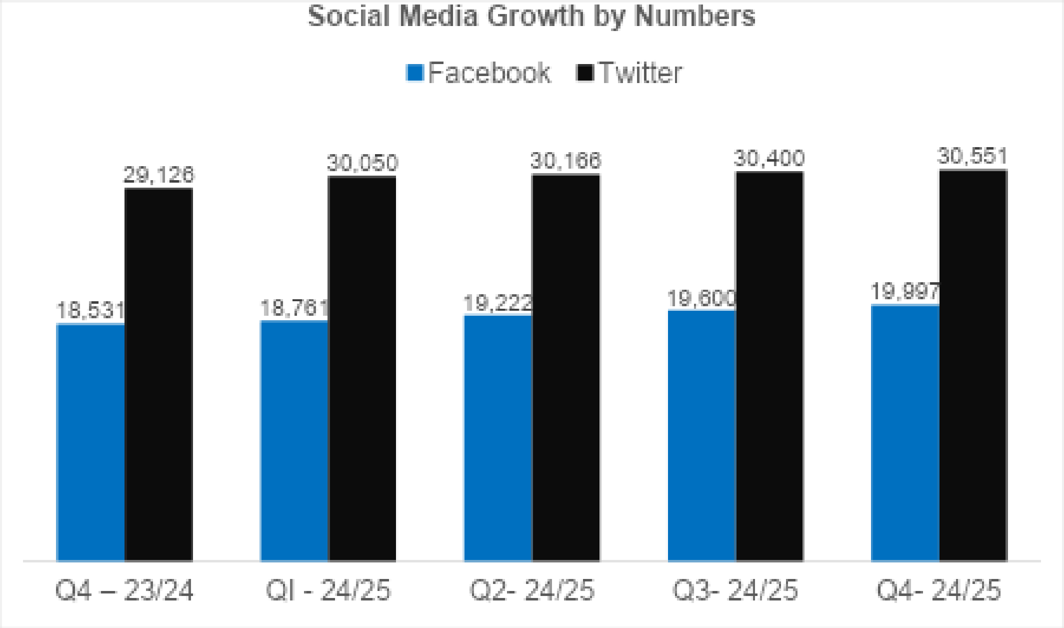
Photo: Commission Officers, during a Radio Programme at Radio Nam Lolwe.

5.6. Strengthening Online Presence and Social Media Reach

During the reporting period, the Commission continued to leverage digital platforms and social media channels to enhance public awareness, promote transparency, and strengthen engagement with stakeholders. Through regular content updates, timely responses to inquiries, and dissemination of information on the Commission's mandate, activities, and services, the platforms served as accessible and interactive tools for public communication. These efforts contributed to increased visibility, improved public access to information, and strengthened institutional presence in the digital space.

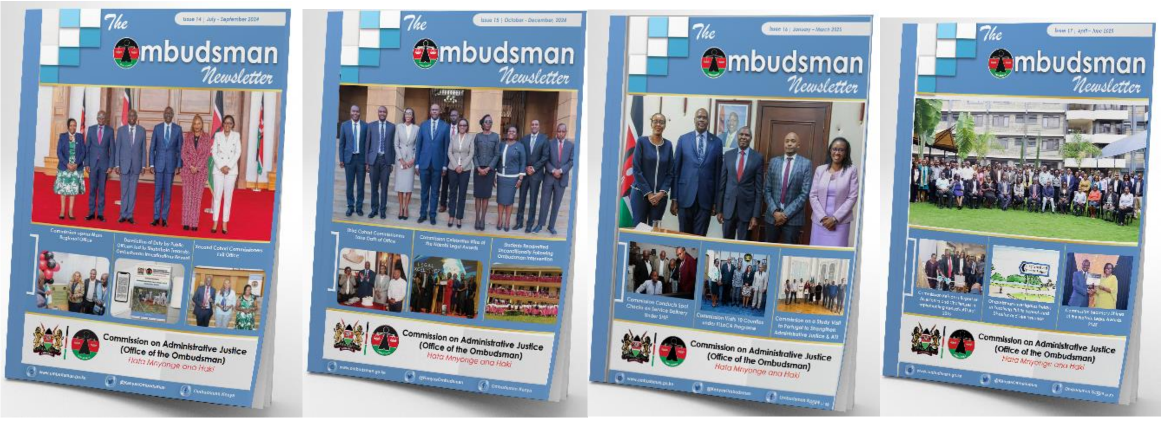
The Commission continued to engage the public on its media platforms; the website (www.ombudsman.go.ke), Facebook ***(Ombudsman Kenya***) and Twitter handles **(@KenyasOmbudsman**), and Instagram. As such, social media has enhanced the visibility and accessibility of the Commission. For instance, the audience size on Twitter increased from and from **29,126** to **30,551** on Twitter and from **18,531** to **19,997** on Facebook.

Figure 13: Social Media Growth



5.7. Production and Dissemination of the Ombudsman Newsletter

The Commission produced and disseminated four editions of the Ombudsman Newsletter as a key communication tool aimed at enhancing public awareness of its mandate, activities, and impact. The newsletter provided updates on investigations, Advisories, public education initiatives, institutional developments, success stories on access to information and complaints resolution thereby promoting transparency and accountability. Dissemination was undertaken through digital platforms such as emails, social media platforms and website to ensure wide reach among stakeholders, partners, and members of the public.



5.8. Branding

5.8.1. Production of Branded Materials

The Commission produced and disseminated over 6,000 Information, Education and Communication (IEC) and other branded materials to support public education initiatives, strengthen stakeholder awareness, and enhance the visibility of the Commission. These materials contributed to improved public understanding of the Commission's mandate, services, and access points.

5.8.2. Branding of Meru Regional Office

The Commission undertook branding of its Meru Regional Office to enhance visibility, accessibility, and institutional identity within the region. The branding initiative included installation of standardized signage, display of the Commission's corporate colours and logo, and placement of clear directional guides to improve public access to the Commission.

This exercise was aimed at strengthening the Commission's presence in Meru and the surrounding counties, fostering public confidence, and ensuring consistent corporate identity across all regional offices.

CHAPTER SIX

6. PARTNERSHIPS, NETWORKS AND LINKAGES

6.1. Introduction

Partnerships and institutional linkages remained a key strategy to the Commission's strategy towards effective execution of the Commission's mandate. Recognizing that the promotion of administrative justice, access to information, and good governance requires collective effort, the Commission continued to forge partnerships and collaborations in National and County governments, as well as regional and international organizations, in the 2024/25 financial year under review. Key among them is:

6.2. Domestic Linkages

I. Council of Governors

The Council of Governors (CoG), established under Section 19 of the *Intergovernmental Relations Act, 2012*, brings together the forty-seven County Governors to promote devolution and intergovernmental collaboration. The partnership with the CoG has significantly enhanced the Commission's outreach on administrative justice, access to information, and public accountability at the county level. During the year, the Commission participated in the 2024 Devolution Conference, where it presented a paper on *"The Role of Good Governance in Enhancing Effective and Efficient Public Service Delivery."* The presentation emphasized the need for standardization, professionalization, and efficiency in county public services to reduce redundancy and improve citizen-centered governance.

II. National Council for the Administration of Justice

As a member of the National Council on the Administration of Justice (NCAJ), a multi-agency platform established under the *Judicial Service Act*, the Commission continued to contribute to justice sector reforms through participation in various ad hoc committees and task forces. The Commission remained instrumental in advancing criminal and civil justice reforms, particularly in policy formulation, coordination, and administrative efficiency across justice institutions.

III. Constitutional Commissions and Independent Offices

The Commission participated in the Constitutional Commissions and Independent Offices (CCIOs) Forum, a platform that fosters collaboration, dialogue, and coordination among independent oversight bodies. Through the forum, the Commission contributed to discussions on strengthening institutional independence, promoting accountability in public administration, and enhancing synergy in the protection of citizens' rights and good governance.

IV. County Assemblies Forum

The Commission participated in the County Assemblies Forum (CAF) Summit held under the theme *"Championing Accountability: Strengthening Oversight for Transparent Leadership through Legislative and Policy Reforms."* During the Summit, the Chairperson (panelist) contributed to the discussion on *"Open Budget, Open Decisions: Strengthening County Oversight through the Open Government Partnership (OGP)."* Through this engagement, the Commission emphasized the critical role of access to information, open budgeting, and citizen participation in enhancing transparency, accountability, and oversight within county governance structures. The participation further reinforced the Commission's leadership role in advancing the Open Government agenda and promoting inclusive and accountable devolved governance.

V. National Land Commission

The Commission participated in the 4th Regional Research Conference themed *"Taking Stock of the Land Reform Progress in Kenya."* In its presentation, CAJ underscored that the land sector remains one of the most problematic areas of public administration, plagued by corruption, opacity, and administrative injustice despite ongoing reforms.

Drawing from complaints received—such as unresolved compensation cases in Busia, Kakamega, and Kiambu Counties—the Commission highlighted the link between administrative inefficiencies and corruption risks. CAJ called for a multi-pronged approach to strengthen transparency, digitize land records, enhance institutional accountability, and curb corruption within the land governance framework.

VI. Transparency International

In partnership with Transparency International Kenya (TI-Kenya), the Commission commemorated the 2024 International Day for Universal Access to Information (IDUAI) on 28th September 2024 through an "Integrity Walk" held under the theme *"Standing Up for Integrity."* The event aimed to raise awareness on the impact of corruption and promote citizen-driven anti-corruption initiatives, aligning with the global IDUAI theme on *mainstreaming access to information and public participation across government sectors.*

VII. Media Council of Kenya

The Commission has maintained a strong partnership with the Media Council of Kenya (MCK) to promote access to information. Under a signed

Memorandum of Understanding (MoU), the two institutions jointly developed the *Journalists' Handbook on Access to Information* (2020), which continues to guide media training. In the 2024/25 financial year, the Commission participated in key media sector forums, including the International Day for Universal Access to Information (2024) and the Annual Media Summit (2025), where it delivered keynote remarks emphasizing the role of technology in realizing the right to information. These engagements have strengthened collaboration with the media and enhanced public awareness on access to information.

VIII. Deutsche Gesellschaft für Internationale Zusammenarbeit - German Agency for International Cooperation

Through the German Agency for International Cooperation (GIZ) Good Governance Programme, the Commission managed to train officers in the County Government of Elgeyo Marakwet, acquire a server and also supported the Commission to undertake a customer satisfaction survey, 2024 being an extension of the two-year work plan (2021–2023). The collaboration supported the strengthening of ethical governance practices within targeted public institutions, contributing to institutional reforms and improved service delivery.

IX. Open Government Partnership

As Kenya's co-commitment lead on Access to Information, the Commission continued its active participation in the Open Government Partnership (OGP) Steering and Technical Committees. The Commission's engagement focused on promoting transparency, civic participation, and government responsiveness through the implementation of OGP commitments.

X. Financing Locally Led Climate Action Programme

In the second phase of the Financing Locally Led Climate Action Programme (FLLoCA) Programme, the Commission provided capacity building and technical support to 17 county governments—including West Pokot, Trans Nzoia, Kwale, Kilifi, Homabay, Kisii, Samburu, Laikipia, Narok, Bomet, Tana River, Meru, Murang'a, Uasin Gishu, Nandi, Kajiado, and Machakos—on complaints handling, access to information, and domestication of county-level ATI policies and legislation.

6.3. Regional Cooperation and Benchmarking

Owing to its growing reputation and institutional achievements, the Commission hosted visiting delegations from Ombudsman institutions in Nigeria and Botswana for benchmarking and peer learning. Additionally, the Commission initiated discussions with other regional and international partners to explore new areas of strategic collaboration in governance, transparency, and accountability.

6.4. International Linkages

I. African Ombudsman and Mediators Association

The Commission maintained active membership in African Ombudsman and Mediators Association (AOMA), a continental body of ombuds institutions. Through AOMA, the Commission engaged in capacity building, peer learning, and promotion of independence of ombuds offices, furthering the African agenda on good governance and accountability.

II. International Ombudsman Institute

The Commission continued its collaboration with the International Ombudsman Institute (IOI), a global association of Ombudsman institutions, facilitating international cooperation, exchange of best practices, and professional development for staff and leadership.

III. European Union – Technical Assistance and Information Exchange

Under the European Union – Technical Assistance and Information Exchange (EU-TAIEX) Programme, fifteen (15) officers of the Commission received specialized training from ombuds institution in Portugal focusing on innovation in complaints handling, service delivery, and administrative justice standards.

IV. International Development Law Organization

The partnership with International Development Law Organization (IDLO) supported capacity building and sensitization on Access to Information in Marsabit and Isiolo Counties. IDLO also facilitated the translation and publication of the Swahili simplified version of the Access to Information Act, thereby improving accessibility and citizen awareness. The collaboration has led to increased demand for technical support from counties.

V. Geneva Centre for Security Sector Governance

With support from Geneva Centre for Security Sector Governance (DCAF), the Commission conducted activities in realization of the Sustainable Development Goal 16 (Peace, Justice, and Strong Institutions) through implementation of the decentralization program- reference to the Launch of the Branch office in Meru.

VI. Catholic Justice & Peace Commission (CJPC), IPS, and She's Afrique

Collaborated on workshops and sensitization forums in Kisumu, Isiolo and Marsabit Counties.

VII. Open Government Partnership

The Open Government Partnership (OGP) is a multilateral initiative that promotes transparency, citizen empowerment, anti-corruption measures, and the use of technology to strengthen governance. Successful implementation of OGP commitments requires broad coalitions and active citizen engagement, including the involvement of media actors throughout the co-creation process.

During the period under review, the Commission participated in key OGP activities, including the National Action Plan Pre-Launch Briefing (3 September 2024), the launch of the 5th OGP National Action Plan (12 September 2024), the IDUAI international panel discussion on OGP and ATI (online, 1 October 2024), and the OGP meeting at the Ministry of Foreign Affairs (30 January 2025).

VIII. African Network of Information Commissioners

The African Network of Information Commissioners (ANIC) is a regional platform that brings together African countries with access to information laws to share knowledge, strengthen cooperation, and encourage the enactment of ATI laws across the continent.

During the period under review, the Commission was elected to the Executive Committee of ANIC at the General Assembly in Johannesburg, South Africa (23–24 May 2024), and to the Executive Committee of the International Conference of Information Commissioners (ICIC) at the Tirana, Albania conference (3–5 June 2024).

To advance these collaborations, the Commission participated in several regional and international ATI initiatives, including the ICIC Exco Meeting (28 May 2025), ANIC Meeting (30 May 2025), ICIC Conference in Berlin (21–28 June 2025), International Aid Transparency Initiative (IATI) Regional Workshop (4–6 November 2024), an ATI study visit in Portugal (24–26 February 2025), and a meeting with the Anti-Corruption Advisor from the British High Commission (8 April 2025).

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CHAPTER SEVEN

GOVERNANCE, HUMAN RESOURCE MANAGEMENT, FINANCE AND GENERAL ADMINISTRATION

7. Introduction

This chapter presents activities under corporate services, which plays a critical role of providing administrative support, towards execution our mandate. It entails marshaling of both human and financial resources, application of Information, Communication and Technology (ICT) and general administration.

During the reporting period, the Commission undertook the following institutional capacity strengthening initiatives.

7.1. Governance

The period under review coincided with a leadership transition at the Commission, ushering in a new administration led by the Chairperson, Mr. Charles Dulo, EBS.

The Commissioners assumed office on 9th December 2024 and promptly set to work, ensuring that planned activities for the period under review proceeded without disruption. A key priority for the new leadership was to address internal challenges, particularly those affecting staff morale and performance. To this end, the Commission undertook the recruitment of additional staff and filled existing vacancies, thereby strengthening its human resource capacity. In addition, staff members who had experienced prolonged stagnation were promoted, a move that boosted motivation, performance, and overall productivity.

These interventions were both timely and strategic, enabling the Commission to more effectively discharge its mandate of promoting administrative justice and access to information.

7.2. Milestones achieved

7.2.1. Increased staff establishment

During the 2024/2025 financial year, the Commission recruited three (3) additional staff members, who were deployed as indicated in Table 15 below. However, the in-post staffing is at 123 officers which is quite low with reference to the Commission approved establishment of 292 positions. The staffing shortfall is most pronounced in the regional offices, some of which operate with as few as four (4) officers.

Table 15: Staff Recruited in the Year 2024/25

S/No	Designation	No. of Position
1.	Clerical Officer II	1
2.	Driver I	1
3.	Personal Assistant to the Commission Chairperson	1

7.2.2. Skills Development

The Commission invests in capacity building of its employees for personal career growth and for skills upgrade to align with the emerging career trends and changes and to make its staff competitive in-service delivery and to realize optimal performance.

In the period under review, the Commission sponsored 42 employees for various professional training courses, seminars and workshops.

7.2.3. Decentralization of Ombudsman Services

The Commission endeavors to strengthen its oversight role at the counties, given that most of the services have been devolved. To achieve this objective, decentralization of Ombudsman services has been prioritized. In the period under review, the Commission opened new regional offices in Meru and Makueni Counties.

7.3. Financial Management

7.3.1. Resource allocation and Utilization:

During the 2024/25 Financial Year, the Commission was initially allocated **KES 661,974,500**. However, this was adjusted downwards by **KES. 33,279,656** in the Supplementary I Estimates, to **KES. 628,694,844,** out of which a total of **KES 621,693,051** was expended as at 30th June 2024. This signify 99 per cent absorption rate, which is an improvement as compared to the previous year's rate which stood at 95 per cent. The Commission was committed to ensuring that the resources put at its disposal were utilized prudently and that transparency and accountability were upheld as evidenced by the unqualified audit report for the period by the Auditor General. Indeed, the Commission has adopted the accrual-based accounting, which enhances transparency and accountability through more disclosures. The commission is committed to adhering to the Government Zero-fault Audit, by ensuring compliance with the legal and policy frameworks, that govern the management of public resources. This is particularly important, to value for money.

Table 16 presents a summary of expenditure by Sub-Programme classification.

Table 16: Expenditure by Sub-Programme Classification in the Year 2024/25

Programme/Sub-programme	Original Budget (KES)	Adjustments (KES	Final Budget (KES	Actual on comparable basis (KES)	Absorption Rate (%)
Promotion of Administrative Justice	**661,974,500**	**(33,279,656)**	**628,694,844**	**621,693,051**	99
General administration and support services	638,863,697	(42,672,822)	596,190,875	590,674,423	98
Administrative Justice Services	18,620,192	(5,869,130)	12,751,062	12,132,455	98
Access to Information Services	4,490,611	15,262,296	19,752,907	18,886,173	98
Total	**661,974,500**	**(33,279,656)**	**628,694,844**	**621,693,051**	**99**

7.4. Staff Mortgage and Car Loan Fund

The Commission values human resource welfare of the staff. It is in this regards that it established a staff mortgage and car loan Fund, to enable staffs realize their personal goals, as they contribute towards the pursuit of those of the Commission. The Scheme is in tandem with the Bottom-Up Economic Transformation Plan of providing affordable housing to Kenyans.

During the period under review, three staff members benefitted from the Fund and a total of **KES. (32,845,000)** Thirty-two million eight hundred forty-five thousand was disbursed. The loan recovery remained impressive as all the loans were performing and repayments realized in total, amounting to **KES. (7,847,676)** Seven million eight hundred forty-seven thousand six hundred seventy-six.

It is worthwhile to note that the audited accounts for the period were unqualified, signifying financial probity of the Fund as a going concern. The commission is committed to upholding financial controls, to ensure that the

Fund continues to meet the purpose and objectives for which it was established. Table 17 presents the financial position of the Fund.

Table 17: Statement of Financial Position as at 30th June 2025

Description		2024/2025 Kshs	2023/2024 Kshs
Assets			
Current assets			
Cash and cash equivalents	6	88,589,751	107,948,570
Current portion principal receivable from exchange transactions	7	6,019,006	3,797,683
Unremitted remittance of Principal from Fund Account.	8a	974,647	1,199,229
Interest Receivable from Fund Account.	8b	12,578	220,911
Total current assets		**95,595,982**	**113,166,393**
Non-current assets			
Long term Principal receivables	9	98,336,956	75,336,373
Total assets		**193,932,938**	**188,502,766**
REPRESENTED BY			
Mortgage & Car loan Revolving Fund	10	186,250,000	186,250,000
Reserves (Accumulated surplus)	11	7,682,938	2,252,766
TOTAL NET ASSETS AND LIABILITIES		**193,926,003**	**188,502,766**

7.5. Quality Assurance and Risk Management

7.5.1. Overview

The Internal Audit and Risk Management function provides independent, objective assurance and advisory services designed to add value and improve the Commission's operations. The function assists the Commission in accomplishing its mandate by bringing a systematic and disciplined approach to evaluating and improving the effectiveness of governance, risk management, and internal control processes, in accordance with Article 201 of the Constitution of Kenya, 2010; the Public Finance Management Act, 2012; Public Finance Management Regulations, 2015; and the Global Internal Audit Standards (2024).

During the Financial Year 2024/25, the Unit undertook key assurance and risk management activities aimed at strengthening internal controls, enhancing accountability, and supporting effective service delivery.

7.5.2. Quality Assurance

During the reporting period, the Internal Audit Unit conducted a total of six (6) branch audits to assess compliance with applicable laws, policies, procedures, and internal control frameworks across the Commission's regional offices.

In addition, the Unit carried out thematic and compliance audits covering critical operational areas, including:

I. Financial Management
II. Human Resource Management
III. Supply Chain Management
IV. Transport Management

These audits focused on evaluating the adequacy and effectiveness of internal controls, compliance with the Public Finance Management Act, 2012, Public Procurement and Asset Disposal Act, 2015, and other applicable regulatory frameworks.

Audit findings and recommendations were communicated to Management for corrective action, and follow-up reviews are being undertaken to ensure implementation.

7.5.3. Risk Management

The Internal Audit and Risk Management Unit continued to coordinate the implementation and strengthening of Enterprise Risk Management (ERM) practices across the Commission.

During the reporting period:

I. Five (5) departmental risk registers were developed and operationalized to enhance risk identification, assessment, and mitigation at functional levels.
II. One (1) Corporate Risk Register was reviewed and updated to reflect emerging risks and align with the Commission's Strategic Plan and operational environment.
III. Four (4) Risk Summary Reports were prepared and submitted to Management and the Audit and Risk Committee to support risk-informed decision-making.

These initiatives contributed to strengthening risk governance and enhancing the Commission's resilience against operational, financial, and strategic risks.

7.5.4. Support to Audit and Risk Committee

The Internal Audit Unit continued to provide secretariat and technical support to the Audit and Risk Committee in accordance with Section 73(5) of the Public Finance Management Act, 2012.

During the Financial Year 2024/25, three (3) Audit and Risk Committee meetings were successfully convened. The meetings reviewed internal audit reports, risk management reports, and the status of implementation of audit recommendations.

The Committee provided strategic oversight and guidance to enhance governance, internal controls, and risk management within the Commission.

7.5.5. Contribution to Governance and Accountability

Through its assurance and advisory role, the Internal Audit and Risk Management function contributed to:

I. Strengthening internal controls and compliance with applicable laws and regulations;
II. Enhancing risk management practices across the Commission;
III. Supporting transparency, accountability, and prudent use of public resources; and
IV. Promoting continuous improvement in governance and operational effectiveness.

The Commission remains committed to strengthening the Internal Audit and Risk Management function to support effective delivery of its constitutional and statutory mandate.

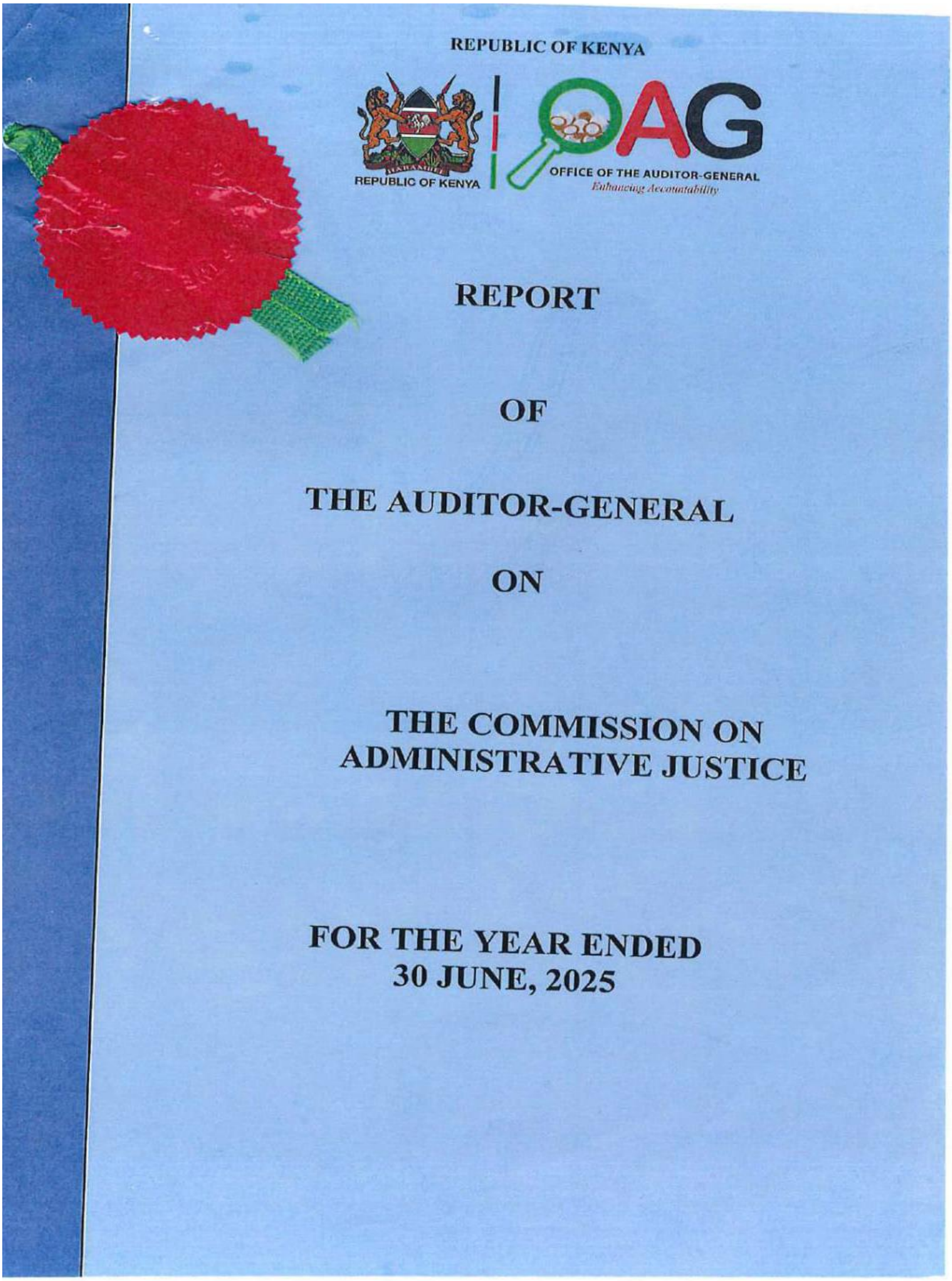
7.6. Pending Bills

The Commission carried forward pending bills amounting to **KES 1,127,555** due to factors beyond its control, among them the austerity measures that saw the budgetary allocation reduced by **KES 33,279,656**. The bills will be settled in the 2025/2026 Financial. The Pending bills carried forward in the from the 2024/25 are shown in the table 18.

Table 18: Pending Bills Carried Forward in the Year 2024/25

	Firm/Supplier	Outstanding Amount (KES)
1.	M/s Junecess Merchants	12,000.00
2.	M/s Postal Corporation of Kenya	460,475.00
3.	M/s Visum Park Hotel	63,000.00
4.	M/s College of Insurance	107,000.00
5.	M/s Gelian Hotel Machakos	272,000.00
6.	M/s New KCC	63,809.00
7.	M/s Leaky Ventures	23,760.00
8.	M/s CFAO Kenya Ltd	125,511.00
	TOTAL	**1,127,555.00**

7.7. Audited accounts for the Year 2024/25



REPUBLIC OF KENYA

REPUBLIC OF KENYA

OFFICE OF THE AUDITOR-GENERAL
Enhancing Accountability

REPORT

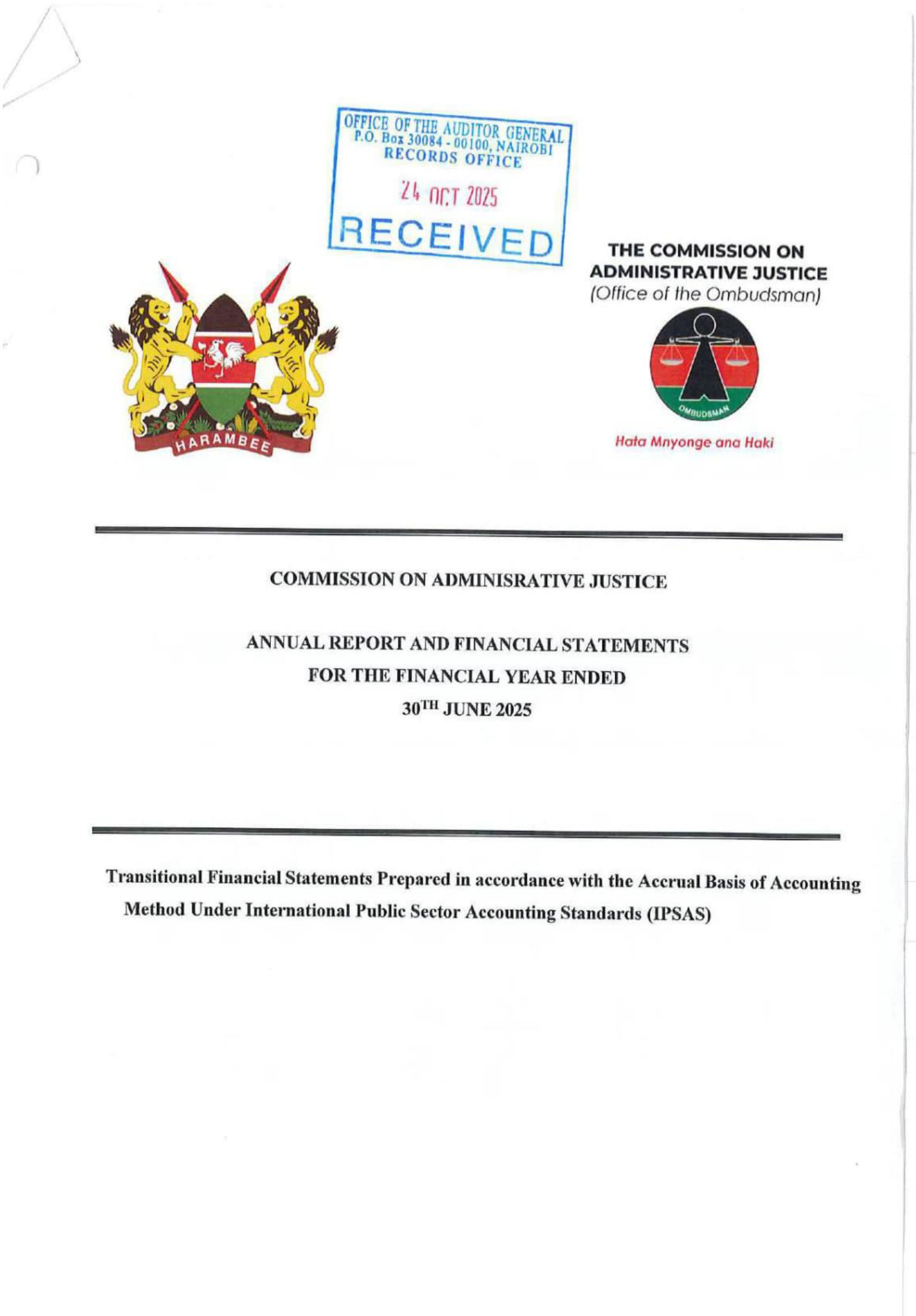
OF

THE AUDITOR-GENERAL

ON

THE COMMISSION ON
ADMINISTRATIVE JUSTICE

FOR THE YEAR ENDED
30 JUNE, 2025



OFFICE OF THE AUDITOR GENERAL
P.O. Box 30084 - 00100, NAIROBI
RECORDS OFFICE
24 OCT 2025
RECEIVED

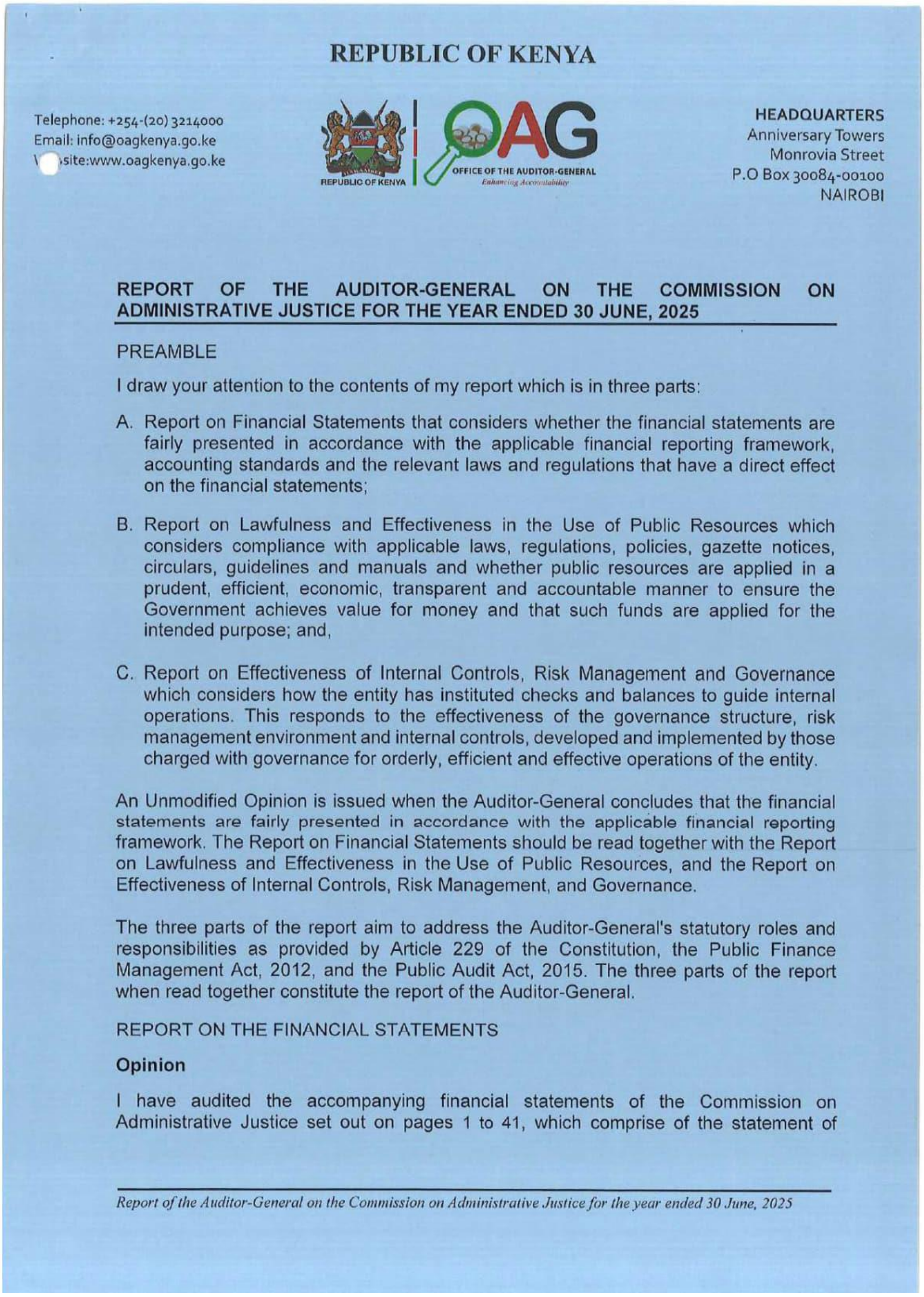
THE COMMISSION ON ADMINISTRATIVE JUSTICE
(Office of the Ombudsman)

Hata Mnyonge ana Haki

COMMISSION ON ADMINISRATIVE JUSTICE

ANNUAL REPORT AND FINANCIAL STATEMENTS
FOR THE FINANCIAL YEAR ENDED
30TH JUNE 2025

Transitional Financial Statements Prepared in accordance with the Accrual Basis of Accounting Method Under International Public Sector Accounting Standards (IPSAS)



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Enhancing Accountability

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REPORT OF THE AUDITOR-GENERAL ON THE COMMISSION ON ADMINISTRATIVE JUSTICE FOR THE YEAR ENDED 30 JUNE, 2025

PREAMBLE

I draw your attention to the contents of my report which is in three parts:

A. Report on Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements;

B. Report on Lawfulness and Effectiveness in the Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure the Government achieves value for money and that such funds are applied for the intended purpose; and,

C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, risk management environment and internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

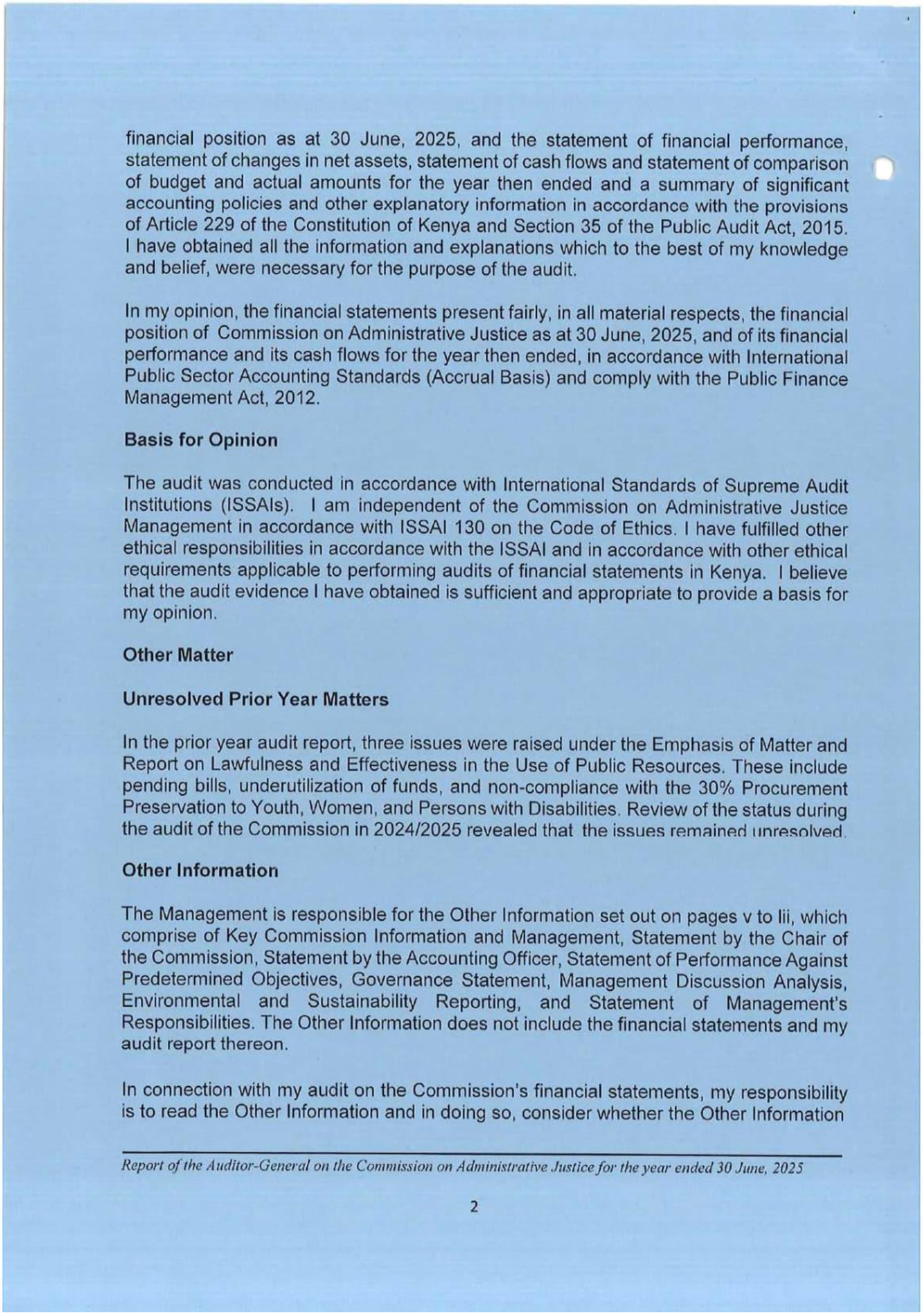
An Unmodified Opinion is issued when the Auditor-General concludes that the financial statements are fairly presented in accordance with the applicable financial reporting framework. The Report on Financial Statements should be read together with the Report on Lawfulness and Effectiveness in the Use of Public Resources, and the Report on Effectiveness of Internal Controls, Risk Management, and Governance.

The three parts of the report aim to address the Auditor-General's statutory roles and responsibilities as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012, and the Public Audit Act, 2015. The three parts of the report when read together constitute the report of the Auditor-General.

REPORT ON THE FINANCIAL STATEMENTS

Opinion

I have audited the accompanying financial statements of the Commission on Administrative Justice set out on pages 1 to 41, which comprise of the statement of



financial position as at 30 June, 2025, and the statement of financial performance, statement of changes in net assets, statement of cash flows and statement of comparison of budget and actual amounts for the year then ended and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, the financial statements present fairly, in all material respects, the financial position of Commission on Administrative Justice as at 30 June, 2025, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Accrual Basis) and comply with the Public Finance Management Act, 2012.

Basis for Opinion

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Commission on Administrative Justice Management in accordance with ISSAI 130 on the Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other Matter

Unresolved Prior Year Matters

In the prior year audit report, three issues were raised under the Emphasis of Matter and Report on Lawfulness and Effectiveness in the Use of Public Resources. These include pending bills, underutilization of funds, and non-compliance with the 30% Procurement Preservation to Youth, Women, and Persons with Disabilities. Review of the status during the audit of the Commission in 2024/2025 revealed that the issues remained unresolved.

Other Information

The Management is responsible for the Other Information set out on pages v to lii, which comprise of Key Commission Information and Management, Statement by the Chair of the Commission, Statement by the Accounting Officer, Statement of Performance Against Predetermined Objectives, Governance Statement, Management Discussion Analysis, Environmental and Sustainability Reporting, and Statement of Management's Responsibilities. The Other Information does not include the financial statements and my audit report thereon.

In connection with my audit on the Commission's financial statements, my responsibility is to read the Other Information and in doing so, consider whether the Other Information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If based on the work I have performed, I conclude that there is a material misstatement of this Other Information, I am required to report that fact. I have nothing to report in this regard.

My opinion on the financial statements does not cover the Other Information and accordingly, I do not express an audit opinion or any form of assurance conclusion thereon.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN THE USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the effects of the matter described in the Basis for Conclusion on Lawfulness and Effectiveness in the Use of Public Resources section of my report, I confirm that nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

Non-Compliance with Access to Government Procurement Opportunities Reservation Requirements

During the year under review, the Commission's total procurement amounted to Kshs.151,141,739. According to the statutory requirement under the Access to Government Procurement Opportunities (AGPO) framework, thirty per cent (30%) of this amount, equivalent to Kshs.46,249,372 should have been reserved for enterprises owned by Youth, Women, and Persons with Disabilities (YWPD). However, only Kshs.16,393,054, representing eleven percent (11%) of the total procurement, was awarded to AGPO-registered entities. This falls significantly short of the stipulated threshold of 30% highlighting the need for enhanced efforts to promote inclusive procurement practices.

In the circumstances, Management was in breach of the law.

The audit was conducted in accordance with ISSAI 3000 and ISSAI 4000. The standards require that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions, and information reflected in the financial statements comply in all material respects with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON THE EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, except for the effects of the matter described in the Basis for Conclusion on Effectiveness of Internal Controls, Risk Management and Governance section of my report, I confirm that nothing else has come to my attention to cause me to believe that internal controls, risk management and governance were not effective.

Basis for Conclusion

Operational Challenges in Regional Offices

Field verification of the Commission's regional offices in Kisumu, Eldoret, Kisii, Nakuru, Mombasa, and Makueni revealed significant operational constraints across Regional offices caused by insufficient funding and severe understaffing. As a result, Huduma Centre desks in Kisii, Kakamega, Bungoma, and Nakuru are managed by interns, while key service points lack essential tools such as computers, affecting efficiency and service delivery. In addition, logistical challenges, particularly in Mombasa and Makueni offices, caused by inadequate transport and reimbursement support, hinder effective coverage of vast areas.

In the circumstances, the lack of adequate funding, staffing, and logistical resources across regional offices adversely affects outreach, field operations, and effective service delivery, undermining the Commission's ability to fulfill its mandate.

The audit was conducted in accordance with ISSAI 2315 and 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal controls, risk management, and overall governance were operating effectively in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of Management and the Commissioners

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Accrual Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Commission's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless Management is aware of the intention to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

The Commissioners are responsible for overseeing the Commission's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

My responsibility is to conduct an audit of the financial statements in accordance with Article 229(4) of the Constitution, Section 35 of the Public Audit Act, 2015 and the International Standards of Supreme Audit Institutions (ISSAIs). The standards require that, in conducting the audit, I obtain reasonable assurance about whether the financial statements as a whole are free from material misstatements, whether due to fraud or error and to issue an auditor's report that includes my opinion in accordance with Section 48 of the Public Audit Act, 2015. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In conducting the audit, Article 229(6) of the Constitution also requires that I express a conclusion on whether or not in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way. In addition, I consider the entity's control environment in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in accordance with the provisions of Section 7 (1) (a) of the Public Audit Act, 2015.

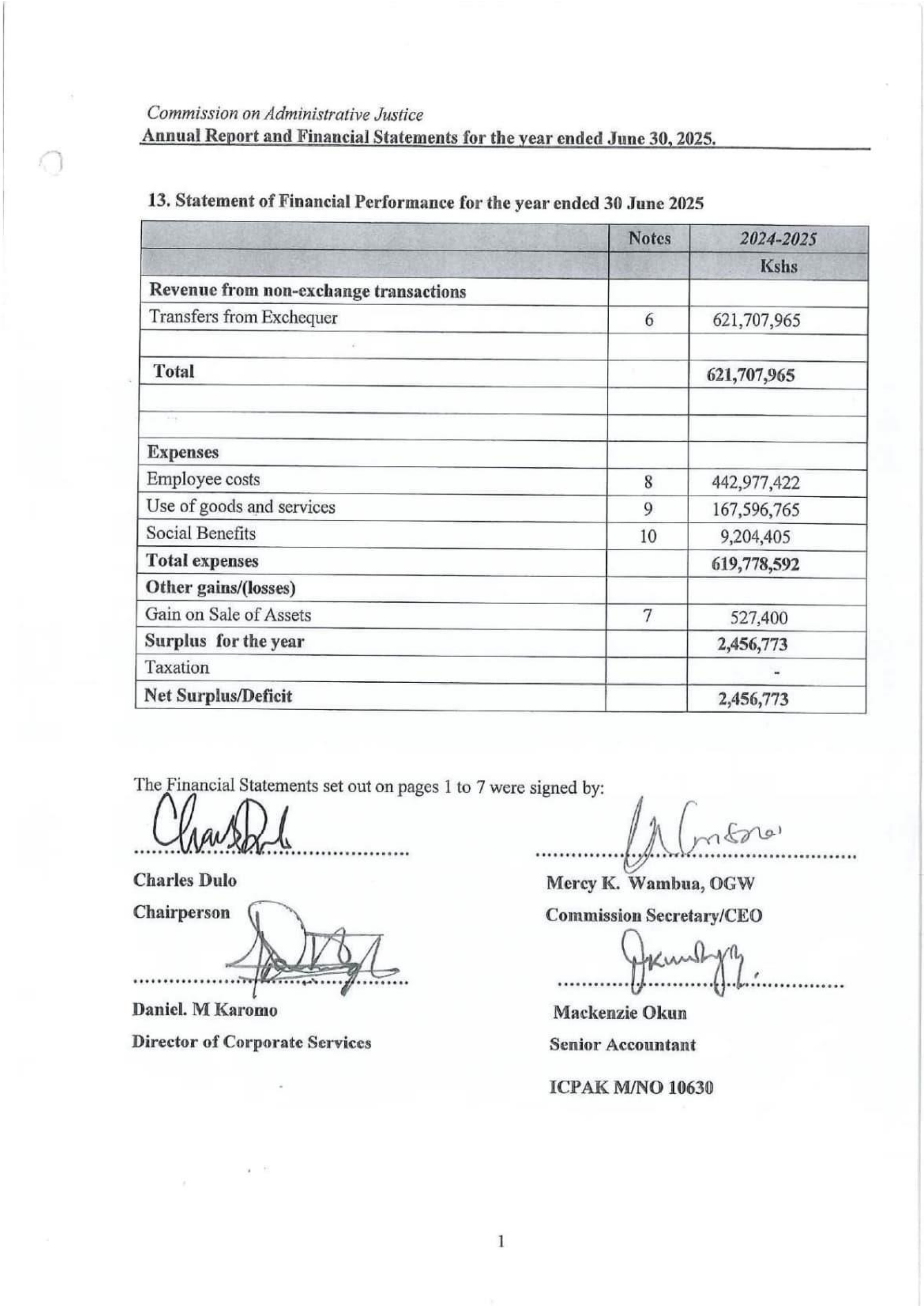
Further, I am required to submit the audit report in accordance with Article 229(7) of the Constitution.

Detailed description of my responsibilities for the audit is located at the Office of the Auditor-General's website at: https://www.oagkenya.go.ke/auditor-generals-responsibilities-for-audit/. This description forms part of my auditor's report.

FCPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi

13 November, 2025



13. Statement of Financial Performance for the year ended 30 June 2025

	Notes	*2024-2025*
		Kshs
Revenue from non-exchange transactions		
Transfers from Exchequer	6	621,707,965
Total		**621,707,965**
Expenses		
Employee costs	8	442,977,422
Use of goods and services	9	167,596,765
Social Benefits	10	9,204,405
Total expenses		**619,778,592**
Other gains/(losses)		
Gain on Sale of Assets	7	527,400
Surplus for the year		**2,456,773**
Taxation		-
Net Surplus/Deficit		**2,456,773**

The Financial Statements set out on pages 1 to 7 were signed by:

…………………………………………	…………………………………………
Charles Dulo	**Mercy K. Wambua, OGW**
Chairperson	**Commission Secretary/CEO**
…………………………………………	…………………………………………
Daniel. M Karomo	**Mackenzie Okun**
Director of Corporate Services	**Senior Accountant**
	ICPAK M/NO 10630

14 Statement of Financial Position as at 30 June 2025

	Notes	*2024-2025*	*2023-2024*
		Kshs	Kshs
Assets			
Current Assets			
Cash and Cash equivalents	11	2,712,874	28,141,750
Receivables from Non-Exchange Transactions	12	13,160,768	16,552,402
Inventories	13	7,065,385	9,496,652
Total Current Assets		**22,939,027**	**54,190,804**
Non-Current Assets			
Property, Plant and Equipment	14	5,043,991	0
Intangible Assets	15	3,004,544	2,345,389
Total Non- Current Assets		**8,048,535**	**2,345,389**
Total Assets (a)		**30,987,562**	**56,536,193**
Liabilities			
Current Liabilities			
Trade and Other Payables	16	1,127,555	3,161,769
Refundable Deposits	17	1,829,445	1,630,762
Total Current Liabilities		**2,957,000**	**4,792,531**
Non-Current Liabilities			
Total Non- Current Liabilities		**0**	**0**
Total Liabilities (b)		**2,957,000**	**4,792,531**
Net Assets (a-b)		**28,030,562**	**51,743,662**
Represented by:			
Reserves C/F		51,743,662	0
Prior year adjustment-Return to Exchequer .		(26,169,873)	
Accumulated Surplus		2,456,773	0
Capital Fund			51,743,662
Net Assets		**28,030,562**	**51,743,662**

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Charles Dulo
Chairperson

……………………………………………
Mercy K. Wambua
Commission Secretary /CEO

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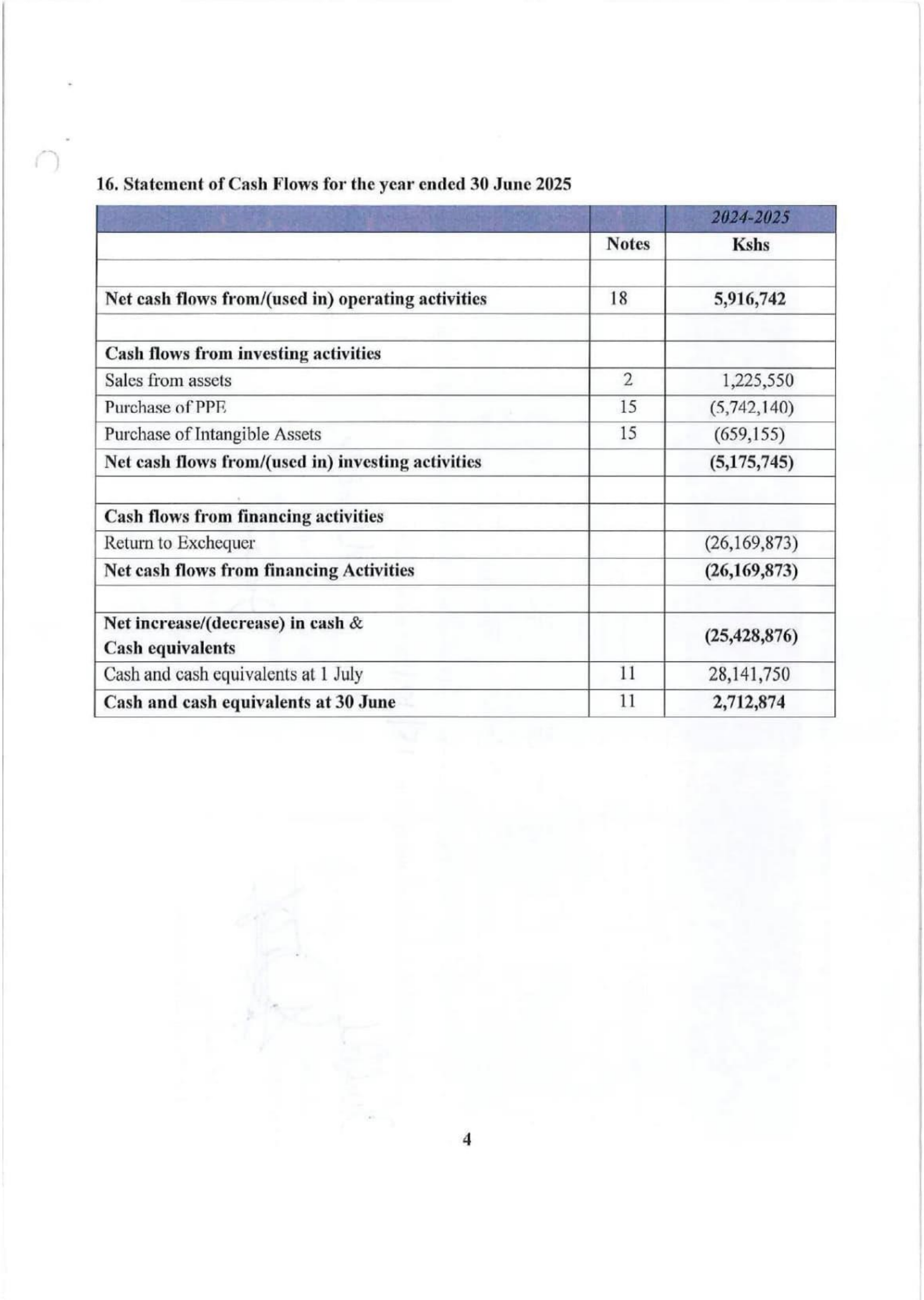
Daniel M. Karomo.
Director of Corporate Services

……………………………………………
Mackenzie Okun
Senior Accountant

ICPAK M/NO 10630

15 Statement of Changes in Net Assets for the year ended 30 June 2025

	Accumulated Surplus	Reserves	Capital Fund	Total
Fund balance as at 30th June 2024	**0**	**0**	**0**	**0**
Adjustments				
Recognition of Assets	56,536,193			56,536,193
Recognition of Liabilities	4,792,531			4,792,531
As at July 1, 2024	**51,743,662**	**0**	**0**	**51,743,662**
Return to Exchequer	(26,169,873)			(26,169,873)
Surplus/ deficit for the year	2,456,773			2,456,773
Capital funds received in the year			0	
As at June 30, 2025	**28,030,562**	**0**	**0**	**28,030,562**



16. Statement of Cash Flows for the year ended 30 June 2025

		2024-2025
	Notes	**Kshs**
Net cash flows from/(used in) operating activities	18	**5,916,742**
Cash flows from investing activities		
Sales from assets	2	1,225,550
Purchase of PPE	15	(5,742,140)
Purchase of Intangible Assets	15	(659,155)
Net cash flows from/(used in) investing activities		**(5,175,745)**
Cash flows from financing activities		
Return to Exchequer		(26,169,873)
Net cash flows from financing Activities		**(26,169,873)**
Net increase/(decrease) in cash & Cash equivalents		**(25,428,876)**
Cash and cash equivalents at 1 July	11	28,141,750
Cash and cash equivalents at 30 June	11	**2,712,874**

17. Statement of Comparison of Budget and Actual Amounts for FY 2024/25

Receipt/Expense Item	Original Budget Kshs	Adjustments Kshs	Final Budget Kshs	Actual on Comparable Basis Kshs	Budget Utilization Difference Kshs	% of Utilization
	a	b	c=a+b	d	e=c-d	f=d/c %
Exchequer releases	661,974,500	(33,279,656)	628,694,844	621,707,965	6,986,879	99%
Other receipts						
Total Receipts						
Payments						
Compensation of Employees	471,100,000	(25,126,298)	445,973,702	443,092,767	2,880,935	99%
Use of goods and services	168,624,500	(1,103,358)	167,521,142	163,643,333	3,877,809	98%
Social security benefits	12,000,000	(2,650,000)	9,350,000	9,204,405	145,595	98%
Acquisition of assets	10,250,000	(4,400,000)	5,850,000	5,752,546	97,454	98%
Total Payments	**661,974,500**	**(33,279,656)**	**628,694,844**	**621,693,051**	**7,001,793**	**99%**
Surplus/ Deficit						

The changes between the original and final budget are as a result of reallocations within the budget and supplementary budget.

The entity financial statements were approved on 15| 10|2025 and signed by:

……………………………………

Charles Dulo

Chairperson

……………………………………

Daniel. M Karomo

Director of Corporate Services

……………………………………

Mercy K. Wambua, OGW

Commission Secretary/CEO

……………………………………

Mackenzie Okun

Senior Accountant

ICPAK M/No 10630

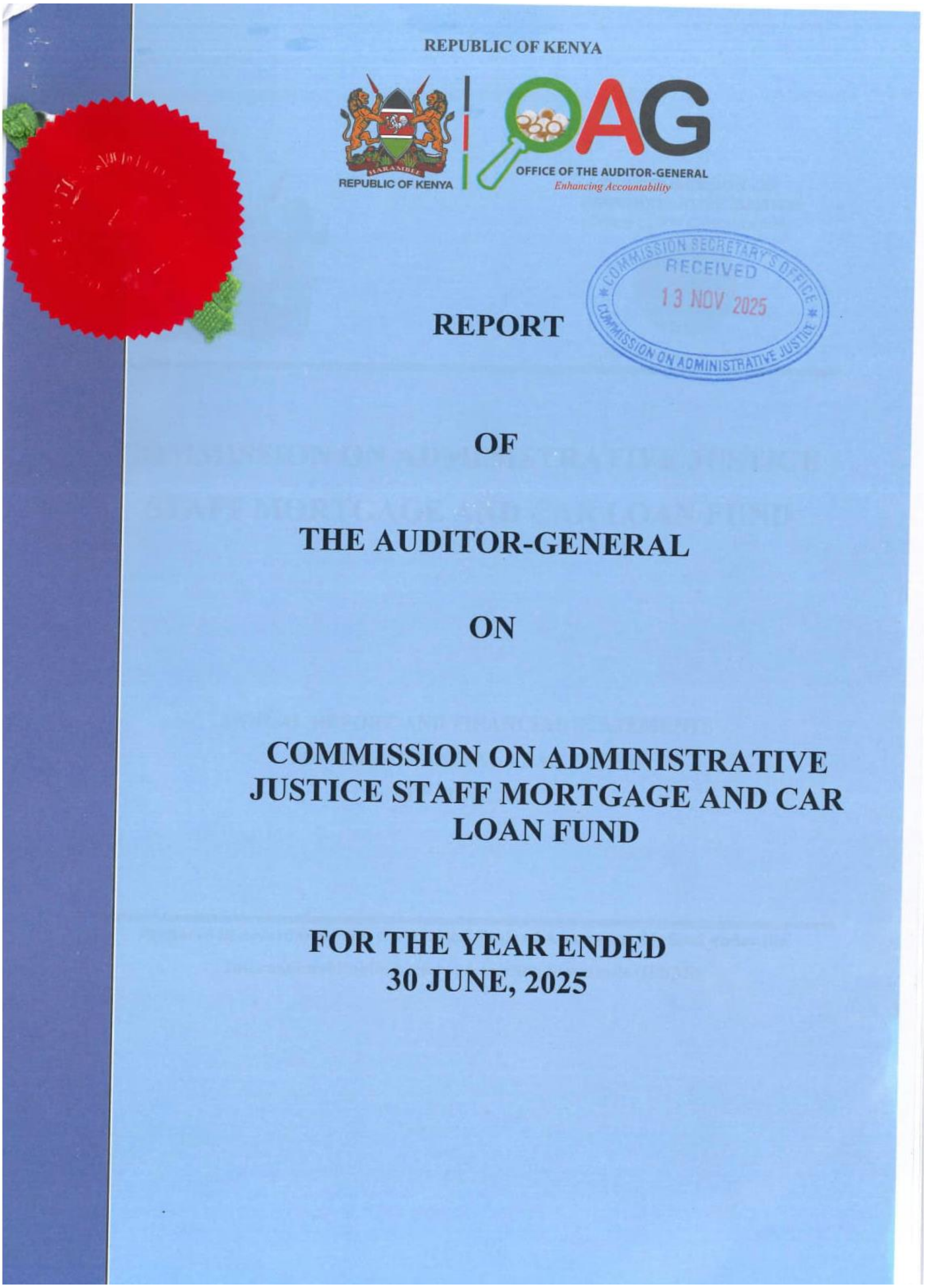
5

Budget Reconciliation to the Statement of Cash Flows

	Description of Particulars	Amount in Kshs
	Actual Surplus Amounts as per the statement of Budget	14,914
1	Cash balance held at deposit account	2,356,845
2	Cash opening balance as at 1st July 2024	341,115
	Closing Cash and Cash Equivalent as per the statement of Cash flows	2,712,874

Budget Execution by Programmes and Sub-Programmes for FY2025

Programme/Sub-programme	Original Budget	Adjustments	Final Budget	Actual on comparable basis	Budget utilization difference
	Kshs	Kshs	Kshs	Kshs	Kshs
Promotion of Administrative Justice	**661,974,500**	**(33,279,656)**	**628,694,844**	**621,693,051**	**7,001,793**
General administration and support services	638,863,697	(42,672,822)	596,190,875	590,674,423	5,516,452
Administrative Justice Services	18,620,192	(5,869,130)	12,751,062	12,132,455	618,607
Access to Information Services	4,490,611	15,262,296	19,752,907	18,886,173	866,734
Total	**661,974,500**	**(33,279,656)**	**628,694,844**	**621,693,051**	**7,001,793**



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COMMISSION SECRETARY'S OFFICE
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13 NOV 2025
COMMISSION ON ADMINISTRATIVE JUSTICE

REPORT

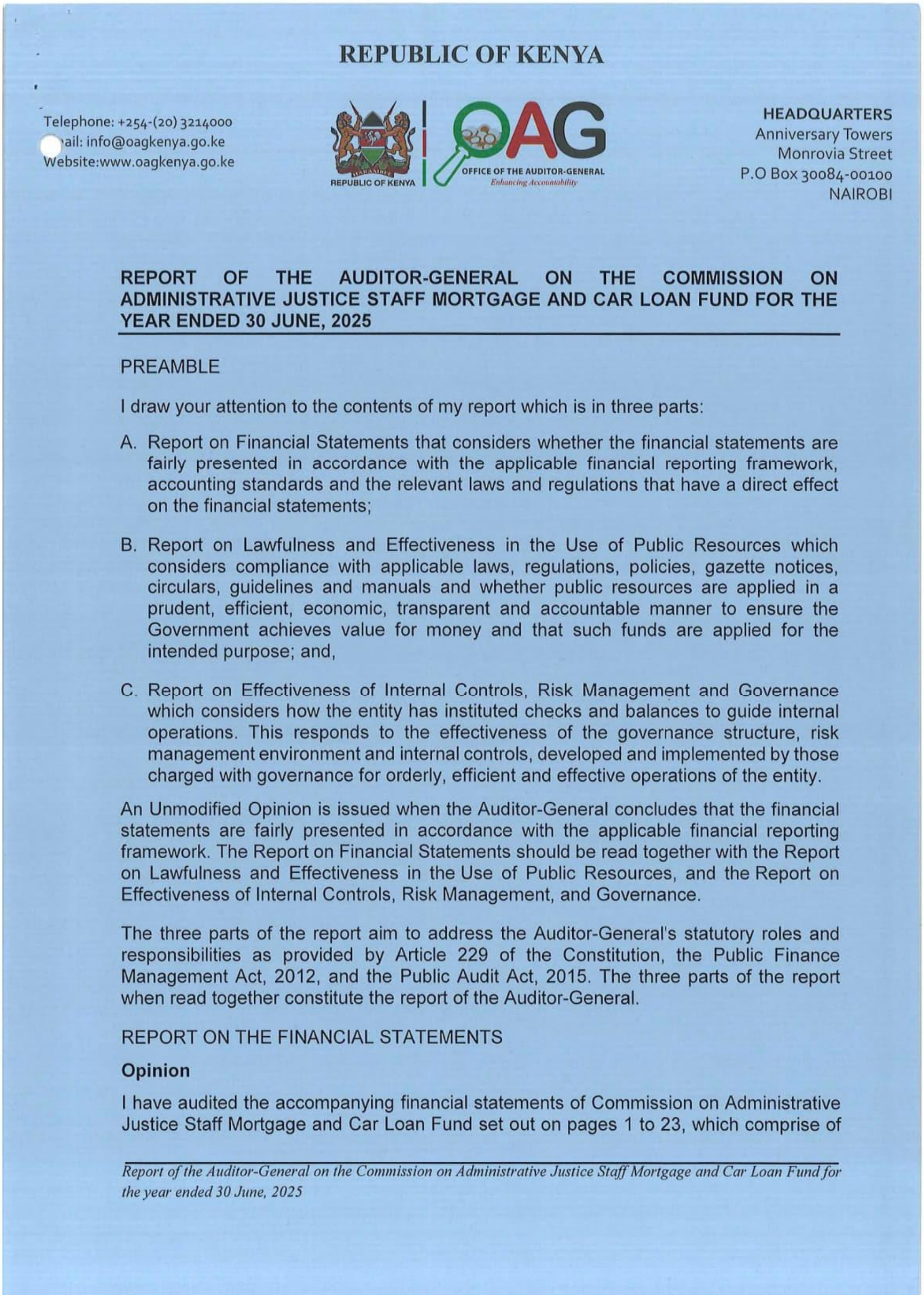
OF

THE AUDITOR-GENERAL

ON

COMMISSION ON ADMINISTRATIVE JUSTICE STAFF MORTGAGE AND CAR LOAN FUND

FOR THE YEAR ENDED
30 JUNE, 2025



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Enhancing Accountability

HEADQUARTERS
Anniversary Towers
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P.O Box 30084-00100
NAIROBI

REPORT OF THE AUDITOR-GENERAL ON THE COMMISSION ON ADMINISTRATIVE JUSTICE STAFF MORTGAGE AND CAR LOAN FUND FOR THE YEAR ENDED 30 JUNE, 2025

PREAMBLE

I draw your attention to the contents of my report which is in three parts:

A. Report on Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements;

B. Report on Lawfulness and Effectiveness in the Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure the Government achieves value for money and that such funds are applied for the intended purpose; and,

C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, risk management environment and internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

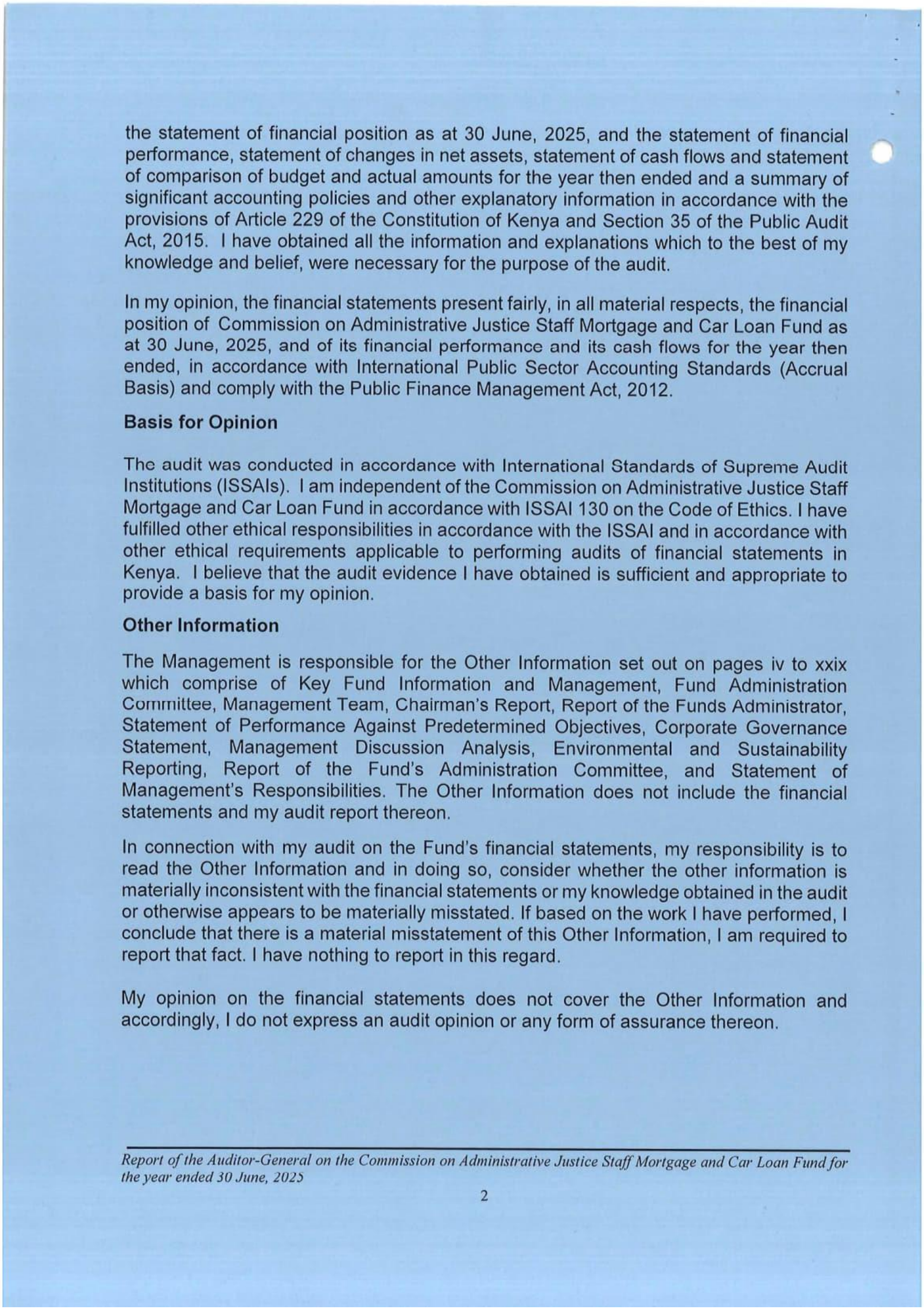
An Unmodified Opinion is issued when the Auditor-General concludes that the financial statements are fairly presented in accordance with the applicable financial reporting framework. The Report on Financial Statements should be read together with the Report on Lawfulness and Effectiveness in the Use of Public Resources, and the Report on Effectiveness of Internal Controls, Risk Management, and Governance.

The three parts of the report aim to address the Auditor-General's statutory roles and responsibilities as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012, and the Public Audit Act, 2015. The three parts of the report when read together constitute the report of the Auditor-General.

REPORT ON THE FINANCIAL STATEMENTS

Opinion

I have audited the accompanying financial statements of Commission on Administrative Justice Staff Mortgage and Car Loan Fund set out on pages 1 to 23, which comprise of



the statement of financial position as at 30 June, 2025, and the statement of financial performance, statement of changes in net assets, statement of cash flows and statement of comparison of budget and actual amounts for the year then ended and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, the financial statements present fairly, in all material respects, the financial position of Commission on Administrative Justice Staff Mortgage and Car Loan Fund as at 30 June, 2025, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Accrual Basis) and comply with the Public Finance Management Act, 2012.

Basis for Opinion

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Commission on Administrative Justice Staff Mortgage and Car Loan Fund in accordance with ISSAI 130 on the Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other Information

The Management is responsible for the Other Information set out on pages iv to xxix which comprise of Key Fund Information and Management, Fund Administration Committee, Management Team, Chairman's Report, Report of the Funds Administrator, Statement of Performance Against Predetermined Objectives, Corporate Governance Statement, Management Discussion Analysis, Environmental and Sustainability Reporting, Report of the Fund's Administration Committee, and Statement of Management's Responsibilities. The Other Information does not include the financial statements and my audit report thereon.

In connection with my audit on the Fund's financial statements, my responsibility is to read the Other Information and in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If based on the work I have performed, I conclude that there is a material misstatement of this Other Information, I am required to report that fact. I have nothing to report in this regard.

My opinion on the financial statements does not cover the Other Information and accordingly, I do not express an audit opinion or any form of assurance thereon.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN THE USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the effects of the matter described in the Basis for Conclusion on Lawfulness and Effectiveness in the Use of Public Resources section of my report, I confirm that nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

Unfair Clause in Memorandum of Understanding with Financial Institution

The audit review of accountable documents revealed that the Memorandum of Understanding with a financial institution was found to have unclear terms as read in Clause 8.4 and Item 2 on security under Schedule 2, which states that the Commission will at all times have funds equivalent to the loans advanced held as a deposit with the bank in an unutilized fund deposit account. Clause 8.4 imposed a further security cash cover requirement in addition to the existing first legal charge, and executed check-off undertakings. These provisions suggest an over-securitization of loans, which may not align with prudent financial management practices and could expose the Commission to unnecessary financial constraints.

In the circumstances, there was an overcommitment of funds that could be available for lending to more staff members.

The audit was conducted in accordance with ISSAI 3000 and ISSAI 4000. The standards require that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements comply in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON THE EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, I confirm that nothing has come to my attention to cause me to believe that internal controls, risk management and governance were not effective.

Basis for Conclusion

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal controls, risk management and overall governance were operating effectively in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of Management and the Fund Administration Committee

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Accrual Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Fund's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless Management is aware of the intention to cease operations.

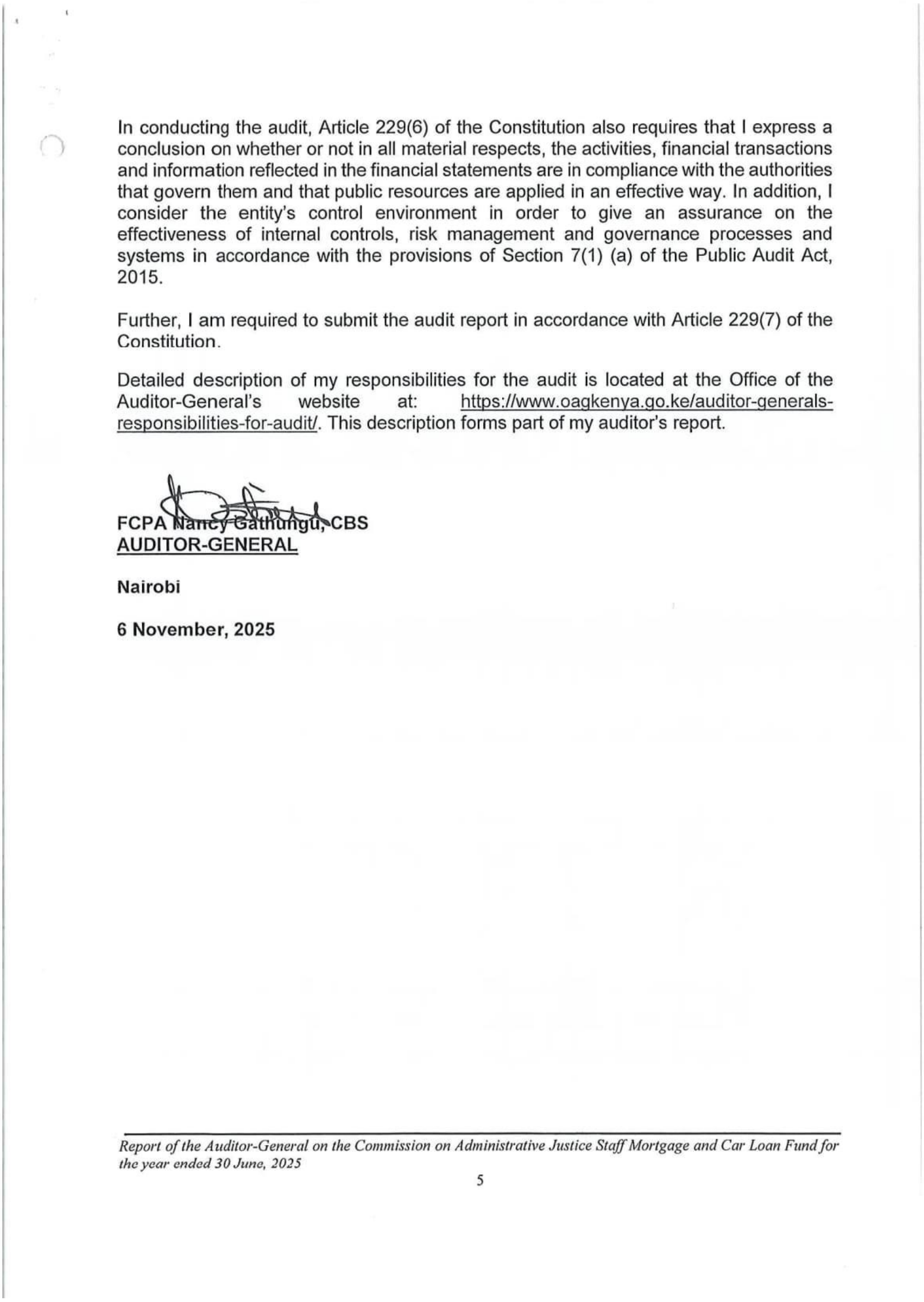
Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

The Fund Administration Committee is responsible for overseeing the Fund's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

My responsibility is to conduct an audit of the financial statements in accordance with Article 229(4) of the Constitution, Section 35 of the Public Audit Act, 2015 and the International Standards of Supreme Audit Institutions (ISSAIs). The standards require that, in conducting the audit, I obtain reasonable assurance about whether the financial statements as a whole are free from material misstatements, whether due to fraud or error and to issue an auditor's report that includes my opinion in accordance with Section 48 of the Public Audit Act, 2015. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.



In conducting the audit, Article 229(6) of the Constitution also requires that I express a conclusion on whether or not in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way. In addition, I consider the entity's control environment in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in accordance with the provisions of Section 7(1) (a) of the Public Audit Act, 2015.

Further, I am required to submit the audit report in accordance with Article 229(7) of the Constitution.

Detailed description of my responsibilities for the audit is located at the Office of the Auditor-General's website at: https://www.oagkenya.go.ke/auditor-generals-responsibilities-for-audit/. This description forms part of my auditor's report.

FCPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi

6 November, 2025

CHAPTER EIGHT

8. CHALLENGES AND RECOMMENDATIONS

8.1. Challenges

During the period under review, the Commission faced several challenges that hindered the achievement of some of its targets, including:

I. Budgetary Constraints

The Commission continued to receive budgetary allocations below 50% of its resource requirements. This significantly constrained implementation of planned programmes, including recruitment to address human resource gaps, technological advancements, and other critical operational interventions.

Table 19: Analysis of Budget Deficits in the Last Three Financial Years

Financial Year	Resource Requirement	Approved Allocation	Budget Deficit	Deficit %
2022/23	1,404.3	577.81	826.49	59%
2023/24	1,621.38	730.12	891.26	55%
2024/25	1,745.72	636.52	1,109.20	64%

In addition, delays in the release of quarterly exchequer allocations, particularly in the fourth quarter, affected the timely implementation of activities and contributed to the accumulation of pending bills.

II. Manual Records Management Systems

The continued use of manual records management systems across the public sector limited timely retrieval and access to information. Further, the digitization of government records has not been fully implemented as required under Section 17 of the Act, which mandated public entities to digitize records by September 2019.

III. Non- implementation of recommendations

Pursuant to Section 29(3) of the CAJ Act, the Commission issues determinations and recommendations after resolving complaints. Although several determinations were issued to Ministries, Departments and Agencies (MDAs) and County Governments, the level of implementation remained low. This limited the Commission's effectiveness in promoting administrative justice.

IV. Unresponsiveness and limited cooperation by some public institutions and officers affected the turnaround time for complaint resolution. This challenge was further compounded by poor records management and reliance on manual systems, reinforcing the need to accelerate the Government's digitization agenda.

V. The culture of secrecy, unresponsiveness and impunity in the public sector which has led to continued resistance by duty bearers being public entities and relevant private bodies, from complying with their obligations under the Act.

8.2. Recommendations

To enhance the Commission's effectiveness in the implementation of its mandate, the following recommendations are proposed:

I. Increased Budgetary Allocation

There is need for enhanced budgetary support to enable the Commission to adequately execute its mandate, address human resource gaps, and invest in technological infrastructure to improve service delivery.

II. Timely Release of Exchequer Funds

The timely disbursement of quarterly exchequer allocations is essential to facilitate effective implementation of planned programmes and minimize the accumulation of pending bills.

III. Acceleration of Digitization of Public Records

Public institutions should expedite the digitization of records in compliance with Section 17 of the ATI Act. This will enhance access to information, improve records management, and support timely resolution of complaints.

IV. Strengthened Compliance Mechanisms

Public institutions and relevant private bodies should strengthen internal mechanisms to ensure compliance with the Commission's recommendations and statutory obligations under the Act.

V. Capacity Building for Public Officers

Continuous training and sensitization of public officers should be undertaken to promote responsiveness, improve records management practices, and enhance understanding of obligations relating to administrative justice and access to information.

VI. Enhanced Inter-Agency Collaboration

There is need to strengthen collaboration between the Commission, oversight institutions, and public entities to promote accountability, improve responsiveness, and enhance administrative justice.

OMBUDSMAN

Hata Mnyonge ana Haki

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Meru Town
Royal Business Park,6th Floor
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Email: meru@ombudsman.go.ke

Huduma Centres

Wundanyi, Makueni and Meru.
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Kajiado, Kakamega, Kisii,
Bungoma, Kwale,