

Has your case been improperly dismissed?  
Do you feel that justice has not been served?



**Solution**

**Vetting Board**

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### VETTING STRUCTURES.

The Vetting exercise will be conducted by 3 separate panels working concurrently each panel being constituted by a foreign judge, a lawyer and non-lawyer.

PANEL ONE  
1. FOREIGN JUDGE  
2. LAWYER  
3. NON-LAWYER



PANEL TWO  
1. FOREIGN JUDGE  
2. LAWYER  
3. NON-LAWYER



PANEL THREE  
1. FOREIGN JUDGE  
2. LAWYER  
3. NON-LAWYER

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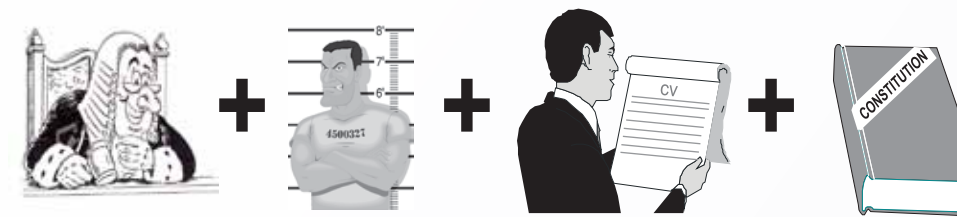
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### REVIEW/APPEALS

- Any judge or magistrate dissatisfied with the decision of the board may request for a review by the same panel within seven days of being informed of that determination.
- The board has discretion to accept or refuse review based on whether there is new or compelling evidence which was not previously available.
- The decision of the Board to accept or refuse a review (hence affirming unsuitability) shall be final.

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### VIII. RELEVANT CONSIDERATIONS

In determining the suitability of a judge or magistrate, the Board will consider the following relevant considerations:-

- Whether the judge or magistrate meets the constitutional criteria for appointment as a judge of the superior courts or as a magistrate;
- The past work record of the judge or magistrate, including prior judicial pronouncements, competence and diligence;
- Any pending or concluded criminal cases before a court of law against the judge or magistrate;
- Any recommendations for prosecution of the judge or magistrate by the Attorney-General or the Kenya Anti-Corruption Commission; and
- Pending complaints or other relevant information received from any person or body, including the –

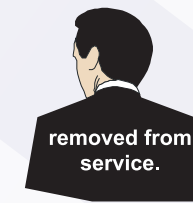
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### DETERMINATION

- If the Board upon making a determination that any Judge or magistrate is unsuitable to continue serving then those persons shall be informed within thirty (30) days of making that decision.
- This information shall be in writing specifying the reasons for that determination.
- Once such a judge or magistrate is informed he/she shall be deemed to have been removed from service.
- The decision to remove a judge or magistrate shall be made public.

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### VETTING CRITERIA

In considering the relevant considerations the Panels shall specifically look into a criteria which involves the following aspects:-

- Professional competence,
- Written and oral communication skills
- Integrity,
- Fairness,
- Temperament,
- Good judgment
- Legal and life experience,
- Demonstrable commitment to public and community service,

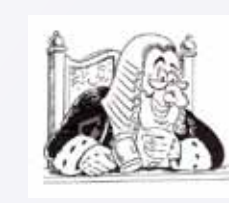
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### VETTING PROCEDURE

- The judges are to be vetted in the following order of priority starting from Court of Appeal judges, High Court judges, Chief Court Administrator, Chief Magistrates and other Magistrates.
- Panels to undertake information gathering through Interviews with vetting candidates and scrutinizing their employment records.
- Judges and magistrates to be given notice including being furnished with a summary of all complaints against them.
- Hearings to be in camera unless the specific judge or magistrate requests for a public hearing.

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