
A COMPARATIVE STUDY ON THE IMPACT OF DIGITIZATION OF JUSTICE FOLLOWING COVID-19 PANDEMIC

Experiences from Kenya and Rwanda

A Comparative Study on the impact of Digitization of Justice following the Covid-19 pandemic:

**Experiences from Kenya
and Rwanda**

Abridged Report

A study commissioned by Kituo cha Sheria - Legal Advice Centre in partnership with the African Centre of Excellence for Access to Justice, Legal Aid Forum and Grassroots Justice Network with the generous support of the International Development Research Centre

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Thank you all.

Since 2013, Kituo cha Sheria – Legal Advice Centre has innovated on the use of technology to facilitate access to justice. An SMS platform dubbed “M-Haki” was designed and launched in 2015 aimed at easing the logistical and cost-related barriers that indigent communities face when seeking physical legal services. The M-Haki platform diversified service delivery and eased the cost of seeking justice services for marginalized communities that interface with Kituo cha Sheria.

It is no doubt that the COVID-19 pandemic brought a new normal in the administration of justice and delivery of legal services. Globally, and in Africa more specifically, justice institutions and legal empowerment organizations adopted different forms of digital platforms. At the time, the use of digitization was aimed at containing the indiscriminate spread of COVID-19 whilst still dispensing and delivering justice services. The pandemic hence served as a springboard to the rapid uptake of technology within the justice sector. The new trend became the norm after the pandemic ended as private legal practitioners, judicial officers, executive officers amongst others embraced and integrated the use of digital platforms for filing and hearing of cases.

The adoption of digital platforms by justice institutions and legal empowerment organizations has revolutionized justice. However, there has been limited research on the actual impact that digitized justice has had on delivery of services and on vulnerable and marginalized communities.

The present study documents the technological solutions and platforms designed by state and non-state actors and how they impacted on vulnerabilities. To enrich the findings and enhance comparative learning and sharing, we undertook research in both Kenya and Rwanda. The two countries have similar demographics including ICT infrastructure; both judiciaries had embraced e-filing systems and online court hearings. Further, legal empowerment organizations such as the Legal Aid Forum and Kituo cha Sheria in Rwanda and Kenya respectively, had even before the COVID-19 pandemic, innovated digital platforms to enhance the scope of their legal aid services.

As the study finds, while digitization can facilitate access to justice, it may also widen the justice gap where vulnerabilities of communities are not considered in the design and adoption of digital platforms. Therefore, institutions must always be conscious of the needs of vulnerable groups and make reasonable and necessary accommodations to enable them to use and access digitized justice platforms. In other words, adopting a people-centered approach in the design, implementation, and evaluation of digitized justice systems.

Further the access to justice chain involves several actors, both within government and civil society. It is imperative to effectively equip all actors within the justice ecosystem. For instance, in Kenya, the study found that the Judiciary’s ICT infrastructure was more developed and equipped as compared to that of the Police and or Prison Service. The imbalance in technological capacity across different justice actors results in a breakdown in the delivery of justice. Good lessons are drawn from Rwanda on how to support inclusive and integrated digitized justice system. The use of an integrated digital platform in Rwanda connects all state actors in the access to justice chain. Therefore, the delivery of justice services across different actors is greatly improved.

The present study recommends that both state and non-state actors should adopt a balanced approach when using digitized forms of justice. The design and use of these platforms must take into consideration the heterogeneity of communities and the possible capacity and infrastructural gaps in accessing technology. The report documents innovations and best practices in both Kenya and Rwanda that have taken into consideration vulnerabilities of sections of the community that impact on technological capacity. Finally, the research findings point to emerging concerns that require further investigation which we hope will be taken up by other research organizations.

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List of Abbreviations and Acronyms

AJS	Alternative Justice System
CEDGG	Center for Enhancing Democracy & Good Governance
CLK	ChildLine Kenya
CTS	Case Tracking System
DCRT	Daily Court Returns Template
EDRMS	Electronic Document and Records Management System
ECMS	Electronic Case Management System
FGDs	Focus Group Discussions
HAK	Healthcare Assistance Kenya
HIV	Human Immunodeficiency Virus
HKSDP	Huduma Kenya Service Delivery Program
HRDs	Human Rights Defenders
ICT	Information and Communication Technology
IDIs	In-depth Interviews
IDLO	International Development Law Organization
IDRC	International Development Research Center
IVR	Interactive Voice Response
IECMS	Integrated Electronic Case Management System
IVR	Interactive Voice Response
JFT	Judiciary Transformation Framework
KCB	Kenya Commercial Bank
KNCHR	Kenya National Commission on Human Rights
KIIs	Key Informant Interviews
LAF	Legal Aid Forum
LSK	Law Society of Kenya
MAJ	Maison d'Accès à la Justice
M-PESA	E-Payment Systems
MINIJUST	Ministry of Justice
MUHURI	Muslims for Human Rights
MWADO	Marsabit Women Advocacy and Development Organization
NEPHAKE	National Empowerment Network of People Living with HIV in Kenya
NMG/NTV	Nation Media Group/Nation TV

NLAS	National Legal Aid Service
NPPA	National Public Prosecution Authority
OB	Occurrence Book
OCS	Officer Commanding Station
RBA	Rwanda Bar Association
RDJ	Registre de Dossier Judiciaire
RIB	Rwanda Investigation Bureau
SGBV	Sexual and Gender Based Violence
USSD	Unstructured Supplementary Service Data

Executive Summary

Several challenges are still encountered by justice actors and justice seekers despite significant achievements with digitization of the Kenyan and Rwandese justice sector. Challenges include: digital illiteracy, insufficient and incompatible information and communication technology equipment (ICT), poor ICT infrastructure (poor internet and cellular network coverage), high ICT set up costs, and data security concerns, among others. Addressing these challenges and digitizing the justice ecosystem is recognized as an avenue for strengthening access to justice in the region.

To close the gaps in digitization of Kenyan and Rwandese justice systems for indigent and vulnerable groups in both countries, this report recommends that both countries consider:

- Further training, sensitization and capacity building of justice service actors and the public on the use of ICT to access justice;
- Making internet accessible and affordable for the poor and marginalized by adopting strategies like installation of more free public Wi-Fi and other ICT related infrastructure;
- Improving data privacy and protection and of course the sensitization of the public on the data protection laws;
- Partnering with established grassroot systems such as Chiefs' Camps, Cyber Cafés and Huduma Centres to bring ICT based justice services closer to the people;
- Exploring how ICT could support Alternative Justice Systems;
- Improving the ICT infrastructure and capacity of the institutions involved in justice administration including police stations, sexual and gender-based violence help desks, prisons and child help desks;
- Bridging the digital gap between the rural and urban areas through improvement of ICT infrastructure;
- Developing an accessible up-to-date directory with a listing of the justice sector actors and their ICT platforms supporting access to justice.

1. Introduction

This document is an abridged version of the report *“The Impact of Digitization of Justice During COVID-19 In Kenya and Rwanda”* which assesses and compares how digitization of justice services has affected and impacted access to justice in Kenya and Rwanda, with specific focus on the experiences of justice actors and vulnerable groups during COVID-19 pandemic. This Report summarizes the results of the completed study.

The International Development Research Centre and Kituo Cha Sheria (Legal Advice Centre), Kenya partnered with Rwanda’s Legal Aid Forum (LAF) to conduct the comparative study. The study explored Kenya and Rwanda as case studies, with a specific focus on how the digitization of legal services has impacted both service providers and vulnerable people’s access to justice.

Significant achievements have been made in digitally transforming the justice sectors of Kenya and Rwanda, including streamlining processes in managing and filing cases and enhancing transparency in justice systems and cost effectiveness in delivering and accessing legal services. However, vulnerable groups still encounter considerable barriers when using ICT in accessing justice services. In some cases, ICT adoption has completely failed especially in some low income rural areas. There is much more that still needs to be done to bridge the digital gap between the urban and rural counties and the rich and the poor.

This Report offers a guiding framework for policymakers aiming to ensure equitable access to justice while using ICT. The digitization of justice holds the potential to transform the justice landscape by making processes more efficient, accessible, and transparent. While challenges exist, with careful planning, investment in human capacity and technology, and a commitment to inclusivity, the legal and justice systems can leverage technology to better serve the needs of both legal professionals and the public.

The next sections of this abridged report present key findings and recommendations that are centered on the countries’ experiences digitizing legal services during COVID-19.

1.1 Objectives

The overall objective of this research was to assess and compare how digitization of justice services has affected and impacted access to justice in Kenya and Rwanda, with specific focus on the experiences of justice actors and vulnerable groups.

Specific objectives of the research included:

- Assessing familiarity of self-representing court users in navigating electronic court systems and accessing legal services.
- Assessing legal aid service providers’ technical capacity to use electronic court systems in legal aid provision.
- Assessing the experience of legal service providers in administering justice and the experience of vulnerable people in accessing justice using ICT during the COVID-19 pandemic.
- Assessing and measuring the impact of digitization on access to justice services.

1.2 Research Methodology

The study utilized data collection and comparative analysis approach in Kenya and Rwanda. The data collected and results of the comparative study were then subjected to a qualitative analysis leading to the findings of this Report.

In Kenya, stakeholder interviews were conducted with the following: government representatives, legal professionals, lawyers, advocates, paralegals, judiciary, prison officials and incarcerated individuals, police, NLAS (National Legal Aid Service), Human Rights Defenders, Legal Aid Groups, and community organizations/beneficiaries of the Justice System. Selection of these stakeholders was based on their roles and involvement in the administration of justice. There were 5 Focus Group Discussions (FGDs) with a total of 95 participants, 13 In-depth Interviews (IDIs) and 42 Key Informant Interviews (KIIs). Respondents were drawn from the counties of Nairobi, Nakuru, Tana River, Marsabit and Kakamega. Kenya's interview sessions were conducted physically.

In Rwanda, interviews were done with 90 vulnerable individuals who used ICT to seek legal aid services in the last two years (since 2020) while 2 KIIs were conducted with key government representatives from the Ministry of Justice in Rwanda (MINIJUST) and the Judiciary of Rwanda with selection being based on their roles in exercising judicial authority in the country. Trained, and certified cybercafé agents, professional court bailiffs and legal aid attorneys were also selected to participate in the FGDs because of their roles as essential agents of the administration of justice services to citizens. Respondents were drawn from Kigali, Southern and Western provinces.

1.2.1. Training of Enumerators

Enumerators in both countries received comprehensive training on data collection tools.

1.2.2. Data Collection

Kenya: 150 respondents participated in FGDs, IDIs, and KIIs

Rwanda: 102 respondents participated in FGDs and KIIs

1.2.3. Processing and Analysis

In both countries, data underwent thematic analysis. Transcriptions and repeated readings provided insights into respondents' perspective

1.2.4. Ethical Considerations

Both countries obtained informed consent from participants

1.2.5. Pre-Validation Workshop

Held in Rwanda to discuss findings and recommendations with stakeholders

2. Summary of Findings

This section identifies the challenges in the delivery and access to justice services using ICT tools in Kenya and Rwanda.

2.1 Access to Justice ICT Tools

The movement restrictions that were imposed by the Kenyan and Rwandese governments during COVID-19 increased the need to use digital platforms to continue service delivery even while maintaining physical distance between citizens. Even beyond the pandemic, there was a need to accelerate the digitization of the handling of cases and the use of audio and video communications between court users and professionals in the justice sector.

The Kenyan study revealed that many respondents still use simple feature mobile phones to access legal aid through legal aid toll-free helplines and e-payment systems (mobile money). Other respondents reported using smartphones and computers to attend virtual court sessions, report incidents and receive legal information. Some legal aid actors still use basic, outdated personal smartphones and computers to administer justice using the Electronic Case Management System (ECMS), Electronic Filing (e-filing) System, Case Tracking System (CTS).

Most Rwandese respondents who reported to have sought legal services also indicated that they mostly use basic technologies such as simple mobile telephones, smartphones, tablets and computers to access legal aid services. The different ICT platforms commonly used by the legal aid providers and public users in the Rwandese justice sector include: The Integrated Electronic Case Management System (IECMS), *Sobanzainkiko* platform, and toll-free helplines *845# and 1022.

2.2 Familiarity With Courts' ICT Requirements and Procedures

Most vulnerable citizens in Kenya and Rwanda still find it hard to access justice services online because they lack the basic skills and knowledge to use the digitized justice systems by themselves and are mostly reliant on legal aid providers like advocates and paralegals.

In the Kenyan study, it was found that people in the rural areas were unaware and were surprised at the existence of digital tools used in the Kenyan justice system and expressed the need to be educated on them. Beneficiaries of the digitized justice processes like the virtual courts expressed appreciation for the convenience the virtual courts offered but they mentioned that they were not familiarized with the system and everything was shocking to them.

Some Kenyan respondents reported that there are community members who showed resistance and unwillingness to adapt to using ICT in the pandemic period. For instance, a number of them mentioned that they could not trust that the judge was listening to them virtually, with some stating that virtual courts deny them opportunities to grab the attention of the presiding judges. Their reasons for resistance however give even further credence to the need for more sensitizations to create more awareness of the systems' operations.

In Rwanda as well, most respondents in the study mentioned that they lacked the skills to navigate the internet-based ICT justice platforms and had to rely on assistance from legal aid providers like LAF and cyber cafe agents with e-filing of cases and accessing IECMS. While knowledge of the existence of technologies like IECMS was high, courtesy of massive radio campaigns by the ministry of justice popularizing the platform, usage of it is only on a needs basis.

2.3 Satisfaction with ICT in Delivery and Access to Legal Services

Levels of satisfaction in using ICT platforms could increase the responsiveness of justice actors towards improving the quality of service delivery using ICT.

Many Kenyan respondents expressed satisfaction with digitized justice services due to its efficiency, ease of use, reduced cost in accessing justice and speediness of the processes. However, unawareness of the ICT-based interventions in the justice space was noted. The notable gap in institutional preparedness in the use of ICT was a factor reducing satisfaction levels. For instance, while the courts have the ICT infrastructures, the prisons and the police stations which are expected to produce the accused in court virtually have very poor to non-existent infrastructure.

The Rwandese findings revealed that most respondents were satisfied and lauded the convenience in using ICT in access to justice. While most respondents in both countries are satisfied with the use of ICT in access to justice, they opined that the two governments still need to do some more work to ensure that ICT is accessible for all by improving the infrastructure and providing opportunities for the citizens to improve their capacities to use ICT to access justice.

2.4 Capacity to Deliver Justice Services Using ICT Platforms

Since the services of professionals in the justice system are needed to perform certain duties in aid of the vulnerable and marginalized citizens, assessing their competences and skills necessary for operating ICT platforms was imperative. The study also sought to assess whether the different institutions involved in administering justice were equipped with enough ICT infrastructure to be able to deliver legal services electronically.

Most Kenyan respondents who are justice actors reported issues with limited capacity to deliver services using ICT tools. Police stations and prisons for instance, did not have ICT departments to support the use of ICT in linking the courts to these institutions during the court proceedings.

There were also concerns raised by respondents regarding power outages and lack of communication and training on the available ICT solutions were also mentioned as some of the challenges limiting their capacities to deliver justice and being unable to better evaluate and improve their capacities.

In contrast, most Rwandese respondents were of the opinion that the Ministry of Justice has developed adequate training and capacity for justice actors to deliver justice using ICT. The Ministry has equally fostered partnerships including with the cyber cafe agents to enhance the Ministry's capacity to offer justice using ICT.

While these initiatives are lauded by the Rwandese respondents, it was observed that more continuous training (refreshers) were still required both for the court staff and cyber cafe agents.

Additionally, it is recommended that there be continuous engagement with the public through radios and legal aid forums to ensure that the public is regularly informed on the developments in the justice system and particularly the application of ICT in access to justice.

2.5 Challenges Faced in Using ICT During COVID-19

While ICT introduces new opportunities for improving citizens' access to justice, respondents also highlighted some challenges to ICT-related services.

Some Kenyan respondents highlighted issues leading them to travel long distances to access in-person justice services including:

- Frequent power outages, limited electrical power supply, poor internet and network connectivity in some counties were also reported as issues among most Kenyan respondents.
- Technical difficulties with ICT-based platforms, such as audio problems and language barriers, limited access to smartphones or computers and digital illiteracy were also challenges raised by Kenyan respondents.
- Lastly, Kenyan respondents mentioned issues related to high costs involved with setting up and continuing to use certain ICT platforms with the internet and data privacy issues while using certain ICT platforms to access, input, and process personal data.

Rwandese respondents also shared that they were having concerns with privacy when handling cases, considering that the agents lived with them and some of the cases they were filing were sensitive and unauthorized access was a concern. The other challenges highlighted by respondents in Rwanda were:

- Poor internet connectivity in some villages which causes villagers to travel long distances to receive legal aid.
- Limited access to smartphones or computers to access IECMS, which is unaffordable to the poor. This especially was a challenge for those that are in areas that lacked trained cyber cafe agents.
- They were having concerns with privacy when handling cases, considering that the agents lived with them and some of the cases they were filing were sensitive and unauthorized access was a concern.
- Lastly, high setup costs, technical difficulties, digital illiteracy and cyber insecurity also emerged as concerns among the Rwandese respondents



3. Recommendations

This section presents recommendations that could be applied at different levels of government, as well as in non-governmental and private justice sector settings.

3.1 Enhancing ICT Infrastructure and Accessibility in Rural Areas

Improvement of the ICT infrastructure including electricity, cellular network and internet coverage especially for the rural communities is also required to enable easier access to ICT platforms which tend to be reliant on their steady supply. In this study, a large majority of respondents, mostly residents of rural regions reported poor access to justice via ICT platforms because of poor to no electricity, internet and lack of computers/phones. The government should consider narrowing the digital gap and reducing barriers to accessing legal and justice services in Kenya and Rwanda by improving the ICT infrastructure in rural areas.

3.2 Training and Capacity Building for Justice and Legal Aid Providers and the Public on the Use of ICT for Justice

While the justice system is adapting to the new way of service delivery, more inclusive training and dedicated ICT departments for justice actors and seekers should be considered. While this is already happening, much more targeted training strategies must be put into the justice actors serving the poor and marginalized recognizing the unique situations faced by these regions. The technologies being deployed must also be those that are not only available but also accessible.

Respondents also emphasized the need for further sensitization and training of the population on the existing ICT solutions in the justice system. The responses from Kenyan respondents point to the need for the government and other stakeholders to develop capacity building initiatives that are aimed at bringing awareness to the public on existing technology that enhance access to justice.

Skills development and advancement through relevant training programs for both service providers and justice seekers on the use of technology to access justice was also recommended. Increased training and capacity building for local administration and other community-based justice actors at the grassroots including paralegals should be considered.

Empowering the justice and human rights defenders and paralegals at the community levels with knowledge and skills of using the platforms could also be impactful in ensuring that first responders have the capacities. Rwandese responses also pointed out the need for improving knowledge and skills of using IECMS to ensure digital inclusion in access to justice.

3.3 Streamlining Digital Judicial Services

The success of Rwanda's IECMS was in its ability to integrate all the justice actors in the justice system. Through this, information sharing has been easy and efficient right from investigations to correctional services. The ability of the different justice actors within the Ministry of Justice to "speak with each other" has streamlined processes making the system effective. In Kenya however, the different actors have stand-alone ICT systems that hardly speak with each other.

This has affected the efficiency of ICT in the adjudication of justice with limited to no coordination between the different ICT platforms. However, ICT efficiency can be improved by developing an integrated system that links all the institutions within the justice sector to streamline and centralize access to justice services.

The complete digitization of justice services in Rwanda through the IECMS serves as a template/model that Kenya can adopt in its agenda of the digitization of all judicial processes.

3.4 Improving Internet Coverage in Remote and Marginalized Areas

Internet coverage in many of the remote areas is still poor in both countries. To ensure adequate adoption of internet based ICT solutions in justice delivery, there is an urgent need to improve the quality and coverage of the internet in these areas. And even as the coverage is improved, the high cost of internet access must equally be addressed by reducing the cost of the internet and installing more publicly accessible Wi-Fi. In Kenya, the government has already launched the installation of free Wi-Fi hotspots in public places including local markets to enhance access to the internet with over 25,000 Wi-Fi hotspots expected to be installed across the country.



**OVER
25,000**

**Wi-Fi hotspots expected
to be installed across
the country in Kenya**

3.5 Partnering with Established Grassroot Systems

At the grassroots levels, there are different systems that work with the local populations to bring e-justice to people. Incorporating e-justice in the services provided by grassroots establishments could bring justice services to those who would otherwise not be reached by the justice sector.

In Kenya especially, the justice system has the potential to establish fruitful partnerships with various entities to bring e-justice closer to rural communities. Collaborations with Chiefs' Camps, Huduma Centres, and local cyber cafes hold promise, given their extensive networks, experience, and expertise in engaging with local communities. Some examples are given in the case studies below.



Collaborations with Chiefs' Camps, Huduma Centres, and local cyber cafes hold promise, given their extensive networks, experience, and expertise in engaging with local communities.



Case Studies

1. Chief's Camps

Working with local administration like chiefs could support further access to e-justice by making available and accessible a judiciary desk at the Chiefs' Camps. These desks could be facilitated with the requisite infrastructure including internet needed to access the justice e-services. Through these desks, community members can attend courts virtually and also access the online justice services including e-filing and causerslists.

The Chiefs' Camps are already being used as Alternative Dispute Resolution Centres in Kenya and working with the administrators to bring the justice to the grassroots through ICT services would ensure that many vulnerable people can enjoy the benefits of ICT in the justice sector.

2. Cyber Cafés

The Ministry of Justice Rwanda has partnered with the Cyber Café Agents to bring IECMS services closer to the people. Justice seekers therefore can visit the Ministry of Justice Certified Agents and file their cases or access the IECMS with the support of trained agents. Considering that Cyber Cafés are also very popular in the rural areas of Kenya, the judiciary can consider training the agents on electronic filing and other judiciary e-services and these agents can help citizens sign-up for the E-filing, file cases and also access the other online services.

3. Judiciary Desks at Huduma Centres

Huduma Centres are popular in Kenya and many government services are accessed in these hubs. With over 52 centres across the country, these centres could also work with the Judiciary and other justice actors to bring the justice services closer to people by establishing Judiciary Desks or Justice Desks. Establishing service desks at the centres would promote access to the justice services including virtual courts, support e-filings and other justice e-services. While this was a plan conceived by the Judiciary in partnership with Huduma Kenya during COVID-19 period, it is yet to be operationalized.

3.6 Equipping Police Stations and Prisons With Sufficient Infrastructure and Resources for Virtual Courts and Other Digital Justice Services

Justice Institutions like the police stations and prisons should be provided with the resources needed to support e-justice services delivery. Resources for virtual courts attendance like ICT officers, fast and stable internet connections, large display screens, speakers, voice distortion devices and HD cameras should be provided.

Additionally, dedicated rooms from which the court sessions could be conducted should be provided in these institutions. There is currently insufficient support being provided to these departments of the justice system, with offices ill-equipped without the digital resources needed to support ICT based justice access.

The police officers and prison officers that participated in the study observed that if granted adequate ICT resources and training, they would be better positioned to support quick and more convenient access to justice especially in areas that are very far from the physical court establishments.

3.7 Implementation of the Data Privacy and Protection Laws

As more services are digitized and shared online, data privacy is becoming a major concern. While both countries have developed data protection laws, there is a growing need for the implementation of the laws and more robust sensitization of the public on their rights and obligations under the Data Protection Laws.

ICT based justice systems have no control of who can access their data and how their data is used. It is therefore important that training is conducted to ensure prudent access, custody, use and sharing of data and information by all players in the justice sector. Also, data security loopholes should be sealed and where breaches occur, the culprits should be brought to book.

3.8 Exploring how ICT can Support Alternative Justice Systems

There is a pressing need for further exploration of how ICT can be harnessed to support the Alternative Justice System (AJS) and Alternative Dispute Resolution (ADR). Given the acceptance and adoption of mediation and AJS in dispute resolution within Kenya and Rwanda, harnessing the potential of ICT presents a unique opportunity to enhance the efficiency and transparency of these processes, and also address the challenges of resource constraints, access to justice, and equitable legal services delivery.

3.9 Creating a Directory with a Listing of the Available ICT Justice Platforms

Most respondents mentioned that they were not aware of the ICT platforms that have been created by the different justice actors. This was particularly rampant among the rural respondents. While the study has shown that there are different ICT innovations already available to access justice, deliberate efforts must be put into creating awareness of their existence and the support justice seekers can get from these platforms.

Creation of physical and digital directories of the existing ICT platforms and the services offered should be considered by administrators of justice services. The directory should have clear descriptions of how each listed platform works to support access to justice.

Additionally, to address language barrier issues and accommodate readers with different language proficiencies and preferences, it should be available in languages mostly spoken in the targeted regions. These directories can then be made available through public platforms including Chiefs' Camps, libraries, market notice boards, courts and other places that are easily accessible to the poor and marginalized.



4. Conclusion

Digitization in the justice system provides significant opportunities that can enhance access to justice for the poor and marginalized. A majority of the respondents in the study lauded the use of technology and regarded it as essential in enhancing delivery and access to justice.

The Report however notes that challenges are still faced by Kenyan and Rwandese justice actors and justice seekers in implementing and using ICT to administer and access justice. Service delivery concerns remain. Among the challenges are poor digital literacy among rural and poor populations, the high cost of provisioning ICT infrastructure and internet, and meaningful digital harmonization between official departments among others.

Future research should continue to monitor the evolution of digital justice systems in these countries and assess the effectiveness of the recommended interventions. Additionally, a comparative analysis of similar initiatives in other jurisdictions could provide valuable insights for further improvements. Future comparative research could also explore the extent to which ethics and confidentiality is adopted in last-mile legal service provision using ICT, especially when engaging the public on sensitive matters. Future studies could also do comparative assessments of the perception of transparency and trust of digitized justice systems. Lastly, country comparisons on the extent and impact of bridging the gender digital divide in access to digitized justice services are also worth exploring.

As ICT increasingly penetrates daily life, the integration of ICT into justice services delivery is not just a matter of convenience but a fundamental aspect of ensuring equitable access to justice. For Kenya and Rwanda to catalyze early gains toward a more digitized justice system, the lessons learned from this study can inform policy decisions and ultimately contribute to a fairer and more accessible justice system for all.



Participants during the pre-validation workshop in Kigali, Rwanda on the 6th of July 2023



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