



Hon. Justice Martha K. Koome, EGH
Chief Justice & President of the
Supreme Court of Kenya

Ref: CJ/24/1

23rd January 2025

Hon. Kipchumba Murkomen, EGH
Cabinet Secretary
Ministry of Interior and National Administration
Harambee House, Harambee Avenue
NAIROBI

Douglas Kanja Kirocho, MGH, EBS, OGW
Inspector General of Police
6th Floor, CBK Pension Towers
Harambee Avenue
NAIROBI

Dear *Hon. Murkomen,*

**REF: GRAVE CONCERN OVER THE WITHDRAWAL OF SECURITY FOR
THE CHIEF JUSTICE**

The Constitution of Kenya obligates all state organs to operate in the spirit of consultation, collaboration, and mutual respect in service to the people. Central to this framework is the independence of institutions, particularly the Judiciary, which is charged with safeguarding justice, upholding the rule of law, and defending constitutional principles. It is against this backdrop that I express profound concern over the withdrawal of security for the Chief Justice – an act that undermines judicial independence, threatens institutional integrity, and endangers democratic progress.

State organs are entrusted with the solemn duty of serving the public using resources provided by taxpayers. This obligation demands that no institution or officeholder be subjected to intimidation, coercion, or undue interference by another arm of government. Security for the Chief Justice is not a personal privilege but a structural necessity to ensure the Judiciary can function autonomously and without fear. It serves as an institutional safeguard to protect judicial officers, premises, and processes from any threats that could impair the administration of justice.

The withdrawal of this security detail is an egregious affront to the principle of separation of powers. It destabilizes the delicate balance upon which democratic governance is founded, where each arm of government operates independently



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while respecting the autonomy of others. Such an action not only weakens public trust in state institutions but also sets a perilous precedent, suggesting that key constitutional offices can be undermined through external pressure or retaliation.

Judicial independence is the cornerstone of a functional democracy. It ensures that the Judiciary can act impartially, apply the law equitably, and hold other arms of government accountable without succumbing to external influence. As the head of the Judiciary, the Chief Justice embodies these principles, representing an institution that defends the rights of all Kenyans and enforces constitutional norms. By exposing the office to vulnerabilities through the withdrawal of security, the ability of the Judiciary to perform its constitutional mandate is gravely compromised.

Moreover, the Judiciary is gravely concerned about the weakening of the Judiciary Police Unit, a critical component of judicial security. Rather than being bolstered to meet growing demands, its capacity has been diminished by the withdrawal of a significant number of officers. This not only exacerbates existing vulnerabilities but also jeopardizes the safety of judicial personnel and spaces across the country, thereby undermining the entire justice system's operational efficacy.

This act of withdrawal sends an unmistakably damaging message: that those tasked with defending justice and constitutional liberties are susceptible to interference. Such a signal erodes public confidence in the Judiciary's impartiality, threatening its role as a check against abuse of power and its capacity to uphold the rule of law.

The erosion of judicial independence has far-reaching implications for Kenya's democratic growth. When state organs fail to respect the boundaries enshrined in the Constitution, they endanger the entire governance structure. This fosters an environment where the rule of law is subverted by fear, coercion, and arbitrary actions – undoing decades of progress in entrenching constitutional democracy.

I therefore call upon the National Police Service and all relevant state actors to immediately and unconditionally restore the security detail of the Chief Justice. This step is not merely administrative but essential to reaffirming the Judiciary's independence, safeguarding the integrity of constitutional offices, and ensuring the continued growth of Kenya's democracy. Additionally, the capacity of the Judiciary Police Unit must be strengthened, not diminished, to address the pressing need for enhanced judicial security in a rapidly evolving environment and against the precedent of open attack of judges and judicial officers in open court.

I also urge the Kenyan public, civil society, and all stakeholders to remain vigilant in defending the independence of the Judiciary and the sanctity of the Constitution. State organs must collaborate responsibly while respecting their



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constitutional boundaries, as mandated by the people of Kenya, whose taxes sustain these institutions. A robust and independent Judiciary is not merely an institutional necessity but the ultimate safeguard for the rights, freedoms, and aspirations of every Kenyan.

The Judiciary remains resolute in its commitment to uphold human rights, protect liberties, and defend the rule of law. No amount of intimidation or undue pressure will deter us from discharging our constitutional mandate with integrity and impartiality.

Yours *sincerely,*



Hon. Justice Martha K. Koome, EGH
Chief Justice and President of the Supreme Court of Kenya

Copy: **Hon. Deputy Chief Justice & Vice-President of the**
Supreme Court of Kenya
Supreme Court Building
NAIROBI

Hon. Justice William Ouko, CBS
Judge of the Supreme Court and Chairperson of the
Judiciary Security Committee
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Hon. Chief Registrar of the Judiciary
Supreme Court Building
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