

Improve Services in Land Registries

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Land transactions in Kenya are driven through the land offices spread out in the Counties. These transactions are critical to business. They support land subdivision, land purchase, charge and mortgage of property. Land and property are used as collateral to a whole range of business transactions. Land registries are the clearing houses to these transactions. Where accuracy and integrity is not observed, such transactions could attract disputes. The disputes are resolved through our courts.

Inefficiency and corruption afflicts services

The efficiency and integrity of our land registries and courts should therefore be of great concern to national and county leadership, along with the business community. This is why the results to some recent surveys conducted by the Land Development and Governance Institute (www.ldgi.org/www.ldgi.co.ke)

to gauge public perceptions on the operations of these two institutions merit discussion. The first survey, on service delivery in land registries, returned worrying results. Services in these offices were found to be poor. They are based on manual land records and systems and are hence unnecessarily inefficient and slow. Kenyans therefore turn to brokers to expedite and end up paying much more than they should. Many offices, particularly those outside Nairobi, were found not to respect official working hours, opening late and/or closing early, leaving service seekers feeling rather frustrated. Discourteous staff and raw corruption are a problem too.

A corruption index was developed from the sample of 29 counties visited. Comparatively, Kerugoya land registry ranked least corrupt, followed by Murang'a, Ngong, Survey of Kenya Ruaraka, Embu and Isiolo offices in that order. Levels of corruption in these offices were found

to be comparatively lower. Those in charge should feel encouraged and step up administrative efforts. Kwale land registry ranked comparatively most corrupt, followed by Migori, Kisumu and Thika. Much must be done to reverse the trends.

Simple strategies may help

Respondents made helpful suggestions towards improvement. These included elimination of brokers, introduction of effectively manned customer care desks and the use of identity tags or uniforms for land registry staff to distinguish them from brokers. Sporadic visits from the Ethics and Anti-Corruption Commission officials or senior officers from Ardhi House to minimize incidents of corruption and administrative laxity were recommended. Staff transfers, induction courses for newly recruited officers and attitude-change courses for the existing staff were suggested. Incidentally, these measures would cost little or no financial costs to effect. And despite the heavy financial commitment required, the computerization of land records and the internal institutional processes was regarded necessary to turn around services in land registries. Those in charge should harness these suggestions.

New Environment and Land Courts acclaimed

But a survey of the new Environment and Land Courts, introduced to determine disputes relating to land and environment, provided encouraging results. A whole 85 per cent of the respondents expressed confidence in the operations these courts. Speed and low levels of corruption accounted for the optimism. Compared to the land registries, incidents of corruption cited for the new courts were few. The courts are however to be found in only 14 of our 47 counties. There's concern that the courts be rolled out to cover more counties. Public awareness about the courts was also found to be rather low. The judiciary should address this information gap through some focused media campaign and also by labeling these new courts distinctively. The automation of the registries to these courts was recommended too.

These two results offer useful lessons to the chief executive officers responsible. The judiciary needs to run with the encouraging results and perfect the new courts. And for the land offices, the small and simple things could be tried out while we incrementally computerize.

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