



STAFF TRAINING AND SERVICE DELIVERY IN THE JUDICIARY

SYSTEM OF UGANDA: A CASE OF CHIEF MAGISTRATES'

COURTS IN THE ELGON REGION, UGANDA

BY

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DECLARATION

I declare that I, **Catherine Agwero**, am the author of this dissertation and that any assistance received in its preparation is fully acknowledged and disclosed. I have also cited any sources from which I used data, ideas or words, either quoted directly or paraphrased. I also certify that this dissertation is my original work and has never been submitted to any other institution or forum for any award or otherwise.

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DEDICATION

I dedicate this piece of work to my parents Mr. and Mrs. Albert Opalakiro, my dear husband Francis Kirago, my boys Victor, Jason, Joshua and the entire family for their support.

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LIST OF ACRONYMS

ACA -	Anti-Corruption Act
ACC -	Anti-Corruption Court
AD -	Advocate
CLK -	Clerk
CPR -	Civil Procedure Rules
JLOS -	Justice Law and Order Sector
JSC -	Judicial Service Commission
JSI -	Judicial Studies Institute
JSIO -	Judicial Studies Institute Officer
MAG -	Magistrate
MCA -	Magistrate Court Act
NRM -	National Resistance Movement
OJT -	On-Job-Training
PS -	Process Server
RA -	Records Assistant
RC -	Resistance Courts
RSA -	Resident State Attorney
T&D -	Training and Development
UMI -	Uganda Management Institute

ABSTRACT

The researcher analyzed the role of staff training on service delivery in the Elgon region Chief Magistrates' Courts, Uganda. The rationale of the study was that despite several interventions by the Judiciary and its development partners to improve service delivery in form of professionalization of the bench, construction of courts and staff houses, training and establishment of the JLOS integrity committee, service delivery still remained poor in terms of increased case backlog, delayed judgments, late coming and absenteeism by magistrates among others. Therefore, the study particularly sought to examine how on-the-job training affects service delivery in Elgon Region Chief Magistrates' Courts; and to assess the role of off-the-job training on service delivery in the Elgon Region Chief Magistrates' Courts. Following a largely qualitative as well as exploratory and case study design, the researcher collected qualitative data from a sample of 23 respondents. The researcher used interviews as a guide for data collection. Data was synthesized, analyzed and reviewed to obtain insights and study conclusive information. This was partly because data coding or use of computers to analyze data was not done. The researcher found that the more effective on-the-job training is, the more empowered an employee is at addressing customer needs and hence, the better the performance of the Judiciary in terms of service delivery. It was established that training is tailored to suit the day-to-day work of judicial officers. Workshop on sentencing guidelines and judgment writing were the dominant forms of training received by the staff in the Elgon Region Chief Magistrate's Courts. Other forms of training though not dominant were coaching, delegation and job rotation. It concluded that on-the-job training and off-the-job training affects service delivery in terms of quality of services, customer satisfaction, and timeliness of services. The study recommends that training plans should be performed in a coordinated and collaborative manner to achieve quality service delivery; and there should be a career development program sponsored by the government offering long term courses that lead to promotion of employees.

CHAPTER ONE: INTRODUCTION

1.0 Introduction

The researcher analyzed the role of staff training on service delivery in the judiciary using a case of Chief Magistrate's Courts in the Elgon Region. Staff training was adopted as the independent variable while service delivery was the dependent. This chapter presents the background to the study, statement of the problem, general objective of the study, objectives of the study, research questions, scope of the study, significance, justification and operational definitions of terms and concepts.

1.1 Background to the study

The background to the study was developed from four perspectives which included historical, theoretical, conceptual and contextual perspectives. The recommendation was adopted from Amin, (2005) that the background to the study can be aligned in accordance to perspectives such as historical, theoretical, conceptual and contextual.

1.1.1 Historical Background

The earliest history of staff training and development is traced in the origins of education itself (Torraco, 2016). An examination of the history of education from the beginning shows a continuum of human progress from survival-driven learning; to education rooted in antiquity, the classics, and religious beliefs; to the influences of war and military strategy on scientific and technical education; to job skills training and scientific management spawned by the industrial revolution; to the post–World War II era leadership development programs and the training of teams; and, finally, to the development of individuals, organizations, and communities for a variety of work-related purposes (Torraco, 2016). Although the fields overlap, training and development are considered separate fields of practice (Torraco, 2016).

Historically, the British previously controlled Uganda; the judicial system consisted of a

number local authorities, tribal chiefs, and kin group elders. These worked primarily to enforce local customary law (Kazibwe, 2003). Islamic law was also practiced in areas of northern Uganda (the judiciary's staff hand book). This meant that every society had a mechanism of settling disputes among its people (Kazibwe, 2003). Such systems of dispute settlement were cheaper and easily accessible with the authoritative tribunals comprising of elders in the community, whose impartiality was never in doubt. The jurisdiction of such courts ranged from matrimonial to murder.

In Buganda for example, there was the “*Ekitawuluzi*” or the parish or village court, where disputes were settled taking into account the values and the norms of the community. Roscoe, (cited in Kazibwe, 2003:86), says “This system was quick in justice delivery since there were no formalities involved in lodging the disputes, no paper work, colossal filing fees or long periods before cases were entertained and disposed of”. Furthermore, the people who presided over the dispute settlements had the blessings and trust of the whole community, which enhanced compliance with the decisions or punishments handed out. The decisions of these courts were based on the cultures and values of the communities which eased compliance and enforcement.

Kazibwe, (2003) further found that males dominated the institutions and had an upper hand in the design and enforcement of the customary laws applied in the courts. Court proceedings were held in small locally built buildings or under trees. Judges lived within the communities and were easily approached. When Uganda became a British protectorate in 1894, the British order-in-council of 1902 introduced the English legal system (Kazibwe, 2003). This legislation established her Majesty’s High Court of Uganda and declared that the law to be applied in courts namely, the common law, the doctrines of equity, statutes of general application in force in England at the time and native law as long as it was not repugnant to natural justice, morality and good conscience, or in conflict with the written law to be used

(Kazibwe, 2003).

The National Resistance Movement (NRM) in 1986, introduced what was called the Resistance Courts through the Resistance Councils and Committees Statute Number 9 of 1987 (Kazibwe, 2003). These councils were charged with judicial responsibilities in jurisdictions and under the Resistance Committees (judicial powers statute). These councils were conferred with powers to make bye-laws and presided over disputes. The Resistance Council system was however, criticized by Oloka-Onyango and Barya, (1994) who argued that though popular and accessible to the ordinary citizens, Resistance Council courts failed to follow legal proceedings and enjoyed limited jurisdiction and this made them tend to exceed their jurisdiction to the extent of handling criminal cases like theft, rape, and Defilement.

The current Ugandan Courts of Judicature were established by the 1995 constitution to exercise judicial power in the name of the people of Uganda and in conformity with the values, norms and aspirations of the people and are enjoined to administer substantial justice impartially and expeditiously (Article 126). In line with the above, service of court process is to be personal on the person sued (Order.5 rule.10) CPR. According to Wolimbwa, (2008) cases once filed in court progress to trial without undue delays and Judgments delivered within 60 days as prescribed by the code of conduct.

1.1.2 Theoretical Background

This study was guided by the Human Capital Theory developed by Adam Smith, (1776) and re-invigorated by Schultz, (1961). According to Schulz, (1960) human skills and know how were a form of capital and regarded education as the most important form of human capital accumulation. Schulz further considered on-the-job-training, schooling, and adult education among activities that develop human capital. The theory is relevant to this study in that the

development of human skills and know-how by education will be examined by considering training approaches that include on-the-job and off-the-job trainings which are considered to have an influence on staff performance hence, improving service delivery. The theory will also show that judicial and non-judicial staff are important if the judiciary is to deliver quality timely services to all people. Training is looked at in the study in form of on-the-job training which includes job rotation, coaching or mentoring, delegation and induction. Off-the-job training includes short courses and under this, we have workshops and seminars. There are also long courses which have further studies. The above forms of training develop the skills of staff which transform into better performance hence, improved service delivery.

It argues that, both knowledge and skill are a form of capital, and that this capital is a product of “deliberate investment”. Acquisition of knowledge and skills is compared to acquiring the “means of production”. For Smith, (1776), however, the concept of human capital implies an investment in people. Advantageously, workers no longer have to be at the mercy of others, instead they can be in control of increasing their own productivity and earnings through staff training.

1.1.3 Conceptual Background

Nickels, (2009) defines training as a learning experience in that it seeks a relatively permanent change in an individual that will improve a person’s ability to perform on the job while according to Gordon, (1992) training is a type of activity which is planned, systematic and it results in enhanced level of skills, knowledge and competence that are necessary to perform work efficiently. Nassazi, (2013) writes that training is a systematic process of altering the behavior of employees in a direction that will achieve organizational goals. According to Armstrong, (2003) on the job training consists of induction training, job rotation and coaching for the new recruits or for existing employees who require training. These trainings are given by managers, trainers or team leaders among others. On job training

is cheaper, relevant and practical dealing with day-to-day requirements of the job. According to Nickels, (2009) off-the-job training is among the most popular training and development techniques used by organizations. It involves taking away employees from their jobs to be trained, it can be done within the company's premises or externally by specialists.

According to Barney, (cited in Erina, 2013:42), service delivery is the implementation of services and making sure they reach those people and places they are intended to. Service delivery is about the customer appreciating what is being delivered, he adds that, service delivery also refers to the actual output or results of an organization as measured against the intended goals or objectives. Various concepts which are likely to contribute to service delivery have been developed into a conceptual framework, which show the relationship between the identified independent variable of on-the-job-training and off-the-job-training. On-the-job-training has dimensions of job rotation, mentoring or coaching, delegation, and induction. Off-the-job-training has long courses and short courses. According to Janing and Saches, (cited in Erina, 2013:45), quality is always defined from the customers' point of view. Ashubonteng, (1996) adds that service quality is achieved when services offered by the service provider meets customer's needs and expectations.

1.1.4 Contextual Background

The Ministry of Justice is part of the executives that is entrusted with the administrative functions of government in accordance with the Constitution and laws of the state (Odoki, 2012). The Ministry makes and publishes rules, regulations and statutory instruments to help implement the laws made by Parliament and interpreted by the courts. The Ministry is also entrusted with rendering legal representation and advice to the rest of the organs of government (International Records Management Trust, 2011).

The Judiciary is a separate arm of government that interprets the law and applies it to

particular cases. The institutions that are entrusted with these functions are the courts of law. According to Article 126 (1) of the Constitution of the Republic of Uganda, judicial power is to be exercised by the courts established under the Constitution in the name of the people and in conformity with law. The Uganda Judiciary has undergone tremendous changes since Independence (Odoki, 2012). Following the enactment of the 1995 Constitution, the Judiciary structure has been redefined to consist of the following courts: Supreme Court; Court of Appeal/Constitutional Court; High Court; Chief Magistrates' Courts; Grade I Magistrates' Courts; Grade II Magistrates' Courts; The Local Council Courts and; Family and Children Courts and Land (International Records Management Trust, 2011).

Until October 1977, the Court of Appeal of East Africa was the final appellate court in Uganda's judicial system. However, on the disintegration of the East African Community, the East Africa Court of Appeal was dissolved. This gave rise to individual Courts of Appeal in each country (Odoki, 2012). In Uganda, the Court of Appeal was renamed the Supreme Court by the 1995 Constitution and the 1996 Judicature Statute (International Records Management Trust, 2011).

The Court of Appeal is established under Article 134 of the 1995 Constitution and Section 9 of the Judicature Act Cap. 13. It is the second highest court in the land. It is duly constituted when it consists of an odd number not less than three justices of the Court of Appeal. It is this Court that constitutes itself into a Constitutional Court, in accordance with the Constitution, to hear constitutional cases (International Records Management Trust, 2011).

The High Court is the third highest in the judicial hierarchy. It has unlimited original, civil, criminal and territorial jurisdiction. It can try any case from Uganda of any value, subject, or crime and can impose any penalty conferred by law. It has power to do anything or issue any order to further justice by virtue of S. 101 of the Civil Procedure Act (International Records Management Trust, 2011). The Principal Judge is the head of High Court, and in that

capacity, assists the Chief Justice in the administration of High Court and subordinate courts. The High Court also sits as the Commercial Court, in the High Court Commercial Division. The establishment of the High Court Commercial Division was meant to bring about expeditious settlement of commercial disputes in support of enterprise efficiency (International Records Management Trust, 2011). This is followed by the chief magistrate's court; this court has original and also appellate jurisdiction from grade II courts and local council III courts and original jurisdiction. In criminal matters, a chief magistrate's court has power to try any offence except those for which the maximum sentence is death. In civil, the chief magistrates' court has pecuniary jurisdiction to handle cases of up to Uganda shillings 50 million. The 5th in the hierarchy is the magistrate grade I court. The jurisdiction of this court is to try all offences except for those where the maximum penalty is life imprisonment. As to the sentencing powers of this court, all its sentences of 2 years and above must be sent to the high court for confirmation. The magistrate grade II the last in the hierarchy. This court is authorized to try minor criminal offences, and it may in some cases pass a sentence of imprisonment of not more than 3 years (Babirye, 2012:7). Besides the courts of judicature, there are other courts established with specific jurisdictions. The Family and Children Courts fall into this category. In addition, there are in several bodies that exercise judicial functions, such as Land Tribunals. The Constitution provides for the establishment of Qadhi's Courts for marriage, divorce, inheritance of property and guardianship, where both parties consent to their jurisdiction. However, Parliament has not yet passed a law to operationalize these courts (International Records Management Trust, 2011).

The courts exist to serve the people and to that extent the people have a legitimate interest in the administration of justice. Mbale and Tororo chief magistrate courts are among the 32 magisterial areas in Uganda located in the eastern part of the country (Wolimbwa, 2008). Mbale Chief Magistrates' has the following Courts under it; Sironko grade I court, Bududa

grade I court, Manafwa grade I court, and Mbale chief magistrate court. Those that fall under Tororo are Tororo Chief Magistrate Court, Malaba grade I court, and Butaleja grade I court. All the above, except Malaba, have permanent Court buildings which are fully furnished with fairly adequate staffing (JLOS Integrity Committee Report, 2013).

However, in line with their performance, it is clear that service delivery in Mbale and Tororo courts leaves a lot to be desired (JLOS Integrity Committee Report, 2013). This is characterized by a number of gaps for example; lack of a customer care desk, absenteeism of judicial officers on Mondays and Fridays, late coming by both judicial and non-judicial staff, unnecessary adjournments of cases, delayed judgments and delayed certification of proceedings for litigants intending to appeal (JLOS Integrity Committee Report, 2013). In light of the above, the mission statement of the judiciary which is “an independent, competent, trusted, and accountable judiciary that administers justice to all” was being compromised.

The entire proceedings of non-capital offences are to take less than four months (Operating guidelines for chain linked committees 2013). Today case backlog and trial delays have become a cancer in the judiciary. The case backlog in Mbale and Tororo Chief Magistrate courts stood at 1200 and 850 by December 2014 respectively. Corruption is on the increase with the number of Magistrates appearing before Judicial Service Commission and Anti-Corruption Court rising (Bamwine, 2011). Clerks are also appearing before the Anti-Corruption Court (ACC) for soliciting and receiving bribes (Bamwine, 2011).

A number of judges have also not been spared. Complaints from unsatisfied litigants to various offices including that of the principal judge have increased (Bamwine, 2011). In Mbale Chief Magistrates’ court between 2012 and 2014, the Chief Magistrate received a total of 241 complaints from unsatisfied court users. Increase in expert proceedings due to lack of proper service or no service is also common.

1.2 Statement of the problem

The Judiciary and the development partners' such as Danida and JLOS have contributed to improve service delivery in the judiciary (Odoki, 2012). Some of these interventions are the professionalization of the bench whereby out of the 417 grade two magistrates in 2007 only 96 were left by 2012, construction of physical infrastructure and magistrate's houses in Dokolo, Kaberamaido, Manafwa, and Otupe among others (Odoki, 2012). There was also increase in the pay of judicial officers in 2013, and there had been an increase in operational fund in 2009. The JLOS integrity committee moves around the country annually to check on performance of the courts and also get views from the public about judiciary services. Some courts have been provided with vehicles for example Mbale, Tororo, and Nebbi among others to ease the poor transport problem especially during locus visit (JLOS Integrity Committee Report, 2013).

Despite the above measures, there is still a strong perception from the public that service delivery is still insufficient. This is proven by delay in delivery of judgments beyond the 60 days rule set by the code of conduct; many adjournments; persistent absenteeism by staff; and judicial officers not working on Monday's and Friday's (JLOS Integrity Committee Report, 2013). Those who keep at stations start court late at around 11 o'clock and are off by 3 o'clock (Odoki, 2012). In addition, Process servers not serving and some swearing false affidavit of service have also increased as well as case backlog (JLOS Integrity Committee Report, 2013). It is possible that, the poor performance could be attributed to inadequacy in service training. Moreover, these weaknesses in the judiciary are happening against the background of fair resourcing including in servicing training for example, trainings on customer care, judgment writing annual magistrates' conferences have taken place but improvements in service delivery are minimal. It was also not clear how training is managed. If service delivery is not addressed, the public is likely to lose confidence in the judiciary and

resort to acts of mob justice (Alvidza, 2009). It was therefore, important to analyze training and service delivery in the judiciary.

1.3 General Objective

The purpose of the study was to analyze the role of staff training on service delivery in the Elgon Region Chief Magistrates' Courts.

1.4 Specific Objectives

The study was guided by the following specific objectives:

- i) To examine how on-the-job training affects service delivery in Elgon region chief magistrates' courts.
- ii) To assess the role of off-the-job training on service delivery in the Elgon region chief magistrates courts.

1.5 Research Questions

The study was guided by the following research questions:

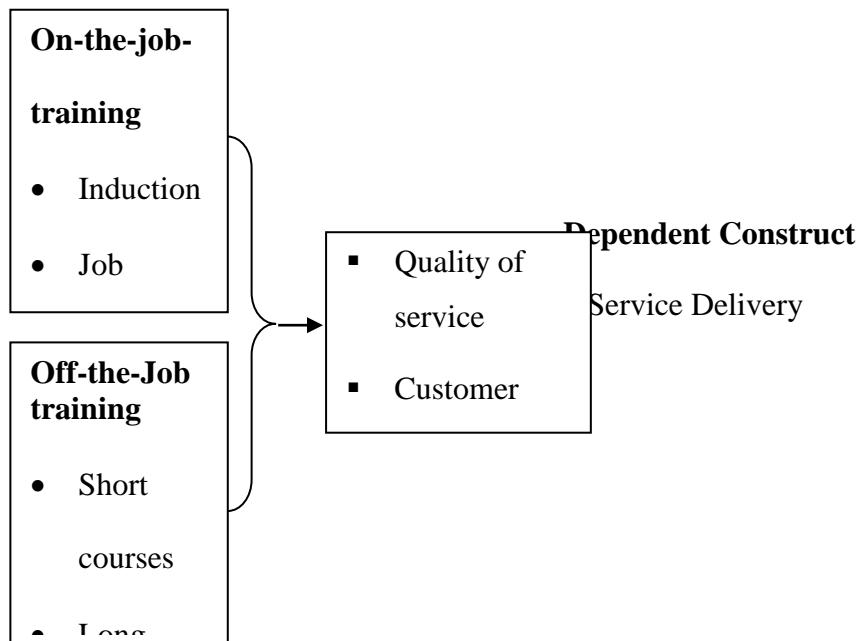
- i) How does on-the-job-training affect service delivery in the Elgon region chief magistrate courts.
- ii) How does off-the-job training affect service delivery in the Elgon region chief magistrates' court?

1.6 Conceptual Framework

According to Smyth, cited in Kurgat and Ombui (2013:195), a conceptual framework was structured from a set of broad ideas and theories that help a researcher to properly identify the problems they are looking at, frame their questions and find suitable literature.

Independent Construct

Staff Training



Source: Adopted from Theodore's Human Capital Theory (1960) and modified by the

Figure 1: Conceptual framework showing the role of Staff Training on Service Delivery in Education

Figure 1.1 above, shows that staff training affects provision of better services. It was conceptualized that on-the-job training (with dimensions of job rotation, coaching, delegation and induction) affect quality of service, customer satisfaction, timeliness and number of clients served. Off-the-job training, the second independent variable entails short courses which include seminars, workshops, and long courses which include further studies also believed to affect service delivery. Service delivery the dependent variable was measured using four indicators including quality of services, customer satisfaction, timeliness of

services and number of clients served.

1.7 Significance

The study would help top management of the Judiciary and Judicial Studies Institute to formulate a training policy and contribute to the body of knowledge in the areas of staff training and service delivery in the judiciary. The study will also come up with recommendations needed to improve service delivery in the judiciary.

1.8 Justification

In order to sustain relevancy and existence of the Judiciary as dispensers of justice, the delivery of quality and timely service is paramount (Odoki, 2012). It is the first time that a study was conducted to analyze the role of staff training on service delivery particularly in the Elgon Region Chief Magistrates' Courts.

1.9 Scope of the study

The geographical scope of the study covered Mbale and Tororo Chief Magistrates' Court in Eastern Uganda commonly known as the Elgon Region covering Sironko grade I court, Bududa grade I court, Manafwa grade I court, Mbale chief magistrate court, Tororo Chief Magistrate Court, Malaba grade I court, and Butaleja grade I court.

The content scope of the study covered staff training and service delivery whereby staff training was limited to that on-the-job training (with dimensions of job rotation, coaching, delegation and induction) and Off-the-job training (with dimensions of seminars, workshops, and long courses). Service delivery as the dependent variable was limited to four indicators including quality of services, customer satisfaction, timeliness of services and number of clients served.

The time scope considered data covering the period from 2004 up to 2016 for effective evaluation of service delivery in Mbale and Tororo Chief Magistrates' Courts. The period is

preferred because 2004 is the year when the Judicial Studies Institute was set up, therefore, it gives a good interval to assess the impact of the Judicial Studies Institute on the staff performance and Service delivery.

1.10 Operational definitions

Backlog means any case pending before a court at a particular time.

Coaching or mentoring; this is where the coach or mentor or supervisor or trainer acts as a model for the trainee to emulate or follow to do the work or task required or assigned.

Code of conduct; means the Uganda code of conduct for judicial officers.

Corruption will mean the unethical use of judicial authority for personal gain or benefit.

Delegation means assigning authority and responsibility for work to others.

Induction this is the process of introducing new recruits to the organization.

Judicial officer; means an officer of court appointed in accordance with the constitution of Uganda to preside over a court of law or tribunal.

Job Rotation; this is where the trainee is placed on various jobs across different functions in an organization.

Long courses; these are courses that last for more than three months and lead to the award of degrees and diplomas.

Off-the-Job Training; this is a kind of training that requires employees to leave their work place and devote their time for undergoing training.

On-the-Job Training; this takes place in a real job environment where the trainee is exposed to an actual work situation.

Short Courses; are courses that last for a few days to two months and lead to the awards of

certificates.

Service Delivery; this is the implementation of services and making sure they reach those people and places they are intended to.

Training; is a learning experience that seeks a relatively permanent change in an individual that will improve his or her ability to perform on the job.

Workshops; training classes or seminars in which participants work individually or in a group to solve actual work related tasks to gain hands on experience

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

This chapter presents a review of literature according to the conceptual framework. The chapter also analyses literature on the Human Capital Theory. The following data sources were reviewed including; text books, internet sites, journals, workshop papers and unpublished dissertations.

2.2 Theoretical Review

The study was guided by the Human Capital Theory. The theory was advanced by Theodore Schulz in 1960 who found that human skills and know - how were a form of capital that could be acquired through educational systems (Agarwal, 2009). Theodore Schulz further considered on-the-job training, going to school and adult education among activities that develop human capital (Emmet, 2010).

Al Méndez, (2011) cited in Ofungi, (2014:5) contends that Human Capital Theory rests on the assumption that formal education is highly instrumental and necessary to improve the productive capacity of a population. This theory is relevant to the study in that when the judiciary hires judicial and non-judicial staff, they have to be trained in order to provide quality and timely services to satisfy its customers who are the litigants.

The Judicial Studies Institute runs an annual training calendar with training programs such as induction for all newly appointed staff, customer care, exhibit handling, and case management and so on. Some judicial officers have also been sponsored for further studies. All this is done by the judiciary to keep its staff productive in order to provide quality services. The theory as used by Ofungi, (2014) further more in the public sector, maintains that selective training towards provision of particular services may not be beneficial since society is dynamic and new laws, policies and ways of approaching challenges are always

required and therefore, the need for a broader spectrum of training cannot be overlooked.

Although Ofungi, (2014) focused on performance, the binding factor is that performance leads to better service delivery. The study was consistent with other studies that if the judiciary is to provide timely, quality services that satisfy the customer, a broader perspective should be adopted to keep with the changing trends. Additionally, in 2014, the judiciary launched mediation as an alternative dispute resolution mechanism; plea bargaining in criminal matters was also launched in 2015 which were not there before (The Judiciary Insider Magazine: Issue 2: March-April, 2015). Therefore, the broader training perspective will cater for all this and this will improve performance hence, improving service delivery.

Lynch, (1991) cited by Fleishhbauer, (2007) revealed that the accumulation of human capital takes place in three ways which include: formal schooling where the individuals devote their whole time to learning, on-job-training provided by the employer and off-the-job training. Cole, (1997) found Human Capital Theory by stating that investing in people provides a framework for improving business performance, competitiveness, increased productivity, enhanced quality, employee motivation and customer satisfaction. However, Baron and Armstrong cite Elliot, (1991) found that, by investing in individuals, firms have fewer guarantees than they do with machines that they can secure the continued use of their services. Elliot, (1991) in this regard, noted further that individuals unlike machines can always decide to leave the firm or withdraw their labour, strike, go absent or work badly. As such, Elliot states that Human Capital Theory proposes that individuals will invest in human capital if the benefits exceed the costs they will invest up to the point at which the marginal return equals the cost. In addition, Baron and Armstrong, (2007) observed that human capital is not owned by the organization but secured through the employment relationship. Elliot's observation may imply that employees cannot be relied on as long term assets of an organization therefore; employers will limit training to those areas deemed good and leave out others. The

human capital theory therefore, shows that employees should be equipped with the relevant knowledge and skills that match the emerging trends. Similarly, the judiciary as the 3rd arm of government should equip both judicial and non-judicial officers with skills and knowledge that meets the ever changing demands from different stakeholders.

According to Flamholtz & Lacey (1981), Human Capital Theory proposes that people's skills, experience, and knowledge are a form of capital and that returns are earned from investments made by the employer or employee to develop these attributes. Davenport, (1999) suggests that the human capital perspective is also illustrative of the employee's point of view. He contends that employees are not costs, factors of production, or assets, but rather investors in a business. They invest their own human capital, and they expect a return on their investment. Staff training programs can give organizations a competitive advantage by linking the strategic interests of the organization with the interests of their employees (Ginn & Terrie, 2001).

2.3 Service Delivery

According to the Judiciary Citizens Service Delivery Charter, (2013) for the Republic of Kenya, Service delivery in the Judiciary means expeditiously administering justice to all persons irrespective of status, undue regard to technicalities, promoting alternative dispute resolution including reconciliation, mediation, arbitration and traditional resolution mechanisms.

Judiciary Citizens Service Delivery Charter, (2013) added that once a client walks to a service point, he expects the following standards of treatment; fair and equal treatment without discrimination based on race, economic status, being directed to the respective officers they have come to see, find facilities accessible and convenient to use by all including people with disabilities. Drucker, (2013) said to achieve customer service

excellence; commitment to service should be emphasized by setting clear goals to provide tangible results like reducing complaints. Drucker, (2013) added that quality in a service or product is not what you put into it. It is what the client gets out of it. Russell, (2013) added that getting close as much as possible by holding focus group discussions with customers and having an effective feedback mechanism for capturing complaints is important.

Drucker, (2013) and Russell, (2013) suggested that for effective service delivery to be achieved, various mechanisms to ensure conformity to standards have to be in place like; feedback mechanisms, reduction of complaints and quality assurance. In line with Drucker, (2013) and Russell (2013), court open days are held where the public give their views about services offered by the judiciary; register their complaints about judicial and non-judicial staff. This is a feedback mechanism used by the judiciary administration and its donor partners to gather information about service delivery in the judiciary.

The Justice Law and Order Sector Integrity Committee Report, (2013) cited a number of factors got from court users that affected the quality of services in the judiciary as delay in disposal of cases, increased incidences of missing files, overstay on remand, challenges in executing court order, criminalization of civil matters, and abrupt transfer of judicial officers. Kotler and Keller, (2006) acknowledged that customer satisfaction is the level of a person's felt state resulting from comparison of a product's perceived performance or outcome in respect to his or her own expectation. Kotler and Keller, (2006) went on to say that if the outcome of the service meets customer's expectation, the customer will be satisfied. The Justice Law and Order Sector Integrity Committee Report, (2013) showed that court users are not satisfied with the service in the courts like; rude behavior especially among support staff, court secretaries and clerks were not courteous enough to inform court users that magistrates were not coming and were left loitering around until late only to be discharged without knowing the dates when their cases will be heard, lack of functional information desks and no

clients charter in the judiciary. According to Erina (2013), with globalization, customers want products and service delivery to take minimum amount of time possible. Clients in the judiciary therefore, want cases to take the least amount of time. Court users want their problems resolved quickly.

Finally, telephone numbers to report corruption have also been given to the public during radio talk shows and also published in newspapers. The office of the inspectorate of courts as well as the Judicial Service Commission is also open to the litigants and the general public to register their complaints. All the above is done to ensure quality timely services that satisfy the customers is delivered.

2.4 The concept of staff training

Training is a learning experience in that it seeks a relatively permanent change in an individual that improves his or her ability to perform on the job (Decenzo & Robbins, 2002). Armstrong, (1996) considered training as a systematic development of knowledge, skills, and attitudes required by an individual to perform a given task or job adequately. Cairn, Wide and Hutch Son, (2008) contended that the primary importance of training is to help achieve the overall organizational objective and contribute to trainees' personal training goals. Scholars added that training has been identified as a way to achieve professionalism, levels of service quality, consistency and maintain a set standard. Cross, Wide and Hutch, (2008) went on to add that training helps to increase the experience of staff, ensure they do work in the right way, guarantee standards and systems of work and deliver the economic bottom line. Aswathappa, (2010) defined training as an activity that imparts skills to employees, knowledge, attributes competencies and ultimately improves workers performance and productivity in an organization.

These definitions of training are however inadequate given the changing nature of the

environment organizations operate in. Besides, this implies that trainers would simply provide knowledge and skills to the employees and this would automatically translate into individual and organizational performance (Aswathappa, 2010). For instance in organizations today, this definition has some weaknesses. First, it should be appreciated that skills and knowledge that employees need are changing rapidly so much so that what is currently relevant, may not be relevant in future. Secondly there is tension between being able to know and owning their learning. This means that employees should be aware of their own needs for both the organizations' requirements and their long term development. These divergent views make it difficult to generate a mutually acceptable definition of training. However scholars seem to agree that, the training process aims at improving employees' performance though the horizon of improvement differs and therefore, training benefits both the employer and the employee (Aswathappa, 2010).

Manzinz, (2014) stressed that; training must be consistent and of an orderly planned sequence of events in order to be effective. Graham and Bennett, (1995) added that unless systems approach to training is followed, some training that is not necessary may be given and the reverse may be true on the extent that training may be too small or great. The said scholars contend that, systematic approach to training follows the following program (a) job analysis, (b) reasonable standards of performance are established and (c) the employees being considered for the training be studied to see if the required performance standards are being attained. The difference between (a) and (c) above is a training gap.

Organizations have options they can adopt in their staff training processes. Such options includes: - on-the-job training and off-the-job training as discussed in the literature below.

2.5 On-the-Job Training (OJT) and service delivery

On-the-job training is a one on one training method acquired by employees while at their

work place, (Dessler, 2013). On-the-job training as one of the independent variables was classified using job rotation, coaching or mentoring, delegation, and induction. The Uganda Public Standing Orders, (2010) provided that job related training on skills building should be encouraged within the ministry where a public servant is employed and should be conducted by immediate supervisors guided by a staff development officer. In the judiciary, on-the-job training is widely practiced in that registrars delegate chief magistrates to perform their roles. In the same line, chief magistrates also assign magistrate grade I's to care take of stations in their absence. New staff especially magistrates are inducted for at least two weeks. For this study, a number of scholars have come up with arguments for and against on-the-job training as reviewed below.

Noe, (2010) observed that on-the-job training is usually undertaken for new and inexperienced employees where learning takes place at the work place and during work as this can be by observing peers or managers performing the job and trying to imitate their behavior. Noe, (2010) further stated that it is useful in upgrading experienced employees with skills when new technology is introduced and cross training employees within a department or unit and orienting transferred or promoted employees to their new jobs.

On-the-job training is preferred over other training methods by many organizations because of its several advantages which include: being customized to the experience and abilities of trainees, training is immediately applicable to the job because OJT occurs on the job using actual tools and equipment (Noe, 2010). As a result, trainees are highly motivated to learn. Both trainees and trainers are on the job site and continue to work while training occurs, it can be offered any time and trainers will be available because they are peers or managers. It uses actual job tasks therefore; skills learnt during OJT are easily transferable (Noe, 2010). The scholar further added on that OJT is less costly in time, money for materials, trainer's salary and instruction design.

Earlier studies show that on-the-job training contributes to better performance hence, improved service delivery. Asiku, (2011) conducted a study on employee training and performance in the public sector. A case of Yumbe district local government and Okol, (2015) conducted a study on staff training and health service delivery in Uganda: a case of Apac hospital. However, none of these authors looked at the role of staff training on service delivery in the judiciary. Therefore, in this respect the study considers that on-the -job training done in the normal working environment heightens the concentration levels of staff while learning and since both the learning and working environment remain constant and as such leading to good performance hence, improved service delivery.

Baird, (2002) added that on-the-job training is also used as a strategy to retain employees by preparing career paths for them. Baird, (2002) further noted that on-the-job training improves employees' turnover rate and ensures that the business maintains high caliber staff holding sensitive designations in the organization. It can be noted that despite the fact that career paths are defined via specific training, sometimes employees switch professions hence, a gap that the researcher needs to investigate.

On the contrary, Noe (2010), stated that managers and peers may not use the same process to complete a task, they may pass on bad habits as well as useful skills, and they may also not understand that demonstration, practice and feedback are important conditions for effective on-the-job training. Noe, (2010) added that OJT can result in poorly trained employees, employees who use ineffective or dangerous methods to produce a product or provide a service, and products or services that vary in quality. Decenzo and Robbins, (2002) added that productivity can be low during OJT while employees develop their skills and errors made by the trainees while they learn. Finally, Dessler (2013,) cautioned that for OJT to be successful, the following step by step approach must be followed; preparations of the learner, presentation of the operation, performance try out and follow up. In light of controversies

associated with on-the-job training, the researcher notes that a lot of care must be taken when this approach to training is adopted by the judiciary in order to offset these negative attributes.

2.5.1 Induction and Service Delivery

Induction as an on-the-job training method is the process of introducing and orienting a new recruit to an organization. In the study, induction is considered as one of the on-the-job training methods. Armstrong, (2009) contended that, it's important to ensure that care is taken over introducing people to the organization through effective induction. Armstrong, (2009) went on to advise that formal induction courses can be done in such away where new staff are assembled in groups so that a number of people can be given consistent and comprehensive information at the same time that may not be forth coming if reliance is placed solely on team leaders.

Elizabeth and Larry, (2002) contended that induction is an offer limited to welcoming new recruits and give them a survival kit of information to help them get settled quickly and contently. Elizabeth and Larry, (2002) went on to say that the objective of induction programs though not always spelt out as such is to maintain a homogeneous work force as possible, one in which employees share a common view of the company. Elizabeth and Larry, (2002) continued that induction is also desirable for people in transition within the organization for example if somebody from one department is promoted to another where they have not previously worked in to a position that requires a different kind of behavior from that to which they have been accustomed.

In the Uganda Public Service, induction is intended to integrate newly recruited officers into the service. It is compulsory for each grade of public officers and should be conducted within the first three months of entry into the service, Uganda Public Standing Orders, (2010). This provision in the standing orders is supported by Elizabeth and Larry, (2002). In the study,

induction is necessary to help the new staff settle in with a brief knowledge about the organization. In this study, it can further be interpreted that when a new staff is confronted with poor reception at the workplace, the next thing on his mind would be to start looking for another job and this negatively impacts on his or her performance. The study also considers it important for the judiciary to lay emphasis on having induction done as early as possible to enable the integration of new staff.

In the judiciary there is the Judicial Studies Institute that handles all matters regarding training for both judicial and non-judicial staff. However, the non-judicial staff are rarely trained especially clerks and process servers who are employed on contract. These staff are given contracts and sent to work at courts without being inducted (Armstrong, 2009). This in turn has led to poor service quality like no service of court process and swearing of false affidavits, poor interpretation and so on. The judicial officers are posted and they work for up to a year without induction. This also leads to unnecessary adjournments, expert proceedings, delayed judgments, customer dissatisfaction and case backlog which all constitute poor service delivery. The length of the induction will vary from job to job and will depend on the complexity of the job, the size of the business and level or position of the job with the business. Riley, (2012) further noted that induction includes learning about the duties of the job, meeting new colleagues, seeing the layout of the premises, learning the values and aims of the business and learning about the internal working and policies of the business.

In the judiciary induction is about the Public Service Standing Orders, the code, MCA, ACA, judgment writing, customer care, case management and so on. Dessler, (2013) added that successful induction should enable new employees feel welcome and at ease to understand the organization in a broad sense and should be clear about what is expected in terms of work and behavior. Dessler, (2013) continued that induction enables the employee to start his or her work with knowledge and in effect performance starts at a good pace, therefore, of benefit

to an organization by minimizing losses and costs which may result from mistakes made while trying to do their work without being given the relevant information. In the study, if judicial and non-judicial staff are given early induction, they would perform their work properly leading to quality services, customer satisfaction and thereby improved service delivery.

2.5.2 Job Rotation and Service Delivery

Job Rotation is a training and development method in which employees move from one job to another within the same organization to broaden their experience (Wayne & Bandy, 2012). Wayne and Bandy, (2012) added that Rotational training programs help employees understand variety of jobs and their inter relationship, thereby improving productivity. Wayne & Bandy, (2012) further argued that job rotation is often used by organizations to relieve boredom, stimulate better performance, reduce absenteeism and provide additional flexibility in job assignments. Dessler, (2013) opined that job rotation involves moving management employees from departments to broaden their understanding of all parts of the business. Dessler, (2013) went on further to say job rotation has several advantages which include providing a well-rounded training experience for each person, it helps to avoid stagnation through the constant introduction of new points of view in each department, identify the persons strong and weak points. Periodic job changing can also improve inter departmental cooperation, managers become more understanding of each other's problems and rotation also widens the trainees acquaintances among management. Decenzo and Robbins, (2002) agreed and observed that rotation increases the manager's experience and allows the manager to absorb new information.

Furthermore, the criterion on which rotation is based also seems unknown hence, prompting an investigation (Armstrong, 2009). Scholars also do not talk about time spent by staff while moving from one department to another which may lead to stagnation of work. For the case

of the judiciary, as judicial officers' move from one station to another, cases are not heard and this in some cases leads to backlog.

Dessler, (2013) however cautioned that, for job rotation to be successful, the program should be tailored to the needs and capabilities of the individual trainee and not be a standard sequence of steps that the trainees take. Dessler, (2013) added that the trainees interest, aptitudes and career preferences should be along the employer's needs, he goes on to say that the time the trainee stays in a job should then be determined by how fast he or she is learning. Furthermore, the managers should themselves be specially trained to provide feedback and monitor performance in an interested and competent way. In the judiciary, job rotation is viewed in terms of staff transfer from one station to another, like from Bugiri to Mbale, from small claims to family and children's court. The Chief Magistrate can transfer non-judicial staff like clerks, secretaries within their magisterial area. The human resource manager transfers non-judicial staff throughout the country and the chief registrar is also mandated to transfer judicial officers. These transfers especially of non-judicial staff are not done regularly as suggested by Decenzo and this has led to overstay at stations thereby leading to poor performance hence, poor service delivery.

According to Devendre, (2009) job rotation improves staff performance since there is periodical transfer of workers among a number of different tasks by moving them from one specialty to another where each requires different skills and responsibilities. Job rotation has numerous advantages. First, it allows experience from different roles, tasks, and domains within the organization and hence, increases the overlap of knowledge among the organization's members (Bennett, 2013). Second, it offers employees to acquire wide-ranging job experience, giving them greater flexibility and, therefore, greater career opportunities (Jackson et al., 2006). Third, it also cultivates improved diversity in individuals' knowledge that can increase their problem-solving and creative performance (Taylor & Greve, 2006).

Furthermore, job rotation can contribute to improved efficiency in cross-functional teams, motivation, team efficiency and enables people to understand larger aspects of an organization's processes (Maxwell, 2008).

Finally, Bennett (2013), described two forms of job rotation which are function rotation of staff and cross function rotation of staff, both forms of job rotation are organized to increase, learning, performance and development of staff as they contribute towards knowledge retention when staff expertise are shared among others which contributes to the development of new staff very quickly. According to Mullins, (2007) Job rotation is very useful in increasing the learning and performance of employees and it also helps in solving staffing problems for example if somebody is not available to do the job somebody else can do their job as they know each other's' jobs due to learning different skills in their jobs through job rotation. Mullins, (2007) found that job rotation helps in overcoming stress, gives rise to innovation and it also increases performance and Bennett, (2013) opined that it helps in the learning of staff as well. Therefore, if employees are rotated in their own departments to different departments, they will attain the skills and their overall learning and development will be increased thus, effective employee performance attainment.

2.5.3 Coaching and Service Delivery

Coaching is one of the key on-the job training methods. Steve, (1998) opined that Coaching is an effective method of employee development on the job but adds that the Coach should not be the immediate supervisor. Wayne and Judy, (2010) added that for years, coaching has repeatedly been shown to be the most important factor influencing careers of both men and women. Cheatle, (2001) held the same view and noted that coaching is useful and an important approach for orienting new comers in the work place and this enhances career development through guidance, support, role modeling and workplace counseling. This however does not mean that older employees are excluded from this method, but it is mainly

emphasized for newly employed persons with the organization. Why? Because older employees can be mentored or coached for new assignments or promotion whereas new employees are to learn the organization and get experience on job.

In fact, Wayne and Judy, (2010) talked of reverse coaching where older employees learn from younger ones because it allows senior managers to be mentored in areas they do not have experience in. Okol, (2015) pointed out that coaching enhances trust with coaches as they are given the sole responsibility to ensure that they groom subordinates for the future. In the judiciary, coaching is widely carried out in that clerks have learnt how to interpret by virtue of the fact that they sit with magistrates in court. Magistrates at all levels are coached by judges on issues of judgment writing, case management. Also newly recruited magistrates have been trained by clerks in plea taking, locus visits and so on.

According to Dessler, (2013) in coaching or understudy approach, the trainee works directly with the person he or she is to replace, the latter is in turn responsible for the trainees coaching. He adds that coaching relieves the executive of certain responsibilities by giving the trainee chance to learn the job. Dessler, (2013) went on to say that this helps ensure that the employer will have trained managers to assume key positions when such positions are vacated due to retrenchment, promotions, transfers or terminations. It also guarantees the long run development of the company-bred top managers. Tusiime, (2013) emphasized that coaching is something all managers and administrators should do to solve the performance gap. Dessler, (2013) cautioned that for coaching to be effective, the executive has to be a good coach and mentor. Furthermore, this person's motivation to train the replacement will depend on the quality of the relationship between them. Some executives are also better at delegating responsibility, providing reinforcement, and communicating than are others, this also affects the results.

2.5.4 Delegation and Service Delivery

Delegation is assigning the authority and responsibility for work to others and it is depicted as a four step process involving allocation of duties, delegation of authority, and assignment of responsibility and creation of accountability (Robbins & Philip, 2009). The scholars added that delegation improves decision making, helps to develop subordinates, enhance subordinates' commitment and improve manager-subordinate relationship. Despite the above the scholars do not take into consideration the fact that some managers do not want to delegate for fear of the subordinates out shining them. In the judiciary, delegation is widely practiced from the top where in the absence of the chief registrar, the registrar high court does the work, deputy registrars delegate to chief magistrates and chief magistrates also assign magistrate grade ones to do for them their work. This has improved the working relationship leading to improved service delivery.

2.6 Off-the-Job-Training and Service Delivery

According to Asiku (2011), off-the-job training programs are the training approaches where employee development programs are conducted outdoor, that is, to say away from the actual work environment. Decenzo and Robbins, (2002) opined that off-the-job training covers a number of techniques both formal and informal which are programmed. Tusiime, (2013) added that the main types of off-the-job training are:- day release where employees take time out from normal working hours to attend a local training Centre, distance learning or evening classes, block release courses which may involve several weeks at a local college, sponsored courses in higher education, self-study and computer based training. Organizations that have used off-the-job-training prefer it because it involves use of specialist trainers and accommodation.

There is an opportunity to mix with employees from other businesses where participants

share a lot. The scholars focused more on institution sponsored off-the-job training but did not cater for employees who sponsor themselves. Further, critics of off-the-job training like Bagyenda, (2003) asserted that training programs tend to bear no linkage with the reality in the field because institution lecturers or tutors had little touch with field realities. The scholar added that training programs tended to bear no relationship with the user department or institution's demands. This is to a certain extent true as most people run to upgrade in order to get the long awaited paper so as to be promoted.

2.6.1 Workshops

Stone, (1997) noted that a variety of training approaches such as workshops, study tours; formal certificate courses and so on provide an effective impact of training. These have become the common off-the-job training approaches in the public sector. Stone, (1997) defined workshops as a training activity for a group of people lasting from one day to two weeks. He adds that workshops allow more opportunity for flexibility in content and through the smaller group discussions. Stone, (1997) further wrote that although formal academic training is important, but non-formal approach such as workshops and seminars are often flexible and are an affordable way to address organizations' needs. Stone, (1997) added that training workshops and short courses offer effective, low cost methods for raising the performance of a wide variety of employees within an organization. But Stone, (1997) cautioned that workshops alone may not bring about behavior change and may also have the short fall of not adequately achieving objectives because it has become a common practice that some people only turn up when they know that the facilitators will be competent enough to deliver.

In the Judiciary workshops are widely used as suggested by Stone, (1997). These workshops are usually organized by JSI in conjunction with other organizations like Human Rights Commission, NEMA and so on and range from one day to a week. But like stone, (1997)

suggested some of these workshops do not achieve the objectives because of poor attendance. If employees get to know that per-diem is not there then they will not attend. Even the selection of participants is not evenly done as the same people are always the ones being invited.

Ambetsa, (2006) on the contribution of technical and vocational training to sustainable development found out that short term training contributes to individuals' personal development, increases their productivity and income at work and facilitates everybody's participation. As when individual employee wants to learn, he/she would learn more and more, he would participate in many other activities such as attend seminars, workshops and other training sessions, either on the job or off the job. This indeed would lead to employee development, and employee development would lead to increase in employee performance (Elena, 2000).

Birungi, (2002) found out that some approaches of academic staff development have emerged at Uganda Martyr's University and that in spite of gaps in the endeavors to put them in place and to manage them, they are generally perceived as contributing to improved performance of lecturers who undertake them.

Finally, Usoro (2010), agreed that seminars, workshop and conferences enable employees to bridge the gap between the skills learnt and the one expected them to possess. When employees are self-directed, they develop a positive attitude towards training and indeed would lead to employee performance when employee is nominated in different workshops, and training sessions, employee attitude and behavior will determine the seriousness in training and development programs.

2.6.2 Formal Academic Program

Under formal academic programs, there are long term training programs which are

commonly undertaken in formal academic environments. Singh, (2009) found that career development initiatives gave the employee a clear focus about their careers. Singh, (2009) added that development was linked to specific qualifications for instance masters' qualification, postgraduate degrees and diploma qualifications among others. Such training tended to enhance individual skills, qualification and better their qualification. Zeithaml et al., (2006) showed that after hiring the right people for the right position, it is very important to provide valuable training, empower employees and promote team work in the work place to ensure the process of delivering service quality. The argument however does not cater for individuals who cater for their own training needs. There are employees who tend to self-sponsor themselves with little or no support from the organization and training within staff guidelines.

In the judiciary employees, undertake these long courses in institutions like Uganda Management Institute, where they study courses such as post graduate diplomas in public administration, human resource management, and Makerere University for degrees and masters. Every year, twelve magistrate grade ones are taken to Denmark for a one month course in human rights and at the end of it they are awarded a diploma. Much as these programs are there in the judiciary, only a few who get sponsorship from the judiciary have gone for them. This is because the selection criterion is not known and this has left many out. Others who have gone are those given scholarships by the various universities and those who can afford self-sponsorship.

Bigambo (2004), in his study on the output of Moi University academic staff and basing on the educational theory, found out that the performance of lecturers was below expectations and set standards, characterized by inadequate training and poor performance measurement. Bigambo, (2004) studied how training was directly related to performance requirements of the employee's current assignment and should respond to organizational or operational need

as defined by the University.

It is a training and development method that involves presentations by more than one person to a wide audience. It is more cost effective as a group of employees are trained on a particular topic all at the same time in large audiences (Meggison et al., 2009). Conferences are however disadvantageous because it is not easy to ensure that all individual trainees understand the topic at hand as a whole; not all trainees follow at the same pace during the training sessions; focus may go to particular trainees who may seem to understand faster than others and thus, leading to under training for other individuals (Bigambo, 2004).

Finally, Meggison et al., (2009) argue that conferences are just one, may not be the most important factor in determining a person's level of job performance especially when under peer observation. However, these studies show no clear evidence of a causal relationship between off-job-training and employee performance in a private limited company although they hold that some writers believe such a relationship exists.

2.7 Summary of Literature Review

The literature reviewed provided an insight on the influence of staff training on service delivery. The literature suggests that OJT when carried out efficiently results in achievement of better performance and organizational goals but was silent on the role of staff training on service delivery in the judiciary. This study therefore, strived to cover this literature gap by providing empirical evidence on the relationship between the right training approaches which focus on the training needs and how OJT affects service delivery in chief magistrate courts in the Elgon Region. Similarly, the literature highlights that off-the-job training has indicators of non-formal and formal academic approaches but was silent on the role of off-the-job training on service delivery in the judiciary. This study therefore, strived to cover this literature gap. Therefore, if the above training approaches are conducted in an organized and systematic way

it should be able to develop new attitudes and experiences that contribute to the success of the organization, improve employee morale which would lead to better performance and greater productivity. In line with these postulations, this study interest itself in investigating whether such training episodes above actually translate into improving service delivery in the judiciary and chief magistrates' courts in the Elgon Region, Uganda.

CHAPTER THREE: METHODOLOGY

3.1 Introduction

This chapter presents a detailed description of the selected methodology that was used in this study. The research design, study population, sample size and sampling technique, tools for data collection reliability and validity of the research instrument, data processing and data analysis are described as follows:-

3.2 Research Design

The study adopted a case study design. A case study design is a research design where the researcher selects one representative of cases for an in depth study (Amin, 2005). The case study design was used because it is unparalleled for its ability to consider a single or complex research question within an environment rich with contextual variables, allows the researcher to retain the holistic characteristics of real-life events while investigating empirical events and suitable when in-depth explanations of a social behaviour are sought after (Yin, 2003).

There are 47 Chief Magistrate Courts in the Judiciary in Eastern Uganda and 02 were selected. The 02 were selected because the Elgon Region which was used as a case study has the biggest number of employees compared to others in Eastern Uganda. The research was qualitative and used descriptive methods in collecting data, involving interview guides, documentary review checklist, and observation check list. Primary sources of data included individual respondents using interview guides while secondary data was obtained through perusal of available documents, internet sites, and journals, records on files, reports, workshop papers, and unpublished dissertations.

3.3 Study Population

Mugenda & Mugenda, (2003) defined population as “an entire group of individuals ,events or objects having the same observable characteristics” The study population comprised 67 staff

from Mbale and Tororo chief magisterial areas which included 02 chief magistrates, 06 magistrate grade ones, 23 process servers, 23 clerks, 05 records assistants, 02 resident state attorneys and 04 advocates. The executive director JSI and registrar training were also among the study population because they directly manage the training of staff. In a chief magistrate's court the head of administration is the chief magistrate, followed by magistrate grade I then comes the records assistant. The clerk follows and the process server comes last.

3.4 Sample Size and Selection

The sample size was selected using the mathematical table of Krejcie & Morgan, (1970) as adopted by Amin, (2005). The Executive Director, Registrar Training, Chief Magistrates, Resident State Attorneys and Advocates were purposively selected. The magistrate grade ones and the records assistants were conveniently selected. The clerks and process servers were randomly selected.

Table 1: Population categories, sample and sampling methods used in the study

Category of Respondent	Population	Sample size	Sampling methods
Executive Director JSI	1	1	Purposive sampling
Registrar Training	1	1	Purposive sampling
Chief Magistrates	2	2	Purposive sampling
Magistrate Grade Ones	6	3	Convenience sampling
Records Assistants	5	3	Convenience sampling
Clerks	23	4	Simple random sampling
Process Servers	23	3	Simple random sampling
Resident State Attorneys	2	2	Purposive sampling
Advocates	4	4	Purposive sampling
Total	67	23	

Source: Chief Magistrates' Court Staff Lists (2015)

From Table 3.1, the first column presents various categories of people the researcher targeted. The second column shows the total population of the targeted categories. The third column

shows the sample of people that were selected from the targeted categories. The final column shows how the various categories sampling methods used to collect data, thus, from a population of 67 the sample size that were selected is 23 because they could give all the information and details as key informants representative of the entire population.

3.5 Sampling Techniques and Procedure

The study used probability and non-probability sampling techniques which included convenience and purposive sampling to select members for inclusion in the sample. These techniques were selected because they allowed the selection of respondents who are knowledgeable about the subject under study as key informants (Amin, 2005).

3.5.1 Non-Probability Sampling

3.5.1.1 Purposive sampling

According to Amin (2005), purposive sampling was preferred in selecting people holding positions that allow them to be more knowledgeable with issues going on in their areas. In that respect therefore, the researcher used purposive sampling for selecting key informants; these comprised executive director JSI, the registrar training and two chief magistrates, two resident state attorneys and four advocates.

3.5.1.2 Convenience sampling

Amin, (2005) asserts that convenience sampling is where the researcher selects respondents that are close at hand or easy to reach and the results are generalized to the target population. This was used to select magistrate grade ones', the clerks and process servers and records assistants that were available at court during the time of data collection considering that staff report to work at different times and absenteeism was also common.

3.5.2 Probability sampling

3.5.2.1 Simple Random Sampling

According to Amin (2005), simple random sampling is the basic technique where a group of subjects (a sample) for study is selected from a large group (a population) and each individual is chosen entirely by chance of being included in the sample. This was used to select the clerks and the process servers.

3.6 Data Collection Methods

The study employed primary and secondary qualitative data collection methods. The primary data collection methods was from first-hand information obtained using interview guide while secondary data was data collected using documentary review and observation, notably;

3.6.1 Interview

Interviews involved face-to-face encounter between the researcher and the respondents in order to obtain accurate and reliable data (Mugenda & Mugenda, 1999). Therefore, the researcher interviewed a few selected Executive Director JSI, the registrar training and two Chief Magistrates, two resident state attorneys and four advocates. The interview guide was used by the researcher to provide the in-depth data and also allowed respondents bring up other issues they feel are of interest to the subject matter.

3.6.2 Document Review for Secondary data Collection

Document review is the analysis of documents that contain information about the phenomenon an individual wishes to study. The researcher reviewed texts and documents which included articles in Uganda Judicial Officers Journals, annual reports of the justice law and order sector integrity committee country wide visits, case and complaints registers at Mbale and Tororo Chief Magistrates' Courts staff lists and unpublished dissertations with

information pertaining to this study helped consolidate and compliment the primary data. In addition, the researcher also reviewed attendance list, case registers and completed case files.

3.6.3 Observation

In this method of study, the researcher took time at different work stations to observe the patterns and phenomena as employees perform their duties. This was used because of its subjective and bias free nature, it takes study happenings on spot and firsthand information was generated (Kothari, 2003). The method helped make meaning of the findings and captures information that could not be easily got via interviews (Amin, 2005). Observation helped the researcher observe arrival time, court users, magistrates and resident state attorney. The researcher also observed whether standards in regards to customer care were being complied with. Observation as a primary strategy helped the researcher collect data using field notes.

3.7 Data Collection Instruments

Interview guides were used to obtain primary data from the respondents who included the Executive Director JSI, Registrar Training, and Chief Magistrates, Magistrate Grade Ones, Clerks, Process Servers, Records Assistants, State Attorneys and Advocates . The secondary data was obtained by documentary review check list and observation checklist.

3.7.1 Interview Guide

An interview guide is as general plan that the interviewer would follow and ask questions aiming at stimulating the respondents to give information so as to meet the objectives of the study (Mugenda & Mugenda, 2003). It was used to probe further to get deeper information as noted in (Mugenda & Mugenda, 2003). Data obtained in the interview was supplemented with the data obtained through documentary review checklist and observation checklist.

3.7.2 Documents Review checklist

A document review checklist is a list of documents on published works that the researcher would read during the study. These documents included a list of articles, reports, textbooks, publications, journals, and newspapers with information pertaining to this study. They also included court registers, court attendance books, documents to do with training of staff, courses attended, when and how long?

3.7.3 Observation Checklist

An observation checklist contains an outline of things or items the researcher would observe during the study. This was used especially to investigate items like reporting time, customer care and assessment of general behavior since it provided unique insights that could not be captured by interviews (Amin, 2005).

3.8 Quality of Data Instrument

For a study to obtain appropriate data and produce accurate results there was need for ensuring quality of instruments through obtaining conformability, that was, the accuracy of the instruments and transferability, that was, dependability of the instruments as here under.

3.8.1 Conformability

As defined by Mugenda and Mugenda (1999), conformability refers to the accuracy and meaningfulness of inferences which are based on the research results. It is a degree to which results obtained from the analyses of data actually represents the phenomenon under study. The interview guide was subjected to scrutiny by the researcher's supervisors and other research experts for validation purposes and it was found to be valid. In this study, during the interview guide construction, quality control and validity was ensured though.

Face conformability, here the instrument was subjected to experts check whether it measures what it was intended to measure. Content conformability, where the instrument was designed

according to the study constructs and their respective indicators of measurements. Amin (2005) found that content conformability focuses upon the extent to which an instrument corresponds to the theoretical concepts it is trying to measure. Furthermore, content validity was determined by the area covered by those who were asked to assess its content validity. Construct validity, which was maintained through restricting the questions to the conceptualization of the variables and ensuring that the indicators of a particular construct fall within the same construct. Data was synthesized, analyzed and reviewed to obtain insights and study conclusive information. This was partly because data coding or use of computers to analyze data was not done.

3.8.2 Transferability

Transferability is a measure of the degree to which a research instrument yields consistent results or data after repeated trials (Mugenda & Mugenda, 1999). The data collection instrument was pretested on two(2) of respondents from the population with the aim of ensuring that questions are accurate and clear in line with each objective of the study.

3.9 Data Collection Procedures

The researcher obtained an introductory letter from the course coordinator in the School of Civil Service and Public Administration of UMI that she took to the field. This letter was used to obtain permission from the executive director, registrar, magistrates and other staff. After acquiring the letter, the researcher proceeded to the field and collected data from 23 out of the target population of 67. The data was analyzed using qualitative techniques and a report was written and submitted.

3.10 Data Analysis

Barifaijo et al., (2010) defined data analysis as the process of bringing order, structure and measure to the mass of collected data and analyzing data to obtain usable and useful

information. Data obtained from the field was raw and difficult to interpret therefore the data which was collected from interviews were reviewed by the researcher so as to ensure quality consistency and completeness. Data was organized, read thoroughly for familiarization with the researcher, field notes edited, cleared and recorded as recommended by Amin, (2005). The data collected was cleaned, sorted and edited to eliminate error. Analyzing the non-numeric data into many themes by source of information was done. The data was read through to get a general sense and enroll meaning. The data was arranged into categories and labeled appropriately. The transcript was re-read looking for similarities and differences in order to find meaning and develop categories. Data was presented against the study objectives and analyzed using explanations, drawings and examples from the field per variable.

3.11 Ethical consideration

The study had been planned to minimize misleading results and meet ethical acceptability. The researcher protected the dignity of all the respondents as well as those who may be affected by the results of the study by not disclosing their names in the interview guide and take full responsibility for maintaining their dignity and confidentiality. The works of others were also given due credit through citations. The researcher disclosed the purpose of the study as being for academic purposes only. Informed consent and acceptance of the respondents was also sought by making prior appointment. Approval was sought to carry out the study demonstrated by a letter from Uganda Management institute attached.

CHAPTER FOUR: PRESENTATION, ANALYSIS AND INTERPRETATION OF FINDINGS

4.1 Introduction

The researcher analyzed the role of staff training on service delivery in the judiciary using a case of Chief Magistrate's Courts in the Elgon Region. This chapter presents the study findings from in-depth interviews conducted with the various stakeholders in the judicial system in Uganda. The chapter is structured along two specific study objectives, namely; to examine how on-the-job training affects service delivery in Elgon region chief magistrates' courts; and to assess the role of off-the-job training on service delivery in the Elgon region chief magistrate's courts.

4.2 Response Rate

Out of a sample size of 23 people, 22 which are 96% managed to respond to the interviews while only 1 respondent which was 4% was not in position to be interviewed. This lack of response from the one Court staff may be attributed to factors like failure to get time due to their tight work schedules. This feedback from the respondents (96%) was enough to facilitate this study (Mugenda & Mugenda, 1999).

4.3 Service Delivery in Elgon Region Chief Magistrate's Courts

Service delivery is the implementation of services and making sure they reach those people and places they are intended to (Wakoli, 2013). Service delivery is about the customer appreciating what is being delivered, in other words, service delivery. Also refers to the actual output or results of an organization as measured against the intended goals or objectives. In this study, service delivery was investigated under the indicators of quality of service, timeliness of service and customer satisfaction.

4.3.1 Quality of Service

As far as the quality of service study is concerned, there was an overwhelming response from participants that there was good and timely quality service delivery in courts in Mbale. One respondent said;

“With the exception to a few incidences the judicial officers are there and qualified to do what they are supposed to do. Other set backs are because of other factors like attendance of witnesses, facilitation to have the witnesses summoned but on the whole there is quality service delivery all factors constant” (RSA1).

In agreement another respondent said:

“Serving of court summons is done on time and as a result there are no more expert proceedings in Mbale since everybody is aware cases have been heard on time and backlog has been reduced” (PS1).

This implies that the level of service delivery in terms of quality of services, customer satisfaction, timeliness of services and no of clients served by the judiciary in the Elgon region chief magistrates' courts was satisfactory.

Other participants expressed similar perceptions in regards to quality of services offered, for example a respondent added;

“Normally when a complaint has been made it is attended to immediately. For example one time chief granted bail and the person said she had paid the money in the small house. She called me and we realized it was a bush lawyer who had got the money. We arrested him and the money was paid. Even when the complaint is about a particular magistrate mishandling a file she reallocates it immediately. So there is no compliant that goes unattended so that one they are effective” (RSA2).

4.3.2 Timeliness of Services

Documentary evidence revealed that at Mbale Chief Magistrate Court there is a complaint's register available opened 24th January 2012 with 9 to 11 complaints received monthly on corruption, delayed justice, bias, extortion, lack of customer care against Judicial officers, court clerks and other staff. The complaints' registers showed that the time taken to dispose off complaints was immediate, at most two-three days. The action taken was reallocation of files in case of bias, transfer, referring to the judiciary disciplinary committee. When asked on measures in place to ensure provision of quality timely services in the judiciary, several participants believed that there were a number of mechanisms in place to improve on service delivery. For instance a Magistrate interviewed said;

"There is supervision at all levels the chief magistrate supervises. Each magistrate is allocated a particular number of staff to supervise. Supervisory checks about who does what and best practices. There are monthly meetings where we check progress of service delivery and how best we can improve. There is a complaints system if the clerk is the problem. If it's the magistrate then the complaint is to the chief magistrate. If it cannot be handled by chief or deputy registrar, complaints may be forwarded to headquarters to the chief registrar or inspectorate depending on the nature of the complaint. Then there is also the District Coordination Committee meeting to compare notes on how justice is dispensed during this interface" (MAG1).

There was an overwhelming consensus among the participants that the Chief Magistrate's Courts in the Elgon Region were doing their best to better service delivery. A respondent said;

"The attendance register has improved punctuality of support and judicial staff. Then the court open days have helped on giving feedback to the litigants, knowing what remedy can be got from where. And also getting immediate feedback, DCC meetings have helped the justice system move smoothly and know who is clogging the chain

and making it move. We also have a customer care desk since there are two courts the chief magistrates' court and high court and people would always get lost. But the desk has helped in guiding staff to various offices, officers', courts and people find out whether the remedy they are seeking for can be got there". (MAG1).

Such findings imply that the quality of services offered to clients by the judiciary in the Elgon region chief magistrates' courts was generally good and satisfactory.

4.3.3 Customer satisfaction

Documentary evidence shows there was an attendance register available for staff members opened on 30th May 2015; arrival time was 8:00-9:00 am with departure time at 4:30-5:00 pm with evidence of daily attendance by staff available. Other participants expressed similar perceptions in regards to mechanisms put in place to ensure provision of quality services in the judiciary, one respondent remarked;

"Litigants have been given telephone numbers to report mismanagement of their file, complain about clerks who give different dates to parties in the same case so that one takes an upper hand in the case, report clerks who pluck out documents from files, they complain also to the chief magistrate and trial magistrate about files. Complaints are also filed to the inspectorate of courts. We also have attendance registers and departure register introduced in every court for administrators to monitor arrival and departures" (RA1).

Another respondent added

"They have introduced an attendance and departure register which we sign and this has made people to be timely as well as there is also timely submission of monthly returns at least by the 10th of next month" (RA2).

The findings hereby imply that there was a reasonable level of effectiveness in terms of

service delivery in terms of quality of services, customer satisfaction, timeliness of services and no of clients served in the Elgon region Chief magistrate courts.

Regarding service delivery, it is was found from the participant responses that generally backlog has reduced, sentences are harmonized and predictable, time taken in adjudication has reduced, the public is more aware of services; the public seem to know where to go to file their complaints, an open door policy is being practiced, attendance has greatly improved and it's easy to make an assessment of how many days a person has worked and the hours in the Elgon region Chief magistrate courts.

4.4 On-the-job-training and Service delivery in the Elgon region chief magistrate courts

The first objective of this study was to examine how on-the-job training affects service delivery in Elgon Region Chief Magistrates' Courts. Therefore, this section explores findings on on-the-job-training which were investigated using interview questions focusing on job rotation, coaching induction and delegation as dimensions of on-the-job-training as practiced by judicial and non-judicial officers and their effect on service delivery in the Elgon region Chief magistrate courts. The findings are presented below:

4.4.1 Job Rotation

The researcher sought to find out whether job rotation empowers employees to offer better service delivery. There was an overwhelming response from participants in this study that job rotation is carried out in the judiciary, one respondent interviewed said;

“Our job rotation is carried out inform of transfer. You find that we clerks are being transfer from one station to another within the chief magisterial area. Like here in Mbale I can be transferred from Mbale chief magistrates’ court to Bubulo court or Sironko court” (CLK 1).

On the relationship between job rotation and service delivery in the Elgon Region Chief

Magistrates' Court, Uganda, there was an overwhelming consensus among the participants that job rotation helped to improve service delivery. In confirmation one participant said that job rotation has helped them in that when they are transferred in areas that they best suit because in their day today work as clerks they interpret in the local languages so when they are transferred to Mbale or within it makes them deliver better services because they would be doing the best interpretation in the local language and the court users would understand.

Another court clerk said;

"Job rotation has helped me to be an all-round person in that when you are in the criminal registry you handle only criminal case and when you are rotated to civil you also learn civil and get wider knowledge and meet different kinds of people. It also helps the public benefit from you as an individual because when you are in criminal and you have a lot of knowledge the public benefits from you" (CLK 2).

Other participants expressed similar perceptions in regards to the relationship between job rotation and service delivery in the Elgon region Chief Magistrates' Court. As one respondent noted:

"Through Job rotation, I have learnt new work like when I came to Mbale I was put in criminal registry then I was transferred to civil and right now I can do both work. In civil registry we register civil cases. When a file is brought we give a number open up a file and take the file to the chief magistrate who allocates depending on jurisdiction of 50million for Chief Magistrate and 20million for magistrate Grade one. When a file is brought back and summons signed then served upon the defendant. The completed files are brought daily to the registry I enter the returns and keep file in the archives and at the end of the month I submit the returns" (RA2).

Such responses from respondents imply that the use of job rotation as a form of training has

had a positive impact on the knowledge, skills and attitudes of the Judiciary employees which is likely to improve on the level of service delivery in terms of quality of services, customer satisfaction, timeliness of services and number of clients served by the judiciary in the Elgon Region Chief Magistrates' Courts.

Several participants believed that job rotation had helped to deliver quality services in the Judiciary this is because the learned new ideas and new methods of work whenever they were rotated from their common jobs to other jobs. For instance a senior clerk had this to say

“Job rotation also gives employees an opportunity to learn one another’s job and this is a guide to quality service” (CLK3).

Such findings imply that job rotation may enable court employees to stand in for one another since their skills are shared. This means that in case of absence of one for whatever reason, gaps may not be felt leading to courts becoming efficient and effective in terms of customer satisfaction, timeliness of services and no of clients served by the judiciary in the Elgon Region Chief Magistrates' Courts.

However on the contrary, other participants expressed different perceptions in regards to whether job rotation affects service delivery in Mbale Magisterial area. To them job rotation meant being transferred from one job location to another throughout the country. For instance one respondent interviewed said:

“In the judiciary Job rotation is in the form of transfer of judicial officers from one court to another which means that they may transfer a non performing officer to a station there by failing the performance of her/his new station since they do not consider whether the person they are bringing in is better than the one who has left” (RSA 1).

The findings on job rotation and service delivery indicate or show that job rotation if well

implemented would yield adequate effectiveness and improve the level of service delivery in the Elgon region chief magistrate courts. It can be concluded that the more effective job rotation is, the more empowered the employees are in addressing customer needs and hence the better the judiciary is placed as far as service delivery is concerned.

4.4.2 Coaching

The study further sought to find out whether coaching empowers employees to offer better service delivery. There was an overwhelming response from participants in this study that coaching is carried out for non-judicial officers in the Judiciary, Several participants believed that let alone other judiciary employees but coaching among judicial officers such as magistrates is not existent. On this one of the Resident State Attorneys interviewed said:

“When you look at the chief magistrate and magistrate grade one it’s difficult for the chief to mentor someone who thinks they are independent and have the same qualification. So the chief has no force to affect the mentorship because of the general understanding of independence. Then there is no link between the higher bench and lower bench. The judges cannot supervise the magistrates because of the hierarchy in the judiciary” (RSA 1).

Such a finding implies that in some cases coaching was not possible. This means that gaps may be felt in cases of absence of one or more court staffs since skills are not shared by subordinates. This could lead to courts becoming inefficient and ineffective in terms of services offered by the judiciary in the Elgon region chief magistrates’ courts.

When asked how coaching impacts service delivery in the Judiciary, There was an overwhelming response from participants in this study that coaching improves service delivery. On the same, one court clerk interviewed said:

“Coaching has helped me deliver timely services in that every time my mentors and

supervisors have reminded me of my work load and this has helped me deliver quality services” (CLK 1).

In agreement, another one respondent interviewed said:

“Through coaching, even in my absence the person I have mentored does exactly what I taught him to do. Work moves faster and work targets are met timely” (CLK 3).

Such a finding implies that coaching may enable court employees to stand in for one another since their skills are shared. This means that the quality of services offered to clients by the judiciary in the Elgon region chief magistrates’ courts was generally good and satisfactory.

Another respondent a senior process server emphasized the advantage of coaching in service delivery when she said;

“Mentoring is relevant because someone will learn how to do your work and can do it in your absence. Mentoring is important because when you teach someone customer care for instance services of documents he/she will go there serve and the person served will accept the document easily” (PS 1).

Similarly one of the senior clerks expressed similar perceptions in regards to coaching when she said:

“Coaching also makes a complex job simpler and this makes work to be done faster. Mentoring is also a necessary training on job as each task comes by than the traditional training at school where you are not taught how to perform the job. Mentoring provides an employee with necessary skills at hand of how to perform the job” (CLK3).

Such findings imply that the use of coaching as a form of training has had a positive impact on the knowledge, skills and attitudes of the Judiciary employees which is likely to improve on the level of service delivery in terms of quality of services, customer satisfaction,

timeliness of services and no of clients served by the judiciary in the Elgon region chief magistrates' courts.

Another respondent interviewed expressed similar perceptions as she said;

"We practice mentoring everyday sometimes with colleagues at the same level or level of supervisor supervisee. But with the supervisor supervisee level every week we have a meeting where we discuss the week and if there are any challenges we find solutions and support each other and this has improved on the way we deliver our services to our litigants" (MAG 1).

Basing on the study findings which show an overall agreement among the participants in regards to the relationship between coaching and service delivery, it is clear that the Elgon region chief magistrate courts have prioritized the issue of training in form of coaching especially for the support staff to boost the level of staff confidence and their level of service delivery.

4.4.3 Delegation

The researcher further sought to find out whether delegation empowers employees to offer better service delivery. The study findings revealed that delegation was practiced in the Elgon Region Chief Magistrate's Court. For instance there, was an overwhelming response from participants in this study that delegation is carried out in the Judiciary; one interviewee said:

"Delegation here is done in a way that if the chief magistrate is not around in Mbale they bring a chief magistrate from Tororo to act. To me that is not right the magistrate grade ones should act" (AD 1).

Such a finding implies that lower level court staffs at a particular station do not get a chance to acquire new skills, knowledge and attitudes through delegation. This means that the level of service delivery in terms of quality of services, customer satisfaction, timeliness of

services and no of clients served by the judiciary in the Elgon region chief magistrates' courts is likely to stale.

There was overall agreement among the participants in regards to delegation and service delivery in the judiciary, a respondent positively said;

“Well in the judiciary when one is not around or busy with some other work you can delegate another to help do your work so that the gap is not felt and for work to continue normally” (CLK2).

This implies that the use of delegation as a form of training has had a positive impact in terms of easing the work process in the Elgon region chief magistrates' courts. This is likely to improve on the level of service delivery in terms of quality of services, customer satisfaction, timeliness of services and no of clients served by the judiciary in the Elgon region chief magistrates' courts.

One process server interviewed expressed similar perceptions in regards to the role of delegation in service delivery that delegation has in the Elgon Chief Magistrates' court helped because whenever the chief is not in office and he/she has not delegated, the whole process comes to a standstill but if he/she delegates there is always someone to sign documents and the work will move on which ensures service delivery (PS1).

However, on the contrary when asked whether this form of delegation affects service delivery, the respondent interviewed said;

“Delegation affects service delivery negatively because in most cases when the chief magistrate in Mbale is off station, the chief magistrate of Tororo is always delegated to perform the duties. But the reality is that the chief magistrate of Tororo also has his work so he will only come to handle administrative matters and rarely hear cases. To me this is not service delivery” (AD 1).

In agreement with the above, one respondent noted;

“At times when am delegated a duty I might not perform it to the best like the master was supposed to perform it”, (CLK1).

Still in agreement with the above finding, another respondent interviewed said;

“When the chief magistrate is not around he/she can delegate a magistrate grade one to handle allocation of files to ensure that the pleas are going on but of course there is also a limitation as to jurisdiction in that there are cases some magistrates cannot handle” (RSA 1).

Such findings imply that delegation may enable timeliness of a few court services but may not guarantee quality of service offered. This means that delegation may leave gaps that may be felt leading to inefficiency that may affect service delivery negatively in terms of customer satisfaction and no of clients served by the judiciary in the Elgon region chief magistrates' courts.

In addition one of the Magistrates interviewed expressed similar perceptions as she said;

“As far as adjudication is concerned judicial functions are not delegable but administrative functions are delegable. So as judicial officers we have limited delegable powers in practice for example its limited to adjournments because in absence of the chief magistrate a grade one cannot handle her matters because of jurisdictional issues therefore the delegating does not bring an end to a subject matter. Therefore to me delegation has led to poor service delivery in terms of increased case backlog” (MAG 2).

These findings imply therefore that the Elgon Region Chief Magistrate Court cherishes the use Delegation; this can be attributed to the fact that it is cheap and the transfer of learning is instant. This can also be due to the fact that the nature of work which takes place requires

more of hands on training which is not found in other methods except on the job training method.

4.4.4 Induction

The study further sought to find out whether induction empowers employees to offer better service delivery in the Elgon Region Chief Magistrate Court. The findings indicated that induction was carried out the Elgon Region Chief Magistrate Court. For instance there was overall agreement among the participants in regards to whether induction was provided to all employees; one of the officers at JSI interviewed said;

“All Judges and magistrates in employment since year 2012 have been inducted.

Currently, the judges and magistrates go on induction before commencing work. The paralegals are not inducted on employment” (JSIO1).

Therefore, induction is a major form of on the job training in the Judiciary.

Examination of documentary evidence available showed an induction course for newly appointed magistrate grade ones in 2004, took place for seven days; a follow up workshop

For the same magistrates in 2006 for three days. Therefore, induction is a major form of on the job training in the Judiciary. There was overall agreement among the participants in regards to whether induction was important, one respondent said;

“Induction is important because during induction you are shown what you are supposed to do, introduce to staff and taken around so induction is important for delivering quality services”, (CLK1).

In addition, a respondent interviewed expressed similar perceptions that since during induction they are showed what they are supposed to do in their day today work, after induction, workers ensure that they do exactly what they are supposed to do which leads to delivery of quality services in the Elgon region chief Magistrate Court. This implies that the

use of induction as a form of training has had a positive impact on the knowledge, skills and attitudes of the Judiciary employees which is likely to improve on the level of service delivery in terms of quality of services, customer satisfaction, timeliness of services and no of clients served by the judiciary in the Elgon region chief magistrates' courts.

Other participants discussed specific examples of positive effects of induction which included the introduction to organization culture, employees and customers, organizational structure and the employee's future tasks. In agreement, one court clerk interviewed said;

"Induction is very important in that when you are employed you are very new and may not know how to handle the public, the media and other stake holders especially when it comes to relating with other people", (CLK2).

Still in agreement this respondent said;

"Well induction has helped me not to make mistakes, after my induction I was able to know the no go zones of my work, what to do, when to do it, my job description and also improve my relationship with the public" (CLK2).

This shows that majority of the respondents understand the positive effect of induction although a big number of participants seemed not to understand the value of induction since several participants believed that the Judiciary considers induction for Judges and magistrates more crucial than for the paralegals staff.

Regarding relationship between induction and service delivery, a respondent interviewed said;

"I believe that staff should be inducted before they are posted to handle duties and of course we have seen that when staffs are posted especially judicial officers without induction they seem not to know what to do and the judiciary has a tendency of posting staff before inducting them. So when induction is done first then the quality of

the service delivered is improved” (RSA1).

Regarding the importance of induction to service delivery in the judiciary, a respondent said:

“Induction also helps the new employee understand the basic elements of the task ahead of her better. Induction also motivates the candidate to do the job better. Induction also helps the new employee know how to do their work as opposed to not to do since one is fresh from college as well as help one not to gamble” (CLK 3).

Another respondent said in agreement;

“Induction helped me know the court processes and procedure within the judiciary in terms of administration, how to approach various offices in case you need redress. I met many colleagues and we shared a lot of issues in relation to our work including the challenges” (MAG 1).

It is worth concluding from this finding that on the job training leads to effective service delivery. Litigant’ satisfaction depends on their level of confidence in the judiciary employees and the Judiciary should strive and create an environment conducive to this aspect if it is to gain competitive advantage. This can only be possible if the judiciary employees are made aware of their duties towards the litigants through on the job training programs. All in all it was found that putting more emphasis on on-the job-training has led to improved service delivery in terms of timely delivery of judgments, improved customer care, reduced complaints reduced case backlog and so many other achievements.

4.5 What is the role of off-the-job training on service delivery in the Elgon region chief magistrates’ court?

The first objective of this study was to examine how off-the-job training affects service delivery in Elgon Region Chief Magistrates’ Courts. Therefore, this section explores findings on off-the-job-training which were investigated using interview questions focusing on short

courses and long term courses as dimensions of off-the-job-training as practiced by judicial and non-judicial officers and their effect on service delivery in the Elgon region Chief magistrate courts. The findings are presented below:

4.5.1 Short Courses and service delivery

When asked whether there were short term workshops and seminars in the Elgon region Chief Magistrates' court, One respondent said;

“There is continuous training of judicial officers in crucial areas like procedure issues, evidence taking, judgment writing, generally the conduct of the court”.

Hence, this means that there are short term courses in the form of workshops and seminars in the Elgon region Chief Magistrates' court.

Investigation and examination of documents revealed that there was a short term training workshop for chief magistrates and magistrate grade ones in the central region on land justice for 4 days in 2007. Additional documentary reviews revealed that there was a short term training workshop for chief magistrates and magistrate grade ones on judgment writing skills for three days; half day seminar on small claims procedure; Annual Review workshop for magistrate grade ones in 2007; PRDP workshop on land justice in northern Uganda in the post conflict situation in 2008; Training on the implementation of small claims procedure in 2012; Workshop on Gender based violence and HIV and AIDS in 2012; Training on customer care; 2nd annual magistrates' conference and Court interpreters' course in 2013; Human rights and the law in 2014; Achievements of the community service program in eastern Uganda; Launch of plea bargaining in eastern Uganda; Training on the implementation of the sentencing guidelines in 2015. This means that workshops, seminars and exchange programs are tailor-made according to the needs of the litigants which is likely to result into improved service delivery.

Regarding short courses and service delivery, one respondent said “short courses have improved service delivery because they are tailored to suit the day to day work of judicial officers like workshop on sentencing guidelines, judgment writing. For long courses they may not like people doing general masters in law. For support staffs that are going for degree in law yes they may be coming to join the bench in future hence better service delivery.”

On short courses and service delivery, a respondent had this to say;

“I have attended three workshops organized by the judicial Studies institute and sometimes in conjunction with other organization. I attended one in conjunction with Centre for torture victims and it was about how to implement anti-torture Act how to deal with evidence obtained through torture. I attended another one about child justice it was basically on how children are handled in the family and children’s court especially those in conflict with the law. I attended another one about case management by the judicial studies institute on how to speed up hearing of a civil or criminal matter to effectively bring about justice in a short time” (MAG1).

In addition, the respondent emphasized that training on case management it has helped reduce the issue of case backlog;

“It taught best practices in handling those matters for example diverting some of those cases to ADR. Then for the one on prohibition of torture it helped me understand that evidence obtained through torture is in admissible even when ordinarily the evidence would be so strong and the jurisdiction of the court of course at first we thought it was the chief magistrate since I was at a grade one court we would make those cases wait until chief came but now we handle the cases as they come and finish. On family court it helped me understand how special the FCC is how special the juvenile before court is special and that their cases should be handled

faster so as to get out of the system and all these trainings have helped me dispose of these cases quickly” (MAG1).

Furthermore, documentary reviews and synthesis revealed that there was a short term training workshop on Gender and the law in 2015 which took place for 3 days. From an interview with one of the top executives of JSI, he noted that putting more emphasis on on-the job-training has led to improved service delivery in terms of timely delivery of judgments, improved customer care, reduced complaints reduced case backlog and so many other achievements. Workshops were the dominant form of training received by the staff. These findings imply therefore that the Elgon region chief magistrate court cherishes the use short term trainings.

4.5.2 Long Courses and service delivery

Through the interviews the views of the respondents were recorded. They indicated that the trainings are self-sponsored although the Judiciary offers scholarships to Judges, Magistrates and other staff per year.

On the criterion used for selection of beneficiaries to be sponsored, another senior staff from the JSI said:

“The applicants apply to the judicial training committee which has four subcommittees. These are committee for the training of judges presided over by the chairperson judicial training committee, committee for training of Registrars, Magistrates and senior administrative staff. The vice chairperson judicial training committee presides over this one. The third committee is the one for training of administrative staff chaired by the secretary to the judiciary and the last committee is for training of support staff chaired by the chief Registrar. Applications go to the sub committees and the members evaluate the applications and make recommendations of

suitability of applicants to the main committee for consideration. After consideration by the main judicial training committee, the chair person then writes the secretary to judiciary recommending financial support to be provided to the successful candidates” (JSIO1).

However, from the study, not many respondents seemed to have knowledge of the selection criterion for sponsorship on long term courses. This has resulted into very few enrolling for further academic courses in Universities. In confirmation of this finding, one respondent when asked whether she was satisfied with the long term training selection criterion said;

“Am not satisfied because people do not even know about sponsorship. Applicants are not even given an opportunity to interface with the committee. The judicial training committee just sits and decides whom to give” (MAG2).

Hence, this implies that there are very few judicial officers and court employees enrolling for further academic courses in Universities.

On whether long term training leads to service delivery, one magistrate said;

“The employees’ level of education and experience influences service delivery since training especially the professional courses improves employee efficiency”.

This suggests that Court employees enrolling for further academic courses in Universities results into improved service delivery.

Regarding long courses, one respondent said;

“Most of the judicial staff studying long courses are sponsoring themselves. I have not heard of any sponsored by the judiciary.”

This shows that majority of the employee’s value career development training. The employees undertake the training with expectation of upward mobility and wage increment

which in the long run improves on their work efficiency thus service delivery.

When asked about knowledge of the selection criteria for sponsorship of long courses in the judiciary, a respondent said;

“Unfortunately am not satisfied. “I am not even aware of the process and the fact that I am not aware means there is a problem because ordinarily information should flow one should be aware of the requirements to go for those courses” (MAG 1).

In confirmation of this finding, a staff of the Judicial Studies Institute said;

“As JSI, our priority now is on on-the-job training. We are discouraging off-the-job training because people are doing all sort are courses that do not have a direct contribution to service delivery. Therefore the sponsorship for off-the- job training is now within the country after close scrutiny of the course content and how it relates to your work in terms of service delivery and in exceptional circumstances that is when an officer is sent outside the country.”

Therefore, in the Elgon region Chief Magistrates' court, off the job training, is rarely practiced due to the high costs involved, so it is only reserved for a few cases and the JSI priority is mainly on on-the-job training. However, from the observations off the job training affects service delivery.

4.4.3 Summary

The chapter contained the presentation and analysis of the study findings and it was structured along two specific study objectives, namely; to examine how on-the-job training affects service delivery in Elgon region chief magistrates' courts; and to assess the role of off-the-job training on service delivery in the Elgon region chief magistrate's courts. The study found that the more effective on-the-job training is, the more empowered the employee is in addressing customer needs and hence the better the judiciary is placed as far as service

delivery is concerned. It was established that trainings tailored to suit the day to day work of judicial officers like workshop on sentencing guidelines, judgment writing and that workshops were the dominant form of training received by the staff in the Elgon region chief magistrate's courts.

CHAPTER FIVE: SUMMARY, DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This study analyzed the role of staff training on service delivery in the judiciary using a case of Chief Magistrate's Courts in the Elgon Region in Uganda. The previous chapter was concerned with analyzing, presenting and interpreting data got from employees in Chief Magistrate's Courts in the Elgon Region. This chapter presents the summary, discussion, conclusions and recommendations according to the specific objectives of the study.

5.2 Summary of the findings

The study was conducted to find out the role of staff training on service delivery. This study was guided by the following specific objectives; to examine how on-the-job training affects service delivery in Elgon Region Chief Magistrates' Courts; and to assess the role of off-the-job training on service delivery in the Elgon Region Chief Magistrate's Courts.

5.2.1 On-the-Job Training and Service Delivery

The study findings revealed that job rotation if well implemented would yield adequate effectiveness and improve the level of service delivery in terms of quality of services, customer satisfaction, timeliness of services and number of clients served in the Elgon Region Chief Magistrate Courts. Elgon Region Chief Magistrate courts have prioritized the issue of training in form of coaching to boost the level of staff confidence and their level of service delivery; and Elgon Region Chief Magistrate Court cherishes the use Delegation. This can be attributed to the fact that it is cheap and the transfer of learning is instant. This study found that the more effective on-the-job training is, the more empowered the employees is in addressing customer needs and hence the better the judiciary is placed as far as service delivery is concerned.

5.2.2 Off-the-Job Training and Service Delivery

The study findings revealed that Short courses have improved service delivery in terms of quality of services, customer satisfaction, timeliness of services and number of clients served. The training is tailored to suit the day to day work of judicial officers like workshop on sentencing guidelines, judgment writing and that workshops were the dominant form of training received by the staff in the Elgon Region Chief Magistrate's Courts. It was also found that most of the judicial staff studying long courses sponsored themselves although the Judiciary offers scholarships to Judges, Magistrates and other staff per year. It was discovered that the employees' level of education and experience influences service delivery since training especially the professional courses improves employee efficiency.

5.3 Discussion of the findings

This section covers a discussion of the study findings in relation to the reviewed literature in chapter two. The discussion was done in line with the study objectives below;

5.3.1 On-the-Job Training and Service Delivery

The study found that job rotation if well implemented would yield good results in terms better performance by employees leading to better service delivery and improve the level of service delivery in the Elgon Region Chief Magistrate Courts. Such findings are in agreement with the views held by Wayne and Bandy, (2012) who stresses that rotational training programs help employees understand variety of jobs and their inter relationship, thereby improving productivity. The findings are also in harmony with Dessler, (2013) who stressed that job rotation has several advantages which include providing a well-rounded training experience for each person, it helps avoid stagnation through the constant introduction of new points of view in each department, identify the person's strong and weak points.

The study found that Elgon region Chief Magistrate courts have prioritized the issue of training in form of coaching to boost the level of staff confidence and their level of service delivery. Such findings are in agreement with the views held by Steve, (1998) who wrote that mentoring is an effective method of employee development on the job but adds that the mentor should not be the immediate supervisor. Dessler (2013), in support of the these findings, further outlines that coaching helps ensure that the employer will have trained managers to assume key positions when such positions are vacated due to retrenchment, promotions, transfers or terminations. It also guarantees the long run development of the company-bred top managers. Still in agreement Davis (cited in Tusiime, 2013) opines that coaching is something all managers and administrators should do to solve the service delivery gap.

The study found that Elgon Region Chief Magistrate Court cherishes the use delegation; this can be attributed to the fact that it is cheap and the transfer of learning is instant. Robbins and Philip (2009), in support of the these findings, wrote that delegation improves decision making, helps to develop subordinates, enhance subordinates commitment and improve manager-subordinate relationship. Such views are in agreement with the views held by the respondents that in the judiciary delegation is widely practiced from the top where in the absence of the chief registrar, the registrar high court does the work, deputy registrars delegate to chief magistrates and chief magistrates also assign magistrate grade ones to do for the their work. This has improved the working relationship leading to improved service delivery in terms of quality of services, customer satisfaction; timeliness of services and no of clients served by the judiciary in the Elgon Region Chief Magistrates' Courts.

5.3.2 Off-the-Job Training and Service Delivery

The study findings revealed that Short courses have improved service delivery because they are tailored to suit the day to day work of judicial officers such as workshop on sentencing

guidelines, judgment writing and that workshops were the dominant form of training received by the staff in the Elgon region chief magistrate's courts. Such findings are supported by Stone, (1997) who argues that a variety of training approaches such as workshops, study tours; formal certificate courses and so on provide an effective impact of training. Stone, (1997) noted that workshops allow more opportunity for flexibility in content and through the smaller group discussions. In the Judiciary workshops are widely used as suggested by Stone, (1997). These workshops are usually organized by JSI in conjunction with other organizations like Human Rights Commission, NEMA and so on and range from one day to a week. The study findings revealed that most of the judicial staff studying long courses sponsored themselves although the Judiciary offers scholarships to Judges, Magistrates, and other staff per year. It was discovered that the employees' level of education and experience influences their levels of performances due to improved abilities which may in the long run influence service delivery since training especially the professional courses improves employee efficiency.

Findings from this study still agree with those of Singh, (2009) who assert that career development initiatives gave the employee a clear focus about their careers. The scholar adds that such development was linked to specific qualifications for instance masters' qualification, postgraduate degrees and diploma qualifications among others. This is confirmed by Zeithaml et al., (2006) who explain that after hiring the right people for the right position, it is very important to provide valuable training; empower employees and promote team work in the work place to ensure the process of delivering service quality. The study findings confirm that in the judiciary employees undertake these long courses in institutions like Uganda Management Institute, where they study courses such as post graduate diplomas in public administration, human resource management, and Makerere University for degrees and masters.

5.4 Conclusions

The following conclusions were drawn from the study findings; they were presented according to the study objectives:

5.4.1 On-the-Job Training and Service Delivery

In light of the above therefore, it is noted that on-the-job training as one of the independent constructs which was classified using job rotation, coaching or mentoring, delegation, and induction help the judiciary to achieve maximum value for expenditures on services to be delivered and enables the courts to rectify and address all relevant issues relating to performance by staff. This has not been the case when it comes to training and service delivery in some courts within Elgon Region Chief Magistrate area since training needs assessment is not being carried out yet it rectifies the performance of staff thereby improving the image of the institution, therefore this hinders the service delivery level. Basing on the study findings, it is concluded that on-the-job training affects service delivery in terms of quality of services, customer satisfaction, timeliness of services and number of clients served in the Judiciary.

5.4.2 Off-the-Job Training and Service Delivery

Basing on the study findings, it is concluded that Short courses and long term courses are essential for effective service delivery in terms of quality. It is clear that Short courses in form of workshop and seminars have improved service delivery because they are tailored to suit the day to day work of judicial officers like workshop on sentencing guidelines, judgment writing and that workshops were the dominant form of training received by the staff in the Elgon region chief magistrate's courts. However, it was found that most of the judicial staff in the Elgon region chief magistrate area studying long courses sponsored themselves although the Judiciary offers scholarships to Judges, Magistrates and other staff per year. It

can therefore be concluded that off-the Job training affects service delivery in terms of quality of services, customer satisfaction, and timeliness of services and no of clients served in the Judiciary in Uganda.

5.5 Recommendations

As a result of these study findings, the investigator put forward the following recommendations;

5.5.1 On-the-Job Training and Service Delivery

A review of the induction programmes in the judiciary to target all new employees in the judiciary to mitigate against negative employee attitude and behavior that leads to poor performance of the courts and dissatisfied customers.

An induction programs for employees all employees irrespective of cadre including those not inducted on upon employment. The paralegals are more in touch with customers than the judges and magistrates.

The training planning process should involve all concerned departments and should be done in advance before budgets are approved. The planning should take short and long term training into consideration.

There should be a review of the induction program in the judiciary to target all new employees in the judiciary to Mitigate against negative employee attitude and behavior that leads to poor performance of the courts and dissatisfied customers. Therefore JSI should organize induction for new staffs within the first two weeks as stipulated by the public service standing orders to enable them perform their work.

The Judiciary should initiate a tailor made in-service program aimed at developing particular skills and abilities of the employees and enhancing employee performance.

5.5.2 Off-the-Job Training and Service Delivery

There should be a career development program sponsored by the government offering long term courses that lead to upward mobility of employees; the Judiciary annual scholarship to include the paralegal staff.

To ensure value for money, there should be continuous improvement in the efficiency of internal processes and systems and public entities should maintain structures that avoid unnecessary costs.

A career development program sponsored by the government offering courses that lead to job promotion of employees.

The Chief justice annual scholarship should be introduced.

5.6 Areas for Further Research

This study has focused on staff training and service delivery in the Elgon region chief magistrate's courts. Future research should focus on the following areas; investigating the other factors that affect access to justice in the Magistrate Courts in Uganda. Equally, further research should be carried out the impact of staff training on service delivery in other Entities to ascertain whether these findings are universal.

5.7 Limitations of the Study

The sample for the present study comprised of 67 staff from Mbale and Tororo chief magisterial areas. This sample is only a very small proportion of the entire population of Judiciary staff in the country. Therefore, research studies with much larger sample size would be required to ensure appropriate generalization of the findings of the study.

The present study has relied solely on qualitative methodology of data and is therefore restrictive. Therefore, more of quantitative methodology of data collection should be

undertaken in future to provide wider perspective to the present study. For instance, the research design can employ correlation study methodology or analysis to provide a holistic picture to the given subject.

The researcher's intention had been to compare and contrast experiences and views between court users, and court staff. However, the lack of knowledge on training of court staff by court users prevented this comparison.

Some respondents sounded resigned due to over stay in one place for many years so they were demoralized.

By virtue of my position some of the respondents feared to open up but due to the one on one interaction and assurances on confidentiality, they later did.

REFERENCES

- Agarwal, M. (2009). India's economic future education technology and energy. New Delhi; Esha Beteille, Social Science Press.
- Alividza, J. (2009). Using ITC to drive the judiciary's strategic mission. *Journal of Uganda Judicial officers' association*. 15 (4), 77-97.
- Ambetsa, A. (2006). Contribution of technical and vocational training to sustainable Development: A paper presented during the 4th Annual International Conference on Resource Utilization for Sustainable Growth and Development in the 21st century: Kenya: Moi University.
- Amin, M.E. (2005). Social science research, conception, methodology and analysis. Kampala, Uganda: Makerere University.
- Appelbaum, E., G, Murray, B., & Giles, P-A., (2002). The impact of New forms of work organizations on workers in Work and Employment Relations in the High Performance Work Place. Continuum; London/New York.
- Armstrong, M. (2006). A hand book of human resource management practice (10th ed.). Kogan
- Ashubonteng, P., McLeay, K., & Swan, J. E. (1996). A critical review of service quality. *Journal of services marketing*.10 (6) 62-81.
- Asiku, S. (2011). *Employee training and performance in the public sector in Uganda: A case of Yumbe District Local Government unpublished (master's thesis)*. Kampala,

Uganda: Uganda Management Institute.

Aswathappa, K. (2010). Human resource management practice (8thed.). Great Britain, The Bath Press.

Bagyenda, F. (2003). Prospects for Distance Learning in an African Civil Service, PhD thesis Manchester University, Manchester, UK.

Bennett, B. (2013). Job Rotation: *Its Role in Promoting Learning in Organizations Development and Learning in Organizations*, 17, (2003), pp. 7-9.

Bigambo, O. (2004). Investigation of the output of Moi university academic staff: *Challenges and dilemmas of trained and untrained teachers*. A paper presented during the 3rd annual international conference. Kenya: Moi University.

Birungi, J. (2002). Approaches to academic staff development and the perceived performance of lecturers at Uganda Martyr's University. Unpublished Masters Dissertation, Makerere University, Kampala.

Baird, D. (2002). Training Needs Analysis 2nd edition, *Gower backer, T. L (1990), Doing Social Research*; California: McGraw-Hill College.

Bamwine, Y. (2011). Behold–words of wisdom. *Journal of Uganda judicial officers association*. 17(5), 24-28.

Barifaijo, M., Basheka, C.B., & Oony, J. (2010). How to write a good dissertation a guide to graduate students. Kampala, Uganda: The New Vision Press.

Baron, A., & Armstrong, M. (2007). Human capital management achieving added value through people. London: Kogan Page Press.

Bettencourt, L. A, & Gwinner, K. (1996). Customization of Services experience: *The role of the Frontline employee*": *International Journal of ServiceIndustry management*, Vol 7, no.2, pp 3-20.

Boshoff, C. & Janine, A. (2000). The influence of Selected Antecedents on Frontline Staffs perceptions of service Recovery Performance., *International Journal of Service Industry Management*, Vol.11, no.1 pp 63-90.

Cheatle, K. (2001). Mastering human resource management. Ebb Vale, Wales: Creative point and Design.

Chow, I. H. (2004). The impact of context on human resource management in three Chinese societies. China.

Cole, J. G. A. (2004). Management theory and practice (6thed.). London, United Kingdom: TJ International Printers.

Courts of Judicature Staff Handbook, 1st edition, November 2006.

Davenport, T. O. (1999). Human capital: *What it is and why people invest in it*. San Francisco.

Dessler, G. (2003). Human resource management (9thed.). Singapore: Pearson Education Private (Limited).

Dessler, G. (2013). Human Resource Management.13th Edition. Essex: Pearson Education Private Limited

Devendre, A., (2009). Every trainers Handbook 2nd Edition Sage publication Pvt.

Elizabeth, M. C., & Larry, S. (2002). Managing recruitment, training and development.

New Delhi, India: Replica Press PVT.

Emmet, R. B. (2010). The elgar companion to Chicago school of economics. Northampton:

Edward Elgar Books.

Erina, W. (2013). Organizational factors affecting quality service delivery in the criminal

investigations directorate of the Uganda police force: *A case of katwe police station, unpublished (master's thesis)*. Kampala, Uganda: Uganda Management Institute,

Flamholtz, E. G. & Lacey, J. (1981). The implications of the economic theory of human

capital for personnel management. California: Personnel Review.

Grant, C. C., Simon J. W., & Lucinda, H. (2008). Training and service quality: *A case study analysis of regional Australian restaurants tourism and hospitality planning and*

development. 5(2), pp149-163

Gordon, B. (1992). Are Canadian firms under investing in training? Canadian Business

Economics 1,1, 25–33.

International Records Management Trust (2011). Managing Records as reliable evidence for

ICT/ e-Government and Freedom of Information.Uganda Court Case Study.

Justice Law and Order Sector Chain linked Committees Operating Guidelines December

2013

Justice Law and Order Sector Integrity Committee Report of the (2013) Annual Nationwide.

Pages 25, 27, 31 and 44

Kazibwe, K. (2003). Improving Access to Justice through legal Aid: *A case study of the legal*

Aid project of the Uganda law society. Kampala

Kothari, C.R (2003). Research methodology methods & techniques., 2nd edition., Gupta for New Age international (p) Limited, India.

Kotler, P. & Keller, K .L. (2006). Marketing management (12th ed.). Upper Saddle River, New Jersey 07458: Pearson Education Books.

Mehrdad, A. & Mahdi, S. (2009). A study of on-the-job training effectiveness: *Empirical evidence of Iran. International journal of business and management.* 4(11), 63-67

Megginson, D., Banfield, P. & Mathews, J. J. (2009). Human resource management (2nd ed.). Kogan Page Ltd: London.

Ministry of Public Service (2010). The Uganda Government Standing Orders. Kampala, Uganda, Ministry of Public Service

Mugenda M. O. & Mugenda A. (1999). Research Methods: *Qualitative and Quantitative Approaches*, African Centre for Technology Studies, Nairobi, Kenya.

Mullins, L. (2007). Management and Organizational Behaviour. 8thEd. Prentice Hall person Education, Edinburg Gate.

Nassazi, A., (2013) Effects of training on employee performance: *Evidence from Uganda.* Vaasan Ammattikorkeakoulu University of applied sciences. International Business

Nickels, D. (2009). The Effects of training on employee performance: *Why Employee Development Is Important. Accra., Ghana*

Neo, R.A. (2010). Employee training and development (5th ed.). New York, United States;

McGraw Hill New York Pearson Education Books. Prentice Hall one Lake street
upper saddle River New Jersey 0745

Odoki, B. (2012). Speech of the Hon chief justice at the opening ceremony of the new law
Year on the 13th January 2012. Journal of Uganda judicial officers' association. *18* (6),
4-1

Ofungi, S. (2014). Training and Performance in Government Ministries in Uganda: *A Case
study of Ministry Of Information and Technology*, Unpublished Masters Thesis,
Kampala, Uganda. Uganda Management Institute.

Okol, P. (2015). Staff Training and Health Service Delivery in Uganda: *A Case Study
of Apac General Hospital*, Unpublished Masters Thesis, Kampala, Uganda
Management Institute.

Onyango, J. O. & Barya, J. J. B. (1994). Popular Justice and Resistance Committees in
Uganda. *Kampala*

Peter, D., John, R., & Roy, W. (2013). How to provide customer service excellence failte
Ireland 88-95 Amiens street Dublin 1: Available on <http://www.failteeireland.ie>
accessed on 30-3-2016. *Resistance Councils (Judicial Powers) Statute, Statute no.1*
1988.

Riley, J. (2012). Managing people: *Methods of Training at work*. (from)24http://www.tuto24.
net/business /gcse/people training types. *Service delivery charter for the
department of Justice and Constitutional Development.*, republic of South Africa
(2000)

Singh, H. (2009). Managing performance in the Public Sector. *International Journal of*

Public Sector Management

- Stephen, P. R., & Phillip L. H. (2009). Training in Interpersonal Skill Tips for Managing fifth Edition Pearson Education International
- Stone, R. (1997). What is your role training for organizational impact: *A guide for training officers in the protected areas management, African bio-diversity series, Washington.*
- The Constitution of the Republic of Uganda 1995
- The Judiciary Citizens Service Delivery Charter (2013). Republic of Kenya
- The South African Service Delivery charter (2000)
- Torraco, R. J.(2016). Early history of the fields of practice of training and development and organization development. Faculty Publications in Educational Administration. 15.
<http://digitalcommons.unl.edu/cehsedadfacpub/15>
- Tusiime, O. (2013). Staff training and employee performance a case of Kyenjojo District Local Government. *Un published Master's Thesis*. Kampala, Uganda: Uganda Management Institute.
- Wayne, M., & Judy, M. (2010). Human resource management (11thed.).
- Wilson, A., Zeitham (V.A., M.). & Gramler, D.D. (2008). Services Marketing: *Integrating Customer Focus across the Firm*, published by McGraw-Hill Education 1st European ED.
- Wolimbwa, P. (2008). Case Management., *Journal of Uganda Judicial Officers' association* 14(4), 75.
- Yin, R. K. (2003). Case study research: Design and methods (3rd ed.). Thousand Oaks, CA: Sage

APPENDIX I: INTERVIEW GUIDE FOR THE EXECUTIVE DIRECTOR JUDICIAL STUDIES INSTITUTE AND REGISTRAR TRAINING AND DEVELOPMENT IN THE JUDICIARY OF UGANDA ON STAFF TRAINING.

Dear Respondent,

I am Catherine Agwero, a student from Uganda Management Institute (UMI) carrying out a research on staff training and service delivery in the judiciary system of Uganda. You are kindly requested to answer a few questions which are intended to evaluate the relationship between staff training and service delivery in the judiciary system of Uganda. The information provided will be used to write a dissertation which is a partial requirement for the attainment of an award of a master's degree in management studies (mms) of Uganda Management Institute. The research is for academic purposes and any information given will be treated with utmost confidentiality.

1. Usually there is induction of new staff into the system. How is induction done in the judiciary?
2. How has induction of staff affected service delivery in the judiciary?
3. Please tell me how you are handling training of staff off the job?
4. How has this affected service delivery in the judiciary?
5. How is training needs assessment carried out?
6. How does this affect service delivery in the judiciary?
7. Is there budget allocation to handle staff training? Yes/No
 - a. If yes, how sufficient is this budget in ensuring that there is quality service delivery in the judiciary?

APPENDIX II: INTERVIEW GUIDE FOR CHIEF MAGISTRATES ON STAFF TRAINING AND SERVICE DELIVERY IN THE JUDICIARY OF UGANDA.

SECTION A: ON-THE-JOB TRAINING

1. How is job rotation conducted in the Judiciary?
2. In your opinion does job rotation affect quality of service in the Judiciary? Yes/No.
Please explain how.
3. Is coaching of staff by their senior colleagues' part of the judicial arrangement to improve quality?
 - i. If so how is it done?
 - ii. If it's not in place, what mechanisms do you have in place to ensure that staffs learn from others?
4. Do you use delegation as a tool for training staff? Yes/No
 - i. If yes how is delegation done and how does it affect service delivery in the judiciary?
 - ii. If no how do you assign tasks and responsibilities to your staff?
5. How are new staffs in the judiciary inducted into the system?
6. How does induction relate to service delivery in the judiciary?

SECTION B: OFF-THE- JOB TRAINING

7. How often do you and your staff attend long and short courses organized by the Judicial Studies Institute?
8. How have the trainings helped you and your staff improve on the quality, timeliness of services and clients satisfaction in the judiciary?

SECTION C: SERVICE DELIVERY

9. Are there set performance standards by the judiciary? Yes/No
 - i. How do you ensure that these standards are adhered to in order to ensure provision of quality services in the judiciary?
10. How long does it take your staff to process a file from the time of registration until it's placed before you for action?
11. In handling complaints from litigants, what mechanism have you put in place to ensure customer satisfaction?

APPENDIX III: INTERVIEW GUIDE FOR MAGISTRATE GRADE ONES AND OTHER STAFF ON TRAINING AND SERVICE DELIVERY IN THE JUDICIARY OF UGANDA.

Dear Respondent,

I am a student from Uganda Management Institute (UMI), you have been selected to participate in a study to analyse staff training and service delivery in the Judiciary of Uganda. The information given herein will be treated with at most confidentiality.

BACKGROUND INFORMATION

1. Marital status
2. Highest level of qualification
3. What is your age?
4. When did you join?

SECTION A: ON-HE-JOB TRAINING

5. How is job rotation carried out in the judiciary?
How has job rotation helped you delivery quality services in the judiciary?
6. Is induction important to service delivery in the judiciary? Yes/No. please support your answer.
7. How does delegation affect service delivery in the judiciary?
8. How has coaching/mentoring helped you in to deliver timely services in the judiciary?

SECTION B: OFF-THE JOB TRAINING

9. Have you attended any short course organized by the judicial studies institute? Yes/No

10. How relevant have the short courses you attended, helped in the delivery of quality services in the judiciary?
11. Are you satisfied with the current selection criteria for sponsorship of long courses in the judiciary? Yes/No. Give reasons for your answer.

SECTION C: DEPENDENT CONSTRUCT

12. How long do you take to hear a case from the time a file is placed at your desk to delivering the judgment?
13. What mechanisms are in place to ensure provision of services in the judiciary?
14. How have these mechanisms affected service delivery in the judiciary?

APPENDIX IV: INTERVIEW GUIDE FOR RESIDENT STATE ATTORNEYS AND ADVOCATES ON STAFF TRAINING AND SERVICE DELIVERY IN THE JUDICIARY OF UGANDA.

Dear Respondent,

I am a student from Uganda Management Institute, you have been selected to participate in a study to analyse staff training and service delivery in the judiciary of Uganda. The information given herein will be treated with at most confidentiality.

BACKGROUND INFORMATION

1. Marital status
2. Highest level of education
3. What is your age?
4. When did you join?

SECTION A: ON-THE-JOB TRAINING

1. Do you think job rotation has helped improve on the quality of services in the judiciary/this court? Yes/No? Please give your opinion.
2. Is there effective mentoring/coaching of staff by their senior colleagues to ensure better performance? Yes/No? Please explain.
3. Is delegation being used as a tool to ensure timeliness of services? Yes /No. Give your opinion.
4. In your opinion, is there a relationship between induction of staff and the

quality of services delivered in the judiciary? Please explain.

SECTION B: OFF-THE-JOB TRAINING

1. How often do the judicial and non-judicial staffs of this court attend long and short courses organized by the judiciary?
2. Do you think these trainings have helped improve on the quality of services that are delivered? Yes/No? Give your opinion.

SECTION C: SERVICE DELIVERY

3. In your opinion is there quality timely service delivery in this court? Yes/No?
Please explain.
4. What do you think should be done to improve service delivery in the judiciary?
5. Are you satisfied with the complaints handling procedures in this court?
6. Is there anything else that you would like to tell us about staff training and service delivery?

APPENDIX V: DOCUMENT REVIEW GUIDE

1. CASE REGISTERS

- A. Available?
- B. If yes, dates when they were brought into use?
- C. Review content (number of cases registered, cases completed monthly, properly filled and up dated)

2. DAILY ATTENDANCE BOOK

- D. Available?
- E. If yes, date it was brought into use?
- F. Review content (daily attendance by staff, arrival time, and departure time)
- G. Documents to do with training of staff, courses attended, when the courses were organized and how long did the courses take.
- H. Evidence of on the job training for example job rotation, delegation and induction

APPENDIX VI: OBSERVATION CHECKLIST

- A. Customer care and General Behavior of Staff towards litigants/ Court users.
- B. Reporting and Departure time for both Judicial and Non-judicial staff
- C. Time court starts.
- D. Time spent serving court Users.
- E. Relationship between the judicial Officer, witnesses, advocates, clerks/ interpreter and State Attorney.
- F. Whether there is daily attendance by both Judicial and Non Judicial staff.
- G. Identification tags, clarity, display and presence.