ROLE OF GOVERNANCE PRACTICES ON SYSTEM SERVICE DELIVERY IN KENYA

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ABSTRACT

Judiciary as defender of laws and societal integrity plays an important role in good governance. The 2010 Kenyan Constitution guarantees judicial independence. Its independence is vital in the fight against bad governance and corruption. Many people's experiences, however, fall far short of this ideal. Lack of transparency and accountability, equity, inclusivity, and citizen involvement have been identified as major impediments to the judiciary's independence in carrying out its duty. The main aim of the study was to assess the role of governance practices on judicial system service delivery in Kenya. With specific objective to assess the role of citizen participation, equity and inclusiveness, accountability, transparency on judicial system service delivery in Kenya. In order to meet the overall objective and test the study hypotheses the study adopted Cross sectional research design. The target population of this study was 4,536 comprising of 7 Supreme Court judges, 29 Court of Appeal Judges, 96 High Court Judges, 497 Magistrates/Kadhis and 3,904 judicial staff. Stratified sampling technique was used to select a sample of 100 judicial staff in Kenya. Primary data was collected from 100 judicial staff in Kenya which yielded a response rate of 100%. The independent variables attributed examined in the study were citizen participation, equity and inclusiveness, accountability, transparency. Descriptive analysis such as frequency, percentage, mean and standard deviation were used to analyze the data which was summarized using figures and tables. Correlation analysis was used to examine the strength of the relationship between governance practices and judicial system service delivery in Kenya and regression analysis was used to examine the nature of the relationship between governance practices, judicial system service delivery in Kenya and moderating role of political influence. Prior to regression analysis tests for various assumptions were carried out. On overall 75.7% of the variation in judicial system service delivery in Kenya can be explained by citizen participation, equity and inclusiveness, accountability, transparency while the remaining percentage can be explained by other factors excluded in the model. The findings of the study demonstrated that governance practices have effect on judicial system service delivery in Kenya

Keyword: Citizen Participation, Equity and Inclusiveness, Accountability, Transparency Judicial System Service Deliver

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INTRODUCTION

According to Ginsburg (2010), nearly all the developing nation has a judicial reform that needs to spend billions of dollars in independence. As a necessary precondition for encouraging new investment, many developing countries around the world give priority to constitutional reform. Judicial independence has become like freedom: everyone wants it but no one knows quite what it looks like, and it is easiest to observe in its absence. We know when judges are politically dependent or externally dependent, but it is more difficult to say definitely when judges are independent. However, there is some evidence of normative consensus that the concept does indeed matter. Furthermore, there is a clear normative consensus. The United Nations General Assembly, like the democratic and authoritarian governments, supports it. All this indicates that, although there is consensus on the importance of judicial independence, the concept also risks becoming so thin that it is meaningless (Melton, & Ginsburg, 2014).

Governance practices can help governments clarify the powers, roles, and responsibilities of public servants, allowing for more efficient service delivery (Mbecke, 2014). Good governance practices contribute to countries' long-term development prospects, increased economic sustainability, and institutional reforms that come with it, providing the necessary foundation for improved public and private sector governance (Shkolnikov & Wilson, 2009). According to Keraro and Isoe (2015), good governance has been adopted in a number of countries as a safeguard against central government elites' discretionary use of power and resources, as well as a way to improve the efficiency of social service provision by allowing for a closer match between governance of public institutions and local people's desires and needs. The delicate issue of governance and service delivery in Judiciary system , as well as their relationship to state power, state resources, and widespread looting, has resulted in a governance and service delivery definitional deadlock (Kenosi, 2011).

According to Mueller (2014), Kenya's courts had enormous backlogs, estimated as high as one million cases, and it is not unusual for litigants to wait years for hearing dates, let alone decisions. Cumbersome procedures dragged out the process of getting to trial, and judges, magistrates, and lawyers regularly adjourned hearings for dubious reasons. Records often disappeared, typically because of haphazard procedures but sometimes because of deliberate efforts to delay cases (Mueller, 2014). Accountability has been weak (Gathii, 2010) notes, in part because the judiciary is a mystery to many Kenyans. The population does not understand how courts work, or why they work the way they do. Citizens do not have the knowledge to demand quality services, and the judiciary lacks systems to track the status of cases and hold judicial officers accountable for delays. Mueller (2014) observes that the 2010 constitution's measures for restructuring the judiciary included a vetting process, in which an independent board of Kenyan lawyers, civil society leaders, and foreign judges reviewed the record of each judicial officer serving before the adoption of the constitution and determined whether he or she was suitable to remain on the bench.

The National Council on the Administration of Justice, launched on August 11, 2011, brings together interagency concerns in the administration of justice. Stakeholders, such as the police, prisons, State Law Office, the Ministry of Justice, religious and secular civil society, private sector and foreign interests will participate collectively in matters fundamental to the administration of justice. The recruitment of 28 judges, the Chief Registrar, and the vetting of judges and magistrates are also a monumental and positive step in the reform agenda aimed at improving the administration of justice in the country. The Supreme Court will be modern, paperless and the home of progressive and robust Kenyan jurisprudence (Cheeseman, Lynch & Willis, 2014).

The Judiciary is regarded as the guardian of laws and societal integrity and therefore critical in the guarantee of good governance. The Constitution of Kenya 2010 provides for the independence of the judiciary. Its independence is vital in the administration of justice, the fight against bad governance and corruption (National Anti-Corruption Plan, 2008; Harrison & Sidwell, 2011). Yet people's experiences in many countries fall far short of this expectation. Corruption and unethical conduct have been seen as a main impediment to the independence of the Judiciary in implementing its mandate.

Statement of the Problem

The judiciary is seen as the defender of laws and societal integrity, and hence plays an important role in ensuring good government. Kenya's 2010 Constitution guarantees the independence of the judiciary. Its independence is critical in the administration of justice, as well as the battle against poor governance and corruption (National Anti-Corruption Plan, 2017; Harrison & Sidwell, 2011). People's experiences in many nations, however, fall well short of this ideal. Corruption and unethical behavior as a result of poor governance standards such as lack of openness and disclosure, accountability, equity, inclusivity, and citizen involvement have been identified as major impediments to the Judiciary's independence in carrying out its duty. Court reform implementation efforts had a significant influence on the organization of recipient nations' judicial systems. Indeed, judicial reforms help to modify the legal and political legacies embedded in nondemocratic institutions, and therefore help to legitimize the new regime by instilling in the state a self-control mechanism (Gargarella & Skaar, 2004). In reality, this raises the obvious question of whether judges who served non-democratic regimes are capable of being in a position to operate as judges. Because of these assumptions, democratizing elites must reshape judicial appointment, promotion, assessment, and training procedures in order to reconcile with the past and prepare the way for a

legitimate liberal state (Russell & O'Brien, 2001). The situation in Kenya has been no different. According to the Commission's National Enterprise Survey (2006), 73.6 percent of respondents feel that the courts are never fast to resolve conflicts, and 28 percent believe that the courts are not accessible.

Furthermore, according to the Public Officers' Integrity Survey (2007), 62% of respondents believe the judiciary is ineffective as a participant in the fight against corruption. According to the National Enterprise Survey of 2007, 74 percent of respondents said that judicial processes were too long, and another 57.3 percent said that the fees associated in getting justice were a barrier to getting justice. Furthermore, the majority of court personnel were believed to be implicated in corrupt practices as a result of poor governance practices.

According to the survey, 34.8 percent of the firms that participated had no confidence in the court system in terms of upholding contract and property rights in business disputes. Furthermore, according to a review of the National Corruption Perception Survey (2018), 40 percent of judicial officials, 39 percent of court clerks, and 47 percent of judges/magistrates were regarded to be the most corrupt, which was contrary to good governance policy.

Prior to 1998, the Kenyan judiciary had been plagued by a slew of issues stemming from and exacerbated by inefficiency, ineptitude, and corruption. Long procedural processes, excessive case delays and backlogs; limited public access; lack of adequate facilities; allegations of corrupt practices; cumbersome laws and procedures; questionable recruitment and promotion procedures; general lack of training; weak or non-existent sanctions for unethical behavior have all infiltrated the Kenyan judiciary. The judiciary's inefficiency, ineptitude, and corruption have led to a loss of public trust in the institution.

Despite the fact that a number of changes have been implemented in the judicial system, which

propose at the end of the day sound governance practices, administration of justice, and cost-effective mandates, there is still a lot of uproar about judicial performance and independence by our judiciary. The purpose of this study was to look at the role of governance practices on judicial system service delivery in Kenya in terms of transparency and disclosure, accountability, equity, inclusion, and citizen involvement.

Objectives of the Study

The study's main general objective was to assess role of governance practices on judicial system service delivery in Kenya. The specific objectives were;
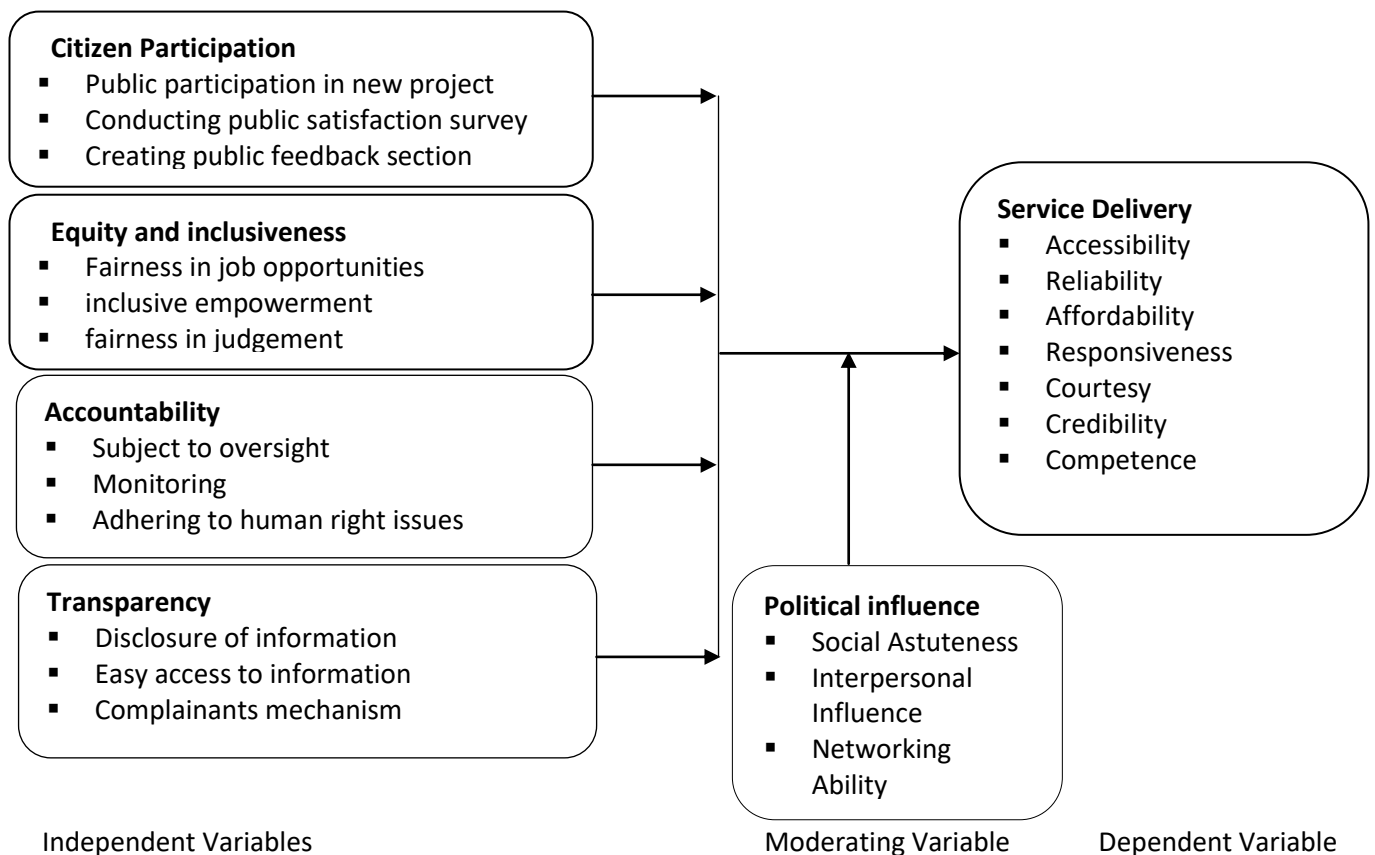
- To analyze the role of citizen participation on judicial system service delivery in Kenya
- To analyze the role of equity and inclusiveness on judicial system service delivery in Kenya
- To evaluate the role of accountability on judicial system service delivery in Kenya
- To assess the role of transparency on judicial system service delivery in Kenya
- To evaluate the moderating role of political influence on governance practices and judicial system service delivery in Kenya

LITERATURE REVIEW

Conceptual Framework

A conceptual framework can be defined as a set of broad ideas and principles taken from relevant fields of inquiry and used to structure a subsequent presentation (Myers, 2013). A conceptual framework shows the relationship between the independent variables and the dependent variable below. The independent variables of the study ware citizen participation, equity and inclusiveness, accountability and transparency. The dependent variable of the study was judicial system service delivery in Kenya. The study believes that the independent variables can influence the dependent variable. A conceptualization of the relationship between the independent variables and the dependent variable is illustrated in figure 1.

Citizen Participation
- Public participation in new project
- Conducting public satisfaction survey
- Creating public feedback section

Equity and inclusiveness
- Fairness in job opportunities
- inclusive empowerment
- fairness in judgement

Accountability
- Subject to oversight
- Monitoring
- Adhering to human right issues

Transparency
- Disclosure of information
- Easy access to information
- Complainants mechanism

Political influence
- Social Astuteness
- Interpersonal Influence
- Networking Ability

Service Delivery
- Accessibility
- Reliability
- Affordability
- Responsiveness
- Courtesy
- Credibility
- Competence

Independent Variables   Moderating Variable   Dependent Variable

Figure 1: Conceptual Framework

Empirical review

In a study by world bank (2017) on the Role of Active Participation and Citizen Engagement in Good Governance, the study indicated that citizen engagement in public administration implies the involvement of citizens in decision-making process of the State – through measures and/or institutional arrangements - so as to increase their influence on public policies and programmes ensuring a more positive impact on their social and economic lives.

In Pakistan, Hyder, Zaidi1 and Mustafa (2019) citizens participation in good governance of Pakistan. This widely validated questionnaire was used to collect data from people of different ages, education and ethnicity. The sample size was 1000 respondents selected via judgmental sampling. The research highlights the key challenges faced by the citizens. Purpose of this work is to establish the importance of the factor „Role of a Citizen‟, to discuss the potential and future development of a country. Other than, the aim is to determine what means/tools they use to promote the good governance of a country. The objective is to analyse the impact of citizens in the Governance of Pakistan; and to propose possible ways to deal with the issues involved in it.

Beath, Christia & Enikolopov (2013) study local institutions and their effects on the quality of governance (measured by aid distribution out comes) in Afghanistan. The study was conducted using first hand experimental data consisting 500 villages. Result from the study revealed that elected councils offered more equitable governance out comes and that the existence of parallel institutions can lead to underperformance if responsibilities are not clearly specified. Therefore, for elected officers to undertake their responsibilities there is need for clear demarcation of responsibility.

In Zimbabwe, Obert et al., (2018) conducted a study on impact of Corporate Governance on Service Delivery in Murewa Rural District Council (MRDC), Zimbabwe. Data was collected through questionnaires administered to MRDC management, staff, District Administrator and the Council Committee while a focus group discussion was held with MRDC staff and the Council chairperson. The study established that corporate governance has an impact on service delivery. The study also established that corporate governance at MRDC is hindered by lack of inclusiveness.

Miring'u and Muoria (2014) while studying on the effect of Governance quality on Performance of Commercial State Corporations in Kenya sought to examine how transparency affects performance. The objective of the study was to identify the relationship between financial performance, board composition and size. The study used descriptive survey design. The target population for this study was 41 commercial SCs in Kenya as presented by Inspectorate of State Corporations. Respondents were 30 human resource officers. Data was analyzed through descriptive statistics and multilinear regression technique. The study thus concluded that there is a positive relationship between RoE and transparency of all State Corporation.

Napier (2017) posits that accountability applies to public representatives who are required to answer to their electorate for performances or non-performances. Therefore, accountability in the public service is crucial. The lines of accountability in democratic governments, according to Fourie (2015), are generally through the head of department, as the accounting officer, to the responsible political head and ultimately to Parliament. The head of department must fulfil a key role in good governance. It is the responsibility of the head of department to determine avenues to strengthen the internal mechanisms which will support their leadership and decision-making process in the quest for good governance (Fourie, 2015).

The World Bank report (2015) accentuated that accountability is promoted by good governance. As good governance involves addressing the needs of the society, efficient public service delivery enhances the quality of the citizen's lives. Efficient

service delivery was also accentuated as a significant aspect of good governance in the report.

Ahmed and Koech (2017) assessed the influence of public participation on service delivery, the researcher also evaluates the influence of public accountability on service delivery, the study examines the influence of public transparency on service delivery as well, and finally will also determine influences of rule of law on service delivery. The paper employed cross sectional survey collected from Benadir municipality in Mogadishu Somalia with a proportionate sample size of approximate 50 respondents which is a 10% of the population was selected using purposive sampling or judgmental sampling technique. SPSS Version 20 was used to analyse the quantitative data collected from respondents. The result of the study shows that the relationship between participation, accountability, transparency and rule of law had positive significant influence with service delivery.

Duflo et al. (2010) found that improving incentives for teachers combined with strong accountability mechanisms improved teacher attendance rates in schools in India. In an RCT, cameras were given to schools to take digitally dated pictures of teachers at the beginning and end of each day. Teachers were guaranteed a base pay with additional increments linked to attendance rates. Absence rates in treated schools dropped to 21 per cent – compared to a little over forty at baseline and in comparison schools - and stayed constant even after fourteen months of the programme. This study illustrates that accountability mechanisms alone may not be sufficient to result in provider responsiveness and subsequently better services. Greater capacity and incentives on the part of providers may be necessary accompaniments to accountability.

Blickle, Oerder *et al.* (2010) conducted an analysis of the political skills of German work ambassadors as well as its probability of their culmination in career. This analysis estimated these works ambassadors political skills and established that is essentially played a role in the eminence of their careers (for instance. a case of analysing career based on triumph in elections), when age, sex and fraternity affiliation are regulated. The concept of career eminence has in several instances been widely studied for an extended period of time and discovered to be influenced by conventional elements such as, job linked skills and individual performance record, in addition to political techniques, proficiencies in social skills and networking capacities. (Ng *et al.,* 2005).

Vigoda-Gadot, Vinarski-Peretz, and Ben-Zion (2003) proclaimed "outlook on politics more often than not views about the degree of sovereignty and authority employed by other institutional members to achieve benefits and protect their interests in situations of conflict." Valle and Witt (2001) stated "Organizational politics can assume both positive and negative meaning. "Institutional performance is negatively impacted by the outlook of politics (Byrne, 2005).According to Harrell-Cook and Dulebohn (2000) statement concerning perception of institutional politics "it entails a personal assignation to habits of self-serving causes and is defined as an individual's bias assessment of the degree to which the job surrounding is represented by fellow staff and managers who portray such self-benefiting habits.

Armstrong (2006) states that reforms are unfolding processes that enables organizations to progress from a present state of understanding and capability to a future state in which higher level skills, knowledge and competencies are required. It takes the form of learning activities that prepare people in such organizations to exercise wider or increased responsibilities for the greater good of the citizens. From the viewpoint of business administration, service quality is an achievement in citizen service. It reflects at each service encounter. Citizens form service expectations from past experiences, word of mouth and advertisement. In general, Customers compare perceived service with expected service in which if the former falls short of the latter the customers are disappointed (Burgess & Ratto, 2003). In this paper the quality of service

delivered will be assessed using the SERVQUAL model. SERVQUAL service quality model was developed by a group of American authors (Parasuraman, Valarie & Len, 1988). It highlights the main components of high quality service. The SERVQUAL authors originally identified ten elements of service quality, but in later work, these were collapsed into five factors - reliability, assurance, tangibles, empathy and responsiveness - that create the acronym RATER. According to Davis (2014) the prevalence of informal payments for public service delivery in Indian cities, and payments to junior staff of judicial agencies by household members were indeed common among the cases investigated. Such payments were made in exchange for expediting applications for new application; quick fixing of cases; the falsification of bills; and the provision or ignoring of illegal service rendered. The payments reportedly made most frequently bribes given for falsified case interpretation or readings were also of the least value (US$0.45 in a typical transaction). Among legal clients interviewed, 41% said they had made such payments within the past six months; 73% of judicial staffs interviewed said that bribes given in exchange for wrong readings or false interpretation of law happened about half the time or virtually all the time in

METHODOLOGY

This study employed cross-sectional survey designs. The cross-sectional survey designs was used to test the relationship between governance practices and judicial system service delivery in Kenya. The target population of this study was 4,536 comprising of 7 Supreme Court judges, 29 Court of Appeal Judges, 96 High Court Judges, 497 Magistrates/Kadhis and 3,904 judicial staff. The sampling techniques that was used in the study was stratified random sampling. Primary data was obtained by means of research questionnaires.

For secondary data collection, the study utilized document analysis. In order to obtain the relevant data, scrutiny was needed from already existing documents (Kothari, 2004). For this study,

quantitative data was collected and analyzed by using SPSS version 25 to calculate the response rate using descriptive statistics including frequencies, percentages, mean, and standard deviation. Qualitative data analysis was conducted using content analysis (computer-aided), where a code is assigned to specific themes and inserted into SPSS version 25 to produce concise statistics. The researcher further employed a multivariate regression model to study the relationships between the factors studied here. The research deemed the regression method to be useful for its ability to test the nature of the role of independent variables on a dependent variable. Regression can estimate the coefficients of the linear equation, involving one or more independent variables, which best predicted the value of the dependent variable (Cooper & Schindler, 2011). A multiple regression model was used to assess the collective effect of four independent variables and the dependent variable. The regression model was as follows:

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \varepsilon$$

The study used multiple regression models to establish the moderating role of political influence on governance practices and judicial system service delivery in Kenya $Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + Z(\beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4) + \varepsilon$

Where Z represents the moderating variable the political influence

Where Y = judicial system service delivery in Kenya; β_0 = Constant Term; β_1, β_2, β_3, and β_4 = Beta coefficients; X_1= citizen participation; X_2= equity and inclusiveness; X_3= accountability; X_4 = transparency Z = political influence;

ε = Error term β_1, β_2, β_3, and β_4 are regression coefficient which represents a unit change in the dependent variable as a result of a unit change in the respective independent variables and it is the proportion of positive effect. F-test was carried out in the study at a 95% confidence level. The significance of each independent variable was evaluated based on the value of the t-statistic and corresponding p-value in the regression output. The

null hypothesis Ho:B2 = 0 is rejected whenever the p-value. was less than 5%. Qualitative data was analyzed through thematic analysis while multiple regression models were used to test the hypotheses.

FINDINGS AND DISCUSSIONS

Descriptive statistics

Table 1: Role of Citizen Participation on Judicial System Service Delivery in Kenya

Role Of Citizen Participation On Judicial System Service Delivery In Kenya	N	Mean	STD Dev
Citizens are involved in planning for project development which has ensured effective implementation of projects	90	3.43	0.816
Citizens are sensitized of their roles in day to day operations of the corporations	90	3.95	0.894
There is high level of citizens communication on corporation policy implementation	90	3.40	0.801
Citizens are involved in decision making concerning the policy implementation	90	3.61	0.872
Corporations arrange both formal and informal meetings with citizens to discuss the progress of the organizations	90	3.51	0.863
The citizens are involved in providing feedback to improve on the corporation policy implementation in the county	90	3.69	0.879
Citizens empowered to make decisions on implementation of corporations project	90	3.72	0.888
Engage in collaborative problem solving with community members	90	3.74	0.890
Strengthening then political involvement of citizens in decision-making processes and in mechanisms for legitimacy and control;	90	3.96	0.898
Average		3.66	0.867

Table 2: Role of equity and inclusiveness on judicial system service delivery in Kenya

Role of equity and inclusiveness on judicial system service delivery in kenya	N	Mean	STD Dev
There is incorporates a gender perspective at all stages of the budgetary process	90	3.90	0.856
Encourage policies to increase the employment rate of populations with a marginalized tribes, those from lower socio-economic groups and young people	90	4.01	1.081
Enforces standards equally across all unit members	90	3.40	0.801
Promotes understanding of similarities and differences among tribe members	90	3.62	0.882
The corporation ensures that hiring policies does not discriminate anyone	90	3.51	0.863
Average		3.688	0.896

Table 3: Role of Accountability on judicial system service delivery in Kenya

Role of Accountability on judicial system service delivery in Kenya	N	Mean	STD Dev
Ensuring accurate and verifiable budgeting for wider probity and legitimacy benefits;	90	4.28	1.281
There is high extent to which the management of the corporations are answerable for its actions.	90	4.05	1.091
The corporation often allow to be monitored by civil society groups and the media	90	3.40	0.801
The corporation is subject to oversight of by parliamentarians, national audit institutions, ministry of finance officials,	90	3.51	0.863
Citizens are able to demand that the corporation justifies its actions.	90	3.69	0.879
Citizens are able to sanction the corporation if it fails to meet corporation standards.	90	3.72	0.888
There is regular public audit on the corporation public	90	3.52	0.864
Managers are not only required to explain themselves but can also be punished if their behavior has been inappropriate	90	4.11	1.121
Average		3.785	0.9735

Table 4: Role of transparency on judicial system service delivery in Kenya

Role of transparency on judicial system service delivery in Kenya	N	Mean	STD Dev
The Judicial system reduces the distance between government service provider and user with more access to decision makers', information and platforms to raise concerns and issues.	90	4.28	1.281
The Judicial system provides multi-platform opportunities for dissemination and interaction with information.	90	4.05	1.091
The Judicial system provides visual and analytical tools for citizens to access government data and therefore simplifying traditionally presented government information (e.g. budgets).	90	4.01	1.081
The Judicial system provides real-time opportunities for citizen and interaction and feedback	90	3.40	0.801
The Judicial system corporation Increases the number of Internet users and personal computer usage;	90	3.62	0.882
The Judicial system increases the broadband capacity to allow for greater use of mobile devices for e-government;	90	3.72	0.888
The Judicial system develops content that citizens find important and useful	90	3.52	0.864
Average		**3.8**	**0.984**

Table 5: Moderating role of political influence on governance practices and judicial system service delivery in Kenya

Moderating role of political influence on governance practices and judicial system service delivery in Kenya	N	Mean	STD Dev
Judicial system leaders are genuine in what I say and do	90	4.28	1.281
Judicial system management is good at building relationships with influential people in political arena.	90	4.05	1.091
Most of Judicial system spends a lot of time at work developing connections with politician.	90	4.01	1.081
Judicial system leaders know a lot of important in politics and well connected.	90	3.40	0.801
Judicial system leaders are good at using my connections and network to make things happen at work.	90	3.62	0.882
Judicial system leaders have developed a large network of politicians and associates at work who they can call on for support when I really need to get things done	90	3.72	0.888

Table 6: Service Delivery

Service Delivery	N	Mean	STD Dev
Tangibles: The Judicial system's physical facilities are visually appealing and are in line with the types of services provided	90	3.90	0.856
Reliability: We show sincere interest in solving customers problems and we provide services at the time we promise	90	4.01	1.081
Responsiveness: Judicial system employees promptly serve customers	90	3.40	0.801
Assurance: We make our Clients feel safe to access services at Judicial system	90	3.62	0.882
Empathy: We have our Clients' best interests at heart	90	3.51	0.863
Convenience: It is painless to receive services from the Judicial system	90	3.62	0.882

Inferential Statistics

Table 7: Correlation Analysis

		Judicial Service Delivery	Citizen Participation	Equity And Inclusiveness,	Accountability	Transparency
Judicial Service Delivery	Pearson Correlation	1				
	Sig. (2-tailed)					
	N					
Citizen Participation	Pearson Correlation	.739**	1			
	Sig. (2-tailed)	.000	.000			
	N	90	90			
Equity And Inclusiveness,	Pearson Correlation	.815**	.441	1		
	Sig. (2-tailed)	.000	.000	.000		
	N	90	90	90		
Accountability ,	Pearson Correlation	.899**	.403	-.508	1	
	Sig. (2-tailed)	.000	.000	.000	.000	
	N	90	90	90	90	
Transparency	Pearson Correlation	.884**	0.303	0.305	0.280	1
	Sig. (2-tailed)	.000	.000	.000	.000	.000
	N	90	90	90	90	90

** Correlation is significant at the 0.01 level (2-tailed).

Because the p-value was less than 0.05, no variable was omitted from the model, according to the results in table 8. As a result, we were unable to reject the null hypothesis.

H_o: Model has no omitted variables

H_a: Model has omitted variables

F (3, 308) = 3.98

Prob>F=0.0084

The findings showed that citizen participation has a strong positive role with the judicial system service delivery in Kenya (r=0.739). The relationship was also found to be significant since the p-value (0.000) was less than the selected level of significance (0.05). The study also established that equity and inclusiveness has a strong positive role with the judicial system service delivery in Kenya (r=0.815). Since the p-value (0.00) was less than the selected level of significance (0.05) suggested that the relationship was significant. Besides, accountability has a strong positive role with the judicial system service delivery in Kenya (r=0.899). The findings also show that the p-value (0.000) was less than the selected level of significance (0.05), an indication that the relationship was significant. Furthermore, the transparency has a strong positive role with the judicial system service delivery in Kenya was found to be strong (r=0.884). The relationship was also found to be significant since the p-value (0.000) was

less than the selected level of significance. These findings, therefore, suggest that there a strong relationship between the dependent ad the independent variables. To further understand the nature of their relationship, the study computed regression analysis.

Inferential Analysis of the Overall Model

Sekaran (2003) argued that if the study seeks to analyse the data beyond means and standard deviations for example if there is need to examine the relationship between variables then bivariate analysis such as correlation and regression analysis

are the most appropriate. Thus, the researcher applied Pearson correlation analysis to examine the strength of the relationship between governance practices and judicial system service delivery in Kenya.. Moreover, regression analysis was used to examine the nature of the relationship as well as test the hypothesis of the study. The level of significance was tested at 5% and according to Oso and Onen (2009) with this significance level then the researcher has 95% chances of making the correct decision that there exists a significant relationship between dependent and independent variable.

Table 8: Model Summary for Regression

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.833[a]	.694	.691	.82018

a. Predictors: (Constant), citizen participation, equity and inclusiveness, accountability, transparency

From the findings in Table 8, the value of adjusted R square was 0.691 which suggests that 69.1% variation in the judicial system service delivery in Kenya can be explained by changes in citizen participation, equity and inclusiveness, accountability and transparency. The remaining 30.9% suggests that other factors can be attributed

to variation in the judicial system service delivery in Kenya that was not discussed in this study. The correlation coefficient (R) shows the relationship strength between the study variables. From the findings, the variables were strongly and positively related as indicated r= 0.

Table 9: ANOVA

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	99.080	4	24.770	105.8547	.000[b]
	Residual	19.903	85	.234		
	Total	118.983	89			

a. Dependent Variable: judicial system service delivery in Kenya

b. Predictors: (Constant), citizen participation, equity and inclusiveness, accountability, transparency

The results in Table 9 indicated that the model was significant since the p-value (0.000) was less than 0.05 thus the model is statistically significant in establishing the role of citizen participation, equity and inclusiveness, accountability, transparency on judicial system service delivery in Kenya.Further, the F-calculated (105.8547) was greater than the F-critical (2.432) suggesting the significance of the model [Note: the f-critical value is obtained from the f-distribution table].

Coefficients of Regression Analysis

From the results above, the regression equation model was fitted as follows:

$Y = 1.362 + 0.111 X_1 + 0.405 X2 + 0.633 X3 + 0.773 X4 + \varepsilon$

 The model equation above reveals that holding the variables citizen participation, equity and inclusiveness, accountability, and transparency to a constant zero, judicial system service delivery in Kenya will be at a constant value of 1.362.

Table 10: Coefficients for Regression Analysis

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
1 (Constant)	1.362	.135		10.089	.000
Citizen participation	.111	.017	.101	6.529	.000
Equity and inclusiveness	.405	.079	.38	5.127	.000
Accountability	.633	.091	.604	6.956	.000
Transparency	.773	.173	.690	4.468	.000

a. Dependent Variable: Judicial System Service Delivery In Kenya

Model Summary Moderating Effect Regression Analysis

The model summary for the moderated equation was used to show the amount of variation in the dependent variable that could be explained by the moderated variables.

Table 11: Model Summary for Regression

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.833[a]	.694	.691	.82018
2	.871b	.759	.757	.56032

a. Predictors: (Constant), citizen participation, equity and inclusiveness, accountability, transparency
b. Predictors: (Constant), citizen participation, equity and inclusiveness, accountability, transparency X1M, X2M, X3M, X4M

From the findings in Table 11, the moderating variable, the value of adjusted R square increased from 0.691 to 0.757 an indication that the moderated variable explains 75.7% variation in the judicial system service delivery in Kenya can be explained by changes in citizen participation, equity and inclusiveness, accountability and transparency.

The remaining 24.3% suggests that other factors can be attributed to variation in the judicial system service delivery in Kenya that was not discussed in this study. The correlation coefficient (R) shows the relationship strength between the study variables. From the findings, the variables were strongly and positively related as indicated r= 0.

Table 12: ANOVA

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	99.080	4	24.770	105.8547	.000b
	Residual	19.903	85	.234		
	Total	118.983	89			
2	Regression	95.755	4	24.770	105.8547	.000b
	Residual	46.153	85	.54297		
	Total	141.908	89			

a. Dependent Variable: judicial system service delivery in Kenya
b. Predictors: (Constant), citizen participation, equity and inclusiveness, accountability, transparency

The results in Table 12 indicated that the model was significant since the p-value (0.000) was less than 0.05 thus the model is statistically significant in establishing the role of citizen participation, equity and inclusiveness, accountability, transparency on judicial system service delivery in Kenya. Further, the F-calculated (105.8547) was greater than the F-critical (2.432) suggesting the significance of the model [Note: the f-critical value is obtained from the f-distribution table].

Coefficients of Regression Analysis

From the findings presented in Table 13 after the introduction of moderating variable, political influence, the following moderated regression model was fitted;

$$Y=1.749+0.289X_1+0.427X_2+0.661X_3+0.780X_4+0.373 X_1*M + 0.235 X_2*M+0.381X_3*M+0.333X_4*M$$

Table 13: Coefficients for Moderating Effect Regression Analysis

Model		Unstandardized Coefficients		Standardized Coefficients	T	Sig.
		B	Std. Error	Beta		
1	(Constant)	1.749	.248		7.052	.000
	Citizen participation	.289	.078	1.177	3.803	0.012
	Equity and inclusiveness	.427	.126	0.025	3.389	0.032
	Accountability	.661	.184	1.489	3.592	0.015
	Transparency	.78	.167	0.099	4.671	0.006
2	X_1M	.373	.116	1.927	3.216	0.026
	X_2M	.235	.034	0.182	6.912	0.001
	X_3M	.381	.093	1.95	4.097	0.013
	X_4M	.333	.063	0.69	5.286	0.005

a. Dependent Variable: Judicial System Service Delivery In Kenya

CONCLUSIONS AND RECOMMENDATION

The current study stemmed from the realization of the research problem in literature role of governance practices on judicial system service delivery in Kenya. Empirically most of the studies on the role of governance practices have been skewed towards use of primary data and only specific governance practices had been evaluated. Among the several studies which had been done in the Kenyan perspective majority have not examined the causal joint role of governance practices on judicial system service delivery in Kenya. Consequently, the researcher's primary purpose was to examine the role of governance practices on judicial system service delivery in Kenya. Further, the study sought to test four hypotheses; there is no significant role of citizen participation on judicial system service delivery in Kenya; there is no significant role of equity and inclusiveness on judicial system service delivery in Kenya; there is no significant role of accountability on judicial system service delivery in Kenya; there is no significant role of transparency on judicial system service delivery in Kenya; there is no moderating role of political influence on governance practices and judicial system service delivery in Kenya. In order to meet the overall objective and test the study hypotheses the study adopted.

Cross sectional research design. The target population of this study was 4,536 comprising of 7 Supreme Court judges, 29 Court of Appeal Judges, 96 High Court Judges, 497 Magistrates/ Kadhis and 3,904 judicial staff. Stratified sampling technique was used to select a sample of 100 judicial staff in Kenya. Primary data was collected from 100 judicial staff in Kenya which yielded a response rate of 100%. The independent variables attributed examined in the study were citizen participation, equity and inclusiveness, accountability, transparency. Descriptive analysis such as frequency, percentage, mean and standard deviation were used to analyze the data which was summarized using figures and tables. Correlation analysis was used to examine the strength of the relationship between governance practices and judicial system service delivery in Kenya and regression analysis was used to examine the nature of the relationship between governance practices, judicial system service delivery in Kenya and

moderating role of political influence. Prior to regression analysis tests for various assumptions were carried out, for example, normality test was tested using skewness and kurtosis, heteroscedasticity was tested using Breusch-Pagan test, homoscedasticity was tested using Cameron and Trivedi's decomposition test, Multicollinearity was tested using Variance Inflation Factors (VIF) and tolerance values. On overall 75.7% of the variation in judicial system service delivery in Kenya can be explained by citizen participation, equity and inclusiveness, accountability, transparency while the remaining percentage can be explained by other factors excluded in the model. The findings of the study demonstrated that governance practices have effect on judicial system service delivery in Kenya.

This section presented the general conclusions made in this current study on role of governance practices on judicial system service delivery in Kenya with the following indicators of governance practices as citizen participation, equity and inclusiveness, accountability, transparency is that governance practices had a positive significant role on judicial system service delivery in Kenya with the following indicator considered Accessibility ,Reliability, Affordability, Responsiveness ,Courtesy , Credibility and Competence.

With reference to the objectives of the study, the following recommendations were arrived at: citizen participation, equity and inclusiveness, accountability, transparency as governance should be the main pillar of on judicial system service delivery in Kenya.

Judicial system service should organize public participation meetings in a way that allows deliberative communication that is two-way and oriented towards problem-solving, as opposed to meetings that are restricted to the answering of questions and at which the organizers give no room for dialogue. This change of tack will allow clients to influence the decision-making process and will make them partners and not clients in the governance process.

Information on Judicial system budgets, legislation and project plans should be made easily available to the public. This can be achieved by operationalizing the Public Participation Guidelines (Government of Kenya, 2016), which call on Judicial system to ensure that citizens have access to information that is relevant and related to the oversight and policy-making process of the Judicial system.

The Judges, Magistrates should continue to take a leading role in public participation to legitimize the process and increase citizens' confidence in it. Further, the Judges,and Magistrates should ensure transparency and accountability by implementing any findings of the Office of Auditor General, as corruption negatively impacts meaningful public participation.

Areas of Further studies

From the findings, the R^2 was 75.7% which means that the independent variables (citizen participation, equity and inclusiveness, accountability, transparency) explained judicial system service delivery in Kenya to an extent of 75.7% There are other factors which are not captured by the proposed model in this study which are captured by 24.3% which is not explained. Another study can be carried out to determine other governance practices explaining 24.3% of judicial system service delivery in Kenya in view of the study context and scope. This research did not address all the issues around the governance practices in any way and for that reason it is recommended that alternative study be done in other institutions and arm of Government for instance in them perhaps applying the same factors used in this study so as to find out whether the outcomes will be consistent in an unlike setting.

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