

Assessment of the Effect of Paupers' Suits Expenses undertaken by the Court as Corporate Social Responsibility on Performance of Magistrate Courts in Kitui County, Kenya

Mr. Hezron Nyaberi Moibi

1. Masters candidate in Governance and Ethics, Mount Kenya University. Contact: Email: hezronnyaberi@gmail.com

Mr. Wilfred N. Marangu*

2. PhD Candidate, School of Business and Economics, Mount Kenya University. Contact: Email wmarangu08@yahoo.com

Dr. Kennedy Mutundu

3. Senior Lecturer, school of Social Sciences, Mount Kenya University. Contact Email: kkmutundu@yahoo.com

Abstract

The main purpose of this study was to assess the Effect of Paupers' Suits Expenses undertaken by the Court as Corporate Social Responsibility on Performance of Magistrate Courts in Kitui County. The target population was all the four magistrate courts in Kitui County. A descriptive correlational survey research design was adopted for the study and utilized the key informant method in data collection. Both primary and secondary data were used in this study. Primary data was collected through the use of key informant method and a self-administered questionnaire. Secondary data on the other hand, was obtained from the already written literature which used to cross-validate and check the consistency of the questionnaire responses. The questionnaire was pre-tested on pilot respondents who did not form part of the study respondents but knowledgeable in the study aspects in order to ensure their validity and relevance. Cronbach's alpha coefficient was used to measure the reliability of the scale and the data collection instruments were administered to all the four magistrate courts in Kitui County. After the data as collected, the researcher edited them to ensure their completeness and consistency, Coding and classification then followed to ensure sufficient analysis. The data was then entered and analyzed by simple descriptive analysis using statistical package for social scientists (SPSS) version twelve to generate cumulative frequencies and percentages. The data was then analyzed using descriptive and inferential statistics.

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Key words: Paupers Suit expenses, Corporate Social Responsibility, Performance, Magistrate Courts Kitui County, Kenya

2. Literature Review

The study was based on the premise that pauper suits undertaken by the court as part of its corporate social responsibility had a direct effect the performance of magistrate courts. Paupers' suit is where the people who file the suits are so poor that they are not able to sustain the proceeding of the suit to full trial hence the courts facilitate them by meeting the costs on behalf of the paupers. The court takes over all the expenses involving the suits filed by the paupers in order to facilitate completion of the case. The structural contingency theory explains the idea that there is no one or single best way to manage organizations but organizations should always establish managerial strategy owing to the situation and condition the organization is experiencing (Donaldson & Luo, 2009). According to Donaldson (2001) the environment always poses certain requirements which force the organization to come up with efficiency and innovation in its operations in order for it to survive and prosper. According to Cutler (2006) this will ultimately lead the firm's management to adopt a strategy for the firm which will somehow reflect the environment and at the same time be part of a managerial statement of the firm's objectives given the comparative advantage of the firm and this leads to organizations getting involved in CSR activities. Donaldson (2006) explains in this theory that when managers make decisions concerning CSR, they

always consider all aspects of the existing situation and take action on those aspects that are crucial to the circumstances at hand. It is further argued that the managers take whatever management decision, including CSR decisions, depending on the situation at hand. The theory further presupposes that the best thing to do at a time depends on the situation. It is noted that management situations are not the same and are not universal, but should be approached based on the circumstances surrounding it. Donaldson (2001) argues that the adaptive cycle is called the structural-adaptation-to regain-fit model (SARFIT) which explains that a firm is always initially in fit, then increases in contingency variable which produces misfit and reduces performance, and then structure is changed adaptively from misfit to a new fit which restores equilibrium and facilitate CSR performance. Bird & Beechler (1995) observe that the application of the strategic fit concept helps firms to manage their resources more efficiently so that they can reduce operational costs as well as respond effectively to environmental threats and new opportunities via CSR activities. Hence for the magistrate courts to manage their resources more efficiently and respond to environmental change, they must embrace the strategic fit concept through employing CSR activities in their operations.

The studies carried out by Oyedijo & Akinlabi (2008) established that CSR influences organizational performance. The study found out that SMEs corporate financial performance tended to increase with increase in the level of CSR practices. This means that the higher the overall level of CSR activities by SMEs, the higher the financial performance of the SMEs in terms of increased relative market share, total deposits and continuing additions of new products and product lines, amongst others. Therefore, for this study with all the CSR indicators used, performance will tend to increase significantly as the level of CSR activities increases.

3. Methodology

This study employed descriptive correlational survey research design as it seeks to describe and establish the relationships among the study variables namely paupers suit expenses and performance. A research design is the arrangement of conditions for collection, measurement and analysis of data in that aims to combine relevance to the research purpose Kothari (2010). Descriptive correlational survey design allows the researcher to describe and evaluate the relationship between the study variables which are associated with the problem. Correlational survey design also allows a researcher to measure the research variables by asking questions to the respondents and then examining their relationship (O'Connor, 2011).

3.4 Target Population

All the courts in Kitui County were be studied because this was a census study. There were mainly four magistrate courts in Kitui County namely; Kitui Law Court, Kyuso Law Court, Muthomo Law Court and Mwingi Law Court and they serve 151 administrative locations. All the head of Court Stations, executive officer of every magistrate court as well as customer care officer, chiefs of all locations in Kitui County were selected to take part in the study as they are perceived to be knowledgeable on the issues under study and for which they are either responsible for their execution or they personally execute them as shown in the table below.

Table3.1: Respondents of the study

Head of Court stations	4
Executive officers	4
Customer care officer of every magistrate court	4
Chiefs of all the locations in Kitui County	151
Total	163

Author, 2014

3.5 Data Collection Methods and Procedures

Both primary and secondary data were used in this study. Primary data was collected through the use of key informant method and a self-administered questionnaire. Hence, all the head of Court Stations, executive officer of every magistrate court as well as customer care officer, chiefs of all locations in Kitui County were selected as the key informants of the study. The questionnaire had both open and closed ended questions and 'drop and pick' technique was used. Primary data was used in this study because the selected respondents are able to evaluate the study variables. Secondary data on the other hand, was obtained from the already written literature (documents analysis) which was used to cross-validate and check the consistency of the questionnaire responses. The researcher synthesized existing knowledge from a comprehensive desk-based literature from valid sources such as published works, manuals, policy position papers and reports relevant to study topic and the specific period under investigation.

3.6 Measurement of Study Variables

In this study, the effect of paupers' suit expenses by the court on performance of magistrate courts in Kitui County, paupers' suit expenses by the court was one of the key study variables (Independent Variable) while performance was another key variable (Dependent variable). According to Kothari (2010), measurement is the process of mapping aspects of a domain onto other aspect of a range according to some rules of correspondent. It involves devising some form of scale in range and then mapping the properties of the object to be measured on this scale. The study variables were measured using both the ordinal scale and summated scale (likert-type scale) because these scales not only have more informational value but they come handy with respondent centered studies.

3.7 Validity of Research Instruments

Both the questionnaire and the measurement process was guided by the conceptual framework in order to measure the key elements of Paupers' suit and performance to ensure construct validity because they reflect the key components of the study variables. According to Kombo and Tromp (2006), validity is the accuracy and meaningfulness of inferences, which are based on research results and it is the measure of how well a data collection instrument measures what it is supposed to. The questionnaire was pre-tested on pilot respondents who did not be part of the study respondents but knowledgeable in the study aspects in order to ensure their validity and relevance. All the aspects of the questionnaire was pre-tested including the question content, wording, form and layout. The feedback obtained was used in revising the questionnaire before it is administered to the study respondents.

3.8 Reliability of Research Instruments

Reliability is the extent to which an instrument is predictable, stable, accurate and dependable to yield the same results every time it is administered. Reliability refers to the measure of the degree to which a research instrument yields consistent results on across time and across the various items of the instrument (Sekaran, 2003). Cronbach's alpha coefficient was used to measure the reliability of the scale, which was also used to assess the interval consistency among the research instrument items.

3.9 Ethical Considerations

The study was conducted with integrity and was not undertaken for personal gain. The research did not have any negative effect on the respondents. The researcher acknowledged authors of the literature. The researcher did not abuse the trust of the subjects by using the data collected to get somebody into trouble or to stigmatize them. Confidentiality and privacy was guaranteed and the consent of the respondents was sought before revealing any information.

3.10 Proposed Data Analysis Techniques and Procedures

The data collection instruments were administered to all the four magistrate courts and all the administrative locations in Kitui County. After the data has been collected, the researcher edited them to ensure their completeness and consistency, Coding and classification then followed to ensure sufficient analysis. The data was then be entered and analyzed by simple descriptive analysis using statistical package for social scientists (SPSS) version twenty one to generate cumulative frequencies and percentages. The software package was chosen because it is the most used package for analyzing survey data. Besides being the most used package, the software has the advantage of being user friendly (Mugenda, 2003). It is also easily used to analyze multi-response questions, cross section and time series analysis and cross tabulation; (relate two sets of variables) and it can also be used alongside Microsoft Excel and Word packages. Descriptive statistics were used to deduce any patterns, averages and dispersions in the variables. They include measure of locations (mean) and measure of dispersions (standard error mean). These measures were used to describe the characteristics of the collected data. Inferential statistics were used to determine the relationship between the study variables and these inferential statistics include correlation and regression analysis. The relationship between paupers suit expenses and performance was expected to follow a regression model of the nature $P = \alpha + \beta_1 PS + \epsilon$

Where;

P= Performance of the magistrate courts

α = Intercept term

β_1 = (Beta coefficient) an estimate of the expected increase performance corresponding to an increase in use of paupers suits.

PS= Paupers' suits expenses by the court

ϵ = Error term

Table 3.2 Hypothesis testing framework

Hypothesis		Hypothesis test	Statistical model
H ₀₁	Pauper suits expenses by the court do not have significant effect on performance of magistrate courts in Kitui County.	Karl Pearson's zero order coefficient of correlation (Beta test) H ₀ : $\beta = 0$ H _A : $\beta \neq 0$ Reject H ₀₁ if p-value ≤ 0.05 , otherwise fail to reject H ₀₁)	$P = \alpha + \beta_1 PS + \varepsilon$ Where, P = the aggregate mean score of performance. α = y-intercept/ constant. B ₁ = Regression Coe-efficient (beta), PS = Aggregate mean score of paupers suit expenses by the court ε = Error term- random variation due to other unmeasured factors.

Source: Author, 2014

4.0 Results

From the Table 4.1, the regression results reveal that paupers suit expenses had overall significant positive relationship with the performance of magistrate courts in Kitui County ($\beta = 0.464$, p-value = 0.004). The regression results also shows that 26.4 percent of the magistrate courts' performance can be explained by paupers suits expenses (R square = 0.264). The hypothesis test criterion was that the null hypothesis H₀₁ should be rejected if p-value < 0.05 otherwise fail to reject if the p-value > 0.05. From the above regression results p – value = 0.004, the study therefore rejects the null hypothesis and concludes that there's significant relationship between paupers' suit expenses by the court and performance of magistrate courts. From the research results in Table 4.1, a simple regression equation that may be used to estimate the magistrate courts performance in Kitui County given its existing level of paupers suit expenses is stated as follows;

$$P = 2.681 + 0.442PSE + \varepsilon$$

Where:

2.681 is the y-intercept constant,

P is the Performance

0.442 is the beta or the slope coefficient,

PSE is Paupers suit expenses by the court

ε is the error term- random variation due to other unmeasured factors.

Table 4.1 Regression Results of Paupers Suit Expenses by Courts against Performance

Goodness Fit Analysis

Sample size	R	R ² squared	Adjusted R ²	Estimate std error
18	0.464	0.264	0.104	0.736

Dependent Variable: Performance

Overall significance, ANOVA (F-test)

	Sum of Squares	Degree of Freedom	Mean Square	F	Sign. p-value
Regression	0.248	1	0.408	1.0716	0.004
Residual	1.086	16	0.342		
Total	1.334	17			

Predictors: (Constant), Paupers' Suit Expenses.

Individual significance (T-test)

	Unstandardized Coefficients		Standardized Coefficients	T	Sign. p-value
	B	Std. Error	Beta (β)		
(Constant)	2.681	1.01		1.098	1.688
Paupers' suit expenses	0.542	0.451	0.464	0.08	0.042

- Lever of significance, $\alpha = 0.05$

Source: Research data, 2014

5.0 Conclusion

The study was based on the premise that paupers' suit expenses by the court influences performance of the magistrate courts. The study results supported this premise in that paupers' suit expenses was found to significantly and positively influence performance with twenty six point four percent of the performance of magistrate courts being explained by paupers suit expenses. Paupers' suit expenses by the court has been found by this study to have a statistically significant positive effect on performance of magistrate courts in Kitui County hence there is need for the magistrate courts to employ CSR in form of paupers suit expenses being shouldered by the court to improve on their performance.

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