ANALYSIS OF SECURITY OF RECORDS IN FOSTERING ADMINISTRATION OF JUDICIAL JUSTICE AT NAKURU AND NYAHURURU LAW COURTS

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A Thesis submitted to the School of Science and Technology in Partial Fulfillment of the Requirements for the Conferment of Master of Science in Information Science of Kenya Methodist University

AUGUST, 2023

DECLARATION AND RECOMMENDATION

Declaration

This thesis is my original work and has not been presented for the award of a degree or any other award in any other university.

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Recommendations by supervisors

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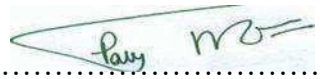
Signature:  …….Date: 30-08-2023

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DEDICATION

I dedicate this thesis to my loving family, parents and siblings for support and encouragement in my academic journey.

ACKNOWLEDGEMENT

I would like to express my deepest gratitude and appreciation to all those who have contributed to the completion of this research project. First and foremost, I would like to thank my supervisors Prof Paul Maku Gichohi and Catherine Mueni Nzioka for their invaluable guidance, expertise, and support throughout the entire research process. Their insightful feedback, constructive criticism, and constant encouragement have been instrumental in shaping this project and enhancing its quality.

I would like to acknowledge the support and assistance received from my colleagues and friends throughout this project. Their encouragement, brainstorming sessions, and willingness to lend a helping hand have been immensely valuable. I am also indebted to the staff and resources of Kenya Methodist University, whose support in accessing relevant literature, databases, and facilities has been crucial in conducting this research.

Last but not least, I would like to express my heartfelt gratitude to my family for their unwavering support, love, and patience. Their belief in me and their constant encouragement have been the driving force behind my academic pursuits.

ABSTRACT

Records play an important role in the administration of justice and the protection of human rights. It provides information and evidence about the case presented in court, thus influencing the timeliness and impartiality of decisions made by judicial officers. This research aimed to identify potential weaknesses in the current system or vulnerabilities that may compromise the integrity, confidentiality, or accessibility of court records. This included reviewing security protocols, procedures, and technology, as well as identifying threats or risks to the security of court records. This study analyzed how record security contributes to the administration of judicial justice in Nakuru and Nyahururu Courts. Specifically, the researcher aimed to investigate the security situation of court records, identify the measures taken to protect court records, and guide the security of court records, and determine the policy used to evaluate the competence of registrars, to evaluate the sufficiency of current electronic records systems in enhancing the security of court records. Research was supported by Records Continuum Model and adopted a descriptive survey research design. In addition, the target population was 72 respondents consisting of 4 deputy court registrars, 13 judges and magistrates, 15 record managers, 40 records office clients the study adopted a census sampling technique and a sample size 72 was collected from the deputy court registrar, judges and magistrates. Data was collected using interviews. The registry staff, and record officers and records office clients used questionnaires and interviews. The collected qualitative data were analyzed thematically, and the themes were presented verbatim. Quantitative data collected from respondents were analyzed using SPSS version 26, where descriptive(mean) were calculated and presented using tables and charts. Results revealed that the security of records in the law courts is good even though there are weaknesses that need to be addressed, also the policy framework was found to be effective in ensuring the security of court records. In addition, courts have tried to put in place security measures to safeguard the security of records. On the other hand, the researcher found out that the staff had average qualification for the work of records management, and they had sufficient qualifications in managing records in law courts however they indicated that they do not get chances to access training on current issues on managing court records and this affects their performance. The study recommended that judicial policy makers should evaluate and update existing security policies within the law courts to address specific challenges and requirements identified in the analysis. Theory of systems to be applied to encourage a systematic approach to improving court registries. Also, the study recommends that policies be developed and implement a comprehensive security policy as well as the review and streamline the processes and procedures followed in court registries to eliminate redundancies, reduce delays and improve efficiency. Areas of further studies, role of management in supporting management of records in public institutions. Need assessment for training of court records managers to enhance efficiency in records management. Risks facing court records and mitigations to avoid the risks. This research will help in identifying flaws in the current system and develop strategies to make the judicial system more efficient and effective that protects the rights of litigants.

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ABBREVIATIONS AND ACRONYMS

CCTV: Closed Circuit Television

CIDP: County Integrated development Plan

CRMS: Court Records Management System

DCRS: Digital Court Recording System

DUN: Dial Up Network

ERMS: Electronic Records Management System

GoK: Government of Kenya

ICMS: Integrated Case Management System

ICT: Information and Communication Technology

ISRM: International Standards on Records Management

KeMU: Kenya Methodist University

KNBS: Kenya National Bureau of Statistics

LCR: Law Courts Respondents

RCM: Records Continuum Model

SPSS: Statistical Package for Social Sciences

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

The judicial system remains an important arm of government, even if it is not the best in Kenya today. The role is indeed written and defined, because the court facilitates a uniform and impartial interpretation and legal vigilance (Pineschi, 2015). The constitution creates and empowers courts, but this can sometimes put regulatory courts at risk. Apart from their role in interpreting and enforcing the law, courts also play a crucial role in upholding constitutionalism and legitimacy, as noted by Frankel (2019). The Kenya Judiciary Transformation Framework (2012) highlights that courts provide a platform for just resolution of disputes, thus safeguarding the rule of law and protecting human rights as stipulated in the constitution. The judicial process encompasses the administration of justice, which extends beyond the courts to involve various officials. This entails a range of elements such as the judicial system type, crime identification, investigation, suspect apprehension, and trial procedures, among others, as highlighted by Nafula (2018). Ultimately, the overarching goal is to promote fairness and equity within the legal system.

In law courts, maintaining accurate data is a crucial element of the way justice is administered. Records are defined in (International Standards for Records Management ISO 15489-1 [ISRM], 2001) as any material that individuals, organizations, or institutions create, acquire, and store for future reference. In the context of courts, records serve criminal justice purposes and encompass both manual and computerized filing.

systems. Accurate data forms the foundation of evidence and facts presented in court. It includes information such as witness statements, crime scene documentation, forensic reports, and other relevant records. Inaccurate or unreliable data can lead to wrongful

convictions or acquittals, undermining the integrity of the justice system. Maintaining accurate data is vital for upholding the principles of fairness and due process. Judges, juries, and legal professionals rely on accurate information to make informed decisions and judgments. Any inaccuracies or errors in the data can lead to incorrect rulings, compromising the rights of the parties involved.

In the regulatory jurisdiction, the agreed reporting system does not lead to timely records and statistical problems, which put it at risk (Thurston, 2005). Low documentation placed in the court's regulatory record means that judgments are made without the necessary information, thus leaving room for misunderstanding among the people concerned. Due to the voluminous and sensitive nature of the facts that pass through the courtroom, they must keep the documents very strong and reliable. Maintaining a reliable record ensures that there are no complications with the help of legal professionals, which ultimately affects the outcome of the litigation strategy.

The 21st century has been marked by remarkable technological advancements that have significantly improved record-keeping procedures. In response to these modifications, the judiciary has embraced a Records Management System for the Court (CRMS), an automated platform designed to manage case files, as noted by Mosweu and Kenosi (2018). The CRMS utilizes technology to ensure the security and quick retrieval of all court-related information. Its ability to display case stakeholders, petitions, as well as the status and period of documentation and proceedings is one of its distinguishing features.

To ensure effective justice management, advanced judiciaries have implemented several measures aimed at securing court data. Such measures involve employing technology, stringent guidelines and processes, and sufficient staff training. Countries such as the US,

Canada, the UK, Australia, and Germany. Have achieved notable achievements in safeguarding court documents in the US, for instance, the safety of court data is a critical aspect of justice management. The judicial system has put in place safeguards such as access, encoding, as well as tracking.

Furthermore, the judicial system has implemented the Case Management/Electronic Case Filing (CM/ECF) system, which allows for e - filing of court records, which decreases the likelihood of physical record loss or theft. In addition, the Judiciary has established strict laws and processes for managing judicial information, such as staff background checks and using safer storage sites. Case management is a process implemented within the judicial system to effectively manage and streamline court cases. It involves the organization and coordination of various stages of a case, from initiation to resolution. The primary goal of case management is to ensure that cases progress efficiently through the judicial system while maintaining fairness and adherence to due process (Mosweu, 2020).

Safeguarding courtroom data is a major concern in Canada, and the Judicial Commission of Canada has developed standards for handling and retaining court documents in accordance with best practices. Furthermore, the judicial system has implemented the Integrated Case Management System (ICMS), which allows for secure digital access to judicial data and allows for the digital filing of legal papers (Hunter & Spector, 2018). Similarly, the judiciary in the United Kingdom has taken measures to guarantee the safety. of judicial data, which include access control, encoding, and tracking. In addition, the judicial system has adopted an electronic filing and document management (EFDM) system, which allows for the online transmission and storage of legal papers.

The judicial system in Australia has implemented a Court Management System (CMS) to

guarantee safe online access to judicial data and e - filing of legal papers. They've also put in place strict rules and procedures for dealing with judicial information, such as staff checks and safe storage areas. Similarly, in Germany, measures such as data access, encoding, and tracking have been implemented to guarantee the safety of judicial data. In addition, the judiciary has established stringent guidelines and processes for managing judicial information, such as staff checks and safe storage areas (Sattler & Frisch, 2019).

A new trend in securing court data is the use of blockchain technology. This technology allows for the creation of a secure, decentralized ledger of court data that is tamper-resistant and cannot be erased. Many countries, including the US and Australia, are currently exploring this technology.

In developed nations, ensuring the security of court documents is critical foradministering justice. Judges have taken a variety of actions, including the adoption of technology, the establishment of rigorous guidelines and processes, and the provision of adequate employee training. The important development of block-chains opens up possibilities for the future safety of judicial data.

The use of technology in the acquisition and transfer of legal documents and data between and within legal systems is significant. The South African judicial system hasput in place a digital court system that allows for electronic case filing and digitization of

court documents. This system is intended to secure court data through encrypted data and access controls, with only proper authorization having access to it. Furthermore, external safeguards such as Surveillance cameras have been put in place to prevent unauthorized access to court records, similarly, the judicial system in Ghana has implemented an electronic case management system to improve the safety of judicial information.

The Nigerian Judiciary's digital case management system facilitates e - filing of cases as well as allows judges to gain entry files and records remote location. The Judicial system had also put in place safeguards such as identity verification as well user access to ensure that only authorized legal personnel have access to court data. The introduction of an electronic case management device has also enhanced the security of court records, with encryption and password protection in place to safeguard court data. Moreover, the Judiciary has implemented access controls and audit trails to monitor access to court information, further enhancing the safety of court records. (Dahunsi et al., 2021). The Judiciary in Rwanda has introduced an electronic case management system that digitizes court records, allowing for the electronic submission of cases.

The system is designed to secure court data using encryption and password protection, with access restricted only to authorized legal personnel. Access control features such as Surveillance cameras and user access have been installed in addition to these measures to restrict access to court documents (Manzi, 2019). Kenya has successfully implemented digital filing systems and sites for the storage and retrieval of court records (Mutunga, 2011). Because internet consistency is still an issue in the United States, paper records are frequently used for storage in court registries.

Effective record management includes ensuring data security, which requires that data is stored securely to prevent damage or loss of critical information, prevent unauthorized access, and prevent data alteration. Therefore, it is important to ensure that data is stored in a manner that meets these requirements. However, paper filing systems obtrusive within Kenyan law court systems translates into infringements in file safety. Updated, there are still a few incidents of case document misplacement and loss, resulting in compromised justice management. However, the manual filing system in Kenya's regulatory courts

translates into compromised record security. Updated, there are several cases pending at the final disposition of legal proceedings related to the placement and loss of court documents. (Ibekwe & Onwuatuegwu, 2021) Its use has also been cited as a breach of security of facts in Kenyan courts (Maseh, 2015) said that the court system is struggling with problems such as collection of cases, missing and misplaced cases,altered/altered records, failure to register during cases and maintaining procedures that are not defined by guidelines, laws and standards.

According to Mosweu and Mosweu (2018), it is not clear which African countries have adopted CRMS technology, but Kenya, South Africa, and Botswana are just a few countries in which the innovation is already in use. CRMS execution in these countries' judicial systems has resulted in several benefits, including limited interruptions, increased productivity and efficacy, and increased trust in the legal system. An example of statistical protection violated in the Kenyan courts was documented in the Daily Businessnewspaper February 17, 2020. Z's analogy is a willing buyer who filed an inheritance case in the Milimani courtroom in 2014. The lawsuit continues for a period of six years, contrary to the expectations of Z's client for timely implementation justice. The release coincided with 2 consecutive years of losing client files, resulting in countless visits to

the courtroom docket. Consumer Z's scenario matches a similar incident that affected 330 other Kenyans who filed lawsuits over missing court documents between 2018 and 2019. It takes a few miles to observe that security is always the most desirable data that provides the most important and unique statistics. Common failures such as the loss and misplacement of court files indicate inefficiencies in the record keeping system in the Kenyan court system, hence the need for improvement.

As courtroom information is routinely lost or misplaced, lawyers are less able to make accurate, timely, and independent decisions for victims. (Hunie & Dewah, 2019). In line with the above-mentioned issues, this review attempts to establish the relationship between statistical reliability and judicial fairness in the regulatory courts of Nakuru, Kenya. There are numerous obstacles that could impede the execution of justice in the Nakuru and Nyahururu governments. There is a dearth of cases in litigation. There are way too many cases to visit, and the court machine cannot keep up with the most recent cases. This can cause delays in the trial and undermine people's trust in the legal system. Another issue is bribery. Bribery in the judiciary could take many forms, including bribes to judges, lawyers, or court officials. Bribery can erode people's trust in the judicial process and diminish the legal system.

Addressing these issues is critical to ensuring fair and robust justice. Individuals and the community can suffer if justice is not always administered fairly. That is why the court point Nakuru and Nyahururu miles are important in resolving all challenges in the administration of justice, because the judicial machine is the main pillar of a democratic society and serves to protect and manage society's rights. Whenever the judicial system is poorly defined, it may result in serious implications for both people and community.

Difficulties in the way justice is delivered in court may have broad ramifications. As a result, it is critical to ensure that there is a truthful, green, and effective court system in place to protect citizens and diminish the legal system.

1.2 Problem Statement

The administration of justice is primarily focused on ensuring that the court's decisions are fair, timely, and impartial. Nafula (2018) suggests that effective justice management involves treating customers with respect and fairness and placing their needs at the

forefront of the process. The preservation of court records is essential to the administration of justice, and courts rely on them to fulfill this purpose. Despite this, the judicial system in Kenya has faced criticism due to delays in justice administration caused by security breaches in the handling of court records. Wangui (2017) supports thisview, stating that many Kenyan courts still experience issues such as missing files,intentional exclusion of confidential documents from court proceedings, and delays in accessing necessary information, all of which contribute to the sluggishness of the justice system.

Onsario (2020), reported that some cases in the Nakuru neighborhood and the land court were adjourned to a later date. If records are not well protected, they are prone to being misplaced, lost, damaged, altered and or missing key documents in copied files. Such circumstances not only result in delays in justice administration but also perpetuate inequality and injustice. Discoveries of this nature erode the trust that the public has in the judicial system to safeguard their rights and uphold the rule of law. Furthermore, existing literature such as Ndono et al. (2019) examined the effectiveness of Nyumba Kumi policy in Kenya, while Bailey, (2020) examined how piracy prosecution in

Kenya has affected the issue of court record security in Kenya affecting the courts efficiency. The studies show the aspects of nyumba kumi policy and how it influenced court records security as a well as piracy prosecution in Kenya has affected the issue of court considering these concerns, this study sought to analyze the level of record security and judicial impartiality in the courts of Nakuru and Nyahururu.

1.3 Purpose of the Study

The intent of this research was an analysis of security of records in fostering administration of judicial justice at Nakuru and Nyahururu law courts.

1.4 Research Objectives

The specific goals of this research were to:

i. To assess the security level of records in Nyahururu and Nakuru Court system.
ii. To evaluate the Nyahururu and Nakuru Courts' record security legislative framework.
iii. To analyze the measures put in place to secure records in the Nyahururu and Nakuru court system.
iv. To evaluate the qualifications of court personnel Nyahururu and Nakuru court system.
v. To evaluate the current electronic records system's suitability for improving record security in Nyahururu and Nakuru Courts.

1.5 Research Questions

i. How is the security record in Nyahururu and Nakuru court system?
ii. To what extent is the policy framework adequate for improving record security in Nakuru and Nyahururu court system?
iii. What measures have been put in place to safeguard records at Nakuru and Nyahururu law courts?
iv. How proficient is the court registry staff in Nakuru and Nyahururu?
v. How adequate is the existing electronic record keeping system in Nakuru and Nyahururu courts in improving record security?

1.6 Significance of the Study

Kenya's current regime is working hard to achieve global competitiveness through the successful execution of Vision 2030, and the judicial system has contributed significantly to this effort.

To this end, the Judiciary has developed a Transformation Framework spanning 2012 to 2016. This framework aimed to enhance the efficiency and effectiveness of legal procedures, processes, and administration, with a particular focus on strengthening judicial administration. This study's findings supported these objectives by identifying areas for improvement in the realm of court record security. Additionally, the results of this study may inform the regulation of the court's records management system and necessitate changes to court procedures.

Furthermore, this study aimed to aid the courts in Nakuru and Nyahururu in enhancing the reliability and authenticity of the records they maintain. It is our aspiration that the findings of this study may enable the judicial registry to safeguard records from destruction and unauthorized access. Moreover, this study augmented the existing literature on court record security in relation to the administration of criminal justice in Kenya. This established a foundation for further research and educational initiatives in this area.

1.7 Scope and Delimitations of the Study

The primary goal of this research was to examine the correlation in both record safety and judicial fairness in Nyahururu and Nakuru courts. Key variables included the security status of court records, the measures taken to protect them, the policy framework adopted to improve the security of records, the qualifications of registrars, and the adequacy of existing electronic storage systems. This process involved court officials, judges and judges, end users of court records for hearings and decisions, lawyers, court clerks, registrars, and the public at large. The utilization of court records was not the focus of the researchers' investigation.

Limitations of the Study

Recognizing that researchers involved in trials and litigation may be reluctant to disclose information for fear of retaliation or retaliation, researchers took steps to ease their problems and create a sense of comfort and security. Such measures included assurances that participants' information provided was for academic purposes only and that only those willing to be interviewed were included in the study. The researcher also provides detailed information about the purpose of the study, duration, potential strengthsand weaknesses, and privacy and confidentiality aspects to obtain consent. Through this approach, participants made informed decisions about participating in research.

Assumption of the Study

This research was based on the existing policy framework, retention, and general administration of the court. This means that the security of records in the Nakuru and Nyahururu court depends on the state of the court structure, capacity, or administration. Further, the data provided was sufficient for making informed policies and recommendations for improving the sector.

1.8 Operational Definition of Terms

Administration of justice: It's technique of carrying out court proceedings like identification, examination, suspicion, and testing.

Court: A constitutional body tasked with enforcing the rule of law through the justice process.

Justice: its act of becoming impartial and equitable in the legal process.

Records security: The limitation around which clients of court records could indeed, obtain information generated, received, and kept.

Records: Any information created, received, and kept as proof to aid in litigation.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter distributed literature on research topics. Administering judicial justice starts by introducing a clarification to the dependent variable. This was achieved through a thorough review of the relevant literature and the purpose of our study. In this way, the researcher identified the gaps that the research filled. In addition, this chapter described the theoretical and conceptual framework used in this research.

2.2 A Summary of Administration of Judicial Justice

The relationship between individuals and their country can be seen to describe justice. This pertains to the protection of individual rights and the resolution of disputes. Issa and Wamukoya (2018) argue that justice is observed when no favoritism is present. While judicial proceedings may not be perfect or infallible, the administration of judicial justice aims to make decisions that are as fair as possible and acceptable to the parties involved.

A justice-satisfaction system is described as a user center along with their needs. He always treated them with respect and justice (Issa & Wamukoya, 2018). A contributing factor to the effective administration and delivery of justice is following court protocol and allowing people to challenge and criticize their decisions. An open, independent, and relevant process allows people to seek redress through fair administration. It also allows for full disclosure and authorization of stakeholders.

Justice is combined with four main pillars, namely fairness of proceedings, transparency of proceedings, voice in decision-making and impartiality. According to Wanyonyi and Juma (2020), taking these pillars into account can greatly enhance the delivery of justice. The court represents a civilized society marked by justice, fairness, and equality. The

administration of justice aims to provide accessible avenues for individuals and entities to seek legal remedies and have their grievances addressed. This includes ensuring that legal processes and procedures are understandable, affordable, and available to all, regardlessof socioeconomic status or other barriers.

According to Hough et al., (2015) the growth and development of democracy are founded on the judicial system. This is because the judiciary serves as a specialized body that deals with governance and justice in any democratic country. Hough et al., (2015) emphasized the importance of the court in society as it involves all the people responsible for administering justice.

To fulfill its mandate, the court must ensure the administration of justice quickly. It should be used to increase citizens' confidence in the judicial system by ensuring the protection of records held in its jurisdiction and objective decisions, this is achieved through transparency, accountability, ethical conduct, and the delivery of fair and impartial justice. The 2012-2016 Judicial Reform Framework emphasizes the judiciary's responsibility to remove barriers to access to justice as enshrined in the Constitution of Kenya. The Framework requires the judicial system to support openness and access to justice for all. The implementation of these measures is geared towards achieving a swift administration of justice, a fundamental characteristic of any democratic nation.

The administration of judicial justice involves upholding the laws of a particular country or jurisdiction to ensure that justice is served. One of the primary issues encountered in this process is judicial delay, often due to the extended duration it takes to resolve cases. Research conducted in India discovered that it takes an average of about 5 years to resolve a case in the lower court, while cases in the higher court take significantly longer.The

justice system's delays can significantly affect the lives of those involved and erode public trust in the justice system.

Judicial integrity is needed to guarantee that the justice process is fair and just. Corruption, on the other hand, can harm the judiciary's dignity as well as undermine people's confidence within the judicial system. Kenyan Corruption Bribery, the most common form of corruption, is regarded as a major issue in the legal system. Making surethe judiciary's autonomy is indeed essential because state intervention inside the judicial system can jeopardize its independence and objectivity. Innovation and technological advances have the potential to make justice administration quite effective, readily available, and straightforward. Courts strive to operate efficiently to manage caseloads and deliver justice in a timely manner. This involves establishing case management systems, scheduling hearings and trials efficiently, and adopting technology to streamline processes. For instance, online conflict resolution techniques could indeed help to reduce case backlogs and improve legal services for people that can't attend in-person proceedings. According to a Dutch investigation, online dispute resolution proved to be effective in settling minor claims disputes and was positively received by its users.

The administration of justice often includes an appellate process, allowing parties to challenge lower court decisions and seek a review of legal errors or issues. Appellate Courts examine the application of the law in the lower courts and may uphold, reverse, or modify judgments accordingly.

2.3 The Security Level of Records in Nakuru and Nyahururu Courts

The security of legal records can be jeopardized by various threats, such as data breaches, theft, malware, fire, and physical damage. Pumulo (2012) contends that inadequate record management practices can lead to compromised record security, which can undermine the

court's ability to make informed and impartial decisions. This can ultimately deny citizens their constitutional right to access justice. Within the judicial setting, records serve a critical function in reinforcing legal rights and responsibilities, verifying the veracity of reported events, and promoting accountability (Matongo & Jacobs, 2022). Theabsence of proper maintenance of court records can result in a breakdown of the rule of law and accountability. Consequently, the protection of court records should be of utmost importance to ensure that only authorized personnel can access them.

To guarantee the dependability of court records, Pumulo (2012) contends that it is necessary to adhere to appropriate record management practices, laws, policies, standards, and procedures. Compliance with these factors can facilitate effective record management, leading to secure court records. The security of data is determined by its safeguarding from physical harm, external security breaches, internal theft or scams, unauthorized users, preservation, and destruction. Many courts have been transitioning from paper-based systems to digital records management. Digital systems offer advantages such as increased accessibility, efficiency, and easier data sharing. However, this shift also introduces new security considerations, including protecting data from unauthorized access, ensuring data integrity, and mitigating the risk of cyber threats.

For several decades, the issue of court records replacement and loss has persisted (Motsaathebe & Mnjama, 2009), leading to postponement of trial and decision, postponement and cancellation of pending cases, trial. A North Carolina study by Ardia and Klinefelter (2018) tried to determine how reliable court records of placements and losses are. According to the study's findings, court records are vulnerable to misappropriation and loss, as all participants reported instances of case files or documents being misplaced or lost. Nevertheless, the frequency of such occurrences varied among the

participants, with 66% reporting occasional misplacement or loss, 16.6% reporting rare incidents, and another 16.6% experiencing loss on a monthly basis. The backlog of cases is considered as a contributing factor to the misuse and loss of court records expected to be heard by the court between 2015 and 2017. However, officials could not provide accurate statistics on lost or misplaced case records. Investigators involved in the investigation have experienced misappropriation and loss of documents, although only occasionally and rarely.

Ngoepe and Makhubela (2015) conducted a study aimed at determining the correlation between record security and the execution of justice in South Africa. The study comprised of comparing registration practices in various jurisdictions across the country. Investigations show that several cases in Pretoria and Gauteng have been dismissed or delayed due to lack of court records and falsification of evidence. In addition, their findings indicate that some cases are still pending at the time of the search due to the loss of judgments and records needed for relief from legal proceedings. Legal courts handle sensitive and confidential information, including personal details of individuals, cases, records, and evidence. Safeguarding the privacy of this data is crucial. Courts need to establish robust protocols and security measures to protect against unauthorized disclosure, data breaches, or identity theft.

Following additional research on security measures, Ngoepe and Makhubela (2015) concluded that the absence of records was linked to the protocols observed during case registration. Case reporting is conducted through manual means before entering thesystem. The loss of hard copy records prior to electronic data capture is a leading cause ofmissing records, as reported in cases where hard copies were lost to be the result of misappropriation and theft, and the case was eventually postponed until the information

was retrieved or reassembled. Courts should implement strict access controls to ensure that only authorized individuals can access sensitive records. This may involve the use of secure login credentials, user authentication mechanisms, and role-based access control systems. Additionally, courts need to regularly review and update access permissions to prevent unauthorized access.

It is important for the court to protect its records from damage or loss. This means court records must be protected from unauthorized access, accidental and intentional loss, theft, and fraud. Status of safety records in Nigeria Bakare et al., (2016). Were also evaluated in the study. The results of this study show that all court records are always locked in the office and storage unit to protect against tampering and unauthorized access. The safeguarding of all court records is the responsibility of court officials, with the court clerk in charge of the cabinet key in their office, and the senior administrative clerk overseeing the storage unit. According to the study's findings, fraudulence is not aconcern in the file-keeping system, as 67% of participants confirmed that every document and thread of paper they use is given an access code. The results of the investigation confirm that access codes and paper threads/binders are indeed used to maintain access files. It is important to check marks because it helps you determine if there is a document (image) in the work file that has been removed from the system.

Evaluating the security of court records includes an assessment of their physical storage in court, which entails ensuring protection against potential damage and loss due to environmental factors. According to Connell and Harewood (2020), Acidity, high temperatures, pathogens, and catastrophic events like flooding as well as fires should all be considered in safeguarding measures. According to a study conducted in Cape Town, South Africa, court case files are safe from environmental hazards as they are stored in

appropriate record rooms in cupboards and boxes. The research confirmed that the warehouse had proper construction and installed air conditioning and ventilation systems,

regulating the humidity and temperature levels for adequate record keeping. Furthermore, Mafu (2014) reported that court cases' content and identity are protected from deterioration, as evidenced by officials' occasional replacement of file covers due to daily usage that may cause wear and tear, so it needs to be replaced periodically. Finally, Mafu (2014) reported that while files are environmentally friendly, they are not safe from biological agents. The author reports the presence of cockroaches and cockroaches in the barn, requiring biological control in the barn.

Mosweu and Kenosi (2018), tried to determine the reliability of electronic records in a study conducted in Gaborone Magisterial District, Botswana. According to the results, 18% of the participants considered their electronic records to be very secure, while 56.3% said they were not sure whether their electronic records were secure or not. Although the

security of physical court records was evaluated; the reliability of electronic records was questioned due to their limited accessibility. Mosweu and Kenosi (2018) affirmed the security of court files in the CRMS database, as only authorized users are granted access. Such measures ensure that the records maintain their authenticity and integrity, aligning with the guidelines outlined in the ISO 14489 (2016).

Based on the literature above, the case record is considered reliable or not based on the research results used. Reportedly secure, court records are protected from fraud, theft, unauthorized access, environmental and physical damage. Studies on the insecurity of court records have shown that such records are either lost, misplaced, lost, misplaced, not tamper- proof, or restricted access. A key gap identified by the researcher is the lack of

awareness of the security status of court records at all stages of the process, as described in the Records Continuity (RC) model comprises four phases: creation/retrieval,

classification, storage/destruction, and maintenance/use, all of which must be considered in ensuring record security. In order to resolve this issue, the investigator investigated the security status of records in Nakuru court by considering all four steps of the RC Model.

2.4 Measures put in Place to Safeguard Records in Law Courts

Good security measures for electronic court records include access control, encryption, audit trails, redundancy and backup, physical security, regular maintenance, and updates, monitoring and reporting. This measure ensures that important records to maintain confidentiality, integrity and availability are protected from unauthorized access, alteration, destruction, or disclosure. To safeguard court records from various threats such as physical damage, malware, tampering, theft, or fraud, appropriate measures need to beimplemented. Certain legal procedures may necessitate the movement of court records between lawyers and administrative staff, and into and out of court. Njoroge and Kiio (2020) highlight the importance of combining physical and digital security measures, disaster preparedness, and staff training policies and procedures to protect court records.

In a study by Mafu (2014) conducted at the Court of Cape Town, the security of court records was also evaluated, and it showed that there is a list of file movements to protect against the placement of files during such movements. Study participants also reported that file movement registries are regularly updated to ensure fast tracking of file movements and protect against these losses. While the focus on digital records is increasing, physical security remains important for courts that still handle paper-based documents. Measures such as restricted access to storage areas, surveillance systems, and secure document disposal procedures help prevent unauthorized access or tampering with

physical records.

As reported by Mafu (2014) another measure introduced to protect files from loss is the prohibition of borrowing by court officials. According to a court administrator who attended the training, instead of borrowing physical copies of court cases, court officials were permitted to make copies of them. Despite this, court officials indicated that if there is an emergency, such as breaking the photocopier, the borrowers are allowed to borrow files within the specified time limit. Based on the results of this survey, 67% of respondents agree that court officials such as prosecutors, lawyers, and judges can borrow from litigation. It also reports that depending on the sensitivity of the case, court files are allowed to borrow a maximum of one day. The practice of allowing court files to be borrowed for a maximum of one day can vary depending on the jurisdiction and the specific rules and policies of the court. In some cases, courts may have strict restrictions on the borrowing of court files due to the sensitive nature of the information contained within them.

The search results show that in cases where a file is borrowed, the file loan record is officially updated, it is required to record the official name of the borrowed court file, along with the date and time it was borrowed, as well as the expected return date and time. Motsaathebe and Mnjama (2017) fully endorse this practice, as they argue that indefinite borrowing of court cases can result in their diversion and loss, thereby posing a threat to the administration of justice.

To prevent loss and theft of court records, implementing security measures is crucial. When records are stored manually, measures such as tracking files, barcodes, and event tracking should be put in place. Ngulube and Ngoepe (2010) argue that tracking the

movements of records is crucial for easy access when needed. Bakare et al. (2016) conducted a case study on a Nigerian court and found that the court lacked a file tracking system. Security measures implemented in protecting court records include thedeployment of security guards and presence of extinguishers and detectors in the event of fire. However, only 60% of court staff were informed about how to use fire extinguishers. Unauthorized access to court proceedings is prohibited to ensure physical access to court records is limited, as reported by Bakare et al. (2016). Bakare et al. (2016) reported that the storage room and its equipment are always secured with locks, and the keys are safeguarded by a senior administrator. Court clerks must sign for the keys from the senior administrator if they need to access court records stored in the storage unit. Furthermore, Bakare et al. (2016) noted that all containers and archives are secured with locks.

Whenever court officials need to retrieve information from the archives, they are required to enter their details in a designated logbook for identification and reporting purposes. In addition, the public does not have access to court records and court proceedings. Bakare et al., (2016) found that passwords are used for systems to ensure that electronic records are not accessed by unauthorized persons. Additionally, some court records are reportedly stored in PDF format for security purposes.

Research indicates that regular backup and recovery procedures are essential for record security. Creating duplicate copies of court records and storing them in secure off-site or cloud-based locations ensures data redundancy and facilitates recovery in the event of data loss or system failures. Backup and recovery processes should be well-documented and tested to ensure effectiveness. Proper disposal of records is critical to prevent unauthorized retrieval or reconstruction. Studies suggest employing secure disposal methods, such as shredding physical documents and using secure data erasure techniques for digital records

(Götzfried et al., 2018). Clear policies and procedures for record disposal should be established and communicated to all relevant personnel.

Another study on the identification of measures taken to protect records was conducted by Dewah and Mutula (2016). At the Bulawayo Magistrate's Court in Zimbabwe. The study's findings indicate that physical security measures were adopted to safeguard court records, including the use of guards (75%), and locked steel cabinets. Lockable hardwood beams, glass doors, break-ins bars, and firefighting equipment are among the otherphysical measures mentioned. CCTV, and police liaison. Furthermore, research participants recommended several measures to help protect actual damage, stealing, loss, and scams as they all threaten court records. Suggested measures for enhancing the security of court records includes utilizing storage systems that are both fire and air-tight, setting up security alarms and surveillance cameras, transitioning from paper to electronicrecord-keeping systems, and limiting access to court documents.

One of the research objectives of Maseh (2015)'s case study on Kenya's readiness to embrace open government was to assess measures put in place to maintain court records. According to the findings of the study, there was a tracking mechanism in place that helped facilitate the file transfer from one client to the other. According to Maseh (2015),most participants in the study confirmed keeping a log to track the movement of files when they were moved from one point of use to another. In addition to file movement registration, the findings reveal that Makadara Magistrate court', Eldoret High Court, and Milimani High Court Civil Division had implemented a digitized tracking system. Both systems have proven to be effective in registering every file.

According to the research findings discussed in this chapter, courts have adopted an

assortment of strategies aimed at enhancing the security of their records. These actions are divided into three categories: those aimed at safeguarding court records from physical damage, loss/disposal, and theft. However, a notable gap identified from the literature is the lack of focus on measures implemented to secure computerized records. Therefore, in addition to examining the measures for protecting physical records from damage, loss, or theft, the researcher investigated the steps taken to secure computerized data in theNakuru and Nyahururu court. This entailed determining how unauthorized access, malware, fraud, and accidental loss of computerized court records are prevented.

2.5 Policy Framework Fostering Security of Records in Law Courts

A policy framework serves as a structured approach to policymaking, providing guidance on how to enhance, execute, and evaluate regulations while aligning them with an organization's objectives. According to ISO standards, policy frameworks are designed to steer information management practices, which, in turn, promote the protection of an organization's stored information. Therefore, it is crucial for legal systems to establish rules and protocols that govern their record-keeping practices, especially considering the increasing reliance on technology. Effective policy frameworks outline the responsibilities of court personnel, define access controls, encryption standards, and physical security measures, and address compliance with data protection regulations.

A policy framework should establish clear objectives for safeguarding information, covering aspects such as confidentiality, integrity, availability, and retention. It should provide specific guidelines and procedures for managing data, encompassing aspects such as classifying, storage, availability, and disposal. Furthermore, the framework should define the roles and responsibilities of personnel in charge of data management, such as records officials, conservators, and IT personnel. It should also make sure information

practices are in accordance with relevant laws and regulations, like privacy laws. Furthermore, the framework must include emergency preparedness measures, like storage and retrieval procedures, to make sure data can be recovered in the case of an emergency.

Policy frameworks should include mechanisms for monitoring and auditing compliance with record security policies. The implementation of regular audits, assessments, and reviews to ensure adherence to policies and identify vulnerabilities or areas for improvement. Compliance monitoring helps maintain the effectiveness of policies and promotes accountability.

Matongo and Jacobs (2022) conducted research on the High Court in Namibia and found that there were no written policies or procedures in place to support the management and security of data within the court's premises. Despite the absence of written guidelines, Matongo and Jacobs (2022) noted that participants in the study recognized policy frameworks and processes are essential. The study's respondents revealed relying on a provision in Supreme Court Act No. 15 of 1990 that did not provide adequate guidance on how to establish a credible court document system.

Mosweu and Kenosi (2018) investigated the regulatory framework for electronic case record information in Botswana's Gaborone Magisterial District in their study.Participants in the study had little knowledge of the regulatory frameworks governing electronic record management. None of the participants, according to the researchers, were able to identify any relevant legal or regulatory framework. According to the study'sfindings, 43.8% of respondents were not aware of any existing data polices in the Magisterial District. Meanwhile, 56.3% of participants said they were aware of theregulations but couldn't find them with a majority citing CRMS as a policy framework.

Following the study by Mosweu and Kenosi (2018), a subsequent study was conducted in the Gaborone Magisterial Court. Docket changed into performed by means of Mosweu (2021). The look at especially aimed at assessing the right of entry to electronic statistics saved within the court's premises. Mosweu (2021) went on to investigate whether there were any legislative frameworks in place to strengthen the security of courtdata by limiting access to information. The author examined the various types of statutes, laws, and regulations, codes of behavior, ethics, and guidelines that governed access to court data.

According to the study's findings, all respondents reported the absence of any current existing legislation which helped guide entry to judicial data. It resulted in the recommendation that there was a pressing need for the Gaborone Magisterial Court to create its own unique requirements and rules that could direct the retaining of digital. information while also enhancing information security by restricting access.

Issa and Wamukoya (2018) conducted a study at the Dar es Salaam commercial court in Tanzania, with one of the objectives being to examine the policy frameworks used to ensure the security of data. Based on their findings, 35% of the participants reported that, although the court kept electronic records, there was no existing policy framework governing the management of its data. Additionally, 36.4% of the study participants were uncertain whether there were any policy frameworks or procedures in place for record keeping. This was attributed to their lack of understanding of what a policy framework was and how it was implemented in law courts. Furthermore, they did not appreciate the importance of a policy framework in guiding record keeping practices within the court's premises.

Maseh and Wamukoya (2019) conducted a study in the Kenyan Judiciary to determine

the presence of policies aimed at enhancing the security of court records. The study found that there were no such policies formulated within the Judiciary of Kenya. All theregistrars and data officers interviewed in the study confirmed the absence of policies. The lack of policies negatively affects the administration of justice and indicates a low organizational level of the judiciary. The authors emphasized the need for policies, guidelines, and plans to secure court records from unauthorized get right into, bodily damage, fraud, malware, loss and robbery, file preserving in something codecs must be supported by clear and awesome policies, tactics, and recommendations.

Maseh (2015) in a examine regarding court docket data within the Kenyan judiciary, additionally sought to set up whether there have been any rules that regulated get right of entry to information kept as a manner of enhancing the security of statistics.

According to the results of the study, all registry staff and records officials confirmed that there were noregulations governing access to court information. The study participants indicated that it was widely known among judiciary personnel who was authorized to view court records, including lawyers of the accused or complainants, the accused or complainants themselves, judicial staff, and authorized media outlets. Nevertheless, the media was the only group that was not required to pay fees when accessing court records, unlike other authorized persons such as lawyers, judicial staff, accused, and complainants. According to Maseh (2015), a registry clerk was always present during the perusal of files to ensure the security of the court records.

The absence of policy frameworks in courts has been identified as a major gap inensuring the security of court records from creation to disposal, as noted in previous studies. However, there is limited literature on policy frameworks that foster the security of court

records in Kenya. To contribute to the existing literature, this study aims to investigate whether Nakuru and Nyahururu law courts have implemented any policy frameworks to enhance the security of the information stored within their premises.

2.6 The Proficiency of Staff Working at the Registry of Law Courts

Employee expertise refers to workers' proficiency, knowledge, skills, and capabilities in performing their assigned job duties and responsibilities with accuracy and efficiency. This denotes the degree to which staff members have attained the necessary work tasks and possess the necessary abilities to carry them out. Employee knowledge can beassessed using a variety of methods, including appraisal, knowledge tests, and accreditations.

Companies must make sure that their staff have the necessary knowledge to achieve their goals and provide quality products and services to their customers. Training and development programs can be implemented to improve employees' knowledge and ensure they have the skills needed to perform their job duties effectively. Competent and efficient personnel play a significant role in the success of records management, thereby promoting the security of critical data in delivering justice. In contrast, if the workforce demonstrates a lack of knowledge and skills in managing records, it signifies a significantbreach of data security.

The competency of the registry staff is closely related to the record management practices of the court registry, which in turn impacts the security of court records. A look at published inside the information management magazine in 2017 tested the information of data control experts inside the UK. According to the study, although data managers had a thorough knowledge of data management principles, they lack awareness of evolving technology and electronic data management. A study published in the Journal of Business and Finance Librarianship in 2018 investigated the knowledge of information management

personnel in educational libraries throughout the United States. They observed that even as the file management group of workers had a very good expertise of the standards of document management, there have been gaps in their understanding of the latest technology and virtual document control.

In 2015, a research paper was published in the Australian Academic & Research Libraries, which aimed to examine the level of knowledge of Specialists in information systems in Australia. The findings revealed that, while these specialists had a strong graspon the basic concepts behind data management, they had a few gaps. Certain areas where they lacked knowledge, particularly regarding legal compliance and advanced information management practices.

Based on the research conducted in developed countries, it appears that information management professionals generally have a solid understanding of the basic principles of information management. However, there are areas where they may lack knowledge, such as new technologies, legal compliance, data management, and digital record-keeping. This highlights the need for continuous training and development to ensure that information management staff remain up-to-date and continue to improve their expertise in these areas.

Matongo and Jacobs (2022) conducted a study at the high court in Namibia and found that staff at the court registry had insufficient knowledge about effective record management, which led to compromised security of data stored within the court. According to the study, only 33% of the staff claimed to have the required expertise and abilities to work at the judicial registration system, Respondents described having no tertiary academic credentials in the sector of document storage and record services and having few chances to improve their information managerial skills.

Furthermore, respondents expressed a desire for more schooling in order to improve the security of court records in terms of preservation, access, and disposal. Furthermore, study subjects cited a lack of adequate training programs as the cause of their limited skills, noting that some offices inside the high court have been given precedence over the court registry. Matongo and Jacobs (2022) also stated that the staff's lack of expertise in information security procedures could be attributed to the improper nomination of information management personnel. According to their findings, most of the high court's information officers have been moved from non-record units such as inventory control and financial management. Deploying unskilled personnel is a significant factor in considering inefficient records management systems that can lead to vulnerable data protection in legal proceedings. In a study conducted by Issa and Wamukoya (2018) on the effectiveness of digital record keeping practices in a commercial court in Dar es Salaam, it was found that although the court had implemented technology in record keeping, the staff responsible for managing records lacked sufficient expertise. The researchers reported that despite the registry staff being tasked with handling critical information, they were not professionally trained to manage both paper and electronic records. Many of them attributed their knowledge of record management to the experience they had gained over time while working in the court registry.

The study revealed that the court registry staff lacked adequate ICT skills and knowledge, particularly in the emerging trends of electronic document management systems. Moreover, the staff members rarely attended seminars or training sessions on record keeping, despite having several years of experience at the commercial court. As a result, there was a significant breach in the security of information stored in the court registry, which negatively impacted the management of judicial justice.

In a study conducted by Mafu (2014) at the Middled rift Magistrate Court in South Africa, the proficiency of court clerks and registry staff was evaluated. The court utilized an Electronic Records Management System (ERMS) for document storage, retrieval, and disposal. According to Mafu (2014), most of the staff members had been trained in digital records management, which was crucial in safeguarding most of the court's records. However, some newly recruited personnel lacked the necessary expertise and skills in ERMS, and plans were underway to provide them with training modules. In addition to court clerks and registry personnel, the study's results also revealed that other employees, such as police officers, were well-trained in electronic records management. Police officers play a critical role in ensuring data security as they are involved in collecting information at crime scenes.

A study conducted by Ntengenyane and Khayundi (2021) at Alice Magistrate Court in South Africa aimed to investigate how data management facilitated justice delivery. According to the authors, ensuring data security for effective justice delivery the presence of qualified professional record supervisors is required. Their research, however, revealed that the participants had varying levels of educational and professional skills. According to Ntengenyane and Khayundi (2021), 57% of the participants had a diploma as their own highest education, while 14% had a bachelors. The study also discovered that the participants lacked critical skill and capabilities for report maintenance, for this reason compromising the safety of courtroom information. The findings of the study by Ntengenyane and Khayundi (2021) were inconsistent with the requirements of South Africa's records and information service, which specifies that records officers should not only hold a degree or a bachelor's degree in records or information management but also receive ongoing training to improve their skills and knowledge in record-keeping.

Maseh and Wamukoya (2019) conducted a study in the Kenyan Judiciary to assess the competency of registry staff and data officers. Their findings indicated that there was a lack of adequately trained data officers in both Nairobi and Uasin Gishu districts, with only 13 of them being fully trained. Out of these 13 officers, one was solely responsible for overseeing records management and security in Uasin Gishu District.

Additionally, the study found that the remaining 12 trained data officials were stationed in Nairobi County and were responsible for managing records in the Milimani High Court, High Court, Court of Appeal, and other courts. Furthermore, the study revealedthat skilled data clerks were viewed as archivists and were assigned the responsibility of managing semi-active and inactive court records. Registry clerks who lacked proper training in information management were responsible for active file keeping, leading to an inadequate system for maintaining and securing court records. The study by Maseh and Wamukoya (2019) also revealed that most of the registry clerks in charge of file keeping, and data security were trained in different fields such as public relations or human resource management. These findings highlighted the significant impact of an untrained data management workforce on the effective discharge of their duties, resulting in compromised security of court records and a negative impact on justice administration.

Based on the studies reviewed in this section, it is evident that registry staff and court clerks tasked with record-keeping and promoting data security are generally not adequately skilled to carry out their duties. However, these studies have primarily focused on knowledge and skills as the main attributes of talent. To expand the scope of this research, the researcher examined the skill capability of registry staff at Nakuru and Nyahururu law courts, not only by assessing their knowledge and skills, but also by

evaluating their level of education, ability to perform their duties effectively, and personal attributes.

2.7 Adequacy of Existing Electronic Record Keeping Systems in Law Courts

To ensure impartial decision-making by judges during hearings and rulings, it is important to verify the accuracy of records since they play a significant role in the administration and delivery of judicial justice. Adequacy refers to the degree to which something is enough or appropriate for a specific reason or assignment.

Adequacy of electronic records constitutes authenticity, that is the quantity to which an electronic file may be proven to be what it claims to be and has no longer been tampered with or altered in any way. Reliability that's the degree to which an electronic document can be trusted to be entire and accurate and now not subject to loss, destruction, or unauthorized modification. Integrity is the quantity to which it can be established that an electronic record is unchanged from its authentic state and has no longer been subject to unauthorized alteration. Usability is the degree to which an electronic report may be accessed and used as needed throughout its existence cycle, along with retention and disposal periods.

To ensure the adequacy of electronic records, organizations might also need to establish regulations and strategies to ensure the comfortable storage, retention, retrieval, and management of digital data during their lifecycle. They may additionally need to implement appropriate technical and administrative controls to protect data from unauthorized get right of entry to, modification, destruction, or disclosure. In addition, it may be important to periodically overview and update your electronic records management practices to make certain they continue to be effective in meeting convertingorganizational needs and regulatory necessities. Adequacy of digital data is

valuable to the courts as it helps to make certain the accuracy, performance and trustworthiness of information that are essential for prison compliance and decision-making. Courts need to manage and store large amounts of information daily, making it necessary to adopt electronic record- keeping methods.

An electronic records management system is a computer-based system that is specially created to manage, organize, and store records in digital format. This encompasses a range of activities including the creation, capture, management, and retrieval of information in electronic form normally the usage of specialized software packages. Excellent security features for electronic court records should make sure that the records are protected from unauthorized entry to, amendment, destruction, or disclosure. The safety measures for electronic court records consist of a combination of access manipulation, encryption, backup and redundancy, audit trails, bodily safety, and regular preservation and updates. Those measures help make sure that records are protected from unauthorized access, change, destruction, or disclosure, which is vital to retaining their authenticity, reliability, and integrity.

Digital information management machines can manage the ramification of statistics such as emails, files, pics, films, and other digital facts. Electronic record-keeping systems are computer-based systems that enable organizations to store and manage records in a structured and efficient manner, with the added benefit of providing on-demand access to records. These systems have the potential to reduce costs associated with manual record-keeping, improve compliance with legal and regulatory requirements, and enhance the security and integrity of data.

Incorporating technology in record-keeping is crucial to ensure the accuracy and

completeness of information presented to legal practitioners, expedite record retrieval and disposal, and safeguard the legal rights of individuals and society. Inadequate record-keeping systems, whether manual or electronic, have negative consequences on the management of justice, such as delays in case registration and difficulties in locating data. Therefore, it is essential for the judicial system to have dependable and precise case record systems that uphold the security of all court data, ultimately enhancing the administration of justice.

Data supervisors and investigating policemen who regularly used digital case case files were recruited as participants in a study conducted by Legodi (2021) to evaluate the effectiveness of the digital system for maintaining records in Limpopo. The research identifies several difficulties experienced with the automated records, including slow internet connections (77%), insufficient computer assistance (22%), a shortage of managerial support (45%), troubles in system usage (9%), crash occurs (12%), deleted information (8%), and low storage capabilities (2%). The study found that slow network connection was the most significant obstacle. Participants in the study also reported difficulties encountered in transferring paper records to the e-docket system. These challenges included misplaced records, a lack of computers for performing e-docket tasks, unclearly marked records, uncertain or unreadable information, and a lack ofinternet access to the e-docket system.

Electronic record systems offer various advantages in enhancing the administration of justice, compared to traditional paper-based systems. Some advantages encompass however aren't limited to short access, brief retrieval, and superior records safety amongst others. But, regardless of such benefits, consequences of a look conducted by way of Hunie and Dewah (2019) at the Bulawayo excessive court in Zimbabwe, showed that the registry

group of workers have been disappointed with the electronic document structuresin the area. They pronounced that the e-facts stored in the court have been susceptible to manipulation, rendering them insecure and unusable in enforcing decisions in court cases.

Another study conducted by Mafu (2014) looked at to decide the extent to which the Middle drift Justice of the Peace courtroom in South Africa had carried out the digital statistics management device (ERMS). effects from the examination discovered that 67% of courtroom clerks pronounced that ERMS became used in their places of work, according to a study conducted, 33.3% of the participants had inadequate knowledge of the Electronic Records Management System (ERMS), while 17% had no idea what itwas. The Integrated Case Management System (ICMS) and Digital Court Recording System (DCRS) were identified as the specific ERMS used in court by 50% of study participants, while 16.6% were uninformed of any ERMS being used. Nevertheless, after receiving clarity from the judicial supervisor, it was found that ICMS was the primary ERMS used to improve data security in the court. From the initial stages through the conclusion of the cases, ICMS was in charge of capturing all of the critical case details.

Mosweu and Kenosi (2018) conducted a study on the adoption of digital record-keeping systems in the Gaborone Magisterial District. According to their findings, the use of the Case Record Management System (CRMS) was already in place, but network disruptions were a major challenge. In addition, 31.3% of the participants cited a shortage of computers as an obstacle to the usage of CRMS. When asked about the benefits of the

system, 81.3% of the participants stated that the use of digital record-keeping systems resulted in increased efficiency, easier access to records, and improved security of court record file structures had resulted into improved get right of entry to, retrieval,

preservation, and disposal of court data. However, 12.5% of the contributors were now not sure of the upgrades introduced by means of CRMS, even as CRMS had no effect on document preservation, according to 6.35% of respondents. Issa and Wamukoya (2018) investigated the impact of digital records management on the justice process in Tanzania.

According to the research of Issa and Wamukoya (2018), technological advances in communication and information (ICT) amenities including computer systems could aid in the generation, sharing of information, and administration of data. Even so, the research concluded that 56.4% of respondents indicated a lack of computer access in the legal system. Very few computers that were available had slow internet connections, mostly via DUN modems, and only a few had broadband web access. Respondents also noted that the few computers with broadband connections were primarily used for web access rather than record keeping.

A gap has been identified in the assessment of the sufficiency of current electronic record keeping systems in Kenya, specifically in the context of court systems. There is a lack of research that sheds light on the current trends in automated record keeping systems in Kenyan courts. To address this gap, the researcher aims to evaluate the adequacy of existing electronic record keeping systems in promoting data security at the Nakuru and Nyahururu law courts.

2.8 Summary of Research gaps

Having a secure electronic records system is essential to ensure the efficient functioning of the justice system. Good security measures for electronic court records include access control, encryption, backup and redundancy, audit trials, physical security, and regular maintenance and updates. This measure ensures that records are protected from unauthorized access, alteration, destruction, or disclosure, which is important to maintain

the authenticity, integrity, and integrity of records.

Although significant research has been done on electronic records and their management in court proceedings, more research is needed on specific security measures that are most effective in protecting electronic records in the context of court records. In addition, research is needed on the impact of electronic records on the overall efficiency and effectiveness of the court system, including the quality of trial and adjudication. Further research in this area can help develop best practices and guidelines for managing electronic records in court, as well as designing and implementing secure electronic records systems.

2.9 Theoretical Framework

Varpio and colleagues (2020) define a theoretical framework as a model that helps to understand the relationships between key elements of a research problem. This framework is based on a theory relevant to research and is used as a tool to examine the research topic. It provides guidance for research questions, participant selection, data collection methods, and overall study planning.

The theoretical framework used in this study to examine the role of records security in enhancing the administration of justice at Nakuru law courts was the Records Continuum Model (RCM). The RCM, developed by Frank Upward in the 1990s in Australia, is a continuous process that involves the seamless transition of one component to another. The model includes 4 additives: Trans-nationality, identification, evidentially, and record-retaining bins, with every level representing an exceptional thing of file-maintaining. RCM consists of four stages: creation, classification, storage, and maintenance, which form a continuum of records security for registrars and records officers. RCM is used to improve the security of records, especially those stored electronically.

The significance of RCM in this study is twofold. Firstly, the RCM emphasizes the importance of including continuing values through information, additionally called archives. Because of these statistics are used for both modern and ancient purposes. This attitude could be very important for records saved in the confines of law courts in Kenya as a result of their usefulness in influencing criminal selections and management of justice. The records continuum model is a framework that describes the records and information management process as a continuous process that continues from the creationof records to their final state. This model emphasizes the importance of records management throughout its life cycle, including its use in decision making and administration of justice. Administration of justice depends on accurate and timely access to records and information. In this context, the records continuity model is very importantbecause it emphasizes the importance of managing records and data throughout their life cycle until their final state. By implementing good records management practices, the administration of justice can ensure access to records that are accurate, secure, andprotected from loss or unauthorized access when needed.

The Records Continuum Model provides a holistic framework for understanding and managing records in a dynamic and context-dependent manner. It promotes a shift from a traditional, transactional view of records to a more comprehensive and integrated approach that considers records as integral components of organizational processes and knowledge. The model has influenced the development of modern records management practices and the integration of records management into broader information governance frameworks.

The records continuum model recognizes that records and information management is a complex process that involves many stakeholders, including record creators, records

managers, archivists, and users. By involving all these stakeholders in records management, the administration of justice can ensure that records are managed effectively and efficiently and used to support decision-making and the administration of justice.

Secondly, the RCM is applicable to this study regarding the uniformity and homogeneity of the record-keeping system, as envisioned by the model. Although the stages act as reference points, each level enables the court registry staff to ensure that appropriate.

security measures are implemented to facilitate the administration of justice. The continuum model is a holistic approach to records and data management, emphasizing the importance of managing records throughout their lifecycle. This includes ensuring records security is an important part of records management. Record security means protecting records from unauthorized access, alteration, or destruction.

The records Continuum model recognizes that security is a critical element of records management and that records must be protected throughout their lifecycle, from creation to their final state. This model emphasizes the importance of implementing security controls and measures at each stage of records management during the creation, use, retention, and destruction of records. By implementing strong security measures such as access controls, encryption, and backup and recovery plans, organizations can ensure that their records are protected from unauthorized access, alteration, or destruction. Therecords continuity model recognizes that security is not a one-time event, but rather an ongoing process that requires continuous monitoring and improvement.

Overall, the continuous records model provides the foundation for effective records and information management related to records security. By managing records throughout their lifecycle and implementing strong security measures, organizations can ensure that

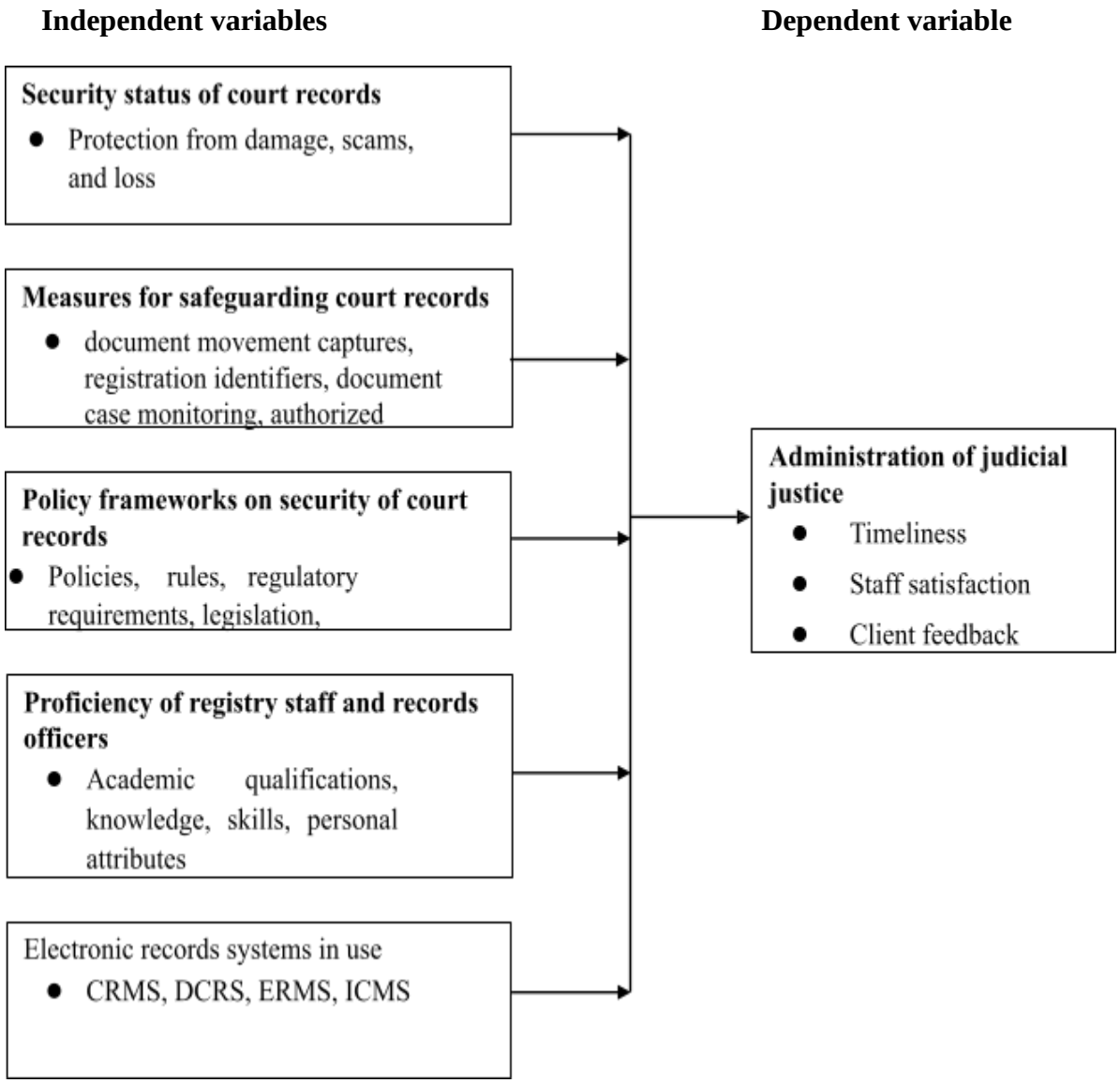
their records are secure and able to support business processes, meet legal and regulatory requirements, and meet stakeholder needs. Finally, RCM views records, typically stored electronically, as a physical unit rather than a logical one. The digitization of court records is a recent change in the Kenyan Judiciary, and the Records Continuum Model recognizes this development and emphasizes the importance of ensuring proper security measures are in place to enhance the security of these records. This, in turn, fosters the administration of judicial justice.

2.10 Conceptual Framework

A conceptual framework in research is a pictorial depiction of the causation connection that exists between variables. According to Van der Waldt (2020), a conceptual framework is built entirely on multiple theories and concepts that are helpful in identifying research issues. It is frequently employed in studies because it aids in outlining the relevant objectives of the examination strategies. Similarly, a conceptual model describes how the aims and procedures interact to produce credible results.

Figure 2.1:

Conceptual framework



2.11 Description of Variables in the Conceptual Framework

The conceptual structure used in this research is made up primarily of variables that are both dependent and independent. The dependent variable is the administration of judicial justice, which is a critical obligation of the judiciary. The timeliness of justice delivery, court worker delight, and comments from customers using the court were key indicators

for examining the management of justice. The independent variable, on the other hand, were the security of courtroom records, which were tested by delving into its key additives, which include measures put in place to safeguard information, policy frameworks advanced and followed to foster statistics protection, skill ability of registry workforce, and existing electronic records systems that exist for functions of enhancing the security of court facts.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

Methodology refers to the theoretical framework that guides the activities involved in a study, such as the techniques and strategies used with scholars to make sure their research can be critically evaluated, deemed acceptable, and replicated (Pickard, 2007). The goal of this research was to investigate how records affect the administration of judicial justice in Nakuru courts. The chapter is divided into sections that cover topics such as study design, research setting, population being studied, sample size, sampling methods, data collection tools and procedures, the reliability and validity of data collection instruments, data analysis and presentation, and ethical concerns.

3.2 Research Design

Creswell and Creswell (2018) define it as a framework for conducting research that outlines the procedures and strategies for gathering and analyzing information. According to Babbie and Mouton, this investigation is going to employ a descriptive survey research design (2001). A descriptive research design is a method of gathering data from a population or sample of a population in order to describe their characteristics, attitudes, ideals, behaviors, or opinions. The design entails collecting data via questionnaire method, personal interview, or other methods, which are then evaluated using descriptive statistical analysis.

This investigation employed a combination of qualitative and quantitative research techniques, also identified as the blended techniques method or methodological triangulation. Methodological triangulation produces superior knowledge and understanding of the study topic. Methodological triangulation allows for the

confirmation of research results, offers more extensive records, increases authenticity, and complements an in-depth knowledge of the event under research (Ngoepe & Van der Walt, 2010). In the setting of this research, the quantitative method could be used to quantify the look at variables, while the qualitative method might be employed to triangulate the quantitative results by defining them first from participants' perspective.

3.3 Location of the Study

The study took place at Nakuru and Nyahururu Courts in Kenya, with Nakuru Court located in the county's central business district in the former Rift Valley. The county is known for its diversity and covers an area of about 7,498 km2, sharing borders with seven other districts. It is divided into 11 sub-counties and has a population of a report from the Kenya National Bureau of Statistics (KNBS), there are approximately 2.1million people in 2019.

Nakuru County has 3 courts to ensure law and order: Nakuru Court, Naivasha Court, and Molo Court. Nakuru Court is made up of the High Court, the Court of Appeal, and 12 Magistrates' Courts, with a broad regulatory authority that serves the Rift Valley as a whole and provides justice for all. In accordance with the National Police Service's yearlycrime survey for 2021, the Region had the most offences, with 18,848 cases recorded and3,025 arrests more than in 2020, indicating the relevance of Nakuru Magistrates Court asa suitable location for the study.

Nyahururu law Court is in Nyahururu, the administrative capital of Nyandarua County, Kenya. The exact location of the court is on Engineer Road opposite Nyahururu District Hospital. Nyahururu is the administrative capital of Nyandarua County, Kenya. It covers an area of about 534 square kilometers and has a population of about 56,000 according to the Kenya National Bureau of Statistics (KNBS, 2019), Nyandarua County shares borders

with six other counties including Nakuru, Laikipia, Nyeri, Murang'a, Kiambu and Kajiado.

3.4 Target Population

All units representing all dimensions of interest to the study were included in the study population. This unit can be a person or an object, and data from such samples can be generalized to all units and sample units can be selected to be included in the study. The study's target population was 72 staff who consists of the records management staff, as well as the judicial staff, who work at Nakuru and Nyahururu courts.

The administrative staff, who are responsible for maintaining court records during hearings and decisions, include court clerks and registrars. On the other hand, the technical staff responsible for managing the records from recording to storage, include records officers and registrars.

The study also included judicial officers, such as judges and magistrates, who are the primary users of court proceedings and can provide insights into the traditional form of security records in court. Deputy judicial registrars, who oversee all daily operations in the registry and play an active role in enforcing court orders and evaluating the performance of court officials, were also included.

It is crucial to include records officers in the training as they play a significant role in managing and securing court records. Among the clerks, records clerks were more involved due to their direct relationship with court records. Therefore, the study's findings informed the safety, timeliness, and efficiency of the justice process, leading to better outcomes in court cases.

Table 3.1:

Target Population

Category of staff	Nakuru law court	Nyahururu law court
Deputy registrars of court	2	2
Judicial personnel (Judges and magistrates)	5	8
Records managers	7	8
Records office Clients (average per day)	16	24
Total	**30**	**42**

3.5 Sampling Technique

The process of selecting a subset of people or groups from a larger number of people in order to draw valid inferences about the population is known as sampling. This study adopted Census sampling technique. Thus, the sample of the study were all 72 staff in the department of records management staff, as well as the judicial staff, who work at Nakuru and Nyahururu courts. This is because of the small number which allowed the research to access the whole population. Researchers can study the entire population or a subset of the population, according to Creswell and Creswell (2018).

3.6 Data Collection Tools

The data collection for this study involved the use of two different tools, namely questionnaire and interview schedule. The use of more than one method of data collection

increases the reliability of the research and data collected (Bell & Bryman, 2019)

3.6.1 Questionnaires

The questionnaires were self-administered to the 72 staff members as the respondents for filling. These were from the department of records management staff, and judicial staff, who work at Nakuru and Nyahururu courts. The questionnaire was designed to consider the educational background of respondents, their comprehension ability, and cultural appropriateness of the questions asked. To guarantee this same questionnaire's reliability and validity, a pre-test was done on a subset of participants to recognize a certain confusion or ambiguity in the queries and correct it prior to data collection. The information gathered from the questionnaires were analyzed utilizing suitable analytical techniques such as descriptive and inferential statistics.

3.6.2 Interviews

An interview is a communication among one or more individuals in which the speaker attempts to connect with the other party in order to elicit a thoughtful and voluntary response (Saunders et al., 2012). Interviews, which can be structured, semi-structured, or unstructured, are essential for gathering in-depth information about a specific phenomenon. Unstructured interviews were done with court deputy registrars and court clerks to gather information on court record security, the impact of court administration on record security, and the promptness of justice.

Unstructured interviews were useful for gaining a thorough understanding of the interviewee's perspectives, thoughts, and emotions regarding the phenomenon under investigation (Hennink et al., 2020). The researcher carried out face-to-face and phone interviews with the respondents, adhering to a planned interview process that corresponds to the study's aims, objectives, and research questions. The researcher recorded voices of

the interview discussions and took handwritten notes as backup to ensure thorough data collection.

3.7 Procedures for Collecting Data

The researcher made necessary arrangements and prepared the data collection tools,which include the questionnaire and interview schedule. After obtaining the required permissions to carry out the research, the researcher visited Nakuru and Nyahururu court to administer questionnaires and conduct interviews with the deputy registrars and court officers. To ensure accurate recording of the interview discussion, the researcher used a recording device and supplemented it with handwritten notes. This approach is in line with Denscombe's (2007) recommendation of capturing all information provided by respondents during audio- recorded interviews, this provided a thorough analysis of the data. Questionnaires were administered to registrars and caseworkers based on their availability.

3.8 Procedures for conducting Interview.

The researcher carried out face-to-face and phone interviews with the respondents, adhering to a planned interview process that corresponds to the study's aims, objectives, and research questions. The researcher also did voice recording of the interview discussions and took handwritten notes as backup to ensure thorough data collection.

The investigator posed one query at a time during the interviews, following the interview guide. Probing methods were also used to elicit more detailed responses. On the interview schedule sheets, the responses were recorded. The interviews were conducted flexibly in a suitable environment and lasted between 30 minutes and an hour. Following that, the interview data were analyzed in accordance qualitatively.

3.9 Pretesting of Research Instruments

To ensure their effectiveness, the data collection tools were tested at the Molo Law Court in Nakuru District. The purpose of the pretest is to ensure that the questions are clear, well-structured, and logically organized in order to collect appropriate data for the research. One judge and one deputy registrar tested the interview schedule, while two deputy registrars received the questionnaire. Five court clerks, and five judges. Based on the feedback received, the researcher made necessary adjustments to the data collection tools to improve their quality for the actual data collection exercise.

3.9.1 Validity of Research Instruments

The extent to which an instrument accurately measures the intended concept is referred to as its validity. The researcher used various forms of validity to ensure the validity of data collection tools. An instrument review ensures that the tool is structured in such a way that it covers the research question completely. This study's survey aimed to assessspecific concepts. Face validity was used to measure validity of the instrument of data collection where the supervisor and other research experts assisted in ascertaining validity.

3.9.2 Reliability of Research Instruments

Reliability refers to the degree of consistency and stability in the scores produced by a research instrument when administered repeatedly under the same conditions. To ensure the reliability of the research instruments, various methods such as the test-retest method, parallel-variant method, and half-and-half method can be used. In this study, the researcher worked with colleagues to improve the reliability of the instruments used for research.

This entailed evaluating the research instruments critically and considering suggestions for enhancing their efficiency. In addition, the questionnaire's reliability was evaluated by calculating the Cronbach's alpha value of the research question. Mugenda and Mugenda

(2019) indicate that a high internal consistency of at least 0.7 indicates a significant alpha value.

3.10 Data Analysis and Presentation

This study employed a mixed method using both qualitative and quantitative methods.

3.10.1 Analysis of qualitative data

The analysis of interview and observation data in this research followed a thematic approach. Transcribing the recorded data, connecting notes to the original data, grouping codes into distinct categories, identifying emerging themes and patterns, and finally drawing and conclusions based on these themes and patterns were all be part of this process. To maintain the anonymity of participants, the thematically analyzed data were coded.

3.10.2 Analysis of quantitative data

Following the administration of the questionnaires, the collected data was taken through several stages of processing, including formatting, cleaning, scripting, and analysis. The data collected were analyzed using the Statistical Package for the Social Sciences (SPSS version 26). To provide a comprehensive summary of the results obtained, the analyzed data were displayed in the form of frequency distribution tables, graphs, and pie charts.

3.11 Ethical Considerations

Research ethics involve the researcher's responsibility to protect the rights of study participants during the data collection and storage process. To ensure participants are fully informed of the study's purpose, risks, and benefits, consent forms and other measures were used. Key ethical issues that must be addressed include anonymity and confidentiality, voluntary participation, the right to withdraw, informed consent, and

researcher conduct.

In this study, ethical considerations were followed in several ways. First, approval was obtained from the Kenya Methodist University Directorate of Postgraduate Studies and Research Ethics Committee. Additionally, a research permit was applied for from the National Commission for Science, Technology, and Innovation. Consent was obtained from the Nakuru Magistrates Court Deputy Registrar and participants were guaranteed privacy and confidentiality.

CHAPTER FOUR

RESULTS AND DISCUSSIONS

4.1 Introduction

This chapter presents data that was obtained from the study, an analysis and interpretation of the same. The data is presented in the order of the research objectives. The research study variable had two variables which are independent variables and dependent variable. The independent variables were Security level of records, legislative framework, measures put in place, qualifications of court personnel and electronic records system's suitability while dependent variable was Fostering Administration of Judicial Justice.

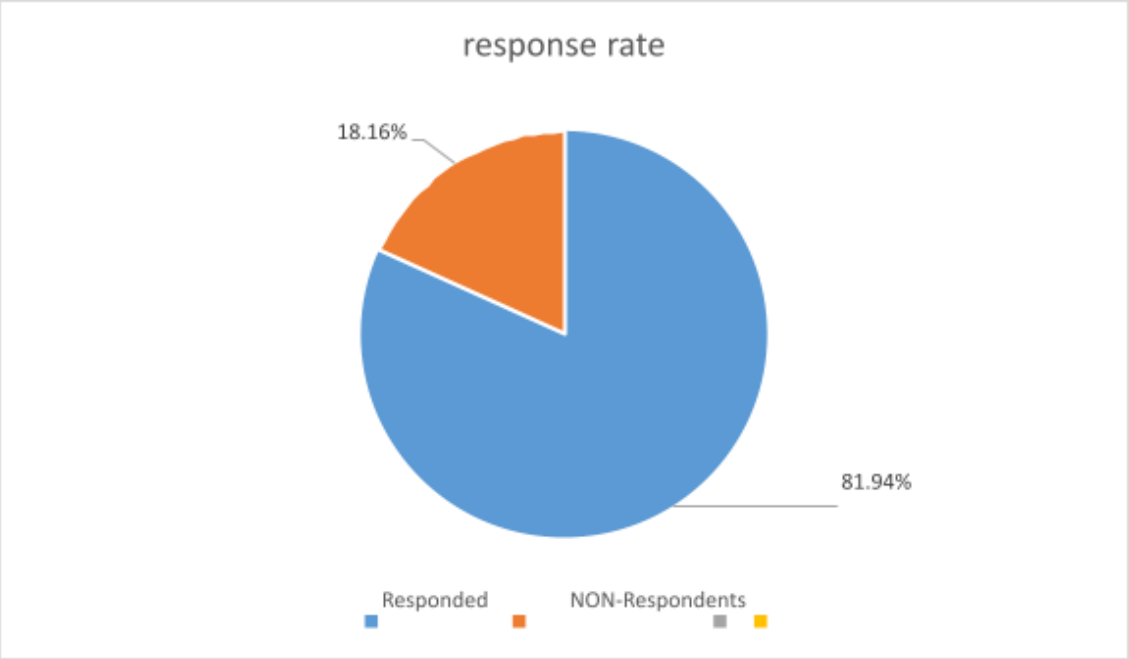
Other issues discussed herein include demographic data of the respondents, response rate and how the data relates to literature that exists. This research used a mixed method approach whereby both qualitative and quantitative tools were used. For qualitative data, the study allocated codes to respondents for ease of formulation of themes for analysis. These were LCR, meaning Law Courts Respondents; with unique numbers LCR 1, LCR2…. Themes were identified for every objective in line with the research questions.

4.2 Response rate

Response rate refers to the portion of the target population that successfully responded to the questionnaires and interviews and submitted the responses to the researcher. Out of the sample of 72 records management staff, as well as the judicial staff, who work at Nakuru and Nyahururu courts, 59 responded which is 80% of the total sample. This shows that the study was able to capture a larger number of the sample hence the results are sufficient for making necessary conclusions. Figure 4.1 shows the distribution of therespondents.

Figure 4.1:

Response Rate



Out of the sample of 72 records management staff, as well as the judicial staff, who work at Nakuru and Nyahururu courts, 59 responded which is 80% of the total sample. This implies that there was a good response rate as recommended by Hendra, and Hill, (2019) who noted that the response rate above 70% is referred to as the best response rate.

Demographic data sorted to show the distribution of respondents in terms of gender, level ofeducation, and work experience at the law courts. This data is important to show how balanced the respondents are for the purpose of applicability in other similarenvironments. The findings showed that all average categories of users were represented. That is, those having basic education up to those with postgraduate, there were both maleand female respondents, and also there were staff who had worked for a short time and those who have worked for a relatively longer time; above 20 years. This is shown in Table 4.2, Table 4.3 and Table 4.4 respectively.

Table 4.1:

Gender of the respondent

Category	Item	Frequency	Percentage (%)
Gender	Male	32	54
	Female	27	46
Total		59	100

Results showed that there were more male (32, 54%) than female staff (27, 46%) atNakuru and Nyahururu law courts. In addition, Muchemi, (2017) reported that Kenya lawcourts are dominated by male gender compared to the female counterpart. In addition, Jackinda, (2016) noted gender disparity, imbalance and male dominance among the staff in the law courts in Kenya. Thus, the findings show some imbalance in gender among thestaff. This data aided an understanding of the extent to which gender negatively influenced the service delivery in the law courts in Nyahururu and Nakuru law courts.

The study also sought to understand the level of education that the staff at Nakuru and Nyahururu law courts possessed. This helped in understanding whether they had the requisite knowledge. The results are shown in Table 4.2.

Table 4.2:

Education level

Category	Item	Frequency	Percentage (%)
Education Level	KCSE	25	42%
	College Certificate	19	32%
	Undergraduate		
	Degree	11	19%
	Master's degree	4	7%
Total		59	100%

Based on the results, most of the staff 25 (42%) were certificate holders, while 19 (32%) were college certificate holders. This means that the majority of staff here were certificate holders which is a minimum requirement that may negatively affect service delivery at the law courts at Nyahururu and Nakuru law courts. Also, the results showed that 11 (19%) were Undergraduate Degree holders. This implies that there is a Professional development initiative, this professionalism enhances the staff performance in the registry. The least were those with master's degrees who were only 4 (7%).Muruguru, (2022). Supported this concept of level of education as a contributing factor of service delivery in Lakipia laws court in Kenya.

Moreover, the study sought to establish the work experience of the staff at Nakuru and Nyahururu law courts. This information was important in establishing the objectivity and

relevancy of responses based on work experience. Many years of working experience is crucial in a service industry. Thus, staff experience was significant in providing information that enhances service delivery and enhances administration foster at judicial

justice. The information collected aided understanding of how staff were having the necessary experience to provide reliable responses to the questions posed to them regarding security records fostering administration of judicial justice at Nakuru and Nyahururu law courts.

The study also sought to understand the work experience of the staff at Nakuru and Nyahururu law courts. The Working experience provides an opportunity to develop and enhance practical skills relevant to a specific field or industry. It allows individuals to apply theoretical knowledge in real-world scenarios, gain hands-on experience, and acquire valuable technical, interpersonal, and problem-solving skills. The results show in Table 4.3

Table 4.3:

Work Experience for staff

Category	Item	Frequency	Percentage (%)
Work experience	Between 1-5 Years	5	8%
	Between 6-10 Years	19	32%
	Between 11-15 Years	24	40%
	Between 16-20 Years	7	12%
	Over 20 years	4	8%
Total		59	100

From the results in Table 4.3 revealed that about 5(8%) had experience of less than 5 years. While 19 (32%) had an experience of between 6 to 10 years. 24 (40%) were the majority with working experience of between 11-15 years. This implies that the majority had the required working experience and were able to respond effectively to the questionsposed regarding security of records at Nakuru and Nyahururu law courts. About 7 (12%) had

experience of between 16-20 years. The least were those with working experience of over 20 years, who were only 4 (8%). Different findings were reported by Anyango,and Florah, (2019) which stipulated that staff at the law's court staff had adequateworking experience for offering services in the records security. The findings of Benta et al. (2019) which noted the significance of securing experienced staff records for records security.

4.3 Results based on the variables.

This section contains the results from the study variables which include Security Levelof Court Records, policy framework for managing court records and Security measures put in place to secure Court Records.

4.3.1 Security Level of Court Records

In this section, descriptive statistics of study variables were illustrated. The firstobjective, on how the security level of records fostered administration of judicial justice at Nakuru and Nyahururu law courts. The respondents were expected to indicate their perception about the security of court records and Nakuru and Nyahururu law courts. Theresponses were giving their responses on a Likert scale of 1-5. A total of six statements were used to assess how security levels fostered administration of judicial justice covering the aspects of Protection from damage, scams, and loss. The descriptive statisticswere done using percentages based on the Likert scale responses. This section yielded both quantitative and qualitative data. Findings are shown in Table 4.4. Shows the results.

Table 4.4:

Security of the court records and administration of judicial system

Statements (N=72)	SD (1)	D (2)	N (3)	A (4)	SA (5)
1.The security of records at this law court is sufficient	1 (0.2%)	2 (0.4%)	24 (41%)	29 (49%)	**3** (0.5%)
2.I trust that court records were. not damaged by environmental hazards or biological agents	6 (10%)	35(59%)	15 (0.25%)	3 (0.5%)	0
3.I believe that measures are in place to prevent loss or misplacement of records.	31 (53%)	16 (27%)	8(0.14%)	3 (0.5)	0
4. I am confident that court records are protected from theft.	31 (53%)	15(25%)	8 (14%)	4(0.7%)	1(0.2%)
5.I am confident that the court has adequate measures to prevent fraud	2 (0.4%)	25(42%)	30 (51%)	1(0.2%)	1(0.2%)
6.Overall, I am satisfied with the security of records at this law Court	2 (0.4%)	12(20%)	40(68%)	4(0.7%)	1(2%)

The findings in this section show that 29 (49%) just agreed that the security of records at this law court is sufficient in fostering administration of judicial justice at Nakuru and Nyahururu law courts. While 35 (59%) showed that they don't trust that court records were not damaged by environmental hazards or biological agents. Also, 29 (53%) strongly don't believe that measures are in place to prevent loss or misplacement of records. While, 31 (53%) are confident that court records are protected from theft.

On the statement whether, the staff were confident that the court has adequate measures to prevent fraud, 30(51%), the staff never agree or disagree. Lastly, 40 (86.8%) were neutral regarding the statement that Overall, I am satisfied with the security of records at this law court. This means that many of the respondents agreed with most of the statements regarding the security level of records fostering administration of judicial justice at Nakuru and Nyahururu law courts. Thus, there is a positive relationship between security level of court records and fostering administration of judicial justice at Nakuru and Nyahururu law courts. These findings are supported by those of Ramadhani, (2021) who found a significant relationship between legal protection and administrationaljustice in land mafia.

On the qualitative study on key informant interviews on the judges and magistrates and litigants. The study enquired from the respondents to explain the status of security of records in the law courts. First, judges and magistrates and magistrates were interviewed.

To the first interview question they were asked to respond on the weather, security of records is very pivotal in the administration of justice and would you describe the status of security of records in this law court. Responses derived three themes which are:

1. good, 2. not very good, and 3. unsatisfying. For those who said it was good, they

indicated that for the moment it was serving the purpose so to them it was just good.

> "*...we have not had any serious issues about our records and so for me, I think the security status is just good. We have been managing just well, for the long time I have been here, unless something new and unknown happens*…" (LCR 3).

Thus, this implies that even though no incident has been experienced, they feared that the records were not well secured.

> "…*being in the management, we are aware that there are risks that face our records andif we are not careful, we may get into trouble. There is a lot that needs to be done by us. So, to me, the status is not good*…" (LCR 17)

For the theme of unsatisfying, respondents showed disappointment in the way they have been served before with regards to records.

> "*I have been seeking help on records from those offices and I was not pleased. There wasa moment I had been told that my file about a land case I was pursuing had gotten lost…Iam not satisfied with what happens to the security of these records*…" (LCR 7).

From the response above, the study finds out that the security or records in the law courts is good even though there are weaknesses that need to be addressed. This is on the ease of files getting lost and on the ease of the records to be affected by any other security threat.

4.3.2 Policy Framework for Managing Court Records

In this section, the second objective was to investigate how adequate the policy framework in place is, and its ability to improve records' security. Table 4.5 gives a

summary of the findings in this section. A total of five statements regarding Policy framework for Managing Court Records were used to assess the variable. The aspects of focus were document movement captures, registration identifiers, document case monitoring, authorized and how they fostered the administration of judicial justices in courts in Kenya. The descriptive statistics were done using percentages based on the Likert scale responses.

Table 4.5:

Policy framework for Managing Court Records and administration of judicial system

Statements on security policy	**SD (1)**	**D (2)**	**N (3)**	**A (4)**	**SA (5)**
1. The policy framework in place at this law court effectively fosters the security of court records	0	3 (0.5%)	23(39%)	27 (46%)	6 (10%)
2 The policies and procedures in place are clear and easy to understand.	0	0	11 (19%)	43(73%)	5 (8%)
3 I am confident that the policies in place adequately address potential physical hazards, theft and fraud.	0	4 (7%)	4 (7%)	46(78%)	5 (8%)
4 The policy framework is regularly reviewed and updated to reflect changing security risks	4(7%)	28(47%)	24(41%)	3 (5%)	0
5 Overall, I believe that the policy framework is effective in ensuring the security of court records	2(0.2%)	15 (20.8%)	33 45.8%)	6 (0.8%)	3 (0.4%)

The findings in this section show that 27 (46%) just agreed that the policy framework in place at this law court effectively fosters the security of court records at Nakuru and Nyahururu law courts. While 43 (73%) showed that they agreed that the policies and procedures in place are clear and easy to understand. Also, 46 (78%) moderately agreed that they are confident that the policies in place adequately address potential physical hazards, theft, and fraud.

On the statement whether the policy framework is regularly reviewed and updated to reflect changing security risks, the majority 28(47%) disagreed with the statement. Lastly, 33 (45.8%) were neutral regarding the statement that they Overall, believe that the policy framework is effective in ensuring the security of court records. Findings in this section show that unlike in Botswana and Tanzania according to the studies carried out by Mosweu (2021), and Issa and Wamukoya (2018), the Kenyan selected law courts had policies in place to safeguard security of records.

4.3.3 Security Measures Put in Place to secure Court Records

In this section, the third objective was evaluated which was to analyze the measures put in place to secure records in the Nyahururu and Nakuru court system. To measurethis variable on the security measures put in place to ensure security of court records,a total of five statements were employed to show how security measures put in place to secure court records fostered administration of judicial justice in courts of Nyahururu and Nakuru using the aspects of Policies, rules, regulatory requirements, legislation to measure this variable. The respondents were required to indicate how they agreed with statements regarding the measures being taken to maintain security of the court records. Findings are shown in Table 4.6

Table 4.6:

Security Measures Put in Place to secure Court Records

No	Statements on security measures put in place to secure court records	SD(1)	D (2)	N (3)	A (4)	SA(5)
1	Access controls such as passwords, encryption, and Biometric authentication is in place to restrict access to records only to authorized personnel.	0	3 (0.5%)	23 (39%)	27 (46%)	6 (10%)
2	Physical security measures such as surveillancecameras, alarms, and secure storage are in place to protect physical records from theft, damage or Destruction.	0	0	11 (19%)	43 (73%)	5(8%)
3	Disaster recovery plans have been developed and regularly tested to ensure that records can be recovered in case of disasters such as fires, floods, or Cyber-attacks.	0	46 (78 %)	4 (7%)	4 (7%)	5(8%)
4	Regular audits are conducted to ensure that records are being maintained according to established policies and procedures.	4 (7%)	28 (47 %)	24 (41%)	3 (5%)	0
5	Training and awareness programs have been put in place to educate staff on best practices for record-keeping, data privacy and security	11(19%)	15 (25 %)	5 (8%)	47 (69%)	0

Biometric authentication is in place to restrict access to recordsonly to authorized personnel.

The findings in this section show that 27(46%) of the respondents moderately agreed that Access controls such as passwords, encryption, and Biometric authentication are in place

to restrict access to records only to authorized personnel. Also, 43 (73%) moderately agreed that Physical security measures such as surveillance cameras, alarms, and secure storage are in place to protect physical records from theft, damage or Destruction were in place.

Centrally, 46 (78%) of the respondents disagreed that Disaster recovery plans were developed and regularly tested to ensure that records can be recovered in case of disasters such as fires, floods, or Cyber-attacks. While the results further indicated that 28 (47%) of the respondents disagreed that there were regular audits conducted to ensure that records are being maintained according to established policies and procedures. Lastly, results showed that, majority, that is 47(71%) strongly agreed with that training and awareness programs have been put in place to educate staff on best practices for record- keeping, data privacy, and security. These findings agree with those of Pumulo (2012) who recommend the need to have records kept to the highest standards possible to preserve their integrity and ensure that they perform their intended functions. In general, most of the respondents agreed with the statements regarding the security measures and Fostering Administration of Judicial Justice. Implying that there was a positive relationship between security measures and Fostering Administration of Judicial Justice. From these findings one can easily note that the courts have tried to put in place measures to safeguard court records. It is however notable that some of the respondents feel that there is still need to improve the security of court records.

On the qualitative study on key informant interviews on the judges and magistrates and litigants. The study enquired from the respondents to explain the status of security of records in the law courts. First, judges and magistrates and magistrates were interviewed; From the qualitative data, respondents were generally required to point out the skills

necessary for managing records and whether the staff at the registry possessed the necessary skills. Respondent indicated that

> "*Majorly what is required here is a diploma qualification in records management and above. Most of us have a minimum of that qualification but some are more skilled than others. You may find one person can manage to arrange the records in the required manner while another does not really understand how to do it*…" (LCR 4)

4.3.4 Proficiency of staff

In this section respondents were required to indicate how much they agree with the statements regarding how qualified the staff working in the court were. The respondents were required to give their responses in a Likert scale of 1-5 to show how Proficiency of staff working in the court registry regarding Academic qualifications, knowledge, skills, personal attributes, and how it fostered administration of judicial justice in courts of Nyahururu and Nakuru. The respondents were required to indicate how they agreed with statements regarding the measures being taken to maintain the security of the court records. Findings are shown in Table 4.7.

Table 4.7:

Descriptive results on Proficiency of staff working in the court registry

No	Statements	SD(1)	D(2)	N(3)	A(4)	SA(5)
1	The level of academic qualification required for Nakuru law courts records management staff is adequate	0	3(0.5%)	23(39%)	27(46%)	6(10%)
2	The status of record officers with respect to their qualifications and adequacy is satisfactory	0	0	43(73%)	11(19%)	5(8%)
3	The staff who work at the registry of courts in Nakuru courts have the necessary skills and expertise to manage records effectively	0	46(78%)	4(7%)	4(7%)	5(8%)
4	Staff who work in the registry of courts are given	24(41%)	28(47%)	4(7%)	3(5%)	0

	adequate training and opportunities for professional development.					
5	Staff have access to adequate resources and support to apply what they have learned in training	2 (3%)	15(25%)	33(56%)	6(10%)	3(5%)

From the responses in this section, 27 (46%) of the respondents just agreed that the level of academic qualification required for Nakuru lawcourts records management staff was adequate. On the other hand, 43 (73%) neither agreeing nor disagreeing with the statement that the status of record officers with respect to their qualifications and adequacy is satisfactory. Further, 46 (78%) of the respondents disagreed that the staff who work at the Registryof Courts in Nakuru Courts have the necessary skills and expertise to manage records effectively. 28 (47%) also disagree that the staff who work in the Registry of Courts at Nakuru Courts are given adequate training and opportunities for professional development.

Lastly, 33 (56%) were neutral regarding the statement that the staff have access to adequate resources and support to apply what they have learned in training. Thus generally, the respondents disagreed with most of these statements on the proficiency of staff. Meaning that, proficiency of the staff was low thus, fostered administration of judicial justice at Nakuru and Nyahururu law courts was a problem given low proficiency of the staff.

Respondents also said that they do not get chances to access training on current issues in managing court records. This affects their performance. The respondents disagreed with most of these statements on the proficiency of staff thus, there was an inverse relationship between proficiency of staff and Fostering Administration of Judicial Justice. Wario (2019) asserts that frequent training to upgrade skill is necessary for yielding better results in records management.

On the qualitative study on key informant interviews on the judges and magistrates andlitigants. The study enquired from the respondents to explain the status of security of records in the law courts. First, judges and magistrates and magistrates were interview;On whether the staff had necessary resources to aid in records management, one respondent said

> *"It takes a long time to make a requisition of a material that you may need and this most of the time affects the quality of our work. I would suggest that there be a shorter waiting period for getting resources to help us in managing records…*" (LCR6)

On asking about the weaknesses of the system. This includes lack of frequent updates on antiviruses, frequent power losses which may damage computers and lack of qualified information technology personnel to assist in managing the electronic systems. The responded said that

> "*I am not confident about our electronic record management system because it can be really frustrating. Sometimes there is a black out and we cannot access the records. Our generator sometimes fails and at that time there is nothing we can do*" (LCR 14)

Another respondent also responded that.

"Our hard copy records are better since most of us are not very good at using computers, so we spend a lot of time struggling. We do not have someone in IT to help us move around the computer files. Also, some of our computers have viruses and we cannot update antivirus easily on our own, we must wait for IT people who are sometime busy on other things." (LCR 8)

4.3.5 Sufficiency of Existing Electronic Record Keeping System in Records Security

In this section, the last objective was to evaluate the current electronic records system's suitability for improving record security in Nyahururu and Nakuru Courts. Respondents were asked to indicate their level of agreement with the following statements regarding the sufficiency of the existing electronic record keeping system in the aspect for CRMS (Court Records Management System), DCRS (Digital Court Recording System), ERMS (Electronic Records Management System), and ICMS (Integrated Case Management System) torecord security at the Law court. The results are illustrated in Table

Table 4.8:

Descriptive results on Sufficiency of the existing electronic record keeping system

No	*Statements*	*SD(1)*	*D(2)*	*N(3)*	*A(4)*	*SA(5)*
1	The existing electronic record keeping the system at Nakuru law courts is effective in improving record security.	0	3(0.5%)	23(39%)	27(46%)	6(10%)
2	The electronic record keeping system is easy to use and accessible to all authorized personnel.	0	0	43(73%)	11(19%)	5(8%)
3	The system is regularly updated and maintained to ensure that it is secure and up to date.	0	46(78%)	4(7%)	4(7%)	5(8%)
4	The electronic record keeping system has improved the efficiency and effectiveness of record	24(41%)	28(47%)	4(7%)	3(5%)	0

	management at Nakuru law courts.					
5	Overall, I am satisfied with the adequacy of the existing electronic record keeping system to improve record security at Nakuru law courts.	2(3%)	15(25%)	33(56%)	6(10%)	3(5%)

From the findings in table 4.8 it can be observed that 27 (46%) of the respondents admitted that the existing electronic record keeping system at Nakuru law courts is effective in improving record security. It was also not very clear whether the electronic record-keeping system is easy to use and accessible to all authorized personnel. This was revealed by 43 (73%) who were neutral.

Further, 46 (78%) did not agree that the system is regularly updated and maintained to ensure that it is secure and up to date. With 28 (47%) also disagreeing that the electronic record keeping system had improved the efficiency and effectiveness of record management at Nakuru law courts. Lastly, 33 (56%) were neutral on the statementthat Overall, I am satisfied with the adequacy of the existing electronic record keeping system to improve record security at Nakuru law courts. Thus, generally, the members of staff did not agree with most of the statements regarding Sufficiency of Existing Electronic Record Keeping System in Records Security. Meaning, the existing electronicswere not sufficient

thus, not having an influence on, fostering administration of judicial justice at Nakuru and Nyahururu law courts was a problem given low proficiency of the staff. Implying that, there was an inverse relationship between sufficiency of electronic existence and Fostering Administration of Judicial Justice.

On the qualitative study on key informant interviews on the judges and magistrates and litigants. The study enquired from the respondents to explain the status of security of records in the law courts. First, judges and magistrates and magistrates were interviewed.

Also, respondents were required to explain who is responsible for the records security policy formulation in these courts, in what ways these policies foster the security of records, and What guidelines, laws or standards are used by the court to safeguard records right from creation to disposal. This part gave only one theme, meaning that the respondents agreed with one another.

> "*Policies on records are done from the headquarters of the judiciary then communicatedto us…as branches we do not formulate our own policies…the policies are supposed to help keep records safe although sometimes we do have shortcomings*".

CHAPTER FIVE

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

5.1 Introduction

This chapter provides summary, conclusion and recommendations of the study. The sections are presented in the order of the research objectives. The intent of this research was an analysis of the security of records in fostering the administration of judicial justice at Nakuru and Nyahururu law courts. To achieve this purpose, five objectives were set, which include: assessing the security level of records in the Nyahururu and Nakuru Court systems; evaluating the Nyahururu and Nakuru Courts' record security legislative framework; analyzing the measures put in place to secure records in the Nyahururu and Nakuru court systems; and evaluating the qualifications of court personnel in the Nyahururu and Nakuru court systems. To evaluate the current electronic records system's suitability for improving record security in Nyahururu and Nakuru Courts. The study employed a descriptive research design with a total of 72 staff, which consists of the records management staff as well as the judicial staff, who work at Nakuru and Nyahururu courts, as the target population. Finally, the data were analyzed using a mixed method that included both qualitative and quantitative methods.

5.2 Summary of the Major Findings

In this part the study provides a wider look at what the research findings imply and what they mean regarding the security of records in the law courts. In summary, the response rate was able to capture a larger number of the sample hence the results are sufficient for making necessary conclusions for 59 respondents which is 80% of the total sample. Also, in terms of gender, male was the majority 54.17% while females were minority.

with 45.83%. The study also showed that those with certificates were the majority with

30(42%) while the least were those with master's degree 6 (7%). In terms of working experience, it was noted that the majority have worked in the sector for years between 11-15 years 29 (40%). This summary of results regarding the study objectives are as follows and were presented in the order of the research variables.

5.2.1 Security Level of Records in the selected Law Courts

The responses in this objective had a variety of views but generally the findings show that the security of the records is not up to a satisfying level. This means that most of the respondents agreed with most of the statements regarding the security level of records fostering administration of judicial justice at Nakuru and Nyahururu law courts. Thus, there is a positive relationship between security level of court records and fostering administration of judicial justice at Nakuru and Nyahururu law courts.

5.2.2 Policy Framework for Managing Court Records

Most respondents indicated that the policies for records management are existent. However, they also indicate that the policies do not cover the scope that would be sufficient to safeguard court records. Overall, believe that the policy framework is effective in ensuring the security of court records.

5.2.3 Security Measures Put in Place to secure Court Records

The study found out that there are record security features put in place in the Nakuru and Nyahururu law courts majority, that is 47(71%) strongly agreed that Training and awareness programs have been put in place to educate staff on best practices for record-keeping, data privacy, and security. Most of the respondents agreed to the statements regarding the security measures and Fostering Administration of Judicial Justice. Implying that there was a positive relationship between security measures and Fostering

Administration ofJudicial Justice.

5.2.4 Proficiency of staff

Findings showed that the staff in the records management department had the required qualifications. Thus generally, the respondents disagreed with most of these statementson the proficiency of staff. Meaning that, proficiency of the staff was low thus,fostered administration of judicial justice at Nakuru and Nyahururu law courts was a problem given low proficiency of the staff. Respondents also said that they do not get chances to access training on current issues in managing court records. This affects their performance. The respondents disagreed with most of these statements on the proficiency of staff thus, there was an inverse relationship between proficiency of staff and Fostering Administration of Judicial Justice.

5.2.5 Sufficiency of Existing Electronic Record Keeping System in Records Security

Findings in this objective point out that there is an electronic record management system in place which is a good thing. Thus, generally, the members of staff did not agree with most of the statements regarding Sufficiency of Existing Electronic Record Keeping System in Records Security. Meaning, the existing electronics were not sufficient thus, nothaving an influence on, fostering administration of judicial justice at Nakuru and Nyahururu law courts was a problem given low proficiency of the staff. Implying that, there was an inverse relationship between sufficiency of electronic existence and Fostering Administration of Judicial Justice.

5.3 Conclusions of the Findings

The study draws conclusions from the findings in chapter four. These are also presented in the order of the objectives.

5.3.1 Security Level of Records in the selected Law Courts

In conclusion, there is a positive relationship between the security level of court records and the fostering of the administration of judicial justice at Nakuru and Nyahururu law courts. Thus, a high level of security for court records ensures the integrity and preservation of important legal documents. These records contain essential information regarding cases, court proceedings, and judgments. By implementing robust security measures, such as secure storage systems, access controls, and encryption techniques, the risk of tampering, loss, or unauthorized access to court records is minimized. This fosters trust in the judicial process, as parties involved can have confidence that their legal rights and interests are protected. By prioritizing the security of court records, these courts can effectively serve their purpose of delivering fair and efficient justice to the community they serve.

5.3.2 Policy Framework for Managing Court Records

The findings show that policies on court records management are available. The study concludes that the effectiveness of the policy framework in ensuring the security of court records is evidenced by the consistent protection and confidentiality of these sensitive documents. The implementation of comprehensive security protocols, clear guidelines for personnel, and regular evaluations contribute to maintaining the integrity and trustworthiness of court records. By adhering to the policy framework, the judicial system can confidently handle and manage court records, ultimately fostering a secure environment for the administration of justice.

5.3.3 Security Measures Put in Place to secure Court Records

In conclusion, the implementation of effective security measures positively impacts the fostering of the administration of judicial justice. These measures safeguard the integrity

and confidentiality of court records, enhance case management efficiency, and promote transparency and accountability. By prioritizing the security of legal information and embracing robust security practices, the justice system can effectively fulfill its role in delivering fair and efficient justice to all parties involved.

5.3.4 Proficiency of Staff

The study concludes that most staff have attained the minimum qualifications, which is a diploma in information management. There was however a challenge that most of them did not have necessary skills. In summary, the proficiency of staff members is generally considered beneficial rather than detrimental to the administration of judicial justice. Their expertise, knowledge, and skills contribute to the effective functioning of thejudicial system, ensuring fair, efficient, and accurate legal proceedings.

5.3.5 Sufficiency of the Electronic Records management system to secure Records.

In conclusion, an inverse relationship exists between the sufficiency of electronic existence and the fostering of the administration of judicial justice. Insufficient electronic existence hampers access to information, transparency, accountability, and the adoption of technological advancements. Addressing these limitations and investing in robust electronic systems is crucial for promoting efficient, transparent, and accountable judicial processes, ultimately fostering the administration of justice.

5.4 Recommendations of the Study

The study makes the following recommendations basing in the findings:

On the first objective the study found that there is a positive relationship between security level of court records and fostering administration of judicial justice at Nakuru and Nyahururu law courts. The study recommends Development and implementation of

comprehensive security policies specifically addressing the management and protection of court records. These policies should outline clear guidelines for access control, encryption, physical security, data retention, disposal procedures, and other relevant security measures. Regularly review and update these policies to reflect emerging threats and evolving best practices. Robust Access Control Measures: Implement robust access control measures for court records, including user authentication, authorization, androle-based access. Ensure that access privileges are assigned based on the principle of least privilege, granting individuals access only to the records necessary for their roles. Regularly monitor and audit user access to detect and address any unauthorized activities.

5.5 Implications of the findings on policy

The analysis may contribute to the understanding and application of information governance theory within the judicial context. It can highlight the importance of effective record security measures as a fundamental component of information governance, ensuring the confidentiality, integrity, and availability of court records. The analysis may provide insights into the application of records and information management theories in the context of judicial record security. It can inform the development and refinement of theoretical frameworks that address the unique challenges and requirements of managing court records securely. The analysis may have implications for the theory and practice of

access control within record management systems. It can highlight the need for robust access control mechanisms to safeguard sensitive court records, including principles of least privilege, authentication, and authorization.

The findings of the analysis may call for the implementation of enhanced security measures in the day-to-day practice of record management. This could include stricter access controls, encryption of sensitive data, regular backup and recovery procedures,and

physical security measures to protect physical records. The analysis may highlightthe need for standardized record management procedures and protocols. This can involve developing clear guidelines and workflows for record creation, indexing, storage, retrieval, and disposal. Standardization can improve efficiency, reduce errors, and ensure consistency in record management practices. Ensuring the security of records in fostering the administration of judicial justice is vital to uphold the principles of fairness, efficiency, and accountability within the judicial system. By implementing proper security measures, courts can protect the integrity of records, maintain confidentiality,and enhance public trust in the administration of justice.

The study may highlight the need for developing or updating policies related to information security within the judicial system. This could include guidelines on access controls, data encryption, secure storage, and disposal of records, as well as protocols for handling sensitive information. Also, the findings of the study might call for improvements in record management policies and practices. This could involve implementing standardized procedures for record creation, organization, retention, and disposal, as well as guidelines for digitization and preservation of physical records. The study might suggest the need for policies to ensure compliance with data protection laws, regulations, and standards. This

could involve establishing mechanisms for regular audits, assessments, and reviews of record security practices to ensure ongoing adherence to policies.

5.6 Recommendations for Further Studies

The study recommends studies to be carried out in the following areas: the Role of management in supporting management of records in public institutions. Further, study can also be done on the assessment for training of court records managers to enhance

efficiency in records management. Conduct a comparative study of the security practices and challenges in record management across different law courts or jurisdictions. This can help identify variations, best practices, and lessons learned, contributing to a broader understanding of record security in different contexts. User Perception and Adoption: Investigate the perception and adoption of secure record management practices among court personnel and stakeholders. This can involve studying factors that influence the adoption of secure technologies, barriers to implementation, and strategies for fostering user acceptance and engagement. Lastly, a study can be done on the effect of Risks facing court records and mitigations to avoid the risks.

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APPENDICES

APPENDIX I: Introduction Letter

Dear sir/madam

My name is Moureen Moige and I am a student pursuing a master's degree in Library Science at Kenya Methodist University. I am carrying out a study and my topic is entitled "Analysis of records security in fostering the administration of judicial justice at Nakuru andNyahururu law courts." The study seeks to obtain data with regards to the security status of the court records, measures put in place to safeguard court records, policy frameworks that foster the security of court records, proficiency of registry staff and lastly, the use of electronic record keeping systems in fostering the security of court records.

I am kindly requesting you to accord me an audience for a brief interview session as part of my data collection process. The interview will take approximately 30 minutes and will be audio- recorded for transcription purposes. Your participation in this interview is voluntary and you are free to withdraw in case you feel uncomfortable to proceed. However, your participation till the end of the interview session will be highly appreciated. There are no direct benefits attached to participation in the study. Privacy and confidentiality of the information you will provide will be duly observed.

Should you have any enquiries, please reach out to me via moureenmoige95@gmail.com.

If you agree to participate in this study, kindly tick in the yes box and append your signature.

Yours Faithfully

Maureen Moige

APPENDIX II: **Questionnaire for CourtRegistry Staff Instructions**

Please fill out this questionnaire honestly by ticking () your answers in theappropriate boxes

and explaining the questions that require answers. For privacy reasons, you should not enter your name in the survey. Thank youfor your anticipated cooperation.

Section A. Background Information

1. Please indicate your gender

i. Female { }

ii. Male { }

2. please indicate your highest level of academic qualifications

i. KCPE Certificate { }

ii. KCSE Certificate { }

iii. College Certificate { }

iv. Undergraduate Certificate { }

v. Undergraduate degree and postgraduate diploma { }

vi. Masters degree { }

vii. PhD { }

3. For how long have you served the court?

i. Less than a year { }

ii. Between 1-5 years { }

iii. Between 6-10 years { }

iv. Between 11-15 years { }

v. Between 16-20 years { }

vi. Over 20 years { }

Section B: Security of court records

4. In this section, Please tick where your best opinion lies with the use of thisscale ; 1= Strongly Disagree (SD) 2= Disagree (D) 3= Neutral (N) 4= Agree (A) 5= Strongly Agree (SA) to indicate your level of agreement with the following statements regarding the state of the security record in the law courts

No	Statements	SD(1)	D (2)	N(3)	A(4)	SA(5)
1	The security of records at this law court is sufficient.					
2	I trust that court records will not be damaged byenvironmental hazards or biological agents.					
3	I believe that measures are in place to prevent loss of misplacement of records.					

4	I am confident that court records are protected from theft.					
5	I am confident that the court has adequate measuresto prevent fraud.					
6	Overall, I am satisfied with the security of records atthis lawcourt.					

5. What is being done to alleviate the problem of missing files?

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6. Security of records is very pivotal in the administration of justice. How would you describe the current status of security of records at Nakuru law courts?

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Section C: Policy framework

7. In this section, Please tick where your best opinion lies with the use of this scale ; 1= Strongly Disagree (SD) 2= Disagree (D) 3= Neutral (N) 4=Agree (A) 5= Strongly Agree (SA) to indicate your level of agreement with the following statements regarding how adequate is the policy framework toimprove record security

No	Statement	SD(1)	D(2)	N(3)	A(4)	SA(5)
1	The policy framework in place at this law courteffectively fosters the security of court records					
2	The policies and procedures in place are clear and easyto understand.					
3	I am confident that the policies in place adequatelyaddress potential physical hazards, theft, and fraud.					

	The policy framework is regularly reviewed and					

4	updated to reflect changing security risks.					
5	Overall, I believe that the policy framework is effective in ensuring the security of court records.					

8. What guidelines, laws or standards are used by thecourt to safeguard records right from creation to disposal?

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Section D: Proficiency of staff

No	Statements	SD(1)	D (2)	N (3)	A (4)	SA(5)
1	The level of academic qualification required for Nakuru law courts records management staff is adequate					

2	The status of record officers with respect to their qualifications and adequacy is satisfactory.					

3	The staff who work at theRegistry of Courts in Nakuru Courts have the necessary skills and expertise to manage records effectively.					
4	Staff who work in the Registry of Courts at NakuruCourts are given adequate trainingand opportunitiesfor professional development.					
5	Staff have access to adequate resources and support to apply what they have learned in					

	training.					

9. In this section, Please tick where your best opinion lieswith the use of this scale ; 1= Strongly Disagree (SD) 2=Disagree(D) 3= Neutral (N) 4=Agree (A) 5= Strongly Agree(SA) to indicate your level of agreement with the following statements regarding the how qualified are the staff working in the court.

10. What is the level of academic and qualification required forrecords management staff at Nakuru law courts?.....

Section E : Measures put in place

11. In this section, Please tick where your best opinion lies with theuse of this scale ; 1= Strongly Disagree (SD) 2= Disagree (D) 3=Neutral (N) 4= Agree (A)5= Strongly Agree (SA) toindicate your level of agreement with the following statements regarding the measures that are being taken to maintain record

No	Statement	SD	D	N	A	SA
		(1)	(2)	(3)	(4)	(5)
1	Access controls such as passwords, encryption, and biometric authentication are in place to restrict					

	access to records only to authorized personnel.					
2	Physical security measures such as surveillance cameras, alarms, and secure storage are in place to protect physical records from theft, damage or Destruction.					
3	Disaster recovery plans have been developed and regularly tested to ensure that records can be recovered in case of disasters such as fires, floods, or Cyber-attacks.					

4	Regular audits are conducted to ensure that recordsare being maintained according to established policies and procedures.					
5	Training and awareness programs have been put inplace to educate staff on best practices for record- Keeping, data privacy, and security.					
6	Backups are regularly created and stored offsite to Ensure that records are not lost in case of hardware failures or disasters.					
7	I am satisfied with the measures that have been put In place to protect records at Nakuru law courts.					

12. What measures have been put by the court to foster the overall security of records……
……

Section F: Existing electronic record keeping system

13. In this section, Please tick where your best opinion lieswith the use of this scale ; 1=Strongly Disagree (SD) 2=Disagree(D) 3= Neutral (N) 4= Agree (A)5= Strongly Agree (SA) to indicate your level of agreement with the following statements regarding the adequacy of the existing electronicrecord keeping system to improve record security at the Law court.

No	**Statements**	**SD (1)**	**D (2)**	**N (3)**	**A (4)**	**SA (5)**
1	The existing electronic record keeping system at Nakuru Law courts is effective in improving record security.					
2	The electronic record keeping system is easy to use and accessible to all authorized personnel.					
3	The system is regularly updated and maintained to ensure that it is secure and up to date.					

4	The electronic record keeping system has improved the efficiency and effectiveness of record management atNakuru law courts.					
5	Overall, I am satisfied with the adequacy of the existingelectronic record keeping system to improve record security at Nakuru law courts.					

14. How adequate are the systems in fostering the security of court records?.....

.....

.....

Thank you for your cooperation.

APPENDIX IV: Interview Schedule for Judges And Magistrates

SECTION A: Background information

1. How long have you served this court?

SECTION B: Security of records

2. Security of records is very pivotal in the administration of justice. Howwould you describe the status of security of records in this law court?

3. What are some of the measures taken by this court to safeguard records from:

a. Physical damage (environmental hazards, biological agents, abrasion)

b. Loss/misplacement

c. Theft

d. Fraud

e. Missing

SECTION C: Policy framework fostering security of records

4. Who is responsible for the records security policy formulation in these courts?

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5. In what ways do these policies foster the security of records?

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6. What guidelines, laws or standards are used by thecourt to safeguard records right from creation to disposal?

……

SECTION D: Proficiency of records management staff

7. What skills do you look out for when recruitingrecords management staff?

……

…...

8. What is the level of academic and qualificationrequired for records management staff at Nakuru law courts?

.....

....

9. What is the current status of records officers inreference to their qualifications and adequacy?

……

……

10. To what extent are the records managementstaff facilitated for training and participation in record management conferences and workshops?

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SECTION E: Electronic record keeping systems.

11. Are there any existing electronic record keeping systems used bythese courts?

……

12. How adequate are the systems in fostering the security ofcourt records?

……

13. What challenges are faced by the systems?

……..

APPENDIX IV: Interview Schedule for Litigants

Background information

14. Please indicate your gender

a. Female { }

b. Male { }

SECTION A: Questions about the case

15. How often do you visit the court?

_____

16. Are you on the court list?

_____

17. What records do you usually look for in a registry?

_____

18. Are your needs met by the list?

_____

19. Are judicial officers sufficient in the administration of justice?

_____

20. Are they sensitive to your needs?

_____

21. Are the court staff polite and courteous?

_____

22. Are you experiencing delays due to lost files or records?

_____

23. Do you understand court cases and procedures?

24. Are you facing problems while seeking justice?

_____

25. What do you think is the best way for the court to deal withthis challenge?

_____

26. Having trouble getting helpfrom the court?Registration?

_____

27. If so, what advice can you give to solve the problem?

_____

Thank you for your time.

APPENDIX V: Authorization Letter From KEMU

KENYA METHODIST UNIVERSITY
P. O. Box 267 Meru - 60200, Kenya
Tel: 254-064-30301/31229/30367/31171
Fax: 254-64-30162
Email: deanrd@kemu.ac.ke

DIRECTORATE OF POSTGRADUATE STUDIES

April 17, 2023

Commission Secretary,
National Commission for Science, Technology and Innovations,
P.O. Box 30623-00100
NAIROBI.

Dear Sir/Madam,

RE: MOUREEN MOIGE OYARO – (REG. NO. ISK-3-1526-1/2021)

This is to confirm that the above named person is a bona fide student of Kenya Methodist University, in the School of Science and Technology, Department of Information Science undertaking a Master's Degree in Information Science. She is conducting research on: "Analysis of Security of Records in Fostering Administration of Judicial Justice at Nakuru and Nyahururu Law Courts".

We confirm that her research proposal has been presented and approved by the University.

In this regard, we are requesting your office to issue a research license to enable her collect data.

Any assistance accorded to her will be highly appreciated.

Yours sincerely,

APR 2023

Dr. John M. Muchiri (PhD)
Director, Postgraduate Studies

Cc: Dean SST
CoD, IS
Program Coordinator - IS
Student Supervisors

APPENDIX VI: Research Permit

REPUBLIC OF KENYA

NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION

Ref No: 965925

Date of Issue: 29/April/2023

RESEARCH LICENSE

This is to Certify that Miss.. Moureen Moige Oyaro of Kenya Methodist University, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Laikipia, Nakuru on the topic: ANALYSIS OF SECURITY OF RECORDS IN FOSTERING ADMINISTRATION OF JUDICIAL JUSTICE AT NAKURU AND NYAHURURU LAW COURTS for the period ending : 29/April/2024.

License No: NACOSTI/P/23/25476

965925

Applicant Identification Number

Director General
NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION

Verification QR Code

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See overleaf for conditions