THE ROLE OF PUBLIC RELATIONS IN THE BUILDING
THE IMAGE OF THE KENYAN JUDICIAL SYSTEM

By

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at the School of Journalism and Mass Communication, University of
Nairobi.

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DECLARATION

I, the undersigned, declare that this research project is my original work and has never been submitted to any other institution for academic purpose.

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This research project has been submitted to the University to Nairobi School of Journalism for examination with my approval as the university supervisor.

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Mr. Silas Oriaso

(University supervisor)
DEDICATION

This study is dedicated to my two sons Jerry Odumbe and Wayne Odumbe, who have been a constant source of inspiration who have given me the drive and discipline to tackle any task with enthusiasm and determination, my parents Eliazaro Muga and Mary Akello whose love and support enabled the completion of this project, and my late husband Kenneth Odhiambo Odumbe whose death in 2006 prompted me to go back to school (God rest your soul in eternal peace).
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LIST OF ABBREVIATION

FIDA-K — The Federation of Women Lawyers, Kenya

PR — Public Relations

CJ — Chief Justice

TV — Television

UK — United Kingdom

ICPC — International Centre for Policy and Conflict

ICJ — International Commission for Jurists

SPSS — Statistical Package for Social Sciences
ABSTRACT

The objective of this study was to determine how Public Relations (PR) could be used to reclaim or to improve the image of institutions. The study, which was descriptive, selected the Judiciary as a case study to determine how government institutions can engage PR to build their image to the public. The publics, who are the taxpayers, had long lost confidence in their own institutions that use their tax to maintain their operations.

The study intended to survey both the employees of the Judiciary as well as the public, to see if the reforms in the Judiciary have borne any fruit.

Unfortunately, the employees were not surveyed since permission was not granted during the period of study. It was, however, later approved when it was too late to interrogate them. Publics who were attending court sessions were surveyed and the results show that majority still does not have confidence in the operations of the Judiciary. It was observed that majority want the Judiciary to establish a communications office to handle public complaints, compliments and queries.

The results also show that majority of the publics see that there is a difference between the internal image and external image of the Judiciary, thereby citing powerful individuals in the society as controlling the Judiciary.
Majority still believe that justice in the Kenya depends on the social status of that those in conflict.

The study, therefore, recommends that the Judiciary should move closer to people through regular press conferences and establishing a public relations office, which should be upgraded to the level next to the president of the Judiciary.
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CHAPTER ONE: INTRODUCTION

1.0 Introduction

This chapter gives a background to the study that examines the key concepts under the study. These include Public Relations (PR), image of the judiciary, followed by statement of the problem, justification of the study, and objectives. The chapter also gives the scope and limitations of the study.

1.1 Background of the study

The practice of public relations in government institutions lack trust from the citizens making it fail to get the public’s attention. Even though government institutions have been trying to build their image, the citizens, especially those who have had first hand experience with the institutions, do not wish to have anything to do with them. The Kenyan Judiciary has not been left out in the blame. In the structure of the Kenyan Judiciary, the PR department exists, but it is not clear why it has not been actively involved in defending the institution in the face of the public (Judiciary Litigants Charter, 2010).

Citizens feel that the Judiciary has kept them in the dark regarding its operations, yet they (citizens) are the main stakeholders given they are consumers of justice.

The study intends to investigate how PR can help change the image of Kenyan Judiciary.

Simons (1976: 21) defines persuasion as “human communication designed to influence others by modifying their beliefs, values, or attitudes”.

O’Keefe (1990) argued that there are requirements for the sender, the means, and the recipient to consider something persuasive. Persuasion involves goals that are to be achieved by the sender, and communication is the means to achieve that goal.
The public has an attitude that the Judiciary is rotten with corruption and ethnicity. A statement by the Kenya National Commission on Human Rights, The Law Society of Kenya, the Kenyan section of the International Commission of Jurists, and The Federation of Women Lawyers Kenya (FIDA-K) issued on March 20, 2009 entitled *Setting the Stage for Judicial Reforms* stated in part: “The fresh judicial appointments, given the problems that the Judiciary faces are a repudiation of the forthcoming reforms, and an attempt to reflect a false picture that it is business as usual in the Judiciary. A measure of the historical decline of the Judiciary culminated in the post-election violence, which swept aside the Judiciary into a corner of irrelevance. The handling by the Judiciary of the presidential and parliamentary election petitions after the 1992, 1997 and 2002 elections has provided little confidence that the Judiciary can be trusted to provide a fair and speedy adjudication in cases with high political content: the presidential petitions were, in the end, dismissed on a technicality, after significant delays of up to two years. Most of the parliamentary petitions had not been finalized by the time the next elections were held. One of the fundamental duties of the Judiciary is to regulate political competition, by ensuring that the lawyers play within the rules. In the absence of such a role, the country can never achieve political stability. Today, there is no confidence that the Judiciary can play a role in the political stabilization of the country. Its role as a bystander throughout the recent political crisis drives home this point particularly well.”

As stated above and for the sake of the country, urgent reforms are needed in the Judiciary. As once said on the importance of truth by Warren Buffet of Salomon brothers (2000): “If you lose money for the company, I will be understanding, if you lose one shred of the company’s reputation, I will be ruthless.” PR means the actual relationship of the company with the people. That relationship involves more than talk. The company must act by performing good deeds. Because attitudes are enduring, they are neither fleeting nor based on whims. Yet at the same time, attitudes are learned
evaluations; they are not something that people are born with. As such, attitudes are changeable. Finally, and perhaps most importantly, attitudes are presumed to influence behavior.

The PR department in the Judiciary is, therefore, expected to go out to the public and persuade the citizens that the Judiciary is doing everything within its means to improve public service delivery and ensure justice is done people who need it. This way, they may be persuaded to change their attitude towards the Judiciary.

1.1.1 Public Relations

Public Relations (PR) is defined as the practice of managing the flow of information between an organization and its publics. It provides an organization or individual with exposure to their audiences using topics of public interest and news items that do not require direct payment.

Chartered Institute of Public Relations (1984) defines PR as a planned and sustained effort to establish and maintain goodwill and mutual understanding between an organization and its publics. Here, the publics are divided into six: Customers, staff, investors, politicians, and regulators; neighbors and business partners.

The aim of PR is mainly to persuade the public, investors, partners, employees and other stakeholders to maintain a certain point of view about the company, its leadership and products.

PR’s common activities include speaking at conferences, winning industry awards, working with the press, and employee communication.

According to Public Relations Society of America (1982), “Public Relations helps an organization and its publics adopt mutually to each other.” Its essential functions include research, planning, communication, dialogue and evaluation. Therefore, PR is a strategic communication process that builds mutually beneficial relationships between organizations and their publics.
Edward Louis Bernays and Ivy Lee (1900) defined PR as a management function, which tabulates public attitudes, defines the policies, procedures and interests of an organization, followed by executing a program of action to earn public understanding and acceptance.”

Others simply define PR as the practice of managing communication between an organization and its publics. PR disciplines have specific disciplines, which include financial public relations (providing information mainly to business reporters), consumer/lifestyle public relations (gaining publicity for a particular product or service, rather than using advertising), crisis public relations (responding to negative accusations or information), industry relations (providing information to trade bodies) and government relations (engaging government departments to influence policymaking).

Grunig and Hunt (1984) defined PR as, “the management of communication between an organization and its publics (pg. 6). Grunig (1992) held the view that PR practitioners play a central role of organizational boundary-spanner and perform duties of strategic management. The goal of PR is not only in the dissemination of information, but also involves facilitating mutual understanding and resolving conflicts between an organization and its publics. PR today, is a complex profession practiced by hundreds of thousands of people around the world, and in different organizations such as businesses, government agencies, professional and trade associations, schools and universities, hospitals, hotels, and many more.

From a corporate standpoint, PR can help companies in the development of positive images for their businesses. According to Taylor, Maureen, Kent, Michael et al (2005) PR can foster goodwill amongst key audiences, provide crisis management expertise, and coordinate programs and services for government and government agencies, as well as the businesses that work with them. Corporate PR plays an important role as part of the marketing strategy. A media PR is significant in any profit-making organization (Taylor et al 2005).
PR professionals can be employed by a single organization or they can work for PR firms that have many organizations as clients. The study focuses on the role that PR has played in building the image of the Kenyan Judiciary and restoring public confidence in its activities.

The PR staff at the judiciary includes judges, solicitor general, attorney general, human rights group members, and lawyers, among others. PR is important to the Judiciary since it helps it to balance the self-interest of the organization with the interests of different stakeholders, including the general public who affect, or are affected by the organization. By employing PR practice operations; the judiciary could get many people to behave in the ways it wants them to by creating a good image in the media.

A measure of the historical decline of the Judiciary culminated in the post-election violence in 2007-2008, which swept aside the Judiciary into a corner of irrelevance. The way the Judiciary handled the presidential and parliamentary election petitions after the 1992, 1997 and 2002 elections has provided little confidence that the Judiciary can be trusted to provide a fair and speedy adjudication in cases with high political content: The presidential petitions were, in the end, dismissed on a technicality, after significant delays of up to two years.

One of the fundamental duties of the Judiciary is to regulate political competition by ensuring that the lawyers play within the rules. In the absence of such a role, the country can never achieve political stability. Today, there is no confidence that the Judiciary can play a role in the political stabilization of the country.

1.1.2 Background of Kenyan Judiciary

According to National Council for Law Reporting (2003), Kenya’s judiciary system can be traced back to the East African Order in Council in 1897 and crowns made under which marked the
beginning of a legal system in Kenya. The Judiciary was formed to provide and ensure fair and effective administration of justice.

Over the years, however, the Kenyan Judiciary has been faced by challenges in the course of its operations. It has been accused of massive corruption, maladministration, favoritism, human rights abuse, impunity, and injustices across the country. All these led to the public, and other stakeholders, to lose faith and trust in the Judiciary system.

When a new political leadership was elected in 2003, hopes were high that all the challenges that were interfering with operations would be a thing of the past. However, this was not the case. With the promulgation of the new Constitution, new hopes were again created. This was due to the fact that, for the first time, a Supreme Court was created with its president being interviewed and vetted publicly. The same happened to the deputy chief justice, who also happens to be the deputy of the Supreme Court. The other judges of the same court were also interviewed publicly. Judges of the other courts have also been vetted and the public queries on particular judges were, for the first time, allowed to raise those weaknesses. This move elevated the public’s and other stakeholders’ hopes.

The Judiciary has even gone to the extent of changing the dressing code to convince the public on their simplicity and accessibility.

According to the 2003 report, the wearing of wigs, robes, hats, gloves and medals is too colonial. The Judiciary has also been participating in social activities in line with its corporate and social responsibility. The institution has recognized the importance of engaging youth in worthwhile corporate and social responsibilities (CSR) activities and for that matter; the Judiciary has been sponsoring two Premier League teams in the country. The two teams are the Mahakama Football Club, and Eldoret Mahakama Football Club. This has a dual effect on providing forum for youth to engage in productive activities and help in building the sport of football in Kenya. In addition, the
Judiciary employs some of the players in different capacities in various departments within its organization. Members of the Judiciary acknowledge the fact that there are individuals in the society who are disadvantaged and for that matter; both legal and non-legal staffs have, on several occasions, participated in charity events. The Judiciary staff has also been visiting children’s homes with foodstuffs and other necessities to alleviate the needs of the children.

1.2 Statement of the problem

The image of any organization out to serve people is important for its growth. Organizations spend a lot of money restructuring and maintaining image to build and retain public trust. Image building by organizations cannot only be conducted through the media. A survey conducted by Boyd in 1986, showed that different people use different sources of information. Related to this is when the general public had no confidence in the local Judiciary during the disputed presidential elections in 2007. Many people, even those who have never had first hand experience in the courts believed that the local courts could not deliver justice to victims. A measure of the historical decline of the Judiciary culminated in the post-election violence, which swept aside the Judiciary into a corner of irrelevance.

The handling by the Judiciary of the presidential and parliamentary election petitions after the 1992, 1997 and 2002 elections has provided little confidence that the Judiciary can be trusted to provide a fair and speedy adjudication in cases with high political content. The presidential petitions were, in the end, dismissed on a technicality, after significant delays of up to two years. Most of the parliamentary petitions had not been finalized by the time the next elections were held.

It is generally believed that judges and magistrates are either out of touch, or out of sympathy with the concerns of their fellow citizens. What the Judiciary should learn from this perception is that the more information people are given about what the judges and magistrates are doing, and why they are doing it, the less likely they are to believe that there is a gap between their expectations of the judicial system and the reality. The more accurate and reliable the information the public get about
the judges and magistrates, and about their reasons for decisions, the less likely they are to think that judges and magistrates do not understand or share their concerns.

The Judiciary should, therefore, develop an effective communication system to be able to narrow or remove the information gap between it and the public. The PR department in the Judiciary has failed to defend the Judiciary and tell them why it has been quiet on issues whose decisions are supposed to be made by the courts. The public affairs office is expected to communicate to the stakeholders and those affected, why some cases take too long to be decided. Had there been enough confidence in the Judiciary by the publics and other stakeholders, The Hague cases facing some of our politicians and public figures would have been handled locally. It is the duty of the PR office to absolve the Judiciary from negative claims of corruption, favoritism, ethnicity and indifference from the public that has tarnished its image and made the public lose trust in it.

1.3 Research questions

1. What is the difference between the desired image of the Kenyan Judiciary and current image?

2. Do PR activities help in improving or building the image of an institution?

3. What could be the best way of practicing PR to enable the public build confidence in the Judiciary?

4. What role does PR play in the building the image of the Kenyan Judiciary?

5. Do Kenyan publics hold credence in the legal institutions in the country?
1.4 Objectives of the study

The study was based on one general objective and three specific objectives

1.4.1 General objective

To determine PR’s contribution in building the image of Kenyan Judiciary.

1.4.2 Specific objectives

1. To determine to what extent the PR department in the Judiciary has gone in improving its image among the publics.

2. To determine the significance of PR in restructuring and maintaining the image of Judiciary.

3. To establish the extent to which PR activities in the Judiciary persuades the general public to believe justice for all.

1.5 Hypothesis of the study

H₀; PR activities do not contribute to the building of image of judicial system in Kenya.

H₁; PR activities will contribute to the building of image of judicial system in Kenya.

1.6 Limitations of the study and scope of the study

The study was carried out in four court premises within Nairobi County. The four are: Makadara Law Court, Kibera Law Court, Nairobi Law Court and Milimani Law Court. Hired research assistants, experienced in conducting surveys, conducted the interviews. The research assistants were undergraduate students pursuing a degree in Journalism and Media Studies. They distributed
questionnaires to both staff of Judiciary as well as the public who were within the vicinity of the court premises. It was expected that both the legal and non-legal staff would respond to the survey. The study was only conducted in Nairobi County because of the limited time available, financial constraints and geographical location of other courts, which would be useful in the study.

1.7 Justification of the study

In any country, for meaningful development to be realized, the three arms of the government (Judiciary, Legislature and Parliament) must be in a position to perform their duties independently. Justice and accountability have a direct relationship. Independence is properly conceived as relating primarily to judicial-governmental relations (and secondarily to judicial relations with other powerful elites), judicial accountability is better understood as referring, as it does in the case of the rest of government, to institutional accounting to political and civil society. To achieve independence, the Judiciary needs to develop its legitimacy in order to build a power base of support. The best way to improve overall standard of administration of justice would be by getting all the actors engaging in constructive dialogue in a structured manner.

When the public gains confidence in the local Judiciary, we could also experience an economic boost since local and foreign investors will be assured of getting justice whenever they face legal complications in the course of their operations locally. When corrupt activities are minimal, people will be able invest more, and resources will be fully utilized to boost economic growth.

The study, therefore, aimed to insulate the Judiciary from undue influence by other actors and restore its legitimacy and, most importantly, public trust. The study was then to help in creating understanding, support and influencing the general public and other stakeholders in supporting the judicial system. By creating this mutual understanding between the public and the consumers of justice, the staff of judiciary will be in a position to understand expectations of their clients (the
public and other stakeholders) and compare with the current performance, thereby improving service
delivery to the public. If the Judiciary wins public confidence, there is likelihood of donors
contributing a lot to the institution by funding some programs, equipment and even exchange
programs, which are likely to benefit the staff.
CHAPTER TWO: THEORETICAL FRAMEWORK AND LITERATURE REVIEW

2.0 Introduction

This chapter reviews the literature on how PR has been used with specific reference to image building of government institutions. The review includes academic, policy and legal literature on image building so as to redeem and maintain the public confidence in the Judiciary. It looks at global status of PR activities with specific reference to image building. The literature later focuses on how the Kenyan Judiciary has used PR in improving the image of Judiciary. The study looks at how communication can be used in image building in government institutions.

2.1 Background of Public Relations

There is a disagreement among historians on when PR was first practiced, who practiced it first, and where it was practiced originally. Traditionally, Americans have claimed that they invented PR; but Chinese scholars have pointed out that Chinese rulers practiced something resembling contemporary PR more than 5,000 years ago. Even though the first rudimentary practice of PR may have begun thousands of years ago, it has been an occupation only for about 100 years.

It is only recently, however, that PR has developed from an occupation into a profession in many countries. That is, PR has been something that people did to earn a salary; but it has not been a discipline for which they studied to prepare for the work. There was no formal education in PR (The International Public Relations Association, 2003).

PR is an occupation that has been defined more by its techniques than by its theory. According to Reddi; 2009, most PR practitioners have been the masters of a number of techniques. They have known how to secure media coverage, prepare press releases, write speeches, write and design brochures, produce video news releases, lobby representatives in Congress, stage a special event, or prepare an annual report.
In addition to being an occupation defined by techniques, PR practitioners have also devoted most of their efforts to communicating through the mass media. Most have believed that they could affect large numbers of people through publicity alone. Institutions that employ PR staff also believe that they could get many people behave in ways the organizations want through creating a 'good image' in the media.

Today, however, the most sophisticated practitioners have begun to understand that people exercise control over how they use the media to a much greater extent than the media control the behavior of people who use the media, (Reddi 2009). At the same time, neither PR practitioners nor the media create the powerful impressions that usually are called images. Images are nothing more than what people think, and most people think for themselves (Reddi, 2009). They construct their own thoughts — their own images about organizations.

PR practitioners are most likely to help members of publics construct positive images about the organization when they counsel the organization to behave in ways that people outside the organization want. In other words, sophisticated PR practitioners now understand that they must serve the interests of people affected by organizations if they also are to serve the interests of the organizations that employ them (Grunig, 2001).

According to Grunig, 2001 discovered that many organizations do not manage communication programs strategically and that these programs do not make their organizations more effective. How must PR be practiced and the communication function organized for it to contribute the most to organizational effectiveness?

Grunig (2001) developed a theory of the value of PR. We also believed that Public Relations should have value to the larger society as well as to specific organization. To determine this value, we looked at theories of business, social responsibility, ethics, and conflict resolution to identify the
value of public relations to society as well as to organizations. We learned from organizational
type that an organization is effective if it achieves the goals it sets for itself.

Organizational theorists also have pointed out that organizations, like people, do not exist alone in
the world. Organizations exist in an environment, and that environment consists of many groups —
many strategic publics. If people had no relationships with family, neighbors, friends, enemies, or
co-workers, they would have no need to take anyone but they into account and they must coordinate
their behavior with people who affect them and are affected by them.

Organizations also have relationships within their family of employees and with communities,
governments, consumers, investors, and the media. Organizational theorists call these groups' strategic constituencies. PR theorists call them stakeholders or publics. Strategic constituencies or publics make up the environment of an organization. These publics can support or oppose the goals of an organization. They also want organizations to pursue goals that are important to them, but not necessarily to the organization such as jobs for workers, safe products, less pollution, and a safe community. Publics have a stake in organizations, and they attempt to influence the missions and goals of these organizations.

Organizations are effective, therefore, when they choose and achieve goals that are important to
their self-interest as well as to the interests of strategic publics in the environment. Public Relations departments help organizations become more effective by building relationships with publics that affect the organizations or are affected by the organization's activities (Grunig, 2001).

Grunig (2001) also indicates that an organization with good relationships with its strategic publics
may have to incorporate the goals of those publics into its mission. In the long run, it will be able to
pursue its own goals more effectively than it would if it ignored or fought the goals of publics.

As a result, good PR helps an organization make a better image by providing better services to

customers. When the PR department helps an organization build good relationships with publics, it
has value to society as well as to the organization. Organizations practice social responsibility when they take the interests of publics into account as well as their self-interests.

When an organization ignores or opposes the interests of publics, publics typically organize into activist groups to confront and challenge it — the result is conflict. PR, thus, serves society by working with publics to resolve the conflicts that tear societies apart.

The form activism takes may differ, but we believe that publics form around organizations in all cultures and that they find ways to express their dissatisfaction with organizations that do not serve the interests of publics and to support organizations that do, (Grunig, 2001).

Grunig (2001) also argues that PR should be planned, managed by objectives, evaluated, and connected in some way to organizational objectives.

Strategic management theorists distinguish between two kinds of environments — the economic or task environment, and the social or institutional environment. The task environment consists of groups such as consumers, competitors, suppliers, and creditors. They provide the organization with necessary resources and purchase or use the organization's products and services. The social or institutional environment consists of publics that want to help determine the mission of an organization such as governments, communities, stockholders, employees, and activist groups. Publics consist of social groups who respond to the consequences that organizations have on them and in turn, try to participate in management decisions in ways that serve their interests.

PR professionals are experts in using communication to build relationships. PR staff brings out the problems and views of publics — both employee publics and external publics, to the attention of other managers when crucial decisions are made. This makes it possible, through communication programs with publics, for the people affected by these consequences to be aware of them and to discuss them formally or informally with management so that they have an opportunity to influence the final decision that affects them.
According to Grunig, 2006, PR should be an integral part of the management of every organization. The PR function helps the organization interact with the stakeholders in its environment both to accomplish its mission, and to behave in a socially responsible manner. An excellent PR staff cannot serve this role, however, unless research and measurement are an integral part of the function. Formative research is necessary to identify strategic publics with which an organization needs a relationship and to determine how to develop and maintain relationships with them. Evaluative research is necessary to establish the effectiveness of PR programs and their contribution to organizational effectiveness. PR functions as a whole can be audited by comparing them to a theoretical benchmark and by their contribution to the ethical and socially responsible behavior of the organization.

2.2 Global situation of Public Relations

Kortler and Fox, (1985:37) assert that a responsive institution has a strong interest in its publics, programs and services, since people respond to the institution’s image, not necessarily its reality. In understanding institutional image, an organization’s image is not a clear, concise concept, but rather a set of individual’s perception about the institution. An educational institution has multi-faced images that include academic, political, social and perhaps a stylistic dimensions.

According to Šandor&Tripón, 2007, judicial reform process has various causes and takes place in different circumstances, varying from state to state. Some of the influencing factors that influence reforms in public sectors demand that governments be made more accountable for what they achieve with taxpayers’ money. The lack of trust of the citizenry in the public administration system is universal. It is encountered in USA and many of the western European countries where an increasingly pronounced drop in the level of trust of the citizens towards government institutions is manifesting. In addition, there is often inadequate response of many countries to crisis situations (sometimes unintentionally).
According to UKaid and World Vision (2011:1), effective service delivery is touted as one of the key strategies for the reduction of poverty and associated problems.

In Kenya, the delivery of public service has not been entirely successful or effective. The poor road network, incessant unavailability of water, inadequate health facilities and personnel, as well as falling education standards, manifests this.

Reforms have some dimensions (Kettl, 2000, p.1-3): Among them are; providing better services with same amount of money, a client-oriented approach where the institution deals with the question on how to improve the connection and cooperation between the citizens and the public institutions. One possible answer is to change the way in which the citizens are perceived by the public administration; to see them as clients instead of objects to be administered. Decentralization; the institution deals with the question on how to increase the level of efficiency and accountability in the public sector. Several strategies were employed, all of them following the same principle; the transfer of the decision-making and service providing levels closer to the clients. Policies; the institution attempts to ask ways of improving the design and evaluation of public policies. Responsibility; how can the institutions improve the capability to deliver what was promised? The main change in this area is the shift from being accountable toward the law or superior hierarchical levels, to being accountable toward the citizens and placing emphasis on results.

Sándor & Tripon (2007) proposed a model that can bring together the various points of view in a simple and comprehensible and easy to use model. The purpose of this model is to offer a general view of the inner workings of a reform process and, at the same time, bring into full view the fact that reform strategies are influenced by various exogenous factors, throughout all their enfolding.
Sandor & Tripon (2007) argue that political factors are both executive and legislative, where the political will defines the philosophy, goal, direction, rhythm and the means employed in the implementation of the reform. The administrative system contributes in terms of ideas, techniques, and information, instruments that contribute to the implementation of the reform. Society sets the needs, wants and expectations that shape the political choices and the administrative interventions. The administrative capacity provides the level of training, skills, and knowledge of the human resource involved in the reform process; the type of organizations (their organizational characteristics) and their ability to cope with change.
According to Šandor & Tripon, 2007 reform process implements the intentions of the political factors, which are facilitated by the administrative system, wanted by the society and conditioned by the level of administrative capacity of the public sector.

Šandor & Tripon (2007) also say that the reform actions were so numerous that they greatly influence the everyday life of the citizenry; therefore they pay a lot of attention to the reform in the public sector and have clear-cut views about it. Looking at the way in which the citizens and the public servants are considering the efficiency and purpose of the reform efforts, it was viewed that citizens are much more skeptical. Citizens view reform process as less efficient and coherent. This is a good indicator of the difference between the perceptions of those actively involved in the reform process (employees of the public institutions) and the ‘clients’ or ‘beneficiaries’ of the process (the citizenry).

The community plays a reduced role in the functioning of public institutions. Active participation is hindered by the perception that “ordinary citizens do not have a say in the problems that directly affect them”.

The public servants offered an image of an organizational culture based on rules and procedures oriented towards task completion, based on clear objectives, in which a smooth activity is all that matters – typical for public institutions, but also portraying the image of a dynamic and competitive place which accommodates change easily and in which people support each other and (in a moderate fashion) are willing to take chances. Public institutions are not transparent (63.7 percent agreed with that image), are organizations in which politicians have a strong influence (65.9 percent agreement), and for solving your problems you should offer bribes (72.0 percent). The visual aspect of institutions is good (56.6 percent considered them to be clean and well taken care of).

Another aspect is that citizens agree that, “In most cases, the errors of public servants are punished” (74.8 percent agreement). In order to explain this last fact, we should take into consideration the
larger perception about public institutions: Organizations that though perceived as complicated bodies, with not-so-efficient employees and altogether with too much red tape hindering the proceedings, are also perceived as ordered, structured systems. Or, in such systems, one would expect mistakes to be noticed and corrected and those responsible punished. However, if this question would have been followed by another one concerning the severity of the punishment, or the positive effect of such measures regarding the efficiency of the institution, the answers would have taken a different tone. The public servants saw the administrative reform as a needed, but very complicated process, with relatively clear and accepted goals. Inside the triangle central authorities’ local institutions – citizens/community, the reform was seen to have better results at the local institution level, 56 percent being satisfied with the way in which their institution is working (Sandor & Tripon, 2008).

2.3 Judiciary as an institution

North (1990: 3) defines institutions as ‘rules of the game in a society’. To North, institutions are constraints, which shape human interaction and the way that societies evolve through time. However, Schotter (1981: 155) argues that institutions are not rules of the game. Rather, institutions are the behavior that follows from rules. Briefly, he is concerned with what actors do with rules, but not with what the rules are.

North (1990), from his definition of institutions, argues that institutions and organizations are distinct entities. Which organizations come into being and how they evolve through time, is influenced by a society’s rules and norms, that is, by its ‘institutions’. In contrast, some organizational sociologists’ view very little difference between institutions and organizations. For them, rules and norms are institutions, which unfold in tandem with organizational structures and
processes, and changes in organizational forms internalize and reflect changes in the society’s rules and norms.

New institutionalism in organizations assumes that the kinds of organizations that actors create are dictated by the cultural norms and rules in which they are embedded (Powell and DiMaggio, 1991; Zucker, 1988, 1991).

Institutions are so critical for understanding our society. They influence social actors and the organizations that they create. Basic norms, rules, conventions, habits and values of a society are the most fundamental properties of institutions, and are the most enduring and resistant to change — rules, norms, conventions among others, are institutions.

Burns and Dietz (2001) point out that most human activity is organized and regulated by norms and rules and systems of rules. Institutions employ norms, rules, habits, conventions and values that reflect and shape the preferences of actors. Norms, rules, habits, conventions and values influence who and what are included in different types of decision making, how information is processed and structured, what action is taken (Shepsle, 1986, 1989). It is through norms and rules that behavior is judged to be democratic, fair or egalitarian.

Bums and Flam (1987) point out that in any society, there are multiple rule systems. Within a family, there are rules for decision making, often quite different from rules and norms for decision making for a professor in a classroom, or for the customer in a bank. Despite the heterogeneity of rule systems, there are Meta rules and norms, which encompass lesser rule systems. Otherwise, there would be such contradictory rule systems that a society would be paralyzed. Institutions are formed and changed by individuals, just as individuals are shaped and constrained by institutions. But at a macro-level, it is institutions that provide a cognitive framework whereby individuals can cope with their reality.
Quinn (1988) argues that in organizational leadership, there are two roles the organization must not ignore; the "Facilitator role" in which leaders encourage the expression of opinions, build cohesion, and manage interpersonal conflict, and the "Mentor role" in which leaders are aware of individual needs, listen, support legitimate requests, convey appreciation, and facilitate the development of individuals.

2.4 Communication and institutional image

Rajshekhar et al (1994) pick out communication as the best means through which companies can make this image and maintain it. Consumers use different sources of information to form their impressions about a company. Because of such diversity, companies need to always be on the alert as to the right medium to use and the best things to do. Rajshekhar et al, 1994 discuss sponsorship as a means of boosting company image. Increasingly, companies want to write their names as sponsors of some important activities, especially social activities that benefit human beings and lead to development as a means of making them look good before their stakeholders.

A company that creates an identity like one that has the immediate society at heart would definitely enjoy a good image. The importance of organizational image has increased. Outsiders have higher expectations about transparency and organizations’ ability to express who they are, and what they stand for; just as insiders pay more attention to how outsiders perceive their organization. At the same time, the value creation in organizations is increasingly depending on intangibles, where the unique heritage and identity of the organization is part of what enables the organization to create an organizational image, which is appealing to stakeholders. The construct of organizational image is developed in close interrelationship with other constructs such as organizational identity, organizational culture, corporate branding and corporate reputation. This development emerges from the growing overlap between internal and external constituencies and the difficulties organizations
are facing when trying to compartmentalize their activities Schultz (2007).

Stephen & Stephen (2004), finds a positive relationship between corporate philanthropy, sponsorship and the reputation of the company. Even though this seems to stand as independent action, the use of sponsorship by companies is an easy way to communicate the company’s involvement in things that are of importance to the population. This is because social performance increases the identification of the company and informs the stakeholders of what they will consider the core values of the corporation.

Social sponsorship is defined as the corporate social support of causes by a firm, usually used as a promotional tool with the aim of maintaining a good reputation with stakeholders. This includes sponsorship of social activities and philanthropic works according to Simmons C. J. & Becker-Olsen (2006).

Bernstein (1984) argues that low profile companies that are notorious for being passive, uninvolved, avoidant and un-influential, get this poor image from their inability to communicate its works or participate in social activities that involve the public. He explains the choice to keep a low profile as stemming from the risk of communicating poorly. However, poor communication only serves to sever ties between a company and its stakeholders but the lack of it could mean a total absence.

Grey & Balmer (1998) posit that even the names of the companies are enough to communicate its goals. According to McDonald C, 1991, some companies carry out sponsorship with a vague meaning as to what they are doing and thus do not make the effort to do any form of publicity after that. This reveals that when sponsorship is done without adequate communication on what the firm is actually doing, or what its intentions are; it could end up a failure. He notes that due to the lack of passion to follow up social sponsorships and communicate effectively, some companies have resorted to the sponsorship of television programs since it speaks for itself and need no further
communication. He advises that sponsorship deals should be long term in order to create expected results and they should be properly thought of before executing.

Grey & Balmer (1998) proposes that a routine interaction with the stakeholders in order to get their reactions to the company activities and products. According to Bernstein, 1984, a company owes the duty to its stakeholders to communicate because failure to communicate is negative communication. He looks at communication as the best means to get feedback and thus encourage improvement. The company name and identity, partnerships, and social activities etc. are among the many ways used to communicate a good reputation. Action should always be followed by communication and vice versa. This permits the companies to explain the reasons and course of their actions in order to be better understood and to stay alive in the minds of consumers. When all the work is done, companies must give room for feedback from the stakeholders in order to give them the impression that they are being listened to and are important part of the company. Equally, companies should try getting feedback on the activities so as to be sure of the impact their actions have had on their public.

The contemporary media are one of the strongest tools that can be used by a company to remain in the minds of the stakeholders, and to build a good image. Poor relation with the media may get the company into trouble and rip it of its popularity. Bernstein says that the more a company communicates, the more it is able to build a good image for itself. Staying out of public eye is the easiest queue up for a bad image.

Star Bowling (2010) believes in making use of Facebook to get their company known to the public. He also recommends quality service as its main strategy to maintain a good image.

According to Kaplowitz, 1990, the maintenance of a positive national self-image is crucial to continued public acquiescence and support for government, and thus to the smooth, on-going functioning of the state. While national self-images are not positive by definition, negative national self-images make democratic political stability almost impossible. If, for instance, a substantial
portion of Americans were to stop believing that their nation is free, democratic, and benevolent, or were to view America as a terrible, oppressive dictatorship, discontent could lead to disruption or even revolt.

(Tajfel et al, 1971; Wilder, 1981), or simply patriotism, there is a tendency for citizens of many countries to maintain biased, positive perceptions of their own nations. Americans are no exception. Democracy is seen as the best way of doing things, not only because it is seen as the American way, but also because it is viewed as providing the best conditions for human existence.

Narasimha (2009) argues that publicity can be used by the management gain public approval for clients, companies, products or services. The use publicity can be made through media communication such as press releases, leaflets and posters. Publicity achieves its goal when it provides information to its targeted audiences. In publicity, the sources of information are always known and the information disseminated is credible. Handling publicity demands professional skills.

Public affairs according to Kurucerberg (2000), is a specialized area of public relations that involves government relations, legislative and community relations. Public affairs focuses on relationships that have a public concern, which if acted upon by significant group, will have an impact on business activities. This is a highly specialized kind of public relations that involves community relations, government relations.

According to the Kurucerberg (2000), dealing with affairs, which the society is important. In America, for instance, each ministry has public affairs division, which handles public information and public relations. The officers in these divisions are mainly charged with designating a broader public responsibility than public information, which the latter consists of merely dissemination of public information or publicity. The purpose of public affairs is to develop a dialogue between the company and the community. The officials in this division listen to the public and monitor emerging
issues based on the feedback information. The division, therefore, keeps the management informed about any public or government concerns that directly or indirectly affects the company.

Reddi (2000) defines public understanding as a phase where the public information is current practice of establishing and maintaining goodwill and mutual understanding between an organization and its publics. Public opinion and understanding of a particular issue has become the key factors for the success of any organization. Public interest is the first basic principle of PR on which all matters affecting the organizational operations have to be observed. Reddi (2000) argues that institutions function only to serve the public interest reaching organizational goals, the corporation has to serve the interest of its varied public. Good relations are maintained only if such relations are accompanied by actions that serve the public interest.

2.5 Theoretical framework

From the foregoing discussions, it is apparent that the Judiciary could do with some strategies to improve its image especially its relationship with the media and its people’s skill. This study is thus guided by agenda setting, big bang, two-step flow and legitimacy theories.

2.5.1 Agenda setting theory

The Agenda Setting theory developed by Dr Max McCombs and Dr Donald Shaw, suggests that the media is good at telling us what to think about. If there is a hurricane in the US, for example, and the media tells us about it, we all feel affected even though it does not affect our lives directly. The media will have set the agenda by the choices the gatekeepers (editors) have made. This theory describes the “ability (of news media) to influence the salience of topics on the public agenda.” McCombs, (2002). It, thus, means that if a news item is covered frequently and prominently, the audience will regard the issue as important.
2.5.2 Big Bang theory

Rajshekhar et al (1994) also argue that apart from social sponsorship, there is the mass media, which is one of the most effective ways of communicating image. Argenti (1994) and Hooghiemstra, (2000) see the mass media as the main means of communicating with a company’s publics. Big Bang’s theory (a communication theory that purports that the media, especially radio and television has tremendous effect on its audience) of communication proves that media, especially TV and radio, have massive audience. It has become naturally the most accessible way of getting to all the stakeholders of the company at the same time. The need to create and maintain a good image before the stakeholders has grown. Hoogiemstra (2000) argues that to properly communicate this image, there must be use of proper language to echo the positive work being done by the firm. Because the Big Bang theory has been tested and has proven that the media still has a lot of impact on the public, the use of the media and annual reports by firms are the best means to communicate their personality. When a company fails to tell the stakeholders what benefit their existence is to the environment, this lack of communication may give the impression of passiveness and thus a bad image for companies that may be working hard for the environment.

McDonald (1991) argues that very few companies have actually conducted any research to find out the impact of a good image on its sales, but most companies are still holding to the opinion that their survival in the market depends on what the stakeholders perceive of them. Companies are working hard to maintain a good image in the minds of their stakeholders in order to keep their customers, attract and keep shareholders, attract outstanding employees, gain competitive advantage, look beneficial in the immediate environment in which they find themselves, gain government approval and favors.

According to Preece et al (1995), mission statements and social sponsorship are the main means used by firms to promote their image or reputation. Besides these factors, there must be the use of
proper communication. Communicating company’s activities is the only means of bonding with the stakeholders and getting them to see the company, as management would like them to. Failure to communicate may spell speculation, leave the public with no knowledge of what to expect of the offers made by the company, and may gradually lead to its failure.

Grey & Balmer (1998) presents the media as the greatest threat to all works done by a company to get a positive picture. According to them, companies need to work hand in glove with the media in order to communicate their activities and gain the media’s approval. While other actions like good product quality could communicate a good name on its own, companies need to communicate their social sponsorship activities, their financial statements, and their plans of action in order to get favorable ratings from the stakeholders.

2.5.3 Two-step Flow theory

The Two-step Flow theory builds on the reality that it is not always possible to get your message to your intended audience since a filtering process facilitates communication, whereby we have an opinion leader who filters the message down to their followers. People will look up to the opinion leaders for information, but the question is, where do the opinion leaders get their information, and how do they form their opinions? If organizations have to seek positive opinion from the publics, they must identify opinion leaders and then reach them through the media. This theory helps us understand how media influences our decisions and refines our ability to predict the effects of messages from media on the behavior of audiences.

If companies work hard to protect their image, they keep a positive picture in the minds of their publics at the mention of the company’s name. Since the stakeholders of each company are diverse, they usually have to work hard to satisfy the demands of all the publics like the government, shareholders, consumers, and immediate environment.
Grey & Balmer (1998) reveals that due to the reputation held by the financial services like banks in the UK; the parliament has consistently passed legislations to suit them since they are identified with their efforts towards building societies.

According to Nakra, 2000, the growing liberalization of the world markets and the presence of new technology have brought an influx of information to the public. Within this confusion, it is necessary for the companies to stand out distinct and appeal to the customers in ways that will make them notice the industry through their uniqueness in communication, which will bring attachment to their brand.

Grey & Balmer (1998) posit that even the names of the companies is enough to communicate its goals and may even determine the rate of sales and how competitive a firm can get in the market. Some organizations go to the extent of changing their initial names and adopting new ones to disassociate them with the former management. A case study of the UK firm, the Woolworth Group that after facing a bad image due to scandals caused by its retail stores, changed its name to Kingfisher in order to communicate the large size of its operations and to distance itself from the previous poor image. The new name alongside a change in the communication strategy that included putting the new brand name Kingfisher on all communications with investors, the city and financial media while still operating its retail stores under various brand names, helped to increase the sales and get it a winning image before the public.

Leadership assessment has both personal and professional dimensions. The process of building leadership image, however, rests on prior expectations about the leader. As others have pointed out, the process of leadership image building is also captive to the course of events (Kerell, 1978; Kinder, 1981; Mueller, 1970) and the disposition of political resources (Lang & Lang, 1983). In building images of leadership, elected officials, the media, and the public put more weight on some aspects of image building than on others. Because these three constituencies go about the process of leadership
image-building in different ways, it is not surprising that the resulting images diverge. The play of images helps to explain the success or failure of institutions.

2.5.4 Legitimacy theory

Hoogiemstra (2000) looks at the image of a company through the legitimacy theory. According to this theory, the survival of a company is dependent on the extent to which the company operates within the bounds of the society. This means that companies that do not seem to affect their immediate publics in a positive manner may be set to leave the market sooner than later. Norms of society are gradually changing; companies need to depend on corporate reporting (communication of its activities) to prove that they are changing with the changing environment. Corporate reporting, in this case, will have to be geared towards self-laudatory, which will show the stakeholders what the firm is doing for the environment like reducing pollution, maintaining quality, sponsoring events close to the hearts of the people.

2.6 The role of Public Relations

According to Reddi (2000), Public Relations play a critical role in building the reputation of a company based on its vision, mission, goals and performance. Charted Institute of Public Relations, London defines PR as being about reputation, the result of you do, what you say and what others say about you. The practice of PR is the discipline that is concerned with reputation of organization with the aim of caring, understanding and support Reddi (2000).

Litigants Charter (2010: pg. 4-5), the vision of Kenyan Judiciary has been to “be the best in Africa, setting the highest standards in the delivery of quality justice and leading development of jurisprudence”. Its mission statement has been to “provide an independent accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the constitution of Kenya”.

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The charter further says that staff will give accurate, consistent and up to date information about, for instance, hearing dates of cases, and other procedural issues and provide reasonable decision.

Ironically, Judiciary transformation framework (19th October 2011:pg5), there has been excessive bureaucracy and silo mentality amongst organizational units and court system; backlog of interventions; multiplicity of Judiciary reform reports with as many recommendations and conflicting implementation approaches; implementation activities saddled, which many committees without line management accountability for results; blatant disregard for performance and financial audits; artificial work load occasioned by unfilled approved vacant positions; remuneration imbalances due to ad hoc salary grading and compensation structures where for example, magistrates are poorly remunerated relative to other court officers; weak institutional and staff performance management systems; absence of steering and accountability mechanism for coherent and sequenced reform interventions; inadequate implementation capacity of recommended institutional reforms by the various task forces.

On April 26, 2012, the International Center for Policy and Conflict (ICPC), commended the Judges and Magistrates Vetting Board after the verdict on the suitability and competence of the judges of the Court of Appeal. In its statement, the ICPC said that, “the board has sent a strong message for both the incumbent and new appointees of the judiciary in Kenya.” It noted that the board has exercised its work with absolute thoroughness and set a very high threshold on vetting and observance of virtues like integrity and credibility of members of the Bench in Kenya and; (ICPC), argued that the Judiciary ought to be the first to make sure that the Constitution is respected and adhered to. ICPC also recommended that the process of vetting of judges and magistrates be made more open and participatory to allow more public involvement in the process.

On November 11, 2011, President Kibaki expressed confidence that judicial reforms would be achieved under Chief Justice Willy Mutunga. He said that the current judicial system was enjoying
goodwill from Kenyans and expressed confidence it was capable of serving Kenyans efficiently under Mutunga’s leadership.

“Kenyans are looking forward to an efficient judicial service. Strive to serve Kenyans diligently,” the president advised. He asserted that there was need for various arms of the Government to work closely for the benefit of all Kenyans and in the interests of the majority.

“We are in office for a specific period of time. We must serve the nation and its citizens with commitment,” President Kibaki stated.

In his statement at State House, on November 11, 2011 the Chief Justice (CJ) reiterated that the Judiciary had started an ambitious process to reduce case backlogs and stem endemic corruption so as to restore the justice system’s long lost credibility and transform it into a world-class institution. The reforms will revolutionize the country’s justice system; improve human rights, and business environment – besides lowering costs for the public and businesses. The move is expected to raise the country’s competitiveness by also making it easier for companies to operate by reducing the time it takes to resolve business disputes.

During a ceremony to mark his 120 days in office in October 2011, the CJ said he intends to reduce the waiting period for appeal cases from the current average of six years to less than a year. While giving a progress report on the transformation of the Judiciary at the ceremony, Mutunga said the users of the court system had expressed frustrations with the Judiciary’s case management system, including officers who report to work late, sit for very short periods, and casually adjourn cases, contributing to close to a one million case backlogs.

Strategic plan (2009-2012: 36) among the strategic objectives of the Judiciary is to improve the image of the judiciary to restore public confidence in the institution. The Judiciary continues to face allegations of corruption, backlog of cases, and limited access by the public, cumbersome rules and
procedures amongst other issues. These have eroded the confidence of the Kenyan people in the Judiciary. A new initiative will be mounted to reverse this trend through the establishment of a communications department, amongst other things.

Another strategic objective of the Judiciary is to establish a communication department; a communication center manned by professional staff to oversee all communication matters. Adequate information will be disseminated to the public and other stakeholders to enable them understand the court process.

Another strategic objective of the Judiciary is to develop a communication policy. It aims at developing a policy that will boost the image of the Judiciary by opening up channels of communication. It aims at improving efficiency and effectiveness and being responsive to the needs and concerns of litigants and stakeholders in service delivery.

Another strategic objective of the Judiciary is to establish dialogue with stakeholders; the Judiciary depends on other stakeholders in the exercise of its mandate. In this regard, structures for linkages with partners will be strengthened through various activities such as establishing court users committees, formulating bar-bench relations committees, and holding regular open days.

Reddi (2009: 414-415) says that the media is a process by which organizations attempt to achieve maximum media coverage of public relations information both in print and electronic media. It is a measure to create knowledge among the publics and gains made in understanding towards organizational goals. Good media relations are created and maintained only through honest and newsworthy and public interest information provided in an atmosphere of mutual trust and understanding between public relations and media.

The objectives of media relations include: Improving better relations with media persons and media organizations; changing the attitudes and behavior of target audience; improving company or brand
image; increasing marketing share; influencing government policy at local/national and international levels; improving communications with stakeholders, financial analysts and investors; creating awareness, knowledge and gaining public understanding.

A study done by ICJ Kenya Volume 5 revealed that 47 percent of the respondents did not understand the various court divisions and where each case should be filed. 10 percent of the respondents did not understand the role of a judge in the judicial system. 51 percent of the respondents did not understand the role of the executive officer. When asked if the respondents understood the role of a process server 50 percent of them did not understand. When the respondents were asked if they know the main source of information on the judiciary, newspapers were considered the largest source of information on matters pertaining to the judiciary. Other sources (3 percent) included other people and information gained at school. When respondents were asked if they have ever had a problem with locating which court to attend, 39 percent of the admitted that they have experienced difficulties. The study further reported that majority of the respondents who had a problem locating the court they were to attend were assisted by the court security guards.

It is imperative that subordinate court staff receives training in gender equity and equality standards, general etiquette and public relations, as they are the regular point of contact with the public who might be seeking assistance. In terms location of courts, 32 percent reported that the courts were easily accessible. It was also reported that 85 percent of the respondents agreed that Kenyan lacks enough judges. 50 percent of the respondents said that their cases had been delayed due to constant case adjournments, 85 percent were aware of dispute resolution at the village level, while 79 percent of the respondents thought that the judiciary is corrupt. Majority of the corruption witnessed in court involved either a magistrate (17 percent), or a court clerk (16 percent). One respondent felt that litigants should be included as part of the persons who practice corruption.
Muthigani (2009) did a study in which the respondents gave suggestions on how best public relations services can be improved in the government. Some of the points they outlined included; that government should admit to the wrongs it has committed, practice proactive public relations and not reactive public relations, and that PR practitioners should research on their publics and then try to deal with their crisis appropriately. The study also found out communication channels used by the government should be improved especially radio, television and newspapers to give clear information and not contradictory one. The study found that public relations practitioners while performing their duties, face several challenges including under-funding or budget constraints, lack of properly trained expertise in the department, lack of recognition, poor perception of information coming from government by members of public, hostility of the media/poor media relations and poorly coordinated public relations programs.

2.7 The place of Public Relations in organizations

According to Raymond, 1965, PR has no customary position in an organization. Depending on its importance to the organization and its placement, it can do the most to further the objects sought. PR officers may report to the president or to be incidental function of secondary department. The chief responsibility may rest with several people in different parts of the organization or may not be assigned to anybody at all (Raymond Simon 1965).

Among the factors that influence the function of the PR in the organization according to Raymond (1965) could be the attitude of the top management; whether the management has high regard for PR. The functions of PR are directly under the responsibility of the president or chairman in the organization. The officer in charge of PR function is usually given the vice-president status. If the top executive does not believe in the role of PR in the organization, then its function may be relegated to the middle management or may not even exist.
Raymond (1965) says that most of top executives take PR seriously if, and only if, they are convinced that the effectiveness of the stature of the company’s PR program is to succeed. In his book *Perspectives in Public Relations*, Raymond (1965) quoted some company executives saying that if the director of PR reports to a chief executive officer who does not fully understand, or is not in sympathy with it, the PR objectives will not succeed. Raymond further quoted another company executive saying that the effectiveness of PR depends on the stature of the people who staff it and on recognition it is given within the company.

Raymond said that the newness of PR as a profession in an organization also influences recognition given to the profession. The market type is another factor that influences if the organization’s decision to give the profession a recognition/position. A company that produces consumer goods gives PR a better position to deal with the public compared to parastatals, which provide services to the public but are never held accountable. The size of the company could also influence the location of public relations in the company. General organizational policy where large organizations have a high degree of specialization and separate status and are made to report to top administrative officer, whereas in small organizations, PR can report to a small departmental head.

In the Kenyan Judiciary, the position of Public Relations head is down the structure.
The current organizational structure of Kenyan judiciary as in the diagram below:

In the diagram above, PR is given the same weight as any other department in the Judiciary. It is in the same class with departments like accounts, personnel, registries, procurement, audit, planning and transport. It implies that the PR department, which sells the image of Judiciary to the public, is viewed by the management, as a minor department. In other organizations, PR is given a number two slot after the CEO.
2.8 Summary of literature review

Institutional image is how publics view the institution’s performance — it is people’s perception about the institution. The main objective of the Kenya Judiciary according to its charter, is to provide an independent, accessible responsive forum for the just resolution of disputes in order to preserve the rule of law and protect all the rights and liberties guaranteed by the constitution of Kenya. Ironically, the judiciary has been doing the opposite of what the charter says.

The model showing the structure of the judiciary (above) indicates that the PR department has a role in communicating with the public. It is for this reason that the study intends to establish if the department’s officials are actually playing their roles effectively since from the literature review, it has the stakeholders including the executive admitting that there is an urgent need to change the face of Judiciary.

The president of the Judiciary was quoted saying, “An ambitious process to reduce case backlogs and stem endemic corruption so as to restore the justice system’s long lost credibility and transform it into a world-class institution. The reforms will revolutionize the country’s justice system; improve human rights and business environment-besides lowering costs for the public and businesses.”

According to Reddi, 2009:415, a PR manager must create a rapport with all editors in the media. The creation of direct contacts with media helps the organization to handle serious issues whose perception towards that particular organization could have otherwise tarnished the reputation of the organization halted before it goes to public. The public relations profession is, therefore, a 24-hour affair and needs a manager who is accessible 24 hours. Through appropriate media strategy and tactics, the publics are in a position to obtain information of both services and action plans designed as part of campaigns besides grounding all plans. Communication programs of any campaign are meant to change the attitudes of both external and internal audience — (Reddi, 2009:407)
In the study done by ICJ, it appears that most of the corruption in the judiciary is high at the bottom and gets lower as one goes up. For instance, it was reported that corruption is high among the court clerks and low among judges.

According to the literature review, it was noted that the role PR plays in the redeeming the image of government institutions has not been done. It appears that most studies fail to recognize the role of PR department in any organization that is handling the public, yet this is a profession that does the role of communicating to the public and also getting public’s feelings about what the organizations offer. PR department gets feedback from the public, communicates to them, and explains the actions of organizations.
CHAPTER THREE: RESEARCH METHODOLOGY

3.0 Introduction

This is a section in the study that looks at the procedures and methods of analysis. Specifically, this chapter involves the description of site, the scope of study, target population, the sample size, sampling method, distribution of questionnaire, and data collection.

3.1 Research design

The study was a descriptive survey aiming to determine the contribution of PR in building the reputation the Kenyan judiciary. A descriptive study was done in order to ascertain and describe features of variables in a situation. Cooper and Emony (1995), argue that the objective of the descriptive study is to learn how, who, where, when and what of the topic. In this case, the study was meant to determine how public relations can help turn around the image of Kenyan Judiciary.

Survey is perhaps most commonly used method of research. Baskin et al (Baskin et al, 1997:114) have defined survey as a “careful, detailed examination of the perceptions, attitudes, and opinions of members of various publics.”

According to Babbie, 1989: 237, surveys can be used for descriptive, explanatory and exploratory purposes. They are also used in studies where individuals constitute the main units of analysis. This study used descriptive survey whereby the researcher was seeking to describe how PR department within the Judiciary can be used to win public confidence in the institution. The study also describes how the judiciary lost its image. Stratified and systematic sampling design was used where the publics and staff from these two court jurisdictions will be sampled.
3.2 Population of the study

This is a complete set of individuals, objects, and elements with similar observable characteristics. A particular population has some characteristics that make it possible to differentiate it from other population for the purpose of the study according Mugenda and Mugenda (2003).

In the study, the population is the general public attending court sessions and employees of the judiciary. Employees in this case refer to both legal and non-legal staff. It is estimated that there are nearly 120 courts in the country with Nairobi County having the leading in the number of courts (ICJ Kenya Volume V). The Judiciary has nearly 4000 staff. The target population was 80 people within the court premises, and 20 employees of the courts, including court clerks.

3.3 Sample size

Since it would be impossible to study the entire population in the study, a survey study was necessary. The sample studied is a representative of all the stakeholders of the Judiciary and would represent the population to be studied including the rich, the poor; those seeking help from the courts, and the court staff. A sample of 80 people attending court sessions and 20 employees of Judiciary was to be sampled. Sampling techniques was used since managing the whole population target was impossible. When taking the sample, the sample size should be defined as consistently as possible with the aim of the study.

In this study, sample survey was carried in two courts in Nairobi County and these courts are, Kibera Law Courts and Nairobi Law Court. The study aimed to sample the Chief Justice’s office, and the publics who are the consumers of justice and a few staff members of the Judiciary, including those from the department of public affairs or public relation.

The sample size in this case targets 80 people of which nearly 20 respondents are expected to come from the Judiciary, with remaining 60 targeting the general public. The survey was carried out at the
two courts to yield categories of publics who are living in the slum (Kibera Law Courts) and those ones from town (Nairobi Law courts). This was aimed at ensuring that the sample population is representative of both the privileged and less privileged population. The choice of sample was then stratified and systematic sampling design. All those publics and staff around the court premise at the time the survey was conducted had an equal chance of being selected for an interview.

3.4 Research site

The study was carried out on all stakeholders in the Judiciary in Kenya. A field study was conducted in two courts, which were randomly selected in order to represent the population with a margin error that is statistically determined. The courts surveyed are based in Nairobi County.

3.5 Data collection procedure

The study used both primary method of data collection. Self-administered questionnaires were used to collect primary data. Questions were designed in such a way that the respondents were expected to reveal their opinions and perception of PR on turning around the image Kenyan Judiciary. Self-administered questionnaires are viewed to be more effective than face-to-face interview. The research assistants were expected to take the questionnaires to their offices where they (staff) would be requested to fill them.

3.6 Data analysis method

Once the research assistants had collected the distributed questionnaires, the data was organized, coding done, then descriptive statistics was used to analyze it. A statistical package SPSS was used to give appropriate results that presented measures of dispersion, frequencies and measures of central tendency. These measures included mean, variance, standard deviation and percentages. Besides, the result obtained would be presented through simple graphs to show the extent to which
public relations has actually affected reputation of Judiciary system in the country. Standard deviation was used to determine the varying degrees of difference in which public relations influenced the reputation of Judiciary in Kenya.
CHAPTER FOUR: DATA ANALYSIS AND PRESENTATION OF FINDINGS

4.0 Introduction

This chapter presents the results obtained after the survey was conducted among members of the public who attended court sessions and employees of Judiciary in Nairobi. Questionnaires were randomly distributed to persons attending court sessions who were within the court premises at the time of study. Although the study aimed at surveying both members of the public and employees of the Judiciary, it was not possible to interview the employees of the Judiciary. This was occasioned by the fact that permission was necessary for the survey to be conducted. The officer who was to give permission was away for a considerable time during the period of study, thereby making it impossible to conduct the survey among the employees (Judiciary).

The results analyzed were based on those of the public. After collecting the filled questionnaires, they were coded; a Statistical Package for Social Sciences (SPSS) was used to analyze data and to generate descriptive statistics like frequency tables and bar charts. 80 questionnaires were distributed to members of the public within the court premises and the response rate was 100 percent. All the questions were filled, making the survey a 100 percent successful.

4.1: RESEARCH FINDINGS

Table 1: Gender of the respondents

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>44</td>
<td>55</td>
</tr>
<tr>
<td>Male</td>
<td>36</td>
<td>45</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*
The table above shows that 55 per cent of those who responded were female while the remaining 45 per cent were male. This is an indication that majority of people with cases in the courts are female.

**Table 2: Age Group**

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>26-30 years</td>
<td>20</td>
<td>25</td>
</tr>
<tr>
<td>31-35 years</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>36-40 years</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Above 45 years</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Below 25 years</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The above table indicates that 25 per cent of the respondents were between 26-30 years, 10 percent were between 31-35 years, those who were above 45 years were 10 percent, 5 percent were between 36-40 years while the 50 percent were below 25 years. 50 percent of the respondents were below 25 years old, an indication that most crimes are committed by young people who are below 25 years of age, probably due to joblessness.

**Table 3: Level of education**

<table>
<thead>
<tr>
<th>Level of Education</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-graduate</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Secondary</td>
<td>24</td>
<td>30</td>
</tr>
<tr>
<td>Tertiary</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The above table indicates that 50 percent of the respondents had attained a secondary level of education. Those who had attained a post-graduate and undergraduate level of education each had 10 percent of respondents, while the remaining 50 percent of the respondents had a tertiary level.
Most of the people with cases in courts, it appears, are college-going students. From these results, it appears that the lower the level of education one has, the higher the chances of committing an offense.

Diagram 1: Level of education

![Diagram showing level of education]

Level of education

Table 4: Ongoing case

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>24</td>
<td>30</td>
</tr>
<tr>
<td>Yes</td>
<td>56</td>
<td>70</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The above table shows that 70 per cent of the respondents have ongoing cases while the remaining 30 per cent do not have. Most of those who did not have cases had either finalized their cases or were there to accompany a friend or relative who had an ongoing case. The results indicate that there is a backlog in cases as most respondents still have cases that have not been completed.
Duration

The above bar chart indicates that 20 percent of the respondents to the study have cases that have taken between 2 to 4 years, while 30 percent had no case. 40 percent had cases that had taken less than 1 year, while 10 percent had cases that had taken 5 years and above. Most respondents have cases that have taken less than one year. The judiciary could be on the right track in fast tracking cases to cut on backlog that has dogged it for a long time.

Table 5: Communication when case adjourned

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>64</td>
<td>80</td>
</tr>
<tr>
<td>Yes</td>
<td>16</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*
The above table indicates that 80 percent of the respondents did not receive proper communication while 20 percent received proper communication. Those who said that they were not informed when their cases adjourned reported that there was no any form of communication, as they expected a phone call, mails or even a message on the court's notice boards despite the delays, but it was not forthcoming. This is an indication that the courts do not have any channels whatsoever to communicate to their clients. They have not established a system where they can be in touch with their clients, leaving the clients frustrated.

Diagram 3: Source of information about Judiciary

![Diagram showing the source of information about the Judiciary.]

The researcher sought to find out the main source of information for the respondents. The diagram above shows that 25 percent of the respondents obtain such information from legal publications, 20 percent from newspapers, 5 percent from radio, while 50 percent reported that they obtain Judiciary-related matters from television. Television, thus is the main source of information for most people
and the judiciary should make a point of utilizing it for their maximum benefit and enhance their relationship with their clients.

**Table 6: Problem accessing courts**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>56</td>
<td>70</td>
</tr>
<tr>
<td>Yes</td>
<td>24</td>
<td>30</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The table above shows that 70 percent of the respondents reported that they had no problem accessing courts, while 30 percent they had difficulties. The small percentage that had problems accessing courts is still an indication that the courts still need to improve on the directions within their premises to completely eliminate these problems. Some respondents said they had missed their court cases due to the time it had taken them to locate the courtroom.

**Table 7: Need of a communications office**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The above table indicates that 100 percent, all the respondents, want a communication office. The respondents when asked to explain why the Judiciary should have a communications office reported that by establishing a communications office, the public would easily know how to follow up court proceedings. Some argued that for proper communication with the public to take place, there is need for a communications office. It is expected that this will improve ties with public. Some respondents
also argued that they get lost in courts, as accessibility is, at times, a nightmare. To avoid getting lost, there is need for communications office through customer care, which will guide the public who are headed for court proceedings thereby avoiding unnecessary confusion.

Some of the respondents also reported that by establishing a communications office, efficiency would be improved. Further, some feel that they need offices, where their questions can be answered. Through these offices, the people of Kenya will have a say in the way in which the Judiciary and courts work since the staff will be interacting with the public. This will promote friendliness and fairness between the Judiciary staff and the general public thereby inculcating the values of accountability openness, humility and honesty in the organizational culture of the Judiciary.

**Diagram 4: Difference between external image of the Kenyan judiciary and the internal image**

![Diagram showing difference between external and internal image of the Kenyan judiciary]

The above diagram shows that 25 percent of the respondents believe there is no difference while 75 percent of those sampled believed there is a difference. Those who said that there is a difference argued that politicians and powerful individuals are still controlling the Judiciary. Some said that people with money still buy justice thereby arguing that despite the new Constitution, corruption is still rife in the institution. Some people also see the Judiciary as a complex institution where even
accessing courts is a nightmare. They argued that the rich offenders are not been taken to court. The 'small' are the ones facing justice compared to those in power or well connected who buy justice. Those people who argued that there in no difference said that since a new Constitution was passed, there have been radical changes where judges are vetted publicly. Some said that even the mighty nowadays face the law. The public, who were of the opinion that there is no difference, said that they have never seen before, a chief justice going to the slum people to talk to them like the current Chief Justice did when he visited Korogocho slums, saying that the image of the judiciary has changed.

When asked what measures should be taken to improve the image of the Judiciary, it was observed some people want to see powerful people brought to justice, while some said they want to see cases getting cleared without delays, while some of the respondents said that Judiciary must be a corruption-free zone, duration of cases to shortened and some said that a fair judgment was their main concern.

**Table 8: Powerful individuals controlling the Judiciary**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Yes</td>
<td>72</td>
<td>90</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The study sought to know if powerful individuals in the society control the Judiciary. The above table indicates that 8 percent of the respondents do not believe this theory while 90 percent believe that the Judiciary is under the control of powerful people. This is an indication that the majority feels short changed whenever they have a case against a powerful person or a senior person in society. Most respondents said that these powerful individuals always buy their way out of the cases.
Table 9: Use of press conferences to improve the image of the judiciary

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequent</td>
<td>32</td>
<td>40</td>
</tr>
<tr>
<td>Moderately undertaken</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>Rarely undertaken</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>Very frequent</td>
<td>24</td>
<td>30</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The table above and the bar graph below indicate that most respondents, 40 percent, felt that press conferences should be frequently undertaken, an indication of the urge people have for information from the judiciary. 15 percent felt that the use of press conferences should be moderately undertaken, while another 15 percent felt that press conferences should be rarely undertaken. 30 percent of them were of the view that the use of press conferences should be very frequently undertaken by the PR department to sell the image of Kenyan Judiciary.

Diagram 5: Use of press conferences to improve the image of the Judiciary
Table 10: Establishment of a complaints department to improve the image of Judiciary

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequent</td>
<td>20</td>
<td>25</td>
</tr>
<tr>
<td>Moderately undertaken</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>Very frequent</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>Very rarely undertaken</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: Field data 2012*

The above table shows that 25 percent of the respondents feel that there should be a complaints department, 15 percent said that the establishment of a complaint department should be moderately undertaken, 50 percent reported that it should be very frequently undertaken, while 10 percent reported that this should very rarely undertaken. Half of the respondents saw the need for a complaints department an indication that people have so many issues they want tackled by the judiciary, but they have no one or nowhere to express their discontent.

Diagram 6: Judiciary should apologize for past mistakes
The bar chart above shows that those who suggested that the Judiciary should frequently apologize for its mistakes were 35 percent. The same percentage said the apologies should be moderately undertaken. Those who feel that it should be rarely undertaken and very rarely undertaken were 10 percent respectively. Those that reported that this should be moderately and very frequently undertaken each accounted for 35 percent of the respondents. Most of the respondents were of the opinion that the Judiciary owes them and even the nation an apology. They particularly pointed out the post-election violence of 2008 as the worst-case scenario of the poor performance by the Judiciary. Others had personal issues with some following up on appeal cases after their relatives were sentenced for offences they never committed.
In the diagram above, only 5 percent of the respondents felt that this should be frequently undertaken. Those who said that it should be moderately undertaken and should rarely undertaken each accounted for 15 percent respectively, while those indicated this should very frequently undertaken accounted for 20 percent while those who want this to be very rarely undertaken accounted for 45 percent. Most respondents were not keen on the logo sighting that it added no value to their cases.

Table 11: Use of right communication channels

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Should be moderately undertaken</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Should be frequent</td>
<td>20</td>
<td>25</td>
</tr>
<tr>
<td>Very frequent</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>Should be very rarely undertaken</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Field data 2012
The study attempted to know if the right communication channel should be used to improve the image of Kenyan Judiciary and the table above indicates that 10 percent reported that this should be moderately undertaken, 25 percent said it should be frequently undertaken, 50 percent indicated that it should very frequently undertaken while 15 percent indicated that this should be very frequently undertaken. Majority agreed that the Judiciary needs to use the right communication channels. Most of these respondents were people whose cases had been adjourned severally but they never got any information on the adjournments.
CHAPTER FIVE
SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This study hypothesized that PR can improve the image of the Judiciary.

Most respondents to this study had cases in the Judiciary. However, only a few of them had cases that had taken longer than expected, implying that the Judiciary is now on the right course in ensuring that justice is dispensed in good time.

The study found out that when cases were adjourned, majority (80 percent) of those affected never got any communication from the Judiciary, an indication that the Judiciary still has the problem of communicating with its clients. The study also revealed that television is the main source of information for Kenyans, thus the Judiciary should make use of television a lot to communicate.

Most people still have a problem accessing courts, thereby raising concern on how to avoid confusion when attending court sessions. The study thus observed that people would want the Judiciary to have a communications office where they can get clarification on matters pertaining to justice, deferment of cases, and giving directions on which court a particular case goes to, as majority of people believe that Judiciary matters are complex. People feel that justice should be brought closer to the public but this is only possible if the PR office operates effectively. Some people feel that decisions made in courts are not fair, but they do not know how to appeal and where to appeal, unless they get assisted by those who do that, and at a cost.

According to the study, majority (75 percent) of respondents see a difference between external and internal image of the judiciary. They argue that externally, justice is for all, yet when an ordinary citizen goes to court with a powerful individual over a dispute, the decision will favor the mighty/the powerful individual. Respondents argued that justice is for the wealthy people in the society. Some argued justice in courts is bought.
Majority of respondents in the study felt that press conferences should be held frequently (regularly) by the judiciary to brief people on the operations of the courts. This will enable people to ask questions on what they do not understand in the justice system.

The study also established that a complaints department should be established within the Judiciary to handle citizens’ complaints in order to improve the Judiciary’s image. Some respondents concurred that the Judiciary should apologize for its past mistakes as this would improve the perception people have of the Judiciary. A majority of respondents opposed a suggestion that the Judiciary logo should change to improve its image; to them this would affect the operations at the Judiciary, as it would confuse people.

A suggestion that the right communication channels be used to improve the image of the Kenyan Judiciary was supported by majority of the respondents.

Most of the respondents (55 percent) to the study were women, a pointer that majority of people with cases in courts are female. The findings further revealed that a half of those sampled in the study were below the age of 25 years, followed by ages between 26-30 years at 25 percent. 10 percent of the respondents were of ages between 31-35 years, while the remaining 5 percent were above 40 years. This can be interpreted to mean that crime rate is high among the young people and reduces as the ages go up.

In the study, it was discovered that majority of the respondents were either in college (50 percent), while those who had achieved an undergraduate or post-graduate level, each accounted for 10 percent of the respondents. College students who are below 25 years, it appears, commit most crimes. Secondary school leavers followed this list. It may imply that the lower the level of education one has, the higher the chances of committing crime.
The study revealed that most (40 percent) of the cases had taken less than one year to complete, while those whose cases had taken more than 5 years were 10 percent. This is a good indicator as it implies that the delay of cases in the courts has been minimized.

The study further revealed that there could be a communication problem in the judiciary as 80 percent of those with cases reported that there was no communication when their cases were adjourned. It also revealed that majority of Kenyans obtain information relating to Judiciary through the television with a few obtaining such information through the radio, yet most people, especially in the rural areas, own radios — it is clear that the Judiciary needs to utilize radio more.

The respondent when asked to explain why the Judiciary should have a communications office reported that: By establishing a communications office, the public would easily know how to follow up court proceedings. Some argued that for proper communication with the public to take place, there is need for a communications office, as this would improve ties with public. Some respondents also argued that they get lost in courts, as accessibility to courts was, at times, a nightmare. Therefore, there is need for a communications office through customer care, which will guide the public headed for court proceedings, thereby avoiding unnecessary confusions and delays.

Some of the respondents also reported that by establishing a communications office, efficiency would be improved. Further, some respondents felt that they need offices, which answer their questions. Through the communications office, the people of Kenya would have a say in the way in which the Judiciary and courts work, since the staff would be interacting with the public. This will promote friendliness and fairness between the Judiciary staff and the general public, thereby inculcating the values of accountability openness, humility and honesty in the organizational culture of the Judiciary.

Majority of the public believe that the external image of the Judiciary is different form internal one and, therefore, there is need to improve it, as majority still believed that justice, in the Kenyan courts,
is bought especially by powerful individuals. Some of the people sampled had the opinion that there is no difference between the external and internal image of the Judiciary.

Some respondents reported that the cost of hiring a lawyer is out of reach for the common citizen and hiring legal professionals has been left to the rich in the society. This can be proved by the fact that, in the study, majority of those implicated in court cases were young people expected to be in college, or in school. It appears that most of those implicated are school dropouts.

The study sought from the respondents what the courts should do to earn public approval, and the measures they should take to improve the image of the Judiciary. The observation that came out is that some people want to see powerful people brought to justice. Fortunately, the new Constitution has seen many ‘big fish’ seeing the doors of courts and eventually, prison — a relief to many Kenyans.

Some respondents felt that cases should be cleared fast without delays. They want the duration of the cases shortened and the Judiciary to be a corruption-free zone. Other respondents’ main concern is fair judgment. 90 per cent of them believed that powerful individuals still control the judiciary.

5.1 Conclusion

The study has established that PR could contribute to improving the image of the Judiciary through the establishment of effective PR divisions within the Judiciary system. Most people, according to the study, do not understand the operations of the Judiciary. The Judiciary, in its management hierarchy, placed PR at the same level as other departments like accounting, procurement, and others, which are far much down the ladder of the Judiciary structure, yet a PR department is very important. The Judiciary should reconsider its placement of this department to win back the citizens’ trust. It is also worth noting that mass media is emerging as a crucial tool through which
communication intended to reach the public should be channeled. It is, thus, appropriate for the institution to have regular (weekly, monthly or quarterly or bi-annual) press conferences, open days, or have a common Short Messages Service (SMS) number where people who need assistance can communicate. Continuous correspondence with the citizens is what is core and this can only be done through the right channels, which only a strong PR department can champion. The desire of Judiciary is justice for all.

5.2 Recommendations

Based on the findings of the study, the researcher recommends that the Judiciary should organize regular press conferences to brief the public on their work and get their feedback. The Judiciary also ought to use the right communication channels to reach as many people as possible and this is where the mass media comes in. They should also open a communications office operating under the division of Public Relations.

The Judiciary should, at least once a year, hold an open day where the public will be informed on how it operates and how to face challenges that citizens encounter whenever they have court matters. It is in such forums that they can answer questions regarding alleged corruption and favoritism of the powerful by the Judiciary.

Whenever there are any complaints and compliments, the Judiciary should receive them positively, accept them, and respond objectively at the soonest time possible.

To further enhance a positive image, the Judiciary staff should be trained in such a way that they treat people with courtesy, dignity and respect. Most people feel that court staff is aloof and indifferent to the needs of clients within court premises.
The Judiciary’s operations should be such that no cases are delayed so that justice done, and done without delay, since justice delayed is justice denied. Every citizen should get justice regardless of his/her social status in the society, to eliminate the notion that they favor the rich and powerful.

The study recommends that the Government should provide adequate funds to enable the Judiciary transform its operations for the better. The State should also ensure that other organs like the police force, Attorney General’s office, Prisons authorities and other non-governmental organizations work closely to ensure that the thirst for providing justice to all Kenyans is achieved. It should provide any other assistance that may hinder the work of Judiciary.

For successful operations, all parties should uphold the Constitution to enable the Judiciary to operate efficiently.
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APPENDIX 1: QUESTIONNAIRE (COURT OFFICIALS)

My name is Dorcas Anyango Muga, a postgraduate student at the School of Journalism and Mass Communication at the University of Nairobi. As part of the degree requirement in my postgraduate program, I'm carrying out a study on "The role Public Relations in building the image of Kenyan Judiciary". I, therefore, request that you provide information as required by this questionnaire; any information that you provide will be kept confidential and will be used only for the study and the results then availed to the interested party afterwards. Thanks for your valuable time in filling this questionnaire.

Kindly return the completed questionnaire.

Instructions:

. Please respond to all questions.

. Answer the questions in the spaces provided or tick where applicable.

. The information you provide will be treated with utmost confidentiality.

1. Name

(Optional)...........................................................................................................................................................

2. Gender

Male..................................................................................................................................................................

Female............................................................................................................................................................

3. Age group

Below 25 years....................................................................................................................................................

26-30 years........................................................................................................................................................

31-35 years.....................................................................................................................................................
36-40 years
41-45 years
46 years and above

4. Highest level of education
Primary
Secondary
Tertiary
Undergraduate
Post-graduate

5. How long have you served in the Judiciary?
Less than 5 years
6-10 years
11-15 years
16-20 years
21-25 years
Above 25 years

6. Management level
Low level
Middle level
Top level

7. Is there a PR department in the Judiciary?
Yes....................................................................................................................................................................

No...................................................................................................................................................................

If yes...

8. Who is responsible for the appointment of Public Relations officer?

Don’t Know...........................................................................................................................................................

Public Service Commission .................................................................................................................................

Judicial Service Commission............................................................................................................................... 

Chief Justice office..............................................................................................................................................

Office of Registrar of Judiciary............................................................................................................................

9. Who speaks on behalf of Judiciary?

Public Relations officer........................................................................................................................................

Chief Justice.........................................................................................................................................................

Do not know...........................................................................................................................................................

Others..................................................................................................................................................................

10. Who does Public Relations Officer report to?

Chief Justice..........................................................................................................................................................

Judicial Service Commission.................................................................................................................................

High Court Registrar..............................................................................................................................................

11. Before and after reforms in the Judiciary, do you think the image of the Judiciary has improved?

Yes ......................................................................................................................................................................

No......................................................................................................................................................................

If yes...
13. To what extent do you think the reputation has improved?

Not much............................................................................................................................................
To a great extent................................................................................................................................
If no...

Briefly explain why the image has not improved..............................................................................
...........................................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................

14. In your opinion, do you think some powerful forces control the operations of the Judiciary?

Yes........................................................................................................................................................
No........................................................................................................................................................
If yes...

Briefly explain who controls its operations?
...........................................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................

If no, briefly explain................................................................................................................................
...........................................................................................................................................................

Do you think there is a difference between the external image and internal image of the judiciary?

Yes........................................................................................................................................................
No........................................................................................................................................................

Briefly explain you answer above
15. Does the judiciary have specific communication channels for the public?

Yes......................................................................................................................................................

No......................................................................................................................................................

16. If yes, which are the main communication channels?

If no, briefly explain.............................................................................................................................................

16. How often do you communicate with the public, especially regarding cases pending in court?

Rarely........................................................................................................................................................

Often......................................................................................................................................................

Quite often................................................................................................................................................

Very often...................................................................................................................................................

17. Which mode of communication does the Judiciary mainly use to communicate to the general public?

Internet/mail................................................................................................................................................

Print media................................................................................................................................................

Electronic media.........................................................................................................................................

18. The Judiciary may seek to communicate to its clients through the media. A likert scale 1-5 has been used to rate your assessment on how the Judiciary has used media in the past.

72
1. Very rarely undertaken .................................................................
2. Rarely undertaken .................................................................
3. Moderately undertaken ...........................................................
4. Frequently undertaken ............................................................
5. Very frequently undertaken ......................................................

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<th>Activity</th>
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<tr>
<td>To sell its vision, mission and core values</td>
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<td>Whenever there are reforms to be made</td>
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<td>Whenever the judicial officers are transferred or recruited to the bench</td>
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<td>Whenever Judicial officers are vetted</td>
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<td>Whenever the Judiciary wants an honest and confidential feedback from the public</td>
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<td>Whenever there is Corporate Social Responsibility, sponsored by the Judiciary</td>
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<td>To create public awareness on certain activities within the Judiciary</td>
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<tr>
<td>Internal communications</td>
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19. What do you think the Judiciary should do through Public Relations department to improve its image? Using a likert Scale of 1-5

Where
1 represents strongly disagree
2 represents disagree
3 represents not sure
4 represents agree
5 represents strongly agree

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<td>Use press conferences</td>
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<tr>
<td>Use the right communication channels</td>
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20. For the judiciary to establish an effective communication strategy, what do you recommend they should do in order to win public confidence?

Thank you for your cooperation
APPENDIX 2: QUESTIONNAIRE (PUBLIC)

My name is Dorcas Anyango Muga, a post-graduate student at the School of Journalism and Mass Communication at the University of Nairobi. As part of the degree requirement in my postgraduate program, I’m carrying out a study on “The role public Relations in building the image of Kenyan Judiciary”. I, therefore, request that you provide information as required by this questionnaire; any information that you will provide will be kept confidential and will be used only for the study. The results will then be availed to the interested party afterwards. Thanks for your valuable time in filling this questionnaire.

Kindly return the completed questionnaire.

Instructions:

Please respond to all questions.

Answer the questions in the spaces provided or tick where applicable.

The information you provide will be treated with utmost confidentiality.

1. Name
(Optional)......................................................................................................................................................

2. Gender

Male...............................................................................................................................................................

Female............................................................................................................................................................

3. Age group

Below 25 years............................................................................................................................................

26-30 years......................................................................................................................................................

31-35 years....................................................................................................................................................
36-40 years..............................................................................................................
41-45 years ..............................................................................................................
Above 45 years........................................................................................................

4. Highest level of education

Primary.....................................................................................................................
Secondary..................................................................................................................
Tertiary.....................................................................................................................
Undergraduate........................................................................................................
Post-graduate.........................................................................................................

5. Do you have an ongoing case?
Yes...........................................................................................................................
No.............................................................................................................................

6. If yes, how long has the case taken since it began?
Less than 1 year......................................................................................................
2-4 years..................................................................................................................
5 years and above....................................................................................................

8. Was there any proper communication about the adjournment of the case?
Yes.........................................................................................................................
No...........................................................................................................................

9. Briefly explain your answer above
...............................................................................................................................
10. What is the relationship between you and the court?

Defendant.................................................................
Witness...........................................................................
Spectator......................................................................
Advocate......................................................................
Plaintiff......................................................................
Reporter......................................................................
Others.........................................................................

11. Do you think the legal systems in the courts are complicated?

Yes..........................................................................
No............................................................................

12. What is your main source of information on Judiciary?

Television......................................................................
Newspaper....................................................................
Radio...........................................................................
Legal publications......................................................
Judiciary......................................................................

13. Have you ever had a problem accessing the courts?

Yes..........................................................................
No............................................................................

14. If yes. Who assisted you locating it?

Court official...........................................................
An advocate....................................................................................................................................................
A relative.....................................................................................................................................................
A spectator..................................................................................................................................................

15. Do you think the Judiciary should have a communications office to communicate with people whenever their cases are adjourned?

Yes..............................................................................................................................................................
No............................................................................................................................................................... 

16. Briefly explain your answer above.............................................................................................................. 

................................................................................................................................................................

Do you think the external image of the Kenyan judiciary is different from the internal image?

Yes........................................................................................................................................................
No..........................................................................................................................................................

Briefly explain your answer..............................................................................................................................

................................................................................................................................................................

17. Briefly explain what you, as the public, use to measure improvement in the judiciary.

................................................................................................................................................................

18. In your opinion, do you think some powerful forces control the operations of Judiciary?

Yes...............................................................................................................................................................
19. What do you think the Judiciary should do through Public Relations department to improve the image of Judiciary?

Where;
1 – Should be very rarely undertaken
2 – Should be rarely undertaken
3 – Should be moderately undertaken
4 – Should be frequently undertaken
5 -- Should be very frequently undertaken

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Thank you for your cooperation