European Journal of Business and Strategic Management (EJBSM)

Influence of Organizational Resources on Performance of Agencies Constituting the National Council on the Administration of Justice in Kenya

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Strategy





Abstract

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> Article History Received 10th December 2023 Received in Revised Form 22nd December 2023 Accepted 30th December 2023



How to cite in APA Format:

Mekolela, A., Deya, J., & Kariuki, P. (2024). Influence of Organizational Resources on Performance of Agencies Constituting the National Council on the Administration of Justice in Kenya. *European Journal of Business and Strategic* Management, 8(4), 26–46. https://doi.org/10.47604/ejbsm.2251 Purpose: Strategy implementation drivers are elements that shape an organization's strategy and determine important success elements, long-term prosperity, and essential value propositions. The National Council on the Administration of Justice in Kenya comprises of state and non-state actors in the administration of justice. They play a role in establishing and maintaining a favorable environment for the economic, social, and political development of the country as envisaged in Kenya's Vision 2030. The agencies in the administration of justice have formulated strategic plans but despite the existence of strategic plans, they have been criticized for underperformance with the implementation of the strategic plans being marred with challenges which include; clogging up of the Justice system with petty offenses, systemic, structural and agency challenges, low rate of successful prosecution of serious offenses and justice system being skewed against the poor. The purpose of this study was to determine the influence of organizational resources on the performance of the agencies constituting the NCAJ. With a specific objective to establish the influence of tangible, intangible, and human resources on the performance of the agencies constituting NCAJ and to assess the moderating role of the regulatory environment on the relationship.

Methodology: The study was anchored on resource-based theory. The study used a descriptive correlational survey research design and utilized both qualitative and quantitative data. The study's unit of analysis was the 36 institutions that comprise the NCAJ while the unit of observation was 231 drawn from the top and middle-level managers with a sample of 164 obtained using the Yamane formula. Primary data was collected by use of interviews and structured questionnaires administered by trained research assistants. Secondary data was collected from reports of NCAJ. A pilot study of 10% of the sample frame was conducted and those who participated in the pilot study were excluded from the final study. Cronbach's alpha and exploratory factor analysis were used to test for reliability and validity of the data collection instrument. Both descriptive and inferential statistics were used to analyze data with the help of the SPSS tool. Descriptive statistics was presented by use of measures of central tendency and measure of variability in tables while inferential statistics was presented by use of a regression model.

Findings: The study found that tangible resources, intangible resources, and human resources have a significant and positive relationship with the performance of the agencies constituting the NCAJ. Thus, the study concluded that there is a strong significant positive relationship between organizational resources (π =.560 and p<0.05) and the performance of the agencies constituting the NCAJ. The study also found and concluded that Regulatory Environment has a moderating influence on the relationship between organizational resources and the performance of the agencies constituting the NCAJ (π =.241 and p<0.05).

Unique Contribution to Theory, Practice and Policy: From the findings, the study recommended that NCAJ should enhance their tangible, intangible, and human resources as this will help to increase resource reliance in Organizations. Moreover, it will assist firms in increasing productivity, increasing employee loyalty and morale, and making organizational operations run more smoothly. The study provides empirical evidence for policy formulation in the area of administration of justice, a contribution to the existing literature on the influence of organization resources and organizational performance, and an affirmation of the resource-based theory.

Keywords: Organizational Resources, Tangible Resources, Intangible Resources and Human Resources and Performance of Agencies Constituting NCAJ

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INTRODUCTION

Strategic management is the integrative management field that combines analysis, formulation, and implementation in the quest for competitive advantage (Rothaermel, 2017). Strategic management is the art and science of formulating, implementing, and evaluating, cross-functional decisions that enable an organization to achieve its objectives (David, 2011). According to Higgins (2005), strategy implementation is composed of the following strategy elements: and purpose, structure, systems and processes. style(leadership/management style), staff, resources, shared values(organizational culture) and strategic performance. The extant literature reveals that some drivers are associated with effective strategy implementation such as; organizational structure (Buya, 2019), leadership (Yeok Mui, Basit, & Hassan, 2018), organizational culture (Warnerfelt, 1984) and organizational resources (Thakor & Pitroda, 2020).

Barney (1991) defines resources as all assets, capabilities, organizational processes, firm attributes, information, knowledge, etc. controlled by a firm that enable the firm to conceive of and implement strategies that improve its efficiency and effectiveness. Mwazumbo (2016) cites Wernefelt (1984) who suggests that the employment of organizational resources effectively could lead to organizational performance. According to Mintzberg (2019), Organizational resources are important strategy implementation drivers that impact positively on performance. Resources-based inquiries in the field of strategic management have focused on identifying resources that have the attributes that resource-based theory predicts will be important for firm performance and examining whether the predicted performance exists (Barney, 1991). It intends to explain the circumstances under which firms may achieve competitive advantages based on their possessed resources and capabilities. Resources and capabilities, organizational capital equipment. Intangible resources include patents, brands, capabilities, organizational processes, firm attributes, information, and Knowledge (Teece, Pisano, & Shuen, 1997).

Mwai, G. M., Namanda, J. M., & Katuse, P. (2018) posit that the internal resources of the different firms in the same sector are usually heterogeneous. While a well-formulated strategy, a strong and effective pool of skills and human capital are extremely important resources for strategy success. Mwai *et al.*, (2018) support the importance of human resources in implementing strategies in organizations and clarify that for a strategy implementation to succeed, top management must be heavily involved in monitoring and reviewing the progress of each strategic program created by the company. Gottschalk (2009) in a study of law enforcement strategy implementation; the case of police intelligence strategy noted that strategy implementation is important because failure to carry out strategy can cause lost opportunities and leave police officers reluctant to do strategic planning. The Norwegian Police Directorate has a strategic plan which according to the document, all police districts in Norway had to complement the strategy (Gottshalk, 2009). The strategy execution task is commonly the most complicated and time-consuming part of strategic management. In contrast, strategy formulation is primarily an intellectual and creative act involving analysis and synthesis.

The constitution of United Republic of Tanzania 1977 guarantees access to justice to every citizen and places upon the shoulders of the Judiciary, the responsibility to ensure that justice is accessible to every citizen of Tanzania or non-citizen who seek justice (The Judiciary of



Tanzania, 2020). Tanzania's development vision 2025 underscores the importance of a modernized and strengthened judiciary and administration of justice stakeholders to propel Tanzania to become a middle-income status country by 2025 (The Judiciary of Tanzania, 2020). According to the The Judiciary of Tanzania (2020), the Five year Judicairy Strtategic Plan 2015/16-2019/20 was aligned to the Tanzania Development Vision 2025 as a way of the Judicairy of Tanzania's own response to the challenges facing access to justice and administration of justice. Thus, the strategic plan enabled the judicary to plan, design and implement short, medium and long -term strategies to deliver citizen-centric Judicairy services. Needless to say, the implementation of the Strategic Plan (2016/16-2019/20) met challenges such as the issues realting to change of mindset both within and outside of the Judiciary and other statkeholders in the administration of justice (The Judiciary of Tanzania, 2020). Kapema (2021) notes that Tanzania judiciary launched a strategic plan 2020/21-2024/25 anchored on governance, accountability and management of resources, access to justice and expeditiousness and Puiblic trust and stakeholder' engagement as a way of attaining Tanzania Development Vision 2025. Howver, a repeort by LHRC (2020) highlighted various challenges related top criminal justice, including slow speed of investigation when suspects are in custody or in prisons and delays in cases.

The Department of Justice and Constitutional Development of South Africa derives its mandate from the constitution of the Republic of South Africa. The National Development Plan sets out a vision for building and maintaining safe communities in South Africa through among other things, strengthening the criminal justice system (Government of South Africa, 2022). The vision is in terms of the government's 2019-2024 medium-term strategic framework. The work of the Department of Justice and Constitutional Development aligned with this priority in that a well-functioning criminal justice system provides relief to victims of crime protects vulnerable groups and swiftly acts against perpetrators of corrupt activities (Government of South Africa, 2022).

Kenya's public sector has experienced consistent failure in the implementation of strategies, which hinders realization of set goals. Alexander (2011) notes that the implementation, which entails translating the strategy into operational and functional actions, appears to be one of the most difficult managerial activities faced by many organizations. Despite formulating attractive and result-oriented strategies, many organizations face difficulties in implementing their formulated strategies. The Kenya's legal system is based on its statutory law, English common law, customary law and Islamic law. It has evolved from the inherence of its English common law tradition to modern day system adapting to the changing in Social, Economic and Political trends. The judiciary, being a major stakeholder, has undergone some changes to enhance its ability to administer justice fairly and efficiently. There have also been reform measures in the justice sector that have targeted corruption in the judiciary and the administration of justice actors. The culmination of which has been the launch on 11th August 2011 of the National Council for the Administration of Justice under section 34 of the Judicial Service Act (No.1 of 2011) (Kenya Law Reports, 2011).

The National Council on the Administration of Justice (NCAJ) plays a key role by establishing and maintaining a favorable environment for the economic, social, and political development of the country as envisaged in the Kenya Vision 2030. Among the key functions of the sector are the administration of justice, correctional services, legal advice and services to government agencies, promotion of integrity and fight against corruption, and



enhancement of national values and ethics, which are enablers for macro-economic performance (The National Treasury & Planning, 2019). The sector has planned to implement political and institutional reforms, which include; the enactment of new governance institutions at national and county levels, civic education, transparency and accountability, and rule of law (The National Treasury & Planning (2019).

The study measured the performance of agencies constituting the NCAJ in terms of efficiency and effectiveness with which NCAJ met its objectives by meeting the planned outcome without waste or within minimum use of energy, money, labor, and time resources (National Council on Administration of Justice, 2021). Similarly, performance was the extent to which the mandate and objectives of the NCAJ were achieved. The construct of performance was compactly associated with; a coordinated, efficient, effective, and consultative approach in the administration of Justice and reform of the justice system, implementing, monitoring, evaluating, and reviewing strategies for the administration of justice and review of legal and policy frameworks for the entire justice sector.

Statement of the Problem

The administration of justice is a crucial and strategic part of any system of governance, playing a fundamental role in maintaining the rule of law, observance of human rights, and contributing to social-economic growth. According to Judiciary (2020), Kenya's Constitution recognizes the need for citizens to have a government based on the values of human rights, equality, freedom, democracy, social justice, and the rule of law. Article 10(2) (b) of the Constitution envisions a free and open society founded on human dignity, equality, equity and freedom. NCAJ is a high-level policymaking, implementation, and oversight-coordinating mechanism mandated to ensure a coordinated, efficient, effective, and consultative approach in the administration of justice and reform of the justice system for the betterment of the Kenyan society (Kenya Law Reports, 2021). Kijirah (2021) opined that the full implementation of the objectives is directly linked to the attainment of the Agenda 2030 and the sixteenth Sustainable Development Goal on the promotion of peace, justice, and strong institutions.

The National Council on Administration of Justice developed a strategic plan to actualize the attainment of objectives in the administration of the justice sector (Legal Resources Foundation Trust & NCAJ, 2017). The first strategic plan; 2017-2021 contained the following vision for the sector; a unified Justice sector that serves the people with strategic objectives; to review legal and policy frameworks for NCAJ and the entire justice sector, to strengthen the institutional operation framework for NCAJ and its members, to mobilize resources for efficient administration of justice and to coordinate, monitor and evaluate strategies on the administration of justice (Judiciary, 2020). The current strategic plan for 2021-2026 contains a vision; to be a coordinated and cohesive justice sector serving the people of Kenva (Judiciary, 2020). However, despite there being a strategic plan in place, there existed implementation challenges. The Legal Resources Foundation Trust & National Council on the Administration of Justice (2017) conducted a comprehensive audit of Kenya's Criminal Justice System with a focus on pre-trial detention focusing on Case-flow management and conditions of detention. The audit identified institutions that have a constitutional mandate to deliver justice to Kenyans and the important role they play. The audit further identified that the Criminal Justice System is largely, skewed against the poor; service delivery to the public



is below public expectations, and institutions in the criminal justice system need legislative policies and reforms.

In a report by Ngenye (2018) titled; 'Finding a Cure of Kenya's Criminal Justice System', she noted that justice should not only be done but also be seen to be done. There is every reason to believe that the criminal justice system unfairly targets the poor. Conversely, the rich perceive crime as a 'low-risk, high-profit' business because the chances of apprehension, prosecution, and conviction are remote. In the report, she identifies that the criminal justice system is clogged-up with petty offenses, which stands at 68% at the entry point, further; all actors in the Justice Chain have a lot of systemic, structural, and agency challenges requiring urgent attention. Moreover, there is a disturbingly low rate of successful prosecution of serious offenses with, for example, only 5% of sexual offenses attracting a guilty verdict. Offenses such as organized crime and capital offenses have the highest rate of acquittals and withdrawals, which means that freedom is procured at the expense of justice. Buya (2019) posits that the current public demand for justice has led to intense pressure on strategy implementation drivers among agencies charged with the role of administering justice in Kenya. Agencies constituting the NCAJ use their strategy implementation drivers such as human resources, financial resources, flexible organizational structure, strong organizational policies, and employee commitment to execute effective strategies and enhance strategic performance.

Kodiaga & Kamau (2022) in their article; seeking and Finding Justice outside the formal court system established that two-thirds (65%) of Kenyans who had contact with the courts complained of long delays in resolving their cases, 57% of them could not obtain legal counsel while 47% being unable to pay the requisite fees. The solution to these challenges lies in the successful implementation of the established strategic plan by the NCAJ and the actors in the administration of justice. Specifically, the influence of organizational resources on the performance of agencies constituting NCAJ in Kenya.

Several studies have been done in the area of strategy implementation drivers and the performance of organizations, for example; a study by Sorooshian, Norzima, Yusof, and Rosnah, (2010) on 'Effect Analysis on Strategy Implementation Drivers; examined the structural relationships between strategy implementation and performance within the small and medium manufacturing firms; south of Iran. The variables used were Leadership, Structure, and Human Resource Management as the drivers of implementation. Similarly, a study by Buya (2019) on the 'Determinants of Strategy Implementation in Administration Police in Kenya: A Case Study of Coast Region' asserts that Strategic Leadership, Organizational Communication, Organizational Culture, and stakeholder engagement have a significant positive relationship with performance. Nwachukwu, Hieu, Chladkova, & Fadeyi, (2019) conducted a study on 'Strategy Implementation drivers in correlation with strategic performance among mobile telecommunication firms in Nigeria. The drivers used include; human resources, financial resources, Structure, policy, and employee commitment. The study found a significant and positive relationship between the drivers and strategic performance.

The above studies focused on several strategy implementation factors that influence organizations, Small and medium Enterprises, and Multi-National Corporations in general. However, little attempt has been made to establish strategy implementation drivers; specifically, the influence of the driver of organizational resources and performance of



constitutional bodies such as those constituting the National Council on the Administration of Justice; in Kenya, further, the studies did not use either a moderating or an intervening variable in the relationship between independent and dependent variables. Buya (2019) recommends further study with a moderating variable. Similarly, Nwachukwu, Hieu, Chladkova, and Fadeyi, (2019) used subjective measures to operationalize strategic performance and a quantitative research approach to examine the relationship hence a research gap. The study therefore sought to determine the influence of the organizational resources and the performance of agencies constituting the National Council on the Administration of Justice in Kenya.

Objective of the Study

The objective of the study was;

- i. To determine the influence of organizational resources on the performance of agencies constituting the National Council on the Administration of Justice in Kenya.
- ii. To establish the moderating influence of the Regulatory Environment on the relationship between organizational resources and the performance of agencies constituting NCAJ

Hypothesis

- **Ho1:** There is no significant influence of organizational resources on the performance of agencies constituting the National Council on the Administration of Justice in Kenya
- **H**₀₂: There is no significant moderating influence of the Regulatory Environment on the relationship between organizational resources and the performance of agencies constituting the National Council on the Administration of Justice in Kenya.

Theoretical Review

Resource-Based Theory

The Resource-Based View (RBV) analyzes and interprets the internal resources of the organizations and emphasizes resources and capabilities in formulating a strategy to achieve sustainable competitive advantages (Barney, 1991). Resources may be considered as inputs that enable firms to carry out their activities. Internal resources and capabilities determine strategic choices made by firms while competing in their external business environment. The RBV takes an 'inside-out' view or firm-specific perspective on why organizations succeed or fail in the marketplace (Dicksen, 1996). A firm's abilities also allow some firms to add value to the customer value chain, develop new products, or expand in the new marketplace. The RBV draws upon the resources and capabilities that reside within the organization to create sustainable competitive advantages. According to RBV, not all the firm's resources will be strategic and hence, sources of competitive advantage. Competitive advantage occurs only when there is a situation of resource heterogeneity and resource immobility.

The RBV has helped identify the basis by which the resources and capabilities of a firm serve as sources of stained competitive advantage (Warnerfelt, 1984) and (Peteraf, 1993). As such, resources and capabilities are fundamental underpinnings of any source of advantage (Rumelt, Schendel, & Teece, 1991). The question of a resource's value is generally confirmed in two ways. First, if a resource is used to reduce a firm's cost, it can be valuable (low-cost resources). Second, if a resource is used to increase a firm's revenue, it can be seen as



beneficial (differentiated resources). Therefore, valuable resources may be used to implement new strategies to improve efficiency and effectiveness (Barney, 1991), improve customer satisfaction, and reduce cost. Further, Barney (1991) states that a resource must have the following characteristics Rare, Imperfect immitability, and non-substitutable. Knowledge has unique characteristics that make it the most important and valuable resource in an organization. Hamel and Prahalal (1994) argue that knowledge, know-how, intellectual assets, and competencies are the main drivers of superior performance in the information age. Evans (2003) suggests that knowledge is the most critical resource of a firm. Evans (2003) pointed out that material resources decrease when used in the firm, while knowledge assets increase with use.

Core knowledge is the basic knowledge that enables a firm to survive in the short term, thereby gaining a temporal competitive advantage. Advanced knowledge provides the firm with similar knowledge as its rivals and allows the firm to actively compete in the short term and achieve competitive parity. Innovative knowledge gives the firm its competitive position over its competitors, leading to a sustainable competitive advantage. A firm with innovative knowledge can introduce innovative products or services, potentially helping it become a market leader (Zack, 1997). The resource-based theory is relevant to this study since as a managerial framework the managers of the agencies constituting the NCAJ will use it to determine the strategic resources an organization can exploit to achieve its objectives.

Conceptual Framework



Figure 1: Conceptual Framework

Empirical Review

Mwai, Namanda, and Katuse (2018) conducted a study on the influence of organizational resources on organizational effectiveness in Non-Governmental Organizations in Kenya and noted that resources are the tangible and intangible assets a firm uses to choose and



implement its strategies. Internal resources of the different firms in the same sector are usually heterogamous. While a well-formulated strategy, a strong and effective pool of skills, and human capital are extremely important resources for strategy success, poor leadership in the utilization of resources is one of the main obstacles to successful strategy implementation, leading to failed organizations. The study found that there is a positive and significant correlation between organizational resources and organizational effectiveness. Further, the distribution of resources leads to a positive influence on an organization's ability to meet its organizational effectiveness. However, the study recommends keen attention be given to why staff empowerment neither significantly influenced stakeholder satisfaction nor supported goal attainment.

Zoogah, Peng, and Woldu (2015) researched institutions' resources and organizational effectiveness in Africa. The study noted that the role of resources and capabilities as drivers of organizational effectiveness is a keystone in resources-based theories. Given that exogenous factors are critical, integration of industry resources complements thus overall, the extent to which organizations combine industry-specific and firm-specific resources can influence their effectiveness in formal and informal sectors.

Ismail, Rose, Uli, and Abdalla (2012) examined the relationship between organizational resources, capabilities, systems, and competitive advantage among manufacturers in Malaysia. Competitive advantage was from the perspective of 'value and quality', the main elements of which are described as; cost-based, product-based, and service-based. Their findings indicate significant, positive effects of organizational resources, capabilities, and systems collectively on competitive advantage, providing support and corroboration to the resource-based view. The limitation of their research is that the generalizability of their findings is not recommended given the sample only captured the perception of a single respondent, which is the top management per manufacturer at a single point in time.

Ongeti and Machuki, (2018) focused on the organizational resources and performance of Kenyan State Corporations. The study tested the influence of organizational resources on the performance of Kenyan state corporations. Through a cross-sectional descriptive survey, data on resources and performance were obtained from 63 Kenyan state corporations and analyzed using both descriptive and inferential statistics. The findings report a statistically significant relationship between aggregated organizational resources and performance. However, organizational resources could only explain 8.3 percent of the performance of Kenyan state corporations. Results of the independent effect of disaggregated organizational resources indicated a statistically significant results were reported for the effect of organizational capabilities on performance. The findings provide partial empirical support for the resource-based theory by supporting the postulations that resources possessed by an organization influence performance by establishing the independent contributions of each resource to performance.

Mbeche, Wainaina, and Njihia, (2017) focused on the influence of organizational resources on the performance of ISO-certified organizations in Kenya. A cross-sectional research survey design was adopted. Primary data was collected from a sample of 282 ISO-certified organizations by use of a questionnaire, and secondary data was obtained from the financial statements of 27 ISO-certified organizations sampled. Descriptive statistics was used to analyze the proportions of the variables and a multiple regression model was used to estimate



the effect of organizational resources on the performance of ISO-certified organizations. The findings show that abundant organizational resources reduce performance.

They sought to assess the relationship between human resource management practices, ethical climates, and organizational performance, the missing link: An empirical analysis. The purpose of the study was to assess the influence of human resource management practices, (recruitment and selection) and organizational performance through the mediation role of ethical climates in Nigerian educational agencies. Quantitative data were collected from 181 educational agencies represented by the director of administration; Smart PLS-SEM was used in testing the relationship, as well as testing the mediating effect of ECs. The results revealed strong support for the mediating role of ECs in the relationship between human resource management practice (recruitment and selection) and organizational performance.

Gakenia (2015) focused on the organizational resources and performance of mobile phone companies in Kenya. The study used a combination of explanatory design and descriptive survey research design, specifically cross-sectional design. The target population consisted of 381 respondents and the sample size was 170 respondents from the four mobile phone companies in Kenya. The research adopted a stratified random sampling technique. The study used mainly primary data. The findings indicated that human capital had a positive significant effect on the performance of mobile phone companies. Technology was found to be significant in explaining the variation in the performance of mobile phone companies. Competitive advantage had a partial mediating effect on the influence of organizational resources on performance.

METHODOLOGY

Research Philosophical

Creswell, (2009) and Bryman (2012) define research philosophy as a belief about the way in which data about a phenomenon should be gathered, analyzed, and used. This research adopted a positivist philosophical orientation. This philosophy is based upon a highly structured methodology to enable generalization and quantifiable observations and evaluate the result with the help pf statistical methods. According to Cooper and Schindler (2008), positivistic research philosophy requires a researcher to play an objective role in analyzing and evaluating the data collected to produce an appropriate result in order to achieve research aims and objectives

Research Design

A research design is the arrangement of conditions for the collection and analysis of data in a manner that aims to combine relevance to research purpose with economy in the procedure (Kothari, 2004). This study used a descriptive correctional survey research design. The purpose of descriptive research is to describe the state of affairs as it exists where the researcher seeks to report the findings (Kombo & Tromp, 2006).

Target Population

The target population refers to the specific group relevant to a particular study (Kothari, 2004). The target population was the 36 state and non-state actors constituting the National Council on Administration of Justice: Kenya (Judiciary, 2020). They include; the Law Society of Kenya, the Transparency International Kenya, the Commission on Administrative



Justice, the Kenya Private Sector Alliance, the Kenya National Human Rights Commission, the International Development Law Organization, and the National Council for Law Reporting among others. Therefore, the unit of observation was the top and the middle-level managers. The NCAJ has 36 Chief Executive Officers who formed the top-level management and 195 regional coordinators who formed the middle-level management making the total target population of the study 231.

Sampling Frame, Sample Size, and Sampling Technique

The sampling frame was all the 231 top and middle-level managers of all the state and nonstate actors comprising the NCAJ. The Top-level management population of 36 and middlelevel management population of 195 was used to obtain, a sample size of 164 using the Yamane (1967) formula for calculating sample sizes at a 95% confidence level and P level of 0.05 as shown;

 $n = N/(1 + \mathrm{Ne}^2)$

Where;

n is the sample size

N is the target population

e is the margin of error (0.05 degrees of freedom)

the number of top-level management population is 36;

 $n=36/(1+36(0.05)^2)$

n= 33.02

n for top-level management will be 33.

the number of middle-level management population being 195;

 $n= 195/(1+195(0.05)^2)$ n= 131.09

n for the middle-level management will be 131.

Therefore, the sample size for the study was 131+33=164

Therefore, the sample size of the study was 164. The study used a stratified sampling technique. The researcher used purposive sampling to select respondents of top management while simple random sampling was used to select respondents of middle-level management.

Data Collection

The research used both primary sources of data by conducting interviews and providing questionnaires to respondents to solicit information. Secondary data was obtained from electronically stored information from the NCAJ website. The study used semi-structured questionnaires to collect primary data from top management such as the CEOs and middle-level managers of the actors comprising the NCAJ in Kenya. Secondary data was gathered from secondary sources such as reports, relevant literature and publications; gray literature in libraries, journals, and books. Primary data was obtained from respondents using questionnaires administered by trained research assistants. The respondents were given time within which they filled and resubmitted. In some cases, electronic questionnaires were used.



Secondary data was obtained from secondary sources such as reports, relevant literature and publications, and books. Before, the data was collected from the respondents; the researcher obtained an authorization letter from the university and a permit from the National Commission for Science, Technology and Innovation (NACOSTI) that was shown to the respondents.

Pilot Study

The researcher conducted a pilot study using 10% of the sample frame. The items included in the pilot study were not included in the final study. The research instruments for the study were delivered to a sample of 16 top and middle-level managers of the agencies that constitute the NCAJ who are deemed to understand matters pertaining to strategy implementation. The study used Cronbach's Alpha Coefficients to test for the reliability of the questionnaire with the help of the Statistical Package for Social Sciences (SPSS) software. Cronbach alpha reliability was used to measure internal consistency. Following the feedback of the pilot test Cronbach's alpha was between 0.797 and 0.993 the questionnaire was therefore improved and the final one was adopted. The study used both face and construct validity to ensure that there is an adequate representation of the items of the concept being measured. To ensure face validity the researcher used lecturers in the field of strategic management to validate the research instrument while Exploratory Factor Analysis was used to test for construct validity. None of the items in this study was deleted since they all had a factor loading of greater than 0.4 and hence sufficient for interpretive purposes.

Data Analysis and Presentation

The study used both descriptive and inferential statistics. Both quantitative and qualitative approaches were used for data analysis. The quantitative data from returned questionnaires were checked for completeness; the process of data analysis involved data cleaning which included Editing of questionnaires to ensure that they were accurate, relevant, and uniformly answered by the respondents. Coding was done to assign symbols to generate classes for answers received to facilitate tabulation; classification which ensured that the data was arranged under common attributes for ease of analysis before tabulation. The responses in the questionnaires were tabulated, coded, and processed by use of computer software namely Statistical Package for Social Sciences (SPSS) to analyze the data.

The SPSS was used to run descriptive analysis to inform on the measure of central tendency and variability. The responses from open-ended questions were listed to get the appropriate percentage. The responses were then reported by descriptive narrative. Inferential statistics used test comparison of variables by use of t-test and ANOVA, coefficient of determination, and test of relation. The study used the Pearson r correlation coefficient. The study adopted multiple linear regression analysis, which tested the independent variables' influence on the dependent variable; the performance of agencies constituting the National Council on the Administration of Justice in Kenya. The regression model is expressed as follows:

$$Y = B_0 + B_1 X_1 + e$$
 Equation i

The measurement of the independent variable on the dependent variable and the effect of the moderating variable is modeled and shown under:

 $Y = B_0 + B_1 X_1 + B_2 Z + B_3 XZ + e$ Equation ii



Where:

Y represents the performance of agencies constituting NCAJ

- β_0 Represents the Y-intercept
- $\boldsymbol{\beta}_i$ Represents the coefficient for X_i (i = 1, 2)
- X₁ represents Organizational Resources
- **Z** represents the Regulatory Environment
- *ε* Represents the error term

FINDINGS AND DISCUSSIONS

Response rate is defined by Morton, Bandara, Robinson, and Carr (2019) as the total number of completed interviews in relation to the total number of participants with whom contact is made, or the number of all possible interviews. The response rate is calculated by dividing the number of persons who completed semi-structured questionnaires correctly by the total number of participants in the sample. For data gathering, the research issued 164 questionnaires. However, 143 surveys were completed and returned in a timely manner. This equated to an overall response rate of 87%. Kothari (2004) states that a response rate of 50% is average, 60% - 70% is above average while above 70% is execellent. Therefore, the response rate of 87% which was achieved in this study was cons execellent.

The researcher sought to find out the common resources used in the organization. From the findings, the majority of the respondents indicated that they use financial resources, human resources, physical resources, and informational resources in their organization. Moreover, the researcher sought to assess the type of resources that are imperative for in-service delivery, 21% of the respondents stated that financial resources are commonly used in the organization, 29% stated that informational resources are commonly used in the organization, 29% stated that human resource is commonly used in the organization while 86% stated that all of the above resources are commonly used in the organization.

The absence of resources such as financial resources, human resources, physical resources, and informational resources will affect the ability to deliver services. This is because for effective performance of agencies constituting the NCAJ all the resources have to be present. Without human capital, complaints cannot be received and acted upon, without finances, logistical suffers and without physical facilities, it would be literally impossible to operate. Because lack of resources will hamper service delivery to the public thus curtailing the achievement of set objectives. In every criminal occurrence, police officers are required to respond promptly to a scene of crime; frequent patrols need to be conducted; lives & and property need to be protected; arrests to be made & and eventually suspects to be arraigned in court. All these will not go on smoothly without human resources. Human resources deliver the key mandate as prosecutors. To achieve an organization's strategic commitments, resources are required to ensure that the organizations carry out their respective mandates and roles activities.

The respondents were asked to indicate their level of agreement on the influence of organizational resources on the performance of agencies constituting the National Council on the Administration of Justice in Kenya. According to the results, 14% of the respondents strongly agreed that employees in the organization have the suitable education to fulfill their



jobs, 74% of the respondents agreed that employees in the organization have the suitable education to fulfill their jobs, 9% were undecided while 3% disagreed. None of the respondents strongly disagreed that employees in the organization have the suitable education to fulfill their jobs with a mean of 4.419 and a standard deviation of 0.667. The study findings are in line with those of Autor and Acemoglu, (2018) who found that the organization considers employing educated employees when they seek to boost productivity. Well-educated and trained employees tend to lead to an improvement in the overall performance of agencies constituting the organization. Employees who have received adequate training are more likely to perform their roles better. Employees who receive education opportunities from their employer generally feel more satisfaction with their work, have better morale, are more engaged and motivated, and are less likely to look for another job.

From the findings, 14% of the respondents strongly agreed that when the organization is facing challenges, every employee is in a position to make a decision, 11% of the respondents agreed that when the organization is facing challenges, every employee is in a position to make a decision, 13% of the respondents were undecided, 37% of the respondents disagreed while 25% of the respondents strongly disagreed that when the organization is facing challenges, every employee is in a position to make a decision with a mean of 3.887 and a standard deviation of 1.073. According to Waihenya (2015), participation in the decision-making process gives each employee the opportunity to voice their opinions and to share their knowledge with others. While this improves the relationship between top management employees and middle management employees, it also encourages a strong sense of teamwork among workers.

From the findings, 31% strongly agreed that the brand of the organization is the reason why customers visit the organization, 57% agreed that the brand of the organization is the reason why customers visit the organization, 6% of the respondents were undecided, 6% disagreed while none of the respondents strongly agreed that the brand of the organization is the reason why customers visit the organization with a mean of 4.177 and a standard deviation of 0.932. The study findings are in consistent with those of Nyamairo, (2016) who found that successful brands offer spectacular products with an emotional feeling that continues to entice their client after they walk out the door. By offering masterpiece branding and product marketing the client receives aesthetics and clear communication that gives the brand its emotional roots.

From the findings, 6% of the respondents strongly agreed that members of the public relay and believe the information given regarding the activities of the organization, 79% agreed that members of the public relay and believe the information given regarding the activities of the organization, 15% were undecided while none of the respondents disagreed nor strongly disagreed that members of the public relay and believe the information given regarding the activities of the organization with a mean of 3.984 and a standard deviation of 1.032.

From the findings, 24% of the respondents strongly agreed that organizational headquarters is strategically located to the customers, 65% agreed, 11% were undecided while none of the respondents disagreed nor strongly disagreed that organizational headquarters is strategically located to the customers with a mean 4.145 and a standard deviation of 0.921. According to Miranda, (2014) being in the right location is a key ingredient in organization success. If a company selects the wrong location, it may have inadequate access to customers, workers, transportation and materials. Consequently, location often plays a significant role in a



company's profit and overall success. A location strategy is a plan for obtaining the optimal location for a company by identifying company needs and objectives, and searching for locations with offerings that are compatible with these needs and objectives. Generally, this means the firm will attempt to maximize opportunity while minimizing costs and risks.

Furthermore, 34% of the respondents agreed that the organization receives a sufficient budgetary allocation for its operation, 14% were undecided, 52% disagreed that the organization receives a sufficient budgetary allocation for its operation while none of the respondents strongly disagreed that the organization receives a sufficient budgetary allocation for its operation with a mean of 4.145 and a standard deviation of 0.807. The study findings agree with the assertions of the Lady Justice Koome, (2022) who noted that judiciaries around the world are government organs which ought to be allocated at least 2% of the national budget, the Judiciary in Kenya has been receiving allocations far below 1%. The Judiciary is operating with a budgetary deficit of Kshs.21.9 billion which translates to 56% of the total resource requirement for FY 2022/23. This implies that the organization receives insufficient to execute it is mandate.

The study findings concurred with Resource-Based Theory (RBT) which focuses on internal resources as a means of creating a competitive advantage. RBT suggests those resources that are valuable, rare, difficult to imitate, and no substitutable best position a firm for long-term success. The theory provides a framework to explain and predict the fundamentals of a company's performance and competitive advantage. The findings are presented in Table 1.

Table 1: Organizational Resources and Performance of Agencies Constituting	NCAJ in
Kenya	

	SA	A	U	D	SD	Mean	Std. Dev
Statement Organizational Resources	%	%	%	%	%		
Employees in the organization have the suitable education to fulfill their jobs	14	74	9	3	0	4.419	0.667
When the organization is facing challenges, every employee is in a position to make a decision	14	11	13	37	25	3.887	1.073
The brand of the organization is the reason why customers visit the organization	31	57	6	6	0	4.177	0.932
Members of the public relay and believe the information we give regarding our activities	6	79	15	0	0	3.984	1.032
The organizational headquarters is strategically located to our customers	24	65	11	0	0	4.145	0.921
The organization receives a sufficient budgetary allocation for its operation.	0	34	14	52	0	4.145	0.807

Source: Field Data, (2023)

Multiple Regression Coefficients without the Moderating Variable

Regression Model Summary

A study was conducted to determine the R-squared value and findings presented in Table 2.



Table 2: Regressi	on Model Summary
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R	R Square	Adjusted R Square	Std. Error of the Estimate
.714 ^a	.510	.501	.45659

The results of the simple linear regression in Table 2 indicated that R = 0.714 and $R^2 = 0.50$. R-value gives an indication that there is a strong linear relationship between organizational resources and the performance of agencies constituting the National Council on the Administration of Justice in Kenya. The R^2 indicates that the explanatory power of the independent variables is 0.510. This means that about 51.0% of the variation in the performance of agencies constituting the National Council on the Administration of Justice in Kenya is explained by the regression model.

Analysis of Variance

The researcher conducted a study to determine whether the analysis of variance was used to determine the significance of the regression model. Table 3 shows the findings of the study.

	Sum of Squares	df	Mean Square	F	Sig.
Regression	12.567	1	12.567	60.280	.000 ^b
Residual	12.091	58	.208		
Total	24.658	59			

Table 3: ANOVA Table

Analysis of Variance (ANOVA) is used to determine whether or not the dependent variables are affected by independent variables. From the findings, The F statistic is 60.280 and the p-value was found to be 0.000 was less than the p-value of 0.05. This indicates that the model was statistically fit to be adopted in the study.

Regression Coefficients without the Moderating Influence of Regulatory Environment

To determine the regression coefficients that connect independent to dependent variables, a regression analysis was conducted and the findings are displayed in Table 4.

Table 4: Regression Coefficients

	Unstandardized Coefficients				Standardized Coefficients	t	Sig.
	В	Std. Error	Beta				
(Constant)	1.646	.345		4.769	.000		
Organizational resources	.637	.082	.714	7.764	.000		

The study results in Table 4 revealed that there was a positive linear influence of organizational resources on the performance of agencies constituting the National Council on the Administration of Justice in Kenya (β =.637, p=0.000). This reveals that an increase in organizational resources leads to an increase in the performance of agencies constituting the National Council on the Administration of Justice in Kenya by 0.637 units.

Y =1.646 +0. 637X₁ Equation 4.1



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Regression Coefficients with the Moderating Influence of Regulatory Environment

Model Summary

The predictor was entered in SPSS in a stepwise format. The results represent a model summary, analysis of variance, and regression coefficients of independent variables against performance and moderating variables. The model summary shows the variations in R^2 from model 1 to model 3 as presented in Table 5.

Model	R	R	Adjusted	Std.	Change Statistics				
		Square	R Square	Error of the Estimate	R Square Change	F Change	df1	df2	Sig. F Change
1	.714 ^a	.510	.501	.45659	.510	60.280	1	58	.000
2	.824 ^b	.679	.668	.37247	.170	30.154	1	57	.000
3	.840 ^c	.706	.690	.35979	.027	5.089	1	56	.028

Table 5: Regression Model Summary Results

Source: Field Data (2023)

Table 5 shows that the R Square (coefficient of determination) for the first model was 51.0 percent (0.510) with a p-value of 0.000 representing the significance of F change. This is the first regression model and therefore, 0.00 is the p-value of the first model rather than a change from a previous model. The p-value of F statistics in this first regression model is within the critical significance value of 0.05 and therefore deemed significant. The second R Square was 67.9 percent (0.679) which shows an increase of 17.0 percent (0.170) also shown in the R Square change column in Table 5, the second row. The corresponding p-value of the R Square change was 0.000, which was less than the critical significance level of 0.05 hence deeming the change statistically significant. The third model showed that the R-Square was 70.6% (corresponding to R Square= 0.706).

Multiple Regression Model Fitness

The regression model's ability to predict the independent variable was tested using an ANOVA for statistical significance as shown in Table 6.

	Sum of Squares	df	Mean Square	F	Sig.
Regression	12.567	1	12.567	60.280	.000 ^b
Residual	12.091	58	.208		
Total	24.658	59			
Regression	16.750	2	8.375	60.366	.000 ^c
Residual	7.908	57	.139		
Total	24.658	59			
Regression	17.409	3	5.803	44.827	.000 ^d
Residual	7.249	56	.129		
Total	24.658	59			

Table 6: Test Results for Goodness of Fit

Source: Field Data (2023)



Table 6 provided the F test revealing the significance of the fitted regression model. An F statistic in model 1 produced the value of 60.280 implying that the independent variable was a predictor of the dependent variable (F=60.280; p< 0.05). As a result of the good fit, organizational resources had an influence on the performance of agencies constituting the National Council on the Administration of Justice when the regression was fitted.

In model 2 F-test got an F-value of 60.366. This meant that even after moderation, there was still a good fit of the model (F=60.366; p< 0.05). As a result, statistically Regulatory Environment moderates the influence of organizational resources on the performance of agencies constituting the National Council on the Administration of Justice.

The F-test for model 3 has an F-value of 44.827. This meant that after moderation by Regulatory Environment, it showed a good predictor of the performance of agencies constituting the National Council on the Administration of Justice and the total model was statistically significant (P-value 0.05) and good predictors of the performance of agencies constituting the National Council on the Administration of Justice.

Regression Coefficients

The regression of coefficients results is presented in Table 7

	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	В	Std. Error	Beta		
(Constant)	1.646	.345		4.769	.000
Organizational resources	.637	.082	.714	7.764	.000
(Constant)	.638	.336		1.897	.063
Organizational resources	.429	.077	.481	5.583	.000
Regulatory Environment	.471	.086	.473	5.491	.000
(Constant)	.352	.349		1.011	.316
Organizational resources	.554	.093	.620	5.985	.000
Regulatory Environment	.608	.103	.610	5.921	.000
Regulatory Environment	.047	.021	.289	2.256	.028
* Organizational					
resources					

Table 7: Test Results for Regression Analysis Coefficients with Moderation

Source: Field Data (2023)

Table 7 shows that organizational resources had a positive and significant influence on the performance of agencies constituting the National Council on the Administration of Justice (β =0.637, p<0.05). A regression analysis was used in model two to test if the Regulatory Environment has a moderating effect on the relationship between organizational resources and the performance of agencies constituting the National Council on the Administration of Justice. The p-value which was less than 0.05, indicated that the coefficient of Regulatory Environment was significant. Regulatory Environment had a moderating effect on the relationship between organizational resources and the performance of agencies constituting the National Council on the Administration of Justice. The p-value which was less than 0.05, indicated that the coefficient of Regulatory Environment was significant. Regulatory Environment had a moderating effect on the relationship between organizational resources and the performance of agencies constituting the National Council on the Administration of Justice because the coefficient was significant (β =0.047; p<0.05).

$Y = 0.638 + 0.429X_1 + 0.471Z + 0.047Z^*X$



The null hypothesis stated there is no significant influence of Organizational Resources on the performance of agencies constituting the National Council on the Administration of Justice in Kenya. According to the results, the p-value was 0.006, which was less than a 0.05 level of significance; therefore, the study rejected the null hypothesis and concluded that Organizational Resources have a positive and significant influence on the performance of the agencies constituting the National Council on the Administration of Justice in Kenya. According to the findings, performance and more particularly, organizational resources directly affect the performance of agencies constituting the National Council on the Administration of Justice in Kenya. The study findings are consistent with those of Muriuki (2017) who found that resources possessed by an organization are the main sources of competitive advantage growth and overall performance. They are the foundations of competitive advantage; this implies that organizational resources influence organizational performance.

Conclusions

From the findings, the study concluded that employees in the organization have the suitable education to fulfill their jobs. Well-educated and trained employees tend to lead to an improvement in the overall performance of the organization. Employees who have received adequate training are more likely to perform their roles better. Employees who receive education opportunities from their employer generally feel more satisfaction with their work, have better morale, are more engaged and motivated, and are less likely to look for another job.

The study further concluded that when the organization is facing challenges, every employee is in a position to make a decision. Moreover, the study concluded that the brand of the organization is the reason why customers visit the organization. The study further concluded that members of the public relay and believe the information we give regarding our activities. The organizational headquarters is strategically located to our customers. Consequently, location often plays a significant role in a company's profit and overall success. A location strategy is a plan for obtaining the optimal location for a company by identifying company needs and objectives and searching for locations with offerings that are compatible with these needs and objectives. Generally, this means the firm will attempt to maximize opportunity while minimizing costs and risks.

In addition, the study also concluded that the organization receives a sufficient budgetary allocation for its operation. The study also concluded that there is a strong significant positive relationship between organizational resources and the performance of agencies constituting the National Council on the Administration of Justice in Kenya (r=0.547 and p<0.05). Thus, the results indicate that organizational resources enhance the performance of agencies constituting the National Council on the Administration of Justice in Kenya.

Recommendations

The study recommends enhancing the organizational resources toward strategy implementation and performance. This can be achieved through resource dedication practices such as allocating sufficient financial resources, sufficiently managing the allocated resources during utilization, and having sufficient human capacity for the strategic processes, taking into consideration that human capacity is one of the most important ingredients in the reengineering success, ensuring that the available human capacity have adequate skills



relevant for implementing changes and setting up appropriate technological strategic process. This is because an effective utilization of resources in strategy implementation is anchored on organizational resources' availability thus enhancing effective implementation of organizational strategies.



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