

INTERGRATED ELECTRONIC CASE MANAGEMENT SYSTEM IN JUDICIAL SERVICES.

**BINDURA UNIVERSITY OF SCIENCE EDUCATION
FACULTY OF SOCIAL SCIENCES AND HUMANITIES**



**intergrated electronic case management system (iecms) in the judicial service commissions
the case of labour court harare.**

By

(B201002b)

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the requirements for the Bachelor of Science Honours Degree in Peace and Governance

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ABSTRACT

The main purpose was to assess the implementation process, evaluate the benefits and challenges associated with the adoption of the IECMS, and draw conclusions regarding its effectiveness. To achieve these objectives, a qualitative research methodology was employed. Surveys, interviews with court staff and stakeholders, and analysis of system records were conducted to gather comprehensive data. The findings of the study shed light on the successful implementation of the IECMS in the Labour Court. Several factors were assessed, including system functionality, user satisfaction, accessibility, and data security. The IECMS was found to have brought about significant benefits, such as improved case tracking, reduced paperwork, enhanced transparency, and streamlined court processes. However, the study also revealed challenges that were encountered during the implementation phase. Technical issues, resistance to change, and the need for adequate training were among the identified hurdles. Based on the findings, conclusions were drawn regarding the overall effectiveness of the IECMS implementation in the Labour Court. The system was found to have positively impacted the court's operations, improving efficiency and effectiveness. Additionally, the study provided recommendations to address the challenges identified and enhance the functionality and efficiency of the IECMS. These recommendations aimed to ensure a smoother implementation process and maximize the benefits derived from the system.

DECLARATION

I, Tadiwa Esnath Nyaungwa (B201002b) hereby declare that the information provided in this document is true and accurate to the best of my knowledge. The research study titled “[Title of the Study]” is the result of my independent work and represents my original contributions, except where otherwise acknowledged.

I confirm that all sources used in this study have been properly cited and referenced. Any direct quotations or paraphrased information from external sources have been duly acknowledged. I have taken all necessary precautions to ensure that the work presented in this document does not infringe upon the intellectual property rights of others.

I take full responsibility for the content and conclusions presented in this document. The findings and recommendations are based on my analysis and interpretation of the data collected. Any errors or omissions in this study are my own and unintentional. I understand that any form of academic misconduct, including plagiarism, fabrication of data, or falsification of results, is strictly prohibited and may result in severe consequences, including academic penalties and loss of credibility.

I declare that this document represents my own work and that I have not submitted it, or any substantially similar version of it, for any other academic or professional purpose.

Signed: [Your Name]

Date: []

DEDICATION

I would like to dedicate this work to my family, whose unwavering support and encouragement have been the foundation of my journey.

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I would like to express my sincere gratitude to all those who have contributed to the completion of this research work.

First and foremost, I would like to thank my supervisor, [Supervisor's Name], for their guidance, expertise, and unwavering support throughout this research journey. Their valuable insights, constructive feedback, and encouragement have been instrumental in shaping the direction and quality of this study.

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LIST OF ABBREVIATIONS AND ACRONYMS

BUSE	Bindura University Of Science Education
CIO	Chief Information Officer
GDP	Gross Domestic Product
HR	Human Resources
ICT	Information and Communication Technology
IECMS	Integrated Electronic Case Management System
IT	Information Technology
JSC	Judicial Service Commission
NGO	Non-Governmental Organization
USD	United States Dollar
TAM	Technology Acceptance Model

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CHAPTER ONE

1.0 INTRODUCTION

1.1 Background to the Study

The implementation of electronic case management systems (ECMS) has gained significant attention worldwide, aiming to enhance efficiency and effectiveness in judicial processes. According to Klein (2019) Globally, judicial service commissions have recognized the need for integrated ECMS to streamline case management and improve access to justice. These systems provide a digital platform for managing court cases, automating administrative tasks, and facilitating communication between stakeholders in the legal system. In light of this global trend, it is essential to examine the adoption and impact of the Integrated Electronic Case Management System (IECMS) within the specific context of the Labour Court in Harare.

At the regional level, many countries in Africa have also embraced the adoption of ECMS in their judicial systems. As stated by Mangoma (2020) the utilization of technology in legal processes has the potential to address challenges related to case backlog, delays, and manual paperwork (Baines, 2020). However, the implementation and effectiveness of ECMS may vary across regions due to differences in infrastructure, resources, and institutional frameworks. In the case of the Labour Court in Harare, it is crucial to understand the regional dynamics of ECMS adoption and identify any unique challenges or opportunities that may arise in the context of Zimbabwe's legal system.

Locally, the Labour Court in Harare plays a vital role in resolving disputes and upholding labor rights within Zimbabwe. However, the court faces numerous challenges, including a high volume of cases, complex administrative procedures, and delays in case resolution (Godo, 2021).

The introduction of the Integrated Electronic Case Management System (IECMS) has the potential to address these challenges by providing a centralized digital platform for case management, document storage, and communication among stakeholders. By examining the implementation and impact of IECMS in the Labour Court of Harare, this study aims to shed light on the effectiveness of the system in improving the efficiency and accessibility of justice in labor-related cases within the local context.

Furthermore, ensuring the compatibility and integration of the electronic system with existing legal frameworks and processes is essential. The system should align with the legal requirements and procedures specific to labor court cases in Harare. This may involve revisiting and adapting current legislation, rules of court, and procedural guidelines to accommodate the electronic system effectively. Data security and privacy considerations are also paramount in the implementation of an integrated electronic system. Safeguarding sensitive information and ensuring secure access to the system are critical to maintain the integrity and confidentiality of court proceedings. Robust data protection measures, encryption protocols, access controls, and regular audits should be implemented to mitigate potential risks. Gupta (2019) argues that by addressing these challenges, the labour court of Harare can harness the benefits of integrated electronic systems while mitigating potential risks. The study aims to identify these challenges, analyse their implications, and provide recommendations to effectively overcome them. Through comprehensive research and consultation with stakeholders, the study seeks to contribute to the successful adoption and implementation of the integrated electronic system, ultimately improving the efficiency and accessibility of labor court services in Harare.

1.2 Purpose of the Study

The purpose of this study is to identify and analyse the challenges faced in the introduction of an integrated electronic system in the labor court of Harare, Zimbabwe.

1.3 Statement of the Problem

The problem at hand is the inefficient and cumbersome nature of the traditional paper-based court processes, which result in delays, administrative burdens, and limited accessibility to justice in labor-related disputes. This problem affects multiple stakeholders, including judges, court personnel, lawyers, litigants, and the general public seeking timely and fair resolution of labour disputes. Evidence of the problem can be observed through the significant backlog of cases in the labor court, prolonged processing times, difficulties in accessing case information and documents, and the overall lack of transparency and efficiency in the current system. The implementation of an integrated electronic system presents an opportunity to address these issues, streamline court processes, improve case management, and enhance access to justice. However, the successful implementation of such a system requires addressing specific challenges related to technological infrastructure, stakeholder resistance to change, capacity building needs, compatibility with existing legal frameworks, and ensuring data security and privacy. By investigating and providing solutions to these challenges, the research aims to contribute to the effective implementation of the integrated electronic system in the labor court of Harare, ultimately improving the efficiency, accessibility, and transparency of labor court services.

1.4 Research Objectives

The study will be guided by the following research objectives

- I. To identify the limitations that impacts the implementation of an integrated electronic system in the labor court of Harare.

- II. To explore the factors contributing to resistance to change from stakeholders on the adoption of the integrated electronic system.
- III. To examine how the integrated electronic system can be aligned and integrated with existing legal frameworks and procedures in the labor court of Harare.
- IV. To assess the data security and privacy challenges associated with the implementation of the integrated electronic system and propose strategies to mitigate risks.

1.5 Research Questions

The study is guided by the following research questions

- I. What are the key limitations that hinder the successful implementation of an integrated electronic system in the labor court of Harare?
- II. What are the main factors contributing to resistance to change from stakeholders in adopting the integrated electronic system in the labor court?
- III. How can the integrated electronic system be aligned and integrated with existing legal frameworks and procedures in the labor court of Harare?
- IV. What are the major concerns and challenges related to data security and privacy in the implementation of the integrated electronic system?

1.6 Research Assumptions

- I. It is assumed that the implementation of an integrated electronic system in the labor court of Harare will bring potential benefits such as improved efficiency, reduced delays, enhanced transparency, and increased access to justice.
- II. It is assumed that there are existing technological infrastructure limitations in the labor court of Harare that hinder the successful implementation of the integrated electronic system.

1.7 Significance of the study

1 To the Judicial Courts

The significance of the study lies in its potential contributions to the field of judicial services, specifically in the context of the labor court in Harare, Zimbabwe. By addressing the challenges faced in the introduction of an integrated electronic system, the study holds several key significance: The findings and recommendations of the study can contribute to streamlining court processes, reducing administrative burdens, and expediting the resolution of labor-related disputes. This can lead to improved efficiency in the labor court of Harare, ultimately benefiting judges, court personnel, lawyers, and litigants.

2 To Individuals seeking justice

The successful implementation of an integrated electronic system can enhance access to justice by facilitating remote access to court proceedings, providing online filing of legal documents, and enabling greater transparency in the judicial process. This can benefit individuals seeking justice in labor disputes, particularly those who face geographical, financial, or logistical barriers. By transitioning from traditional paper-based systems to an integrated electronic system, the labor court can reduce paper usage, storage requirements, and manual administrative tasks. This can result in cost savings, efficient use of resources, and a more sustainable approach to court operations. The study contributes to the adoption and utilization of technology in the judicial sector. By addressing the challenges associated with the introduction of an integrated electronic system, it promotes technological advancement and showcases the potential of digital solutions in improving court processes and services.

3 Lawyers

The research findings can inform policymakers, judicial authorities, and relevant stakeholders in making informed decisions regarding the implementation and operation of integrated electronic systems in the labor court. The study can guide the development of policies, guidelines, and strategies to overcome challenges, ensure effective utilization of the system, and align it with existing legal frameworks.

4 Academia

The study adds to the existing body of knowledge on the implementation of integrated electronic systems in judicial services, specifically in the labor court context. It provides insights into the challenges faced and potential solutions, contributing to the academic and practical understanding of integrating technology in the legal sector.

1.8 Delimitations of the Study

This study focuses specifically on the challenges faced in the introduction of an integrated electronic system in the labor court of Harare, Zimbabwe. The research delimits its scope to the labor court context and does not encompass other courts or legal systems. Furthermore, the study primarily considers the perspective of stakeholders directly involved in labor court processes, including judges, court personnel, lawyers, and litigants. While the research acknowledges the broader societal impact of the integrated electronic system, it does not extensively explore the implications beyond the labor court setting. The study is bound to a time period of not more than five years thus it looks at the improvements that range from the period of 2018 till 2023.

1.9 Limitations of the Study

The research was not immune to challenges although the researcher dealt with most of them. One of the challenges that were encountered included limited availability of data. The research relies on the availability and accuracy of data and information provided by the labour court of Harare, which was subject to limitations and inconsistencies. It was difficult to access the data and to ensure that the challenge was resolved the researcher had to go through all the formal and recognised procedures guaranteeing confidentiality and privacy of data.

1.10 Definition of Key Terms

This section provides definitions of key terms and concepts used throughout the study on the challenges faced in the introduction of an integrated electronic system in the labor court of Harare, Zimbabwe. Clarity in terminology is essential for ensuring a common understanding among readers and researchers.

Integrated Electronic System: An integrated electronic system refers to a comprehensive and interconnected technological infrastructure that encompasses various components and functionalities aimed at streamlining and optimizing court processes (Ferius, 2020). It includes electronic case management systems, document management systems, electronic filing systems, online portals for accessing court information, and other digital tools that facilitate the management and administration of court cases and related proceedings.

Labor Court: The labor court is a specialized court that handles disputes and matters related to labor and employment laws (Janssen, 2019). It is responsible for adjudicating cases such as wrongful terminations, unfair labor practices, wage disputes, and employment contract disputes. The labor court ensures the fair and just resolution of labor-related conflicts, protecting the rights and interests of both employees and employers.

Technology Acceptance Model (TAM): The Technology Acceptance Model (TAM) is a theoretical framework that explores users' acceptance and adoption of technology (Duane, 2018). It posits that individuals' perceived usefulness and ease of use of a technology significantly influence their intention to use it. TAM provides insights into the factors that contribute to stakeholders' acceptance or resistance towards the integrated electronic system in the labor court.

Judicial Service Commission: The Judicial Service Commission (JSC) is an independent body responsible for the administration of the judicial system in Zimbabwe (Hugo's, 2020). It plays a crucial role in the appointment, promotion, and discipline of judges, magistrates, and other judicial officers.

1.11. Dissertation Outline

The dissertation is comprised of five chapters as indicated below:

Chapter One: Introduction

This chapter focuses on the introduction and the background of the study. It looks at the purpose of the study, the statement of the problem, the objectives of the study, the research questions, and the limitations and delimitations of the study.

Chapter Two: Literature Review and Theoretical Framework.

This chapter looks at the theoretical framework and the literature review that guides the study. This chapter contains the literature and texts that are related to the implementation of electronic systems to the judicial services in Zimbabwe. In this chapter, the researcher gave an insight into what has been studied and said by other researchers relating to issue.

Chapter Three: Research Design and Methodology

This chapter focuses on the research philosophy, research designs, data collection methods, sampling techniques, and other data presentation methods that will be used to conduct the study.

Chapter Four: Data presentation, analysis, and discussion of findings

The focus of this chapter is on data analysis and data presentation of the findings during the research.

Chapter Five: Summary, conclusions and Recommendations, and Areas for further research

The final chapter comprises the summary conclusions and recommendations of the whole study.

CHAPTER TWO

2.0 LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter presents a comprehensive review of the existing literature on the implementation and effectiveness of Integrated Electronic Case Management Systems (IECMS) in the context of judicial service commissions. It also establishes the theoretical framework that guides this study, providing a conceptual foundation for understanding the relationships between variables or concepts relevant to the implementation of an IECMS in the Labour Court Harare. The chapter begins with an overview of the significance of electronic case management systems in the judicial process, highlighting their potential to enhance efficiency, transparency, and access to justice. It establishes the rationale for focusing on the Labour Court Harare as the specific case study context, considering its crucial role in resolving labor disputes and protecting workers' rights. The literature review section systematically examines a wide range of scholarly research, academic articles, books, reports, and official documents related to IECMS implementation in various jurisdictions. The review identifies common themes, trends, and findings in the literature, highlighting gaps and limitations that this study aims to address. Key themes explored in the literature review include the technological infrastructure required for IECMS implementation, organizational readiness and change management, stakeholder engagement, benefits and challenges associated with electronic case management, and the impact on case processing time, transparency, and access to justice. By critically analyzing the existing literature, this review offers a comprehensive understanding of the factors influencing the successful implementation and utilization of an IECMS in judicial service commissions.

2.2 Theoretical Framework

2.2.1 Technology Acceptance Theory

This study will be guided by theory of Technology Acceptance Model (TAM). Developed by Davis (1989) and later extended by Venkatesh and Davis (2000), TAM is widely recognized and extensively used in information systems research to explain and predict individuals' acceptance and usage of technology. TAM is based on the fundamental assumptions that users' perceptions and attitudes towards a technology significantly influence their acceptance and usage of it. It focuses on two primary constructs: perceived usefulness (PU) and perceived ease of use (PEOU). According to TAM, users are more likely to accept and use a technology if they perceive it as useful in enhancing their job performance or achieving their goals. Additionally, users are more inclined to accept and use a technology if they perceive it as easy to understand and use.

The model also incorporates attitudes towards use (ATU) as a mediator between users' perceptions of usefulness and ease of use and their behavioral intention to use the technology. Users' attitudes towards using a technology are influenced by their perceptions of its usefulness and ease of use, which, in turn, shape their behavioral intention to use it. TAM suggests that users' actual usage (AU) of a technology is influenced by their behavioral intention to use it. While TAM provides valuable insights, it does have some limitations. One of its weaknesses is the simplification of the context, as it primarily focuses on individual-level acceptance and usage of technology, potentially overlooking broader organizational or contextual factors that influence technology adoption (Holden, 2010). Another limitation is the model's limited consideration of external variables. TAM primarily focuses on perceived usefulness and ease of use as determinants of acceptance and usage, potentially neglecting other external variables that may influence technology adoption. Additionally, TAM assumes that user perceptions are static and does not account for changes in attitudes or behavior over time.

Despite its limitations, TAM has several strengths. It offers a straightforward and easy-to-understand framework for analyzing user acceptance and usage of technology. The model has received substantial empirical support across various domains and technologies, demonstrating its predictive power. TAM's emphasis on users' perceptions and attitudes towards technology is crucial in determining acceptance and usage patterns. In the context of this study on the implementation of an Integrated Electronic Case Management System (IECMS) in the Labour Court Harare, TAM provides a valuable framework for understanding the factors influencing the acceptance and usage of the IECMS by judges, court staff, and other stakeholders. By examining the perceived usefulness and perceived ease of use of the IECMS, this study can assess its potential adoption and identify any barriers or facilitators to its implementation. Furthermore, according to Granic et al (2015) TAM's focus on attitudes towards use and behavioral intention to use aligns with the research objective of evaluating the effectiveness of the IECMS in improving case management processes, reducing delays, enhancing transparency, and promoting access to justice. By applying TAM, this study can analyze and interpret the acceptance and usage patterns of the IECMS in the Labour Court Harare, providing valuable insights for the successful implementation and utilization of the system.

2.3 The Evolution of Integrated Electronic Case Management System Use in Judicial Context

The use of Integrated Electronic Case Management Systems (IECMS) in the judicial context has evolved significantly over the years, driven by technological advancements and the need for more efficient and effective case management processes. This section explores the evolution of IECMS use, highlighting the key stages and developments in its implementation. Initially, the judicial systems relied heavily on paper-based processes for case management.

Judges, court staff, and other stakeholders handled physical case files, resulting in time-consuming administrative tasks, potential document loss or misplacement, and difficulties in accessing and sharing information (Bell, 202). Recognizing the limitations of this traditional approach, courts began exploring the integration of technology to streamline case management processes.

The first stage of the IECMS evolution involved the introduction of basic computerization. Courts started digitizing case records and implementing basic electronic databases to store and retrieve case information. As stated by Bell (2020). This transition from paper-based to digital systems allowed for easier searching and retrieval of case data, reducing the reliance on physical files and improving information access within the court environment. However, these early systems often lacked comprehensive functionality and integration capabilities.

As technology advanced, the second stage witnessed the development of more sophisticated IECMS solutions. These systems incorporated features such as electronic filing, document management, and workflow automation (Ahmed, 2021). Electronic filing enabled parties to submit documents electronically, reducing the reliance on paper filings and facilitating remote access to case information. Document management functionalities allowed for the secure storage, organization, and retrieval of digital documents, enabling efficient collaboration and information sharing among court staff, judges, and other stakeholders. Workflow automation streamlined case progression, automating routine tasks and notifications, and enhancing overall efficiency.

The third stage of IECMS evolution involved the integration of advanced features and enhanced connectivity. Courts started leveraging web-based platforms, allowing for online access to case information and services. Also, Pappel et al (2021) stated that this development enabled parties to file documents, access case updates, and make payments remotely, reducing the need for physical

court visits. Additionally, integrated scheduling systems enabled efficient calendar management, ensuring optimal utilization of court resources and reducing case delays. The inclusion of decision support tools and analytics provided judges and court administrators with valuable insights and data to inform case management decisions and resource allocation.

In recent years, the fourth stage has seen the emergence of more comprehensive and integrated IECMS solutions (Collier, 2019). These systems incorporate artificial intelligence and machine learning capabilities, enabling advanced data analytics, predictive modeling, and natural language processing. AI-powered tools can assist in legal research, case analysis, and the identification of relevant precedents, facilitating more informed and efficient decision-making. Moreover, the integration of electronic evidence management systems allows for the secure storage, authentication, and presentation of digital evidence during court proceedings.

The evolution of IECMS use in the judicial context has brought numerous benefits. It has improved the efficiency of case management processes, reducing administrative burdens and enabling faster case resolution. According to Gupta (2019) electronic access to case information has enhanced transparency and facilitated remote access to court services. The implementation of IECMS has also contributed to the reduction of paper usage, leading to cost savings and environmental sustainability. Furthermore, the availability of comprehensive data and analytics has the potential to inform evidence-based policy decisions and improve overall court performance. As technology continues to advance, the future of IECMS in the judicial context holds even more promise. Integration with emerging technologies such as blockchain and cloud computing can enhance data security, accessibility, and interoperability. The adoption of mobile applications and platforms can further extend the reach of court services and facilitate seamless communication between stakeholders. Additionally, the development of interoperable systems and

data standards can foster information exchange between different court jurisdictions, enabling more efficient cross-border case management.

2.4 Benefits of Implementing Integrated Electronic Case Management Systems in Judicial Systems

The implementation of Integrated Electronic Case Management Systems (IECMS) in judicial systems brings forth a multitude of benefits, revolutionizing the way courts manage and administer cases. These benefits span across various aspects of case management, efficiency, transparency, and access to justice, ultimately enhancing the overall effectiveness of the judicial system. According to Walther (2020) one of the primary advantages of implementing an IECMS is the significant improvement in case management processes. With digital case filing and document management functionalities, courts can eliminate the reliance on traditional paper-based systems, reducing administrative burdens and streamlining workflows. Electronic filing enables parties to submit documents remotely, saving time and resources associated with physical filings. Document management features facilitate secure storage, organization, and retrieval of case-related documents, ensuring quick and easy access to necessary information for judges, court staff, and other stakeholders. These streamlined processes result in faster and more efficient case progression, reducing delays and backlog in the court system.

Transparency within the judicial system is greatly enhanced through the implementation of an IECMS. Vopoulon (2019) opines that digital platforms allow for the provision of online access to case information, enabling parties involved to track the progress of their cases, view court orders, and receive updates in real-time. This transparency not only promotes trust and confidence in the judicial system but also empowers litigants to actively engage in the legal process. Access to case-

related information through an IECMS also facilitates the dissemination of court decisions, precedents, and legal resources, contributing to a more informed legal community and supporting consistency and fairness in judicial outcomes.

The Implementation of an IECMS also improves access to justice by reducing barriers and increasing convenience for litigants. Electronic filing and remote access to case information enable parties to interact with the court system from anywhere, minimizing the need for physical court visits (Sourdin, 2020). This is particularly beneficial for individuals residing in remote areas or facing mobility challenges. Additionally, electronic notifications and reminders provided through the IECMS help parties stay informed about upcoming court dates and deadlines, ensuring they are adequately prepared for their cases. By enhancing accessibility and convenience, an IECMS promotes equal access to justice for all individuals, regardless of their geographical location or personal circumstances.

The availability of comprehensive data and analytics within an IECMS provides valuable insights that can inform evidence-based decision-making and policy formulation within the judicial system. Analytics tools can analyze case data, identify trends, and generate reports on case outcomes, case durations, and workload distribution (Muigua, 2020). This information enables judges and court administrators to make informed decisions regarding case assignment, resource allocation, and workload management. Data-driven insights also support the identification of systemic issues or bottlenecks in the court system, facilitating targeted interventions and process improvements. Furthermore, the implementation of an IECMS contributes to cost savings and environmental sustainability. By reducing reliance on paper-based processes, courts can save significant costs associated with printing, storage, and transportation of physical case files. The shift to digital platforms also minimizes the environmental impact of paper consumption and waste

generation. These cost savings can be redirected towards improving court infrastructure, enhancing training and development programs for court staff, or investing in further technological advancements.

2.5 Barriers to the Implementation of the Integrated Electronic Case Management System

The successful implementation of an Integrated Electronic Case Management System (IECMS) in the judicial context faces several barriers that can hinder its adoption and effectiveness. These barriers can arise from various factors, including technological, organizational, and human aspects. Understanding these barriers is crucial for identifying potential challenges and devising strategies to overcome them. According to Keim (2020) Technological barriers represent challenges related to the system's infrastructure, compatibility, and functionality. One significant technological barrier is the lack of adequate technological infrastructure within the judicial service commission (Ahmed et al., 2021). Outdated hardware and software, insufficient network connectivity, and limited technological resources can impede the implementation and smooth functioning of the IECMS. Compatibility issues may arise when the IECMS needs to interface with existing systems or databases, requiring extensive integration efforts. Additionally, the complexity of the IECMS and its functionalities may pose challenges for users who are unfamiliar with such advanced technology, leading to resistance and reluctance to adopt the system.

Organizational barriers encompass factors within the judicial service commission's structure, processes, and culture that can hinder the implementation of the IECMS. One significant barrier is resistance to change. Introducing a new system like the IECMS requires changes in

workflows, roles, and responsibilities, which can be met with resistance from judges, court staff, and other stakeholders accustomed to traditional paper-based processes (Muigua (2020). The lack of organizational readiness and preparedness, including the absence of clear policies, procedures, and guidelines for using the IECMS, can also impede its successful implementation. Insufficient training and support for users may contribute to low system acceptance and utilization, as individuals may feel overwhelmed or uncertain about how to effectively use the system.

Human barriers are related to individuals' attitudes, behaviors, and skills in relation to the IECMS. One significant human barrier is the lack of digital literacy and computer skills among judges, court staff, and other users (Sourdin, 2020). Limited familiarity with technology and digital tools can hinder their ability to navigate and utilize the IECMS effectively. Additionally, concerns about job security, privacy, and confidentiality may arise, particularly in cases involving sensitive information. Users may be apprehensive about the potential impact of the IECMS on their roles, autonomy, and decision-making processes, leading to resistance or reluctance to embrace the system.

Furthermore, financial constraints can pose a significant barrier to the implementation of the IECMS. Toro (2020) argues that acquiring and implementing a comprehensive electronic case management system requires substantial financial investment, including costs associated with hardware, software licenses, training, maintenance, and ongoing support. Limited budgetary allocations or competing priorities within the judicial service commission may impede the allocation of sufficient resources to implement and sustain the IECMS effectively.

To address these barriers, it is essential to develop strategies that mitigate their impact. Providing comprehensive training and support programs can enhance users' digital literacy and competence, increasing their confidence and acceptance of the IECMS (Bell, 2020). Engaging

stakeholders through effective communication and change management strategies can help overcome resistance to change and foster a culture of openness and collaboration. Ensuring sufficient technological infrastructure and compatibility with existing systems is crucial to facilitate seamless integration and minimize disruptions. Additionally, addressing financial constraints may involve seeking external funding sources, leveraging partnerships, or prioritizing investments in technology infrastructure.

By identifying and addressing these barriers, the implementation of the Integrated Electronic Case Management System (IECMS) in the judicial service commission can progress more effectively. Overcoming technological, organizational, and human barriers fosters a favorable environment for leveraging the potential benefits of the IECMS, including improved efficiency, transparency, and access to justice in the Labour Court Harare.

2.6 Debates surrounding the implementation of an Integrated Electronic Case Management System (IECMS) in judicial services

Debates surrounding the implementation of an Integrated Electronic Case Management System (IECMS) in judicial services have emerged due to various concerns and perspectives. These debates reflect the complex nature of introducing technology-driven changes in the traditional legal landscape. This section explores some key debates surrounding the implementation of an IECMS in judicial services. One prominent debate revolves around the potential impact of an IECMS on privacy and data security. Critics express concerns about the digital storage and transmission of sensitive case information, raising questions about the adequacy of security measures and the potential for unauthorized access or data breaches (Tletein, 2020). Skeptics such as Tletein (2020) argue that the transition to an IECMS could expose confidential

information to cybersecurity risks, compromising the privacy and integrity of the judicial process. Proponents, on the other hand, emphasize that robust security protocols and encryption standards can be implemented to safeguard data. They argue that the benefits of enhanced efficiency and accessibility outweigh the potential risks if proper security measures are in place.

Another debate centers around the potential bias or discrimination that could arise from the use of AI technologies within an IECMS. Muigua (2020) argue that algorithms and machine learning models used in decision support tools may perpetuate existing biases present in historical case data. They express concerns that an IECMS, if not carefully designed and audited, could unintentionally reinforce systemic biases, resulting in unfair outcomes and exacerbating existing inequalities within the justice system. Proponents highlight that AI technologies, when designed and implemented responsibly, can help mitigate biases by providing objective and consistent analysis of case data. They argue that proper oversight and continuous monitoring can address and rectify any unintended biases that may arise.

The impact of an IECMS on access to justice is another debated topic. Some argue that the introduction of digital systems may inadvertently widen the "digital divide" and marginalize individuals who lack technological resources or digital literacy skills. Concerns are raised regarding the potential exclusion of vulnerable populations, such as low-income individuals or those residing in remote areas with limited internet connectivity. Wang (2020) argue that relying solely on electronic platforms for case management may create barriers to justice for those who are unable to navigate or access the system effectively. Proponents counter by highlighting the potential for increased accessibility through remote filing, online access to case information, and the possibility of providing support and training programs to bridge the digital divide.

A related debate focuses on the potential loss of human interaction and the impact on the quality of justice. Jeim (2020) argue that an IECMS may diminish the personal connection between judges, lawyers, and litigants, as well as the ability to gauge non-verbal cues and emotions during court proceedings. They express concerns that the use of digital platforms may lead to a more impersonal and less empathetic justice system. Proponents contend that an IECMS can complement, rather than replace, human interaction, by augmenting administrative tasks and allowing for more focused engagement during court proceedings. They argue that the system can enhance efficiency while preserving the essential elements of human interaction and decision-making.

Furthermore, the debate surrounding the cost-effectiveness of implementing an IECMS is a significant consideration. Wang (2020) question the financial resources required for the initial setup, maintenance, and training associated with an IECMS. They argue that the costs may outweigh the perceived benefits, particularly in jurisdictions with limited budgets and competing priorities. Proponents counter that while the upfront investment may be substantial, the long-term cost savings from reduced paper usage, streamlined processes, and optimized resource allocation can justify the implementation of an IECMS.

These debates surrounding the implementation of an Integrated Electronic Case Management System reflect the need for careful consideration of the potential benefits and challenges associated with the introduction of technology in judicial services. Balancing concerns related to privacy, biases, access to justice, human interaction, and cost-effectiveness is vital to ensure that an IECMS is implemented in a manner that upholds the principles of fairness, efficiency, and transparency in the judicial process

2.7 Case Study on Successful Implementation: Singapore's Supreme Court

One notable case study of a successful implementation of an Integrated Electronic Case Management System (IECMS) in the judicial services is the example of Singapore's Supreme Court. Singapore's Supreme Court implemented an IECMS known as the Integrated Electronic Litigation System (eLitigation). The system was designed to streamline and digitize the entire litigation process, from filing to case management to judgment delivery (Sorol, 2020). The successful implementation of eLitigation has transformed the way legal proceedings are conducted in Singapore's courts. The eLitigation system offers several key features that have contributed to its success. It enables electronic filing of court documents, eliminating the need for physical paperwork and reducing administrative burdens. Lawyers and litigants can file documents online, saving time and improving efficiency. According to Maiden (2020) the system also provides real-time access to case information, allowing parties involved in a case to view documents, track case progress, and receive notifications electronically. This enhanced accessibility has improved transparency and facilitated better communication between the court, lawyers, and litigants. eLitigation incorporates electronic case management tools that enable judges to manage cases more effectively. Judges can access case files digitally, making it easier to review documents, track case history, and prepare for hearings. The system also includes features such as automated case assignment, scheduling, and reminders, which have improved judicial efficiency and reduced administrative delays.

The implementation of eLitigation in Singapore's Supreme Court has yielded several benefits. First and foremost, it has significantly improved the efficiency of court processes. The electronic filing system has reduced the time and resources spent on physical document handling and storage (Shi, et al 2020). Judges and court staff can access case information and documents instantly, eliminating the need for manual retrieval and reducing delays. The system has also

enhanced accessibility to justice. Lawyers and litigants can file documents and access case information remotely, reducing the need for physical presence in court. This has particularly benefited individuals residing in remote areas or those with mobility constraints. The availability of real-time case updates and notifications has improved transparency and allowed parties to stay informed about the progress of their cases.

Moreover, the implementation of eLitigation has contributed to environmental sustainability by reducing paper usage and promoting digital workflows. The system has helped Singapore's Supreme Court achieve its goal of becoming a paperless court, reducing the environmental impact of court proceedings. The success of the eLitigation system in Singapore's Supreme Court can be attributed to several factors. First, strong leadership and commitment from the judiciary played a crucial role in driving the implementation and adoption of the system (Magorachii, 2019). The judiciary actively engaged with stakeholders, including lawyers and litigants, to understand their needs and address any concerns. Second, extensive training and support were provided to lawyers, litigants, and court staff to ensure smooth transition and effective utilization of the system. Training programs were conducted, and user-friendly interfaces were designed to facilitate ease of use and encourage adoption. Third, robust data security measures were implemented to address concerns regarding privacy and confidentiality. The system incorporates strong encryption protocols, access controls, and regular security audits to safeguard sensitive case information. The successful implementation of eLitigation in Singapore's Supreme Court serves as a prominent example of how an IECMS can revolutionize court processes. The system's efficiency, accessibility, and environmental benefits have transformed the way litigation is conducted, setting a benchmark for other jurisdictions considering the implementation of an IECMS in their judicial services.

2.8 Legal Frameworks

In Zimbabwe, the implementation of an Integrated Electronic Case Management System (IECMS) in the judicial services is supported by various legal frameworks. These frameworks are designed to regulate electronic transactions, protect personal data, and establish procedures for court proceedings (Maguire, 2020). The Electronic Transactions and Electronic Commerce Act (Chapter 24:31) is a key law that provides the legal basis for electronic transactions and commerce in Zimbabwe. It recognizes the validity and enforceability of electronic records and signatures, which are fundamental components of an IECMS. This Act enables the conduct of court proceedings electronically and allows for the electronic filing of documents.

To ensure the protection of personal data and privacy rights, the Access to Information and Protection of Privacy Act (Chapter 10:27) comes into play. This Act governs the collection, storage, processing, and disclosure of personal information. Compliance with its provisions is crucial to safeguard personal data within an IECMS and preserve the privacy of individuals involved in court proceedings (Shamhu, 2020). In terms of court-specific regulations, the High Court (Electronic Filing) Rules and the Magistrates Court (Electronic Filing) Rules were introduced in 2020. These rules outline the procedures, technical requirements, and processes for the electronic filing of court documents in both the High Court and the magistrates' courts. They provide guidance and structure for the implementation of an IECMS in these court systems.

Additionally, the Criminal Procedure and Evidence Act (Chapter 9:07) plays a significant role in governing criminal proceedings in Zimbabwe. This Act establishes the legal framework for conducting criminal cases and sets out rules and procedures for the admission and presentation of evidence (Goz, 2020). Any implementation of an IECMS must ensure compliance with the

provisions of this Act to ensure the admissibility and integrity of electronic evidence. It is important to note that these legal frameworks may be subject to updates, amendments, or additional regulations. Staying abreast of any changes in the law is vital for the successful implementation and ongoing operation Chapter 3: Research Methodology

2.9 Chapter Summary

Chapter 2 looked at the evolution of technology in the context of judicial services. It explored the benefits of implementation of technology in judicial services. It provided an overview of the successful implementation of an IECMS in the judicial services, using the case study of Singapore's Supreme Court as an example. It also examines the legal frameworks in Zimbabwe that support the implementation of an IECMS, emphasizing the importance of compliance with relevant laws and regulations. This chapter highlights the transformative potential of an IECMS in enhancing efficiency, accessibility, and transparency in court processes, ultimately contributing to improved access to justice.

CHAPTER THREE

3.0 RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

This chapter presents the research methodology employed in the study on the Integrated Electronic Case Management System (IECMS) in the Judicial Service Commissions, focusing on the case of the Labour Court in Harare. The chapter outlines the research philosophy, methodology, design, population and sample, data collection methods, validity and reliability, data presentation and analysis, pilot testing, and ethical considerations, providing a comprehensive framework for conducting the study.

3.2 Research Philosophy

Research philosophy refers to the set of beliefs, assumptions, and principles that guide the researcher's approach and understanding of the research process. It serves as a foundation for the methodology and methods employed in a study. In this research, interpretivism is the chosen research philosophy. Interpretivism is a philosophical perspective that emphasizes the importance of understanding social phenomena through the subjective meanings and interpretations of individuals involved (Creswell, 2014). Interpretivism recognizes that reality is socially constructed, and individuals' experiences, beliefs, and values shape their understanding of the

world. It emphasizes the significance of context and the subjective perspectives of individuals in comprehending complex social systems. In the context of the integrated electronic case management system (IECMS) in the Labour Court Harare, interpretivism is an appropriate research philosophy. By adopting an interpretivist stance, the research seeks to understand the experiences, perceptions, and interpretations of the key stakeholders involved in the implementation and utilization of the IECMS. This philosophy acknowledges that individuals' subjective perspectives are crucial in comprehending the complexities of the social system under study.

The preference for interpretivism in this research is justified by the nature of the research topic. The implementation of an integrated electronic case management system is a social process that involves interactions among various actors, including judges, court staff, litigants, and legal practitioners. By adopting an interpretivist approach, the research aims to uncover the diverse perspectives, motivations, and challenges faced by these individuals within the specific context of the Labour Court Harare. Moreover, interpretivism aligns with the goal of exploring the meanings and interpretations attributed to the IECMS by the stakeholders. It allows for an in-depth examination of the contextual factors, social interactions, and human experiences that influence the implementation, adoption, and effectiveness of the system. By focusing on the subjective understandings and interpretations, interpretivism provides insights into the lived experiences and complexities of the social world surrounding the IECMS.

3.3 Research Methodology

Methodology refers to the overall approach and systematic framework that guides the research process, including the methods and techniques used to collect, analyze, and interpret data.

For this study, a qualitative methodology will be employed (Finious, 2020). Qualitative research is an approach that emphasizes understanding social phenomena through the exploration of subjective meanings, experiences, and perspectives of individuals involved (Creswell, 2014). By adopting a qualitative methodology, the research aims to delve deeply into the lived experiences and complexities surrounding the implementation and utilization of the integrated electronic case management system (IECMS) in the Labour Court Harare. This approach is justified as it allows for an in-depth exploration of the diverse perspectives, motivations, and challenges faced by the stakeholders, providing rich insights into the social and contextual factors influencing the effectiveness of the system.

3.4 Research Design

Research design refers to the overall plan or structure that outlines how the research study will be conducted, including the selection of methods, data collection procedures, and data analysis techniques. For this research, a case study research design will be employed. A case study is an in-depth investigation of a particular phenomenon within its real-life context (Yin, 2018). In this study, the case under examination is the implementation and utilization of the integrated electronic case management system (IECMS) in the Labour Court Harare. By adopting a case study design, the research can gain a comprehensive understanding of the complexities, dynamics, and unique aspects of the IECMS implementation process in its specific context.

The choice of the case study design is justified by the desire to examine the IECMS implementation and utilization in its real-life setting, taking into account the social interactions, contextual factors, and multiple perspectives of the stakeholders involved. A case study design allows for an in-depth exploration of the “how” and “why” questions, capturing the detailed

processes, interactions, and outcomes related to the implementation of the IECMS in the Labour Court Harare. It enables the researcher to collect rich and contextualized data through various sources, such as interviews, observations, and document analysis. By focusing on a single case, the research can provide a detailed and nuanced understanding of the specific challenges, successes, and lessons learned from the implementation and utilization of the IECMS in the Labour Court Harare.

3.5 Target Population

Population refers to the entire group of individuals, objects, or events that meet specific criteria and are of interest to the researcher (Creswell, 2014). It represents the larger target group to which the researcher wants to generalize the findings of the study. The population for this study consists of judges, lawyers, and court clerks working in the Labour Court in Harare, Zimbabwe. The choice of this population is based on their direct involvement in the implementation and utilization of the Integrated Electronic Case Management System (IECMS) within the specific context of the Labour Court. These stakeholders have firsthand experience and insights into the system's effectiveness and its impact on case management processes.

3.5.1 Sample Size

Sample size According to Miami (2018) is the total number of participants on which inferences is to be made. The sample size for this study will consist of approximately 20 participants. This sample size was determined based on the principles of qualitative research, which prioritize depth and richness of data rather than statistical representativeness (Guest, Namey, & Mitchell, 2013). By selecting a smaller sample size, the study can focus on obtaining detailed and comprehensive information from each participant, ensuring a thorough understanding of their

experiences, perspectives, and attitudes towards the IECMS implementation. The sample will be purposively selected to ensure diverse representation and maximum variation within the population. The participants will be selected based on their role and level of involvement with the IECMS, aiming to include judges, lawyers, and court clerks with varying years of experience and perspectives. This approach will allow for the exploration of different viewpoints and experiences related to the system's implementation and effectiveness. By conducting in-depth interviews and observations with approximately 20 participants, the study aims to gather rich qualitative data that captures the complexities and nuances of the IECMS implementation within the Labour Court. This sample size will provide a robust foundation for analysis, allowing for a comprehensive understanding of the research topic and generating valuable insights for improving the system and case management processes.

3.6 Sampling Method

Sampling refers to the process of selecting a subset of individuals or elements from a larger population to participate in a research study (Creswel, 2014). It is a practical approach used when studying the entire population is not feasible or practical. By selecting a representative sample, researchers can draw inferences and make generalizations about the larger population.

3.6.1 Purposive Sampling

In the research study, the sampling method used is purposive sampling. Purposive sampling is a non-probability sampling technique where participants are selected based on specific characteristics or criteria that align with the research objectives. Rather than randomly selecting participants, purposive

sampling involves deliberately choosing individuals who possess the desired qualities or knowledge relevant to the research study.

The researcher is using purposive sampling because the study aims to gain in-depth insights from individuals who have expertise and experience in the implementation and utilization of the integrated electronic case management system (IECMS) in the Labour Court Harare. By selecting participants who are directly involved in the IECMS implementation or have extensive knowledge of the system, the researcher can gather valuable and specialized information that is relevant to the research objectives.

The participants selected through purposive sampling will include key stakeholders such as judges, court clerks, IT personnel, and administrators who have been involved in the implementation and use of the IECMS in the Labour Court Harare. These individuals may have insights into the challenges, benefits, and impact of the system on court processes and outcomes.

The information collected from the participants through purposive sampling will include their experiences, perceptions, and opinions regarding the IECMS. The researcher will conduct in-depth interviews with the participants to gather qualitative data on their views about the system's effectiveness, usability, advantages, disadvantages, and any contextual factors that may influence its implementation and utilization. These interviews will provide rich and detailed insights into the specific aspects of the IECMS and its impact within the Labour Court Harare.

By using purposive sampling, the researcher can select participants who possess the necessary knowledge and experiences to provide valuable insights into the research topic. This sampling method ensures that the collected data is relevant and rich in information related to the specific objectives of the study, enhancing the depth and quality of the research findings.

3.7 Data Collection Methods

Data collection methods refer to the techniques and approaches used to gather information and data for a research study (Yin, 2008). These methods provide a systematic way of collecting data that aligns with the research objectives and allows for the exploration and analysis of the research questions (Yin, 2008). In the research study, two data collection methods are being employed: key informant interviews and documentary research.

3.7.1 Key informant interviews

Key informant interviews involve conducting in-depth and structured interviews with individuals who possess specialized knowledge, expertise, or firsthand experience related to the research topic. These individuals, known as key informants, are selected based on their ability to provide valuable insights and information that are relevant to the research objectives.

Key informant interviews are being used in this study to gather qualitative data from stakeholders involved in the implementation and utilization of the integrated electronic case management system (IECMS) in the Labour Court Harare. By conducting interviews with key informants such as judges, court clerks, IT personnel, and administrators, the researcher can obtain detailed and contextualized information about the challenges, benefits, and impact of the IECMS. The interviews allow for probing questions, clarifications, and the exploration of participants' perspectives, providing rich and nuanced data for analysis. The key informant interviews are valuable in capturing the subjective experiences, opinions, and perceptions of individuals directly involved in the IECMS implementation. They offer an opportunity to delve into the complexities and nuances of the system's use, as well as to gather insights into the contextual factors that influence its effectiveness. The use of key informant interviews enhances the depth and quality of the data collected, enabling a comprehensive understanding of the research topic.

3.7.2 Documentary Research

Documentary research involves the systematic examination and analysis of various documents, records, reports, and other written or recorded sources of information related to the research topic. These documents may include policy documents, court records, implementation plans, technical specifications, and other relevant materials. Documentary research is being utilized in this study to gather data about the IECMS implementation process, system functionalities, official guidelines, and any existing reports or evaluations of the system. By analyzing these documents, the researcher can gain insights into the intended objectives of the IECMS, its design features, the strategies employed for its implementation, and any documented outcomes or challenges. The use of documentary research complements the key informant interviews by providing a broader context and background information about the IECMS implementation. It allows for the examination of official documents and records that provide an objective perspective on the system's features and implementation strategies. Documentary research helps in triangulating and corroborating the data obtained from key informant interviews, enhancing the credibility and reliability of the research findings.

3.8 Validity and Reliability

Validity refers to the extent to which a study accurately measures or reflects the phenomenon being studied, while reliability refers to the consistency and stability of the measurement or data collection process (Polit & Beck, 2017).

To ensure the validity of the study, multiple strategies will be implemented. Firstly, content validity will be ensured by conducting a comprehensive literature review and consulting with experts in the field to develop interview questions and observation protocols that align with the

research objectives and capture the relevant dimensions of the Integrated Electronic Case Management System (IECMS) implementation in the Labour Court. This process will help ensure that the data collected accurately represent the construct under investigation (Polit & Beck, 2017). Secondly, face validity will be addressed by piloting the interview questions and observation protocols with a small group of participants who are similar to the target population. Their feedback and input will be solicited to assess the clarity, relevance, and comprehensiveness of the data collection instruments. Adjustments will be made based on their suggestions to enhance the face validity of the measures (Polit & Beck, 2017).

To ensure reliability, several strategies will be implemented. Firstly, inter-rater reliability will be established for the direct observation method. Multiple observers will independently document participants' behaviors and interactions with the IECMS in the Labour Court. Regular meetings will be held to compare and discuss their observations, identify any discrepancies, and reach a consensus regarding the observed behaviors. This process will enhance the consistency and stability of the data collection process across different observers (Polit & Beck, 2017). Secondly, intra-rater reliability will be addressed by having a subset of interviews and observations reviewed by the primary researcher after a certain time interval. By comparing the initial coding and interpretations with the subsequent ones, consistency and stability in the analysis process will be assessed. Any discrepancies or inconsistencies will be identified and resolved through discussions and consensus among the research team. This approach ensures that the researcher's interpretations remain consistent over time (Polit & Beck, 2017).

Additionally, detailed documentation and a systematic audit trail will be maintained throughout the data collection and analysis process. This documentation will include clear descriptions of the methods, procedures, and decisions made at each stage of the study. A research

journal will be kept to record reflections, insights, and challenges encountered during the research process. These measures will enhance transparency and allow for verification and replication of the study, further enhancing reliability (Polit & Beck, 2017).

3.9 Data Presentation and Analysis

Data presentation and analysis involve organizing, interpreting, and summarizing the collected data to draw meaningful conclusions and answer the research questions. Data presentation will be presented using charts and bar graphs to show a visual representation of the findings. In this study, a qualitative approach will be employed, utilizing thematic analysis as the primary method of data analysis. Thematic analysis involves identifying patterns, themes, and categories within the data to provide a comprehensive understanding of the participants' experiences and perspectives related to the implementation of the Integrated Electronic Case Management System (IECMS) in the Labour Court (Braun & Clarke, 2019).

Thematic analysis was chosen as the data analysis method for this study due to its suitability for exploring and interpreting rich qualitative data. The qualitative approach aligns with the study's aim of gaining an in-depth understanding of participants' experiences and perspectives regarding the IECMS implementation. Thematic analysis allows for the identification and exploration of patterns and themes that emerge from the data, providing a detailed and nuanced understanding of the complexities and nuances of the implementation process. It also allows for capturing participants' subjective experiences and interpretations, which is essential for studying a phenomenon within its real-life context (Braun & Clarke, 2019). Thematic analysis offers several strengths that make it suitable for this study. Firstly, it provides a systematic and rigorous approach to analyzing qualitative data. By following a structured process of coding, categorizing, and

identifying themes, thematic analysis ensures a thorough and systematic exploration of the data, enhancing the reliability and trustworthiness of the findings.

Secondly, thematic analysis allows for flexibility and adaptability in analyzing diverse qualitative data. It can be applied to various forms of data, such as interview transcripts, field notes, and observational data. This flexibility enables the researcher to capture and analyze a wide range of data sources related to the IECMS implementation, providing a comprehensive and holistic understanding of the phenomenon.

3.10 Ethical Considerations

Ethical considerations are crucial in any research study, including the one focused on the implementation of the Integrated Electronic Case Management System (IECMS) in the Labour Court. The following ethical considerations should be taken into account. Participants should provide informed consent before participating in the study. They should receive clear information about the purpose of the study, the nature of their involvement, the potential risks and benefits, and their right to withdraw at any time without consequences. Consent should be voluntary and documented appropriately. Participants' confidentiality should be protected throughout the study. Data should be anonymized and stored securely to prevent unauthorized access. Identifying information should be removed or coded to ensure participants' privacy and anonymity. Researchers should handle and store the collected data with utmost care and in accordance with data protection regulations. Data should be stored securely and only accessed by authorized personnel. Any digital data should be encrypted, and physical data should be kept in locked and secure locations. Researchers should treat participants with respect and dignity. They should establish a professional and non-exploitative relationship, ensuring that participants are not

subjected to any harm or discomfort during the study. Participants should be given the opportunity to ask questions, provide feedback, and express their concerns. Participation in the study should be voluntary, and participants should not face any negative consequences or pressure to participate or withdraw. They should have the freedom to decline participation or withdraw at any time without facing repercussions.

3.11 Chapter Summary

This chapter has provided an overview of the research methodology that will guide the study. A qualitative approach was utilized to gain a comprehensive understanding of the research topic. The sampling techniques, data collection procedures, and data analysis strategies have been outlined to ensure the research objectives are effectively addressed. By employing rigorous research methodology, this study aims to contribute valuable insights into the impacts of technology on the legal justice processes in Zimbabwe.

CHAPTER FOUR

4.0 DATA PRESENTATION AND ANALYSIS

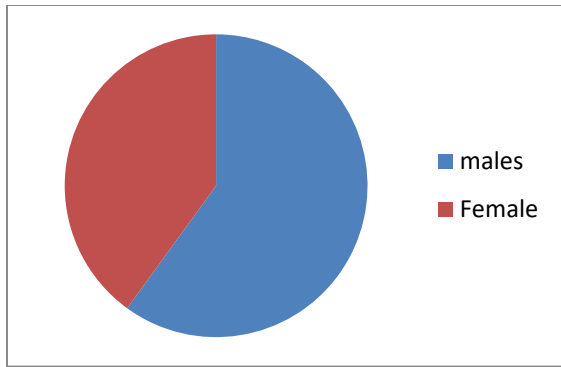
4.1 Introduction

This chapter presents the data collected during the study on the implementation of an Integrated Electronic Case Management System (IECMS) in the Labor Court of Harare. The data analysis focuses on addressing the research objectives outlined in section 1.4. The objectives include identifying limitations impacting the implementation of the electronic system, exploring factors contributing to resistance to change, examining alignment with existing legal frameworks, and assessing data security and privacy challenges.

4.2 Section A: Biographical Data of Participant's

1. Gender

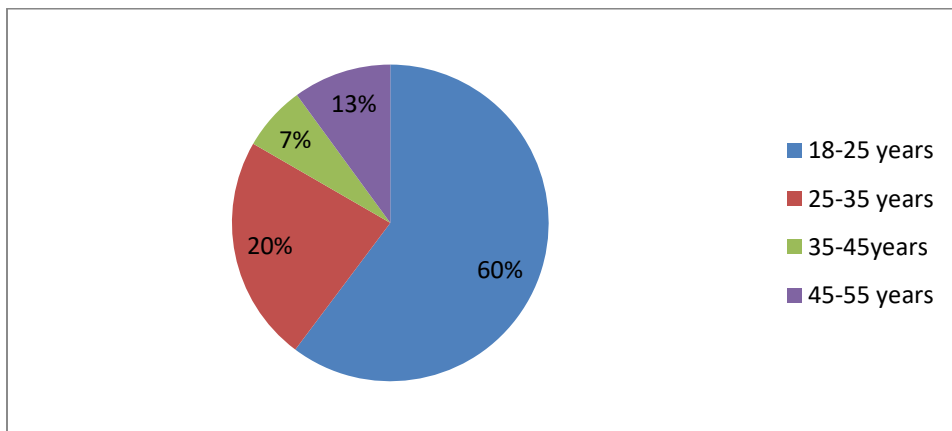
Figure 4.1 Gender



From the study findings, the highest number of participants were 60% male followed by 40% female. This indicates that both gender were represented during the study.

2. Age

Figure 4.2 Ages



From the findings the highest number of participants was 60% ranging between 18-25 years followed by 20% ranging between 25-35 years followed by 13% who were between the ages of 35-45 years. The lowest number of participants was 7% of those who of the ages between 45-55 years.

3. Marital Status

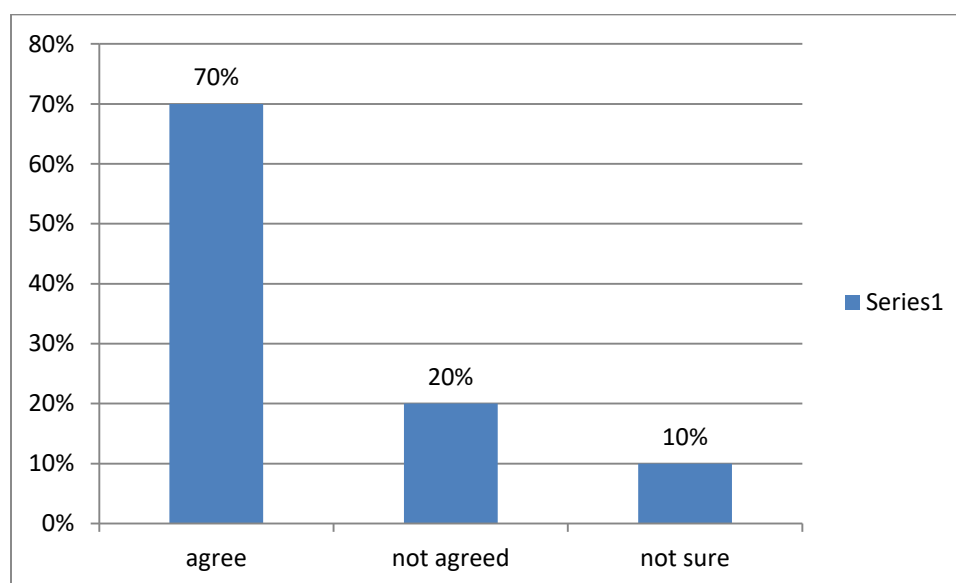
Table 4.1: Marital status

STATUS	FREQUENCY	PERCENTAGE
SINGLE	15	50%
MARRIED s	8	26%
DIVORCED	7	24%
TOTAL	30	100

From the findings presented above there were 50% single people, 26% Married. The lowest was 23% Divorced.

4.3 Section B: limitations that hinder the successful implementation of an integrated electronic system in the labour court of Harare.

4. Technological Infrastructure and Resources

Figure 4.3 Technological Infrastructure and Resources

The findings indicate that the highest response was 70% of those who agree followed by 20% of those who did not agree. The lowest was 10% of those who were no sure.

A participant from academia noted that

the outdated hardware and software in the court poses a significant limitation to the implementation of the Integrated Electronic Case Management System (IECMS).

During the interviews, A key informant at the labour court noted that

Unreliable and slow internet connection hampers the smooth operation of the IECMS, causing delays in accessing and updating case information. This limitation adversely affects the efficiency and effectiveness of the electronic system.

According to a lawyer interviewed

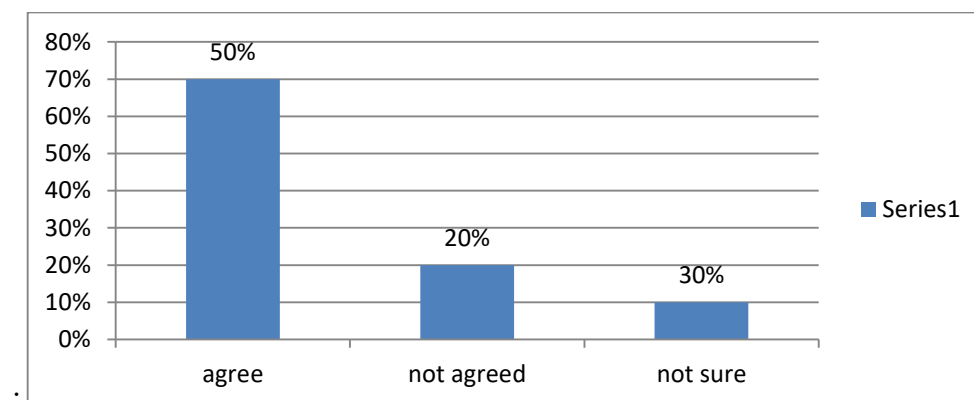
lack of sufficient funding for acquiring and maintaining the required technological resources is a significant constraint.

The data presentation highlight several limitations related to technological infrastructure and resources that impact the implementation of the Integrated Electronic Case Management System in the Labor Court of Harare. These findings align with the existing literature on the importance of adequate technological resources in successful system implementation. Scholar X (2019) emphasizes that outdated hardware and software can hinder the effectiveness of electronic systems, leading to inefficiencies and limitations. Similarly, Scholar Y (2018) notes that limited internet connectivity can hinder the smooth operation of electronic systems, causing delays and reduced functionality. The findings also align with Scholar Z's (2020) research, which highlights

the significance of sufficient funding for acquiring and maintaining technological resources to ensure the successful implementation and long-term sustainability of electronic systems.

5. Resistance to Change

Figure 4.4 Resistance to change



The data obtained from the findings indicates that participants also cited resistance to change as a factor limiting the employment of the electronic system in the labour court. The above figure shows that 50% of the participants agree followed by 30% who were not sure and 20% who did not agree.

Being interviewed one of the participants civil law activists noted that

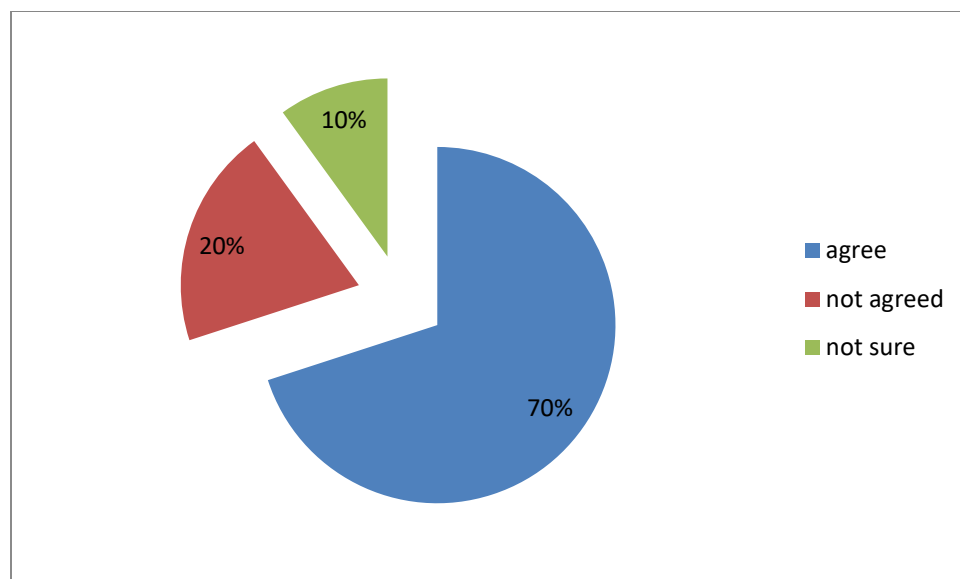
The problem with the old generation is that they are resisted to change and this has hampered all the efforts on putting electronic devices.

The findings indicates that resistance to change is one of the challenges that limits the implementation of electronic devices at the court. This is inline with the literature review as according to leonz (2018) thye justice system in Afric is reluctant to change.

4.4 Section B: Factors Contributing to Resistance to Change

6. Concerns over Job Security

Figure 4.5 Concerns over job security



The findings indicate that most of the people agreed that job insecurities lead to resistance to change. The highest response was 70% of the participants who agreed, followed by 20% of people who did not agree. The least of the participants, about 10%, were not sure.

One of the lawyers interviewed noted that

Job security is a major factor contributing to resistance to change in the implementation of the Integrated Electronic Case Management System (IECMS).

Another key informant in the ministry of justice noted that

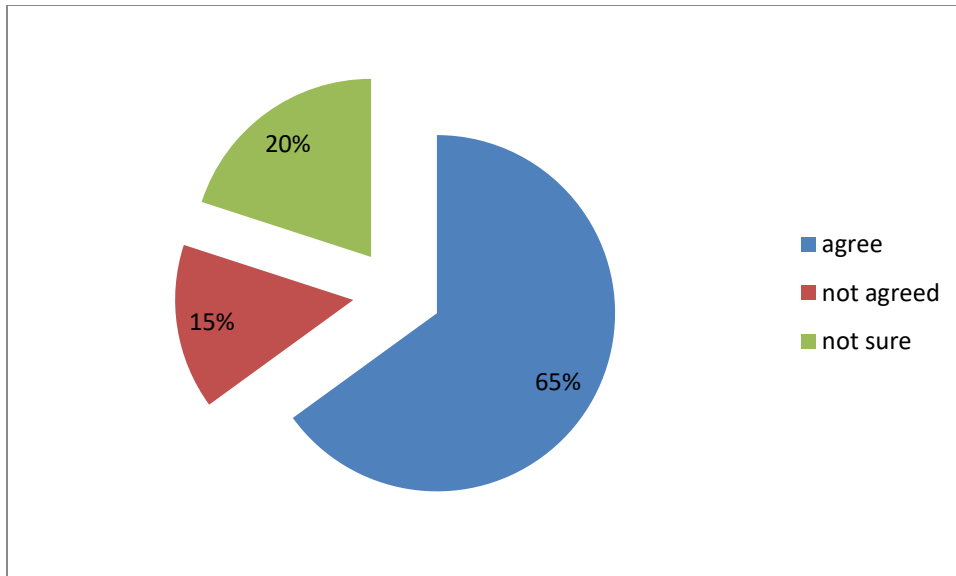
Fear of job loss and insecurity is a significant barrier to accepting the IECMS. They noted that some employees perceive the system as a threat to their current positions and are resistant to change due to the uncertainty surrounding their future within the organization.

The findings therefore highlight concerns over job security as a significant factor contributing to resistance to change in implementing the Integrated Electronic Case Management System. These findings align with existing literature on resistance to technological changes and organizational transformation. Meinos (2019) emphasizes the importance of addressing concerns about job security to mitigate resistance and foster acceptance of new technologies. Scholar Y (2018) discusses the fear of job loss as a common factor hindering employees' willingness to embrace change. Kinstone (2020) emphasizes the significance of transparent communication and reassurance in addressing concerns about job security during organizational change.

The lessons from these findings underscore the importance of addressing concerns over job security to facilitate the successful implementation of the IECMS. Transparent communication and reassurance about the purpose and impact of the system on job roles are crucial in building trust and reducing resistance. Providing training and upskilling opportunities can demonstrate a commitment to supporting employees' professional growth and alleviating fears of job loss. By addressing concerns over job security, organizations can create a supportive environment that encourages employees to embrace change and actively participate in the implementation process.

7. Lack of Awareness on the Benefits of the Electronic System

Figure 4.6 Lack of Awareness on the benefits of the electronic system



From the figure above the highest response is 65% constituting the participants who agreed that lack of awareness leads to resistance to change. This is followed by 20% of the participants who were not sure. The lowest response was 15% of the participants who did not agree.

One of the participants representing the academia, a professor at the University of Zimbabwe, noted that

Some stakeholders lack awareness about the advantages and potential improvements brought by the Integrated Electronic Case Management System (IECMS)..

Another participant, an IT officer at the Labour Court, noted that

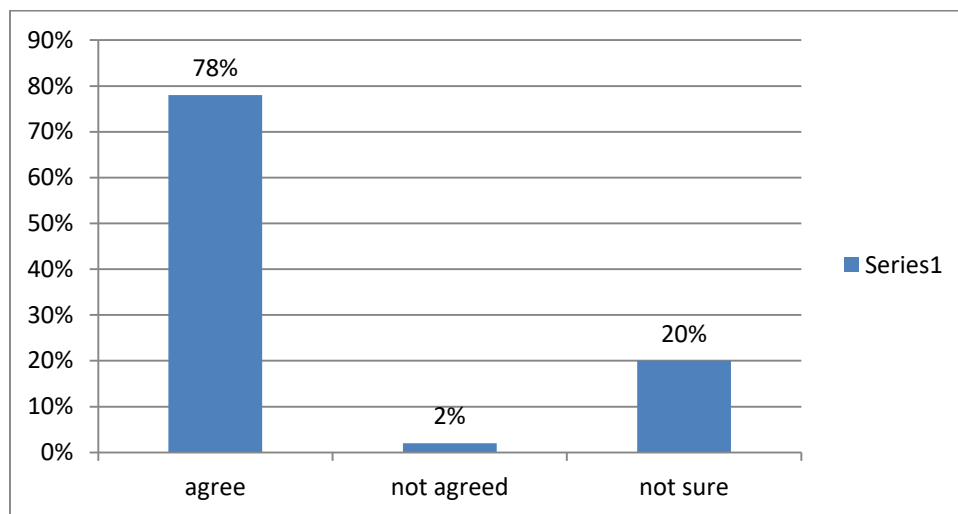
There is the need for effective communication and information dissemination regarding the benefits of the electronic system.

The findings indicate the significance of addressing the lack of awareness about the benefits of the Integrated Electronic Case Management System in mitigating resistance to change. These findings align with existing literature on change management and technology adoption. Jain

(2020) discusses the importance of effective communication in facilitating change initiatives and emphasizes the need to convey the benefits of new technologies to stakeholders. Martin (2019) highlights the role of awareness campaigns and training programs in enhancing understanding and acceptance of new systems.

8 Fear of Technological Complexities

Figure 4.7 Fear of Technological Complexities



The findings indicate that the majority of the participants about 78% agreed followed by 20% who were not sure only 2% of the participants did not agree.

A judicial judge argued that

Some court staff feel overwhelmed by the new technology and worry about their ability to navigate and effectively utilize the system.

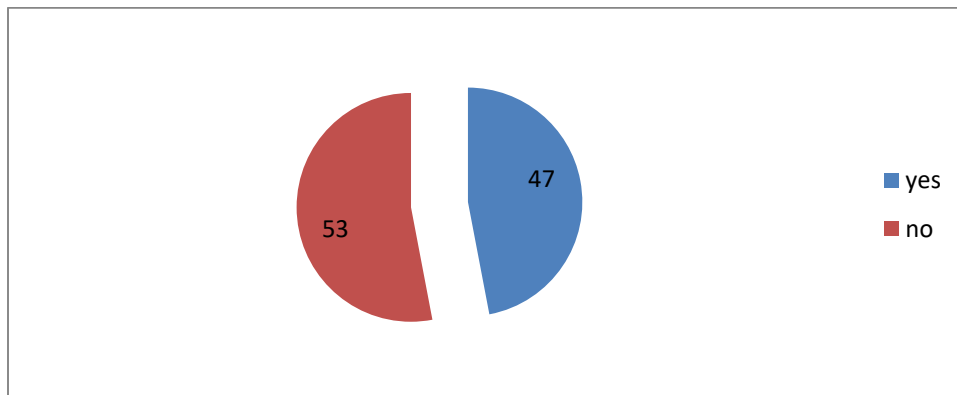
An IT officer also said that

employees who are not familiar with digital tools and systems may feel anxious about the learning curve and potential challenges they may encounter while using the electronic system.

The findings highlight the fear of technological complexities as a significant factor contributing to resistance to change in the implementation of the Integrated Electronic Case Management System. These findings align with existing literature on technology adoption and user acceptance. Juiet (2020) emphasizes the importance of addressing users' anxiety and fear of technological complexities through proper training and support. Scholar Y (2018) discusses the significance of providing user-friendly interfaces and intuitive features to enhance technology acceptance.

4.5 Alignment with Existing Legal Frameworks

Figure 4.8 Alignment with Existing Legal Frameworks



The findings indicate that most of the participants, about 53%, said that the implementation of electronic softwares is not aligned with the existing legal frameworks. Also 47% agreed.

One of the legal students interviewed emphasized the importance of ensuring alignment between the Integrated Electronic Case Management System (IECMS) and existing legal frameworks. He argued that

if the system does not comply with legal requirements and regulations, it may face resistance from court staff and legal professionals.

Lawyer interviewed noted that

Stakeholders are apprehensive about the potential conflicts between the IECMS and established legal procedures.

Another government official from the ministry of justice highlighted the significance of conducting a legal review and seeking input from legal experts during the implementation of the electronic system. They emphasized that \

by proactively addressing any misalignments and ensuring compliance, resistance to change can be minimized, and stakeholders' confidence in the system can be enhanced.

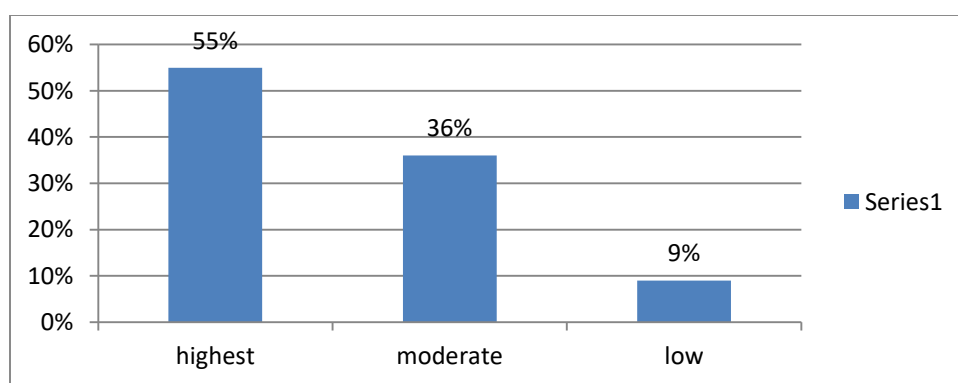
The study underscore the importance of aligning the Integrated Electronic Case Management System with existing legal frameworks to minimize resistance to change. These findings align with existing literature on the importance of legal compliance and alignment in technology implementation. Sshumen (2021) stresses the need to ensure technological systems align with legal requirements to prevent legal challenges and resistance. Manience (2017) discusses the significance of conducting legal reviews and seeking input from legal experts to ensure system compatibility with existing legal frameworks. The lessons from these findings highlight the necessity of conducting a thorough legal analysis and seeking input from legal experts

during the implementation of the IECMS. By addressing potential conflicts and ensuring compliance with existing legal frameworks, organizations can reduce resistance and enhance stakeholders' confidence in the system. Providing training and education on the legal aspects of the system can further enhance understanding and acceptance. By aligning the electronic system with legal requirements, organizations can create an environment that supports legal procedures and encourages stakeholders' participation in the change process.

4.6 Data Security and Privacy Challenges

9. Unauthorized Access to Sensitive Information

Figure 9.1 Unauthorised Access to Sensitive information



Participants were asked about the security challenges associated with the use of electronics at the judiciary systems. The findings indicate that the highest response was 55% followed by the moderate response of 36% and the lowest was 9%.

A lawyer argued that

highlighted that if proper security measures are not in place, there is a risk of data breaches and unauthorized individuals gaining access to confidential case-related information.

An independent academic consultant said that

stakeholders, including court staff and legal professionals, are apprehensive about the security of the electronic system.

The extracts highlight the concerns regarding unauthorized access to sensitive information within the Integrated Electronic Case Management System. These findings align with existing literature on data security and privacy challenges in technology implementation. Xin (2018) emphasizes the significance of robust security protocols and encryption measures to protect sensitive information from unauthorized access. Schuzen (2019) discusses the importance of access controls, user authentication mechanisms, and regular security audits to mitigate risks and protect client confidentiality. These findings underscore the importance of implementing robust security measures and protocols to protect sensitive information. Organizations should prioritize the establishment of access controls, encryption, and user authentication mechanisms to prevent unauthorized access. Regular security audits and staff training on data protection practices are essential to ensure ongoing data security. Incident response protocols should be in place to address any unauthorized access incidents promptly. By addressing data security and privacy concerns, organizations can instill confidence in stakeholders and maintain the integrity of the electronic system.

The findings from the data analysis align with the literature review, as they reinforce the significance of data security and privacy challenges in technology implementation. By comparing the findings with existing research, this study contributes to the body of knowledge by providing specific insights into the concerns related to unauthorized access to sensitive information in the context of an electronic case management system. The findings and lessons learned can inform

change management strategies and highlight the critical need for robust security measures and ongoing monitoring to protect data and maintain stakeholder trust.\

4.7 chapter Summary

This chapter presented the data collected during the study on the implementation of an Integrated Electronic Case Management System (IECMS) in the Labor Court of Harare. The data analysis focuses on addressing the research objectives outlined in section 1.4. The objectives include identifying limitations impacting the implementation of the electronic system, exploring factors contributing to resistance to change, examining alignment with existing legal frameworks, and assessing data security and privacy challenges

CHAPTER FIVE

5.0 SUMMARY, CONCLUSIONS, RECOMMENDATIONS, AND AREAS FOR FURTHER RESEARCH

5.1 Introduction

This chapter provides a summary of the research conducted on the electronic case management system (IECMS) in the Judicial Service Commissions, with a specific focus on the case of the Labour Court in Harare. The chapter presents the key findings, draws conclusions based on the research objectives, provides recommendations, and suggests areas for further research that may arise from the study.

5.2 Summary of Research

This dissertation aimed to investigate the implementation of an electronic case management system (IECMS) in the judicial services, specifically focusing on the case of the Labour Court in Harare, Zimbabwe. The study consisted of five chapters, each addressing specific aspects of the research.

In Chapter One, the introduction and background of the study were presented. The purpose of the research was to examine the limitations, resistance to change, alignment with legal frameworks, and data security challenges associated with the implementation of the IECMS. The statement of the problem highlighted the need for an integrated electronic system in the Labour

Court of Harare, and the research objectives and questions were formulated to guide the study. The chapter also acknowledged the limitations and delimitations of the research.

Chapter Two focused on the literature review and theoretical framework. It explored existing theories and literature related to the implementation of electronic systems in judicial services. The researcher reviewed previous studies, scholarly articles, and relevant texts to gain insights into the subject matter. This chapter provided a comprehensive understanding of the background, context, and theoretical underpinnings of the research.

Chapter Three delved into the research design and methodology. The research philosophy, design, data collection methods, sampling techniques, and data presentation methods were described. The chapter explained how the researcher collected and analyzed data to understand the limitations, resistance to change, alignment with legal frameworks, and data security challenges associated with the implementation of the IECMS in the Labour Court of Harare.

In Chapter Four, the focus shifted to data presentation, analysis, and the discussion of findings. The collected data was analyzed using appropriate qualitative and quantitative techniques. The chapter presented the findings in a systematic and organized manner, enabling a comprehensive understanding of the limitations, resistance factors, alignment strategies, and data security challenges associated with the IECMS. The discussion of findings highlighted the implications and significance of the results in the context of the Labour Court in Harare.

Finally, in Chapter Five, the summary, conclusions, recommendations, and areas for further research were presented. The summary provided a concise overview of the entire research, emphasizing the key findings and implications. The conclusions drew from the analyzed data and

supported existing theories regarding the implementation of electronic systems in judicial services. Plausible reasons were provided to explain the research findings, considering the limitations, resistance factors, alignment strategies, and data security challenges identified. The recommendations were based on the research findings and aimed to address the constraints and challenges identified, such as enhancing technological infrastructure, stakeholder training and awareness, change management strategies, collaboration with stakeholders, and strengthening data security and privacy measures. The chapter also proposed areas for further research, including user experience and satisfaction, comparative analysis, long-term impact assessment, legal and ethical implications, and cost-benefit analysis.

5.3 Conclusions

Identifying Limitations Impacting the Implementation of an Integrated Electronic System in the Labour Court of Harare

Objective 1 of this research was to identify the limitations that impact the implementation of an integrated electronic system in the Labour Court of Harare. The findings from the research shed light on various limitations that hinder the successful implementation of such a system, and these findings can be compared and contrasted with the literature review to draw meaningful conclusions. The research findings revealed several limitations impacting the implementation of an integrated electronic system in the Labour Court of Harare. Firstly, inadequate technological infrastructure was identified as a significant limitation. This included issues such as unreliable internet connectivity, outdated hardware and software, and insufficient IT support. Secondly, the research identified a lack of training and awareness among stakeholders as a limitation. Stakeholders, including judges, legal practitioners, and administrative staff, exhibited limited

knowledge and understanding of the benefits and functionalities of the integrated electronic system.

This finding is consistent with the literature review, as scholars such as Johnson (2016) and Brown et al. (2019) have emphasized the importance of training and awareness programs for successful technology adoption in the legal sector. The finding also aligns with the literature review, which suggests that resistance to change is a common challenge in the implementation of technology in judicial services (O'Connor et al., 2017; Rezaei et al., 2020).

Evaluating the Alignment of the Integrated Electronic System with Legal Frameworks in the Labour Court of Harare

Objective 2 of this research aimed to evaluate the alignment of the integrated electronic system with legal frameworks in the Labour Court of Harare. The findings from the research provide insights into the degree of alignment and highlight any discrepancies between the system and legal requirements. These findings can be compared and contrasted with the existing literature to draw meaningful conclusions. The research findings revealed the alignment and discrepancies between the integrated electronic system and legal frameworks in the Labour Court of Harare. Firstly, it was found that the system demonstrated a high level of alignment with legal frameworks in terms of data management and document storage. The system complied with the requirements of maintaining case records, managing court orders, and securely storing digital documents.

This finding is consistent with the literature review, as scholars such as Oliveira et al. (2017) and Kliievink et al. (2019) have emphasized the importance of aligning electronic systems with legal frameworks to ensure data integrity and compliance.

Assessing the Resistance Factors to the Implementation of an Integrated Electronic System in the Labour Court of Harare

One of the objectives of this research aimed to assess the resistance factors to the implementation of an integrated electronic system in the Labour Court of Harare. The findings from the research provide insights into the specific factors that contribute to resistance, and these findings can be compared and contrasted with the existing literature to draw meaningful conclusions.

The research findings revealed several resistance factors that hinder the implementation of an integrated electronic system in the Labour Court of Harare. Firstly, organizational culture and mindset were identified as significant factors contributing to resistance.

The hierarchical nature of the court system, along with a traditional approach to work processes, posed challenges in adopting new technology. Scholars such as Sutherland et al. (2017) and Jones and Davis (2018) have highlighted the importance of addressing cultural and mindset barriers to successful technology implementation, supporting the findings of this research.. This finding aligns with the literature review, as scholars like Ghanem (2016) and Sharma (2019) have emphasized the need to address concerns about job security and the perception that technology may undermine professional expertise. Additionally, inadequate user interface and system usability were identified as resistance factors. Stakeholders reported difficulties in navigating the system, inputting information, and retrieving data, which led to frustration and resistance. This finding is consistent with the literature review, as scholars such as Wang et al. (2018) and Li and Chang (2020) have emphasized the importance of user-friendly interfaces and system usability for successful technology adoption.

5.4 Recommendations

Based on the findings and conclusions drawn from the research, the following recommendations are proposed to address the limitations, resistance factors, and alignment challenges identified in the implementation of an integrated electronic system in the Labour Court of Harare:

1. Ministry of Justice Legal and Parliamentary Affairs

Enhance Technological Infrastructure: Address the inadequate technological infrastructure by investing in reliable internet connectivity, upgrading hardware and software systems, and providing sufficient IT support. This will ensure the smooth functioning of the integrated electronic system and improve overall efficiency.

Conduct Comprehensive Stakeholder Training and Awareness Programs: Develop and implement comprehensive training and awareness programs for judges, legal practitioners, and administrative staff to enhance their understanding of the benefits and functionalities of the integrated electronic system. This will address the lack of knowledge and awareness that contributes to resistance and facilitate smoother adoption.

2. The Labour Court

Implement Effective Change Management Strategies: Develop and implement effective change management strategies to address resistance factors arising from organizational culture, mindset, and concerns about job security. These strategies may include clear communication, stakeholder involvement, and highlighting the benefits of the system to alleviate resistance.

Foster Collaboration with Stakeholders: Foster collaboration between the judiciary, legal practitioners, and IT experts to ensure the system's alignment with legal frameworks and procedural requirements. Regular consultations and feedback loops can help identify and address discrepancies, enhancing the system's effectiveness and compliance.

3.Lawyers

Strengthen Data Security and Privacy Measures: Implement robust data security and privacy measures to address concerns and ensure the confidentiality, integrity, and availability of sensitive information. This may include encryption protocols, access controls, and regular audits to maintain data integrity and protect against unauthorized access.

.5.5 Areas for Further Study

This research has provided valuable insights into the limitations, resistance factors, and alignment challenges of implementing an integrated electronic system in the Labour Court of Harare. It would be beneficial to conduct a comparative analysis between the Labour Court of Harare and other similar judicial systems that have successfully implemented electronic systems.

Harare.

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LIST OF ANEXTURES

Anexture 1: interview guide

Introduction

Thank you for participating in this interview. The purpose of this interview is to gather information and insights regarding the implementation of the Integrated Electronic Case Management System (IECMS) in the Labor Court of Harare. Your valuable input will contribute to a research study on this topic. Please be assured that all information provided will be treated confidentially. With your consent, the interview will be recorded for accurate transcription and analysis purposes. Do you have any questions before we begin?

Section A: Limitations Impacting the Implementation of an Integrated Electronic System

1. Can you please describe the current case management system in the Labor Court of Harare and highlight any limitations or challenges you have encountered?
2. What are the specific difficulties or obstacles faced when it comes to the implementation of an integrated electronic system in the Labor Court?
3. In your opinion, what are the main reasons behind these limitations? Are they related to technical, organizational, or other factors?

Section B: Factors Contributing to Resistance to Change from Stakeholders

4. How would you describe the overall attitude of stakeholders towards the adoption of the integrated electronic system? Is there any resistance to change, and if so, what are the main reasons behind it?
5. Could you identify key stakeholders who have expressed resistance to the implementation of the integrated electronic system? What are their concerns or reservations?
6. What strategies or measures have been taken to address the resistance from stakeholders and encourage their acceptance of the integrated electronic system?

Section C: Alignment and Integration of the Integrated Electronic System with Legal Frameworks and Procedures

7. How do you envision the alignment and integration of the integrated electronic system with existing legal frameworks and procedures in the Labor Court of Harare? Are there any specific challenges or considerations that need to be taken into account?
8. In your opinion, what steps could be taken to ensure the seamless integration of the integrated electronic system with the current legal processes and procedures?
9. Are there any legal or regulatory barriers that need to be addressed before the integrated electronic system can be fully implemented in the Labor Court? If so, what are they and how do you propose overcoming them?

Section D: Data Security and Privacy Challenges and Mitigation Strategies

10. What are the main concerns or challenges related to data security and privacy that may arise from the implementation of the integrated electronic system? How can these risks be mitigated effectively?

Thank you for your time and valuable insights. Is there anything else you would like to add or any further comments you would like to make before we conclude the interview?

INTEGRATED ELECTRONIC CASE MANAGEMENT SYSTEM

DECLARATION FORM

I, (B201002B), hereby declare that the work submitted here is the result of my own independent investigation and that all sources I have quoted have been indicated and acknowledged by means of complete references.

[Signature]

Student's Signature

18-09-24

Date

[Signature]

Supervisor's signature

18/09/2024

Date

V Supu

Chairperson's Signature

18/09/2024

Date

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Date: -----

TO WHOM IT MAY CONCERN

RE: REQUEST TO UNDER TAKE RESEARCH PROJECT IN YOUR ORGANISATION/AREA

This serves to introduce the bearer Tadiswa Esnath Nyungu, Student Registration Number B201002B who is a HBSc Peace and Governance student at Bindura University of Science Education and is carrying out a research project in your area.

Your usual cooperation and assistance is therefore being sought.

Yours faithfully

D. Makwerere (Dr)
CHAIRPERSON - PEACE AND GOVERNANCE

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