

**An Investigation into Service Quality in the Supreme Court Civil  
Registry in Jamaica**

**by**

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**Dedication**

To B.K.M., who has always been my inspiration.

**Acknowledgement**

I thank my husband and my daughter, who were reluctant editors but enthusiastic sounding boards for my ideas. I am also grateful to Ms Shinique Walters, Research Fellow at the Centre for Leadership and Governance at the Mona Campus of the University of the West Indies, who consented to act as moderator of the focus groups. I am most especially grateful to my colleagues in my law office. Thank you very much for your patience and tolerance as I transitioned from the practice to the academy. Without your accommodation, this work would not have been possible. Also, to my professional colleagues using the services of the Supreme Courts civil registry who, perhaps without realising it, constantly encouraged me throughout the research process. Finally, thank you to my supervisors, Dr Janice McMillan and Dr Richard Whitecross who guided me through this process.

**Declaration**

I declare that this work has not been submitted for any other degree or professional qualification, and that this thesis is my own work and that all critical and other sources (literary and electronic) have been specifically and properly acknowledged, as and when they occur in the body of the text.

Grace Angela McKoy

**Abstract**

Notwithstanding the strategic importance of service quality to public sector reforms, the Government of Jamaica has given it no consideration in its justice reform project. Neither had anyone previously applied the service quality methodology to service delivery in the Jamaican Supreme Court. This thesis is a study of service quality in the Supreme Court civil registry in Jamaica and of the services provided to legal practitioners using the registry by clerks, administrators and registrars engaged in that registry. The aim was to identify, investigate and understand the perceptions of service quality in the registry.

The study was conducted in three stages: A pilot study, a main study and focus groups' assessments of the findings. The main study used the SERVQUAL instrument, adapted to suit the circumstances of a court's civil registry. The sample frame for the main study was legal practitioners working in the Kingston Metropolitan Area who were users of the civil registry. Survey methodology was used to collect data. Three focus groups of practitioners later evaluated the participants' understanding of the items on the questionnaires. The groups supported the findings of the main study and confirmed that the service quality dimensions used in the study represented an accurate interpretation of the service quality experience of users of the registry.

The study also supports the dominant opinion in the literature that SERVQUAL and SERVPERF are both good measures of overall service quality. The findings were that practitioners in Jamaica experienced poor overall service quality in several service quality dimensions, including the areas that they considered to be most important, and that this dissatisfaction did not vary by gender or how far their place of employment was from the Supreme Court. This work

confirms that the Government of Jamaica's programme of civil justice reform is not meeting the needs of important stakeholders, such as legal practitioners, and that the emphasis of the reforms may be misplaced.

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**List of Abbreviations**

OSQ	Overall Service Quality
SQ	Service Quality
SQD	Service Quality Dimension
SQDs	Service Quality Dimensions



## CHAPTER 1

### INTRODUCTION

#### 1.1 What the Study is About

This thesis presents the research findings of a study of service quality in the Supreme Court civil registry in Jamaica, and the quality of the services provided to legal practitioners using the registry. The study aimed to identify, investigate and understand the perceptions of service quality in the civil registry by evaluating the factors influencing service quality delivery. Service quality is the practitioner's assessment of the excellence or superiority of the service delivered by the civil registry. The study was conducted in three stages: A pilot study, a main study and focus groups' assessment of the findings of the main study.

Legal practitioners necessarily interact with public bureaucracies, recording departments and regulatory agencies. The Government of Jamaica's agenda for administrative reform of the public service, which has been taking place for almost two decades, includes many of these agencies (Davis, 2001). The Supreme Court's administration is a part of that reform agenda (Jamaican Justice System Reform Task Force, 2007).

Apart from its supervisory role over other public agencies, the Supreme Court is the principal institution through which people seek justice. It is the agency guaranteeing the rule of law. Legal practitioners engage and interact with the Supreme Court, and the registries are central to that court's administration. The registry is the first point of contact a practitioner has with the Supreme Court. A justice system should be "... efficient, accessible, accountable, fair and able to deliver timely results in a cost-effective manner" (Jamaican Justice System Reform Task

Force, 2007, p. 1), and yet confidence in the Jamaican justice system continues to decline (Harriott et al., 2014; Small, 2016). This study focuses on the administration of civil justice as an important part of the overall justice system. As Kourlis (2016) pointed out,

Justice is not just the even-handed prosecution and conviction of criminal wrong-doers; it is also the enforcement of individual rights and contracts, the redress of wrongs, and the ultimate belief that if an individual or company conducts affairs in accordance with the law, the civil justice system will offer protection and support. (p. 497)

The enforcement of rights and contracts and the redress of wrongs depend on the successes and failures of the civil registry's operations, and this study deals with the quality of service delivered by that registry. The quality of service provided by legal practitioners to their clients depends on the quality of service they receive from the Supreme Court. The service quality of the Supreme Court civil registry is, therefore, an important object of study and this thesis addresses concerns which are central to the success of legal practice as well as to the very integrity of the justice system. The body of literature on justice reform has not addressed many of these issues and practitioners, charged with reforming the system, have not seriously contested some of them.

## **1.2 Justice as a Basic Good**

Justice is a basic good from two perspectives. First, justice is a political ideal. It is something to which people aspire and which defines an ideal society. In the Federalist Papers, Hamilton describes it as "... the most powerful, most universal, and most attractive source of popular obedience and attachment" (Hamilton, 2009, cited

by Kourlis, 2016, p. 497). Secondly, justice is a social good to which everyone should have access. In the words of the Jamaican Justice System Reform Task Force, “Justice as a word encapsulates even-handedness and fairness, qualities that are fundamental to any self-regulating social order” (Government of Jamaica, 2007, p. A). Justice is something that is universally pursued (Curtis, 2006). For example, the Scottish Government in its Strategy for Justice in Scotland declared,

An effective justice system, founded on the principles of equity before the law and protection of rights, is the fundamental underpinning of a successful economy and flourishing society. (2012, p. 10)

Similarly, speaking of the civil justice system in Australia, Sheen and Gregory asserted that the system contributes to the well-being of the community by “fostering social stability and economic growth and contributing to the maintenance of the rule of law” (2012, p. 2).

While examining the civil justice system in the context of the United States of America, one scholar argued that justice has “an inescapably moral quality” (Solomon, 2010, p. 321). This moral quality has at its centre the capacity of one person to confront another who has wronged him and demand an answer. Justice is thus a moral principle. It requires even-handedness, fairness, equity before the law, protection of rights, and accountability. Also, justice fosters social stability, economic growth and the rule of law.

If the idea of justice is an abstract ideal, access to the justice system is a practical one. The United Nations Development Programme’s Practice Note on Access to Justice itemised an extensive list of barriers to access to the justice system. These include limitations in existing remedies, gender bias and laws that fail to

protect women, children, poor and disadvantaged persons, failure to protect persons in prisons or under detention, inadequate information on the law, inadequate legal aid, excessive number of laws, formalistic and expensive legal procedures, the avoidance of the legal system due to cost, and a belief that legal proceedings are futile (UNDP, 2004). However, at the top of this list of identified barriers to justice were,

Long delays; prohibitive costs of using the system; lack of available and affordable legal representation, that is reliable and has integrity; abuse of authority and powers,...; and weak enforcement of laws and implementation of orders and decrees. (UNDP, 2004, p. 4)

Only some of these barriers were considered for investigation in this study of service quality in the Supreme Court civil registry. Those aspects of service delivery which directly align with aspects of access to justice include long delays, increased costs that come from an inefficient administrative system, and the unavailability of reliable representation that follows from an unresponsive and inefficient civil registry. There is, however, perhaps no more significant barrier to the access to the civil justice system than people developing that sense that legal proceedings are futile. If the civil registry fails to deliver the essential services required by its clients, this may be a real possibility.

Access to justice requires the process to be affordable and timely. Almost as bad as not having access to justice, is a justice system where justice is unreasonably delayed. The speedy delivery of services in the administration of justice is identified as one of the desired outcomes of public administration reforms. The Scottish Government's strategy for justice in Scotland may again be used as an example. This strategy sets widening access to justice as one of its priorities. These ideals of justice were expressed in the following terms:

This involved enhancing public legal capability, improving information and advice services, giving people greater options to engage with alternative dispute resolution and, where necessary, providing legal aid to take forward court proceedings. (Scottish Government, 2012, p. 39)

These concerns, and the suggested solutions to widen access to justice, are universally shared ( Ali & Lee, 2011; Choudhry et al., n.d.; Danneman, 1996; Government of Ontario Civil Justice Reform Project, 2006; Desai et al. 2012; Government of South Africa Department of Justice and Constitutional Development, 2013; Hanycz, 2005; HURILAWS, 2000; Jiang, 2006; Law Reform Commission of Western Australia, 2002; Legal Services Society of British Columbia, 2012; Levin, 1993; Partington, 2001; Sheen & Gregory, 2012; Solomon, 2010; Watson, 1996; and Zuckerman, 1996), and has attracted the time and attention of at least one former President of the United States (Obama, 2017). The problems of access to justice have also occupied a great deal of the attention of those engaged in the Jamaican justice reform process (Buckley, 2006; Canadian Bar Association, 2007; Darby, 2009; Jamaican Justice System Reform Task Force, 2007).

A significant impediment to accessing justice in any legal system is the cost of doing so. Speaking of reforms in the UK, Zuckerman (1996) asserted:

The cost of litigation in England is unpredictable, excessive and disproportionate. It seems to make little difference, in this regard, whether the dispute is complicated or simple, important or trivial. Even a dispute which is speedily resolved can run up huge litigation costs. (p. 773)

Two decades after that assessment, the complaint remains the same: “There is universal recognition that litigation costs in England are too high and major reforms

are needed to address it” (Higgins & Zuckerman, 2017, p. 1). This complaint of the high cost of justice is true of other countries. For example, Choudhry et al. (n.d.), the Government of Ontario Civil Justice Reform Project (2006), the Law Reform Commission of Western Australia (2002), and the Legal Services Society of British Columbia (2012) have all identified the debilitating costs of the justice system. Ensuring that justice is affordable to ordinary litigants is one of the challenges in reforming the Jamaican justice system. It is also important that justice be satisfying. This study seeks to answer that latter question of how satisfied practitioners are with the services received in the justice system.

### **1.3 Overview of the Justice Sector in Jamaica**

The justice sector includes the institutions for the administration of justice, and it should ensure that laws are enforced, the legal system is implemented, social security is promoted, and that social cohesion is guaranteed. A well-functioning justice sector promotes legal certainty, resolves conflicts and regulates the exercise of executive authority. On the other hand, a dysfunctional justice sector encourages human insecurity and impedes economic development. Thus, an understanding of the operations of the Supreme Court civil registry is a first step to understanding the justice system.

#### **1.3.1 Defining the Justice Sector**

The Justice Sector consists of two large subsystems: The criminal justice system and the civil justice system. The purpose of the criminal justice system is to detect crime and bring offenders to justice. Those who commit crimes should be punished, and the rules and administrative structures of the criminal justice system govern investigations and prosecutions of those persons (Obama, 2017). These rules

are supposed to protect individuals against abuse of investigatory and prosecution powers, they should ensure a fair hearing of allegations of criminal conduct and in most legal systems provide a right of appeal of adverse findings of those allegations. At the end of that process, the criminal justice system will impose penalties for violations, including collecting fines, supervising community and custodial punishments and, more recently in Jamaica, provide community facilities for restorative justice. Thus, the key features of the criminal justice system are the delivery of justice to victims and offenders and the upholding of social control. These concerns are so important that they tend to attract most of the attention and the greater part of the resources directed to justice reform. In the reform process, civil justice often comes in a distant second to the needs of the criminal justice system.

There is no clear definition of “civil justice” in the academic and public discourses (Solomon, 2010, p. 324). In a narrow sense, the civil justice system is sometimes used to mean the system of civil procedure applied in the court system. In another sense, the term civil justice means the system of civil litigation, including access to the legal system. In the broadest sense, the term means all those portions of the justice system not included in the criminal justice system.

The key feature of a functioning civil justice system is that it enables everyone to resolve grievances and obtain remedies through formal institutions of justice. The civil justice system must be accessible to everyone, affordable, effective and impartial. These are highly desirable ideals, and it is not unusual to hear them described as “essential” (Scottish Government, 2013). The alternative to a functioning civil justice system is that persons engaged in disputes will resort to self-help, even violence.

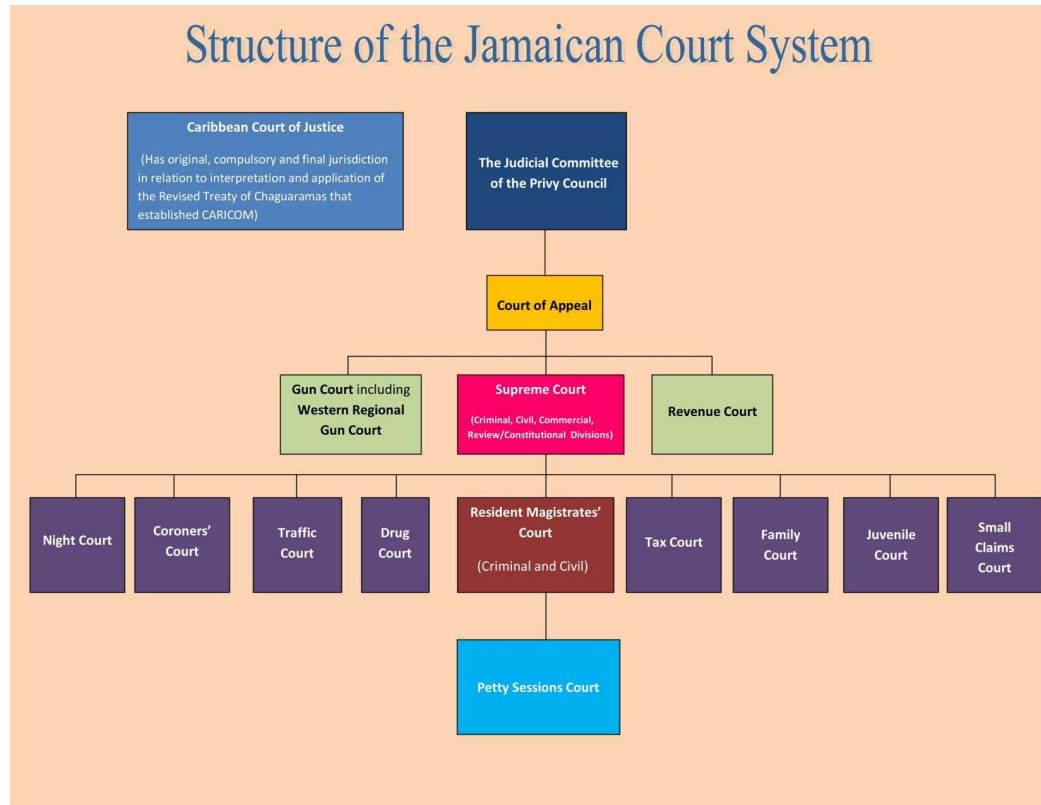
Jamaica is a member of the British Commonwealth and, as a part of its colonial experience, it has inherited the English common law and the British system of public administration. Changes to English law and changes in the administration of justice in Britain were replicated in Jamaica by its legislature, with some local modifications and usually several years later, and this remained the pattern until the territory gained its independence from the United Kingdom in 1962.

The modern justice sector includes superior courts and inferior courts. The superior courts include the Judicial Committee of the Privy Council as the country's final court of appeal. In addition to the Judicial Committee, Jamaica's superior courts include the Court of Appeal of Jamaica and the Supreme Court of Judicature of Jamaica. The Supreme Court is a court of unlimited criminal and civil jurisdiction modelled on the English High Court of Justice. This court is presided over by a Chief Justice, assisted by a panel of *Puisne* judges. Appeals go from the Supreme Court to the Court of Appeal, and then on to the Judicial Committee of the Privy Council. The Supreme Court has, in addition to the Chief Justice, a complement of 30 Supreme Court judges and three Masters. The Jamaican Court of Appeal has a President and six Justices of Appeal who hear appeals from the Parish Courts and the Supreme Court.

Inferior courts in Jamaica consist of Parish Courts (formerly called Resident Magistrates courts) and Justices of the Peace Courts. The legislative authority establishing these courts are the Judicature (Resident Magistrates) Act, 1928, the Judicature (Resident Magistrates) (Amendment and Change of Name) Act, 2016, and the Justice of the Peace Jurisdiction Act, 1850. The Parish Courts have limited jurisdiction in criminal and civil matters, and Justices of the Peace courts have limited



criminal jurisdiction in petty session's matters. The hierarchy of the Jamaican courts is set out in Figure 1.



*Figure 1. Court Structure and Hierarchy. (2013). Reprinted from, Supreme Court of Jamaica. Retrieved from [http://www.supremecourt.gov.jm/sites/default/files/pdf\\_documents/Jamaican\\_Court\\_Structure.pdf](http://www.supremecourt.gov.jm/sites/default/files/pdf_documents/Jamaican_Court_Structure.pdf)*

Also, The Caribbean Court of Justice, established in 2001, is the court of original jurisdiction for matters concerning the Caribbean Community and Common Market (CARICOM), of which Jamaica is a member.

### 1.3.2 Government Policy and Legislative Reforms

Jamaica's public sector modernisation policy includes the intention to ensure universal security and justice, respecting human rights and promoting the rule of law (Government of Jamaica, 2003). The policy further contemplated improved access to timely, affordable and just resolution of disputes, and requires the strengthening of the

administrative capability of the courts to dispose of legal matters quickly. The policy also requires revised civil procedures to make the judicial process client-driven (Government of Jamaica, 2003).

The Government then established the Jamaican Justice System Reform Project “...to undertake a comprehensive review into the state of the justice system and to develop strategies and mechanisms to facilitate its modernisation” (Government of Jamaica, 2003, p. 1). That project’s report, its several research papers, issue papers and discussion papers provide an understanding of the Jamaican justice system. The project’s report was never tabled in Parliament (Small, 2016a), but it is clear that it has had significant influence on government’s policy.

In February 2016, approximately fourteen years after the public-sector modernisation policy was published, the Jamaican Parliament passed legislation aimed at effecting reforms within the justice system. These were the Judicature (Resident Magistrate’s) (Amendment and Change of Name) Act 2016 and the Judicature (Supreme Court) (Amendment) Act 2016. The latter legislation abolished the Court Management Services, established the Court Administration Division, and provided for the appointment of an Executive Legal Officer to the Chief Justice. The Act also provides for the appointment of a Chief Judge of the Parish Court and an Executive Legal Officer to the Chief Judge of the Parish Court. The Government anticipated that these appointments would provide important administrative support to the Chief Justice and the Chief Judge of the Parish Court (Jamaica Information Service, 2015). The Judicature (Resident Magistrate’s) (Amendment and Change of Name) Act, 2016, addressed one of the early complaints with the Resident Magistrates’ system, in that arrangements can now be made for notes of evidence to be taken by electronic means or through the services of a court reporter.

### **1.4 Key Issues and Challenges to the Justice Sector**

Many of the barriers to access to justice, which are longstanding concerns of the United Nations and its several agencies, were recognised as important national issues by the Justice Reform Task Force's report (2007). Buckley (2006) also recognised these barriers in her review of the Jamaica justice system, and these barriers were also well represented in the several reports that Buckley had examined. Addressing these concerns have been part of the mandates of both the United Nations and its several agencies, and that commitment has found expression in several international instruments promoting those principles (UNDP 2004).

These international instruments include the International Covenant on Civil and Political Rights (1966) enshrining principles of equality and the protection of the law, and declarations such as the Basic Principles on the Independence of the Judiciary (1985) requiring that governments guarantee the independence of the judiciary and the judicial process, the Basic Principles on the Role of Lawyers (1990) requiring that governments provide efficient procedures and equal access to lawyers, the Code of Conduct for Law Enforcement Officials (1980) requiring law enforcement officials to uphold the human rights of all individuals, and the Basic Principles for the Treatment of Prisoners (1991) prohibiting discrimination, insisting on respecting human rights and calling for restorative justice. Other guidelines include the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (2013), the Guidelines on the Role of the Prosecutors (1990) also promoting the enforcement of human rights and the rule of law, and the International Commission of Jurists' International Principles on the Independence and Accountability of Judges, Lawyers and Prosecutors (2007).

These international instruments require governments to remove the barriers to the access to justice by targeting those issues that weaken the justice system (UNDP, 2004). Jamaica was an active participant in the several fora developing these international instruments and was an early signatory to the International Covenant on Civil and Political Rights. The basic principles of that convention including the principle of equality before the law, the presumption of innocence, freedom from arbitrary arrest and detention, and the right to a fair and public hearing, are all guaranteed and entrenched in Jamaica's Constitution, the country's highest law. The Jamaica Constitution guarantees the right to a fair trial by a court of law for all criminal matters and a fair hearing by an impartial tribunal established by law for all civil matters. Jamaican judges and courts also enjoy a high degree of protection. Jamaica's highest court, the Judicial Committee of the Privy Council, had declared in the case of *Hinds and Others v the Queen and the Director of Public Prosecutions* (1977) that the Jamaica Constitution entrenches the separation of powers between the several branches of government. Moreover, the jurisdictions of the courts and the independence of the judiciary cannot be restricted by the executive branch of government or by ordinary legislation.

Whereas the Jamaican legal system formally conforms with international instruments promoting access to justice within court systems, and even entrenches many of the provisions in its highest law, there is a debate on whether these obligations are being enforced effectively. One former appellate court judge, writing extrajudicially, argued that delays in delivering judgments in civil matters constitute the denial of the constitutional right to a "fair hearing within a reasonable time" (Small, 2016b). The complaint was of delay in hearing the matter and, after the hearing, further delay in delivering the judgement.

The promotion of access to justice that is characteristic of the international instruments, and the enshrinement of these principles in the national law, are often discussed in the context of social and political rights. This thesis discusses only some of those concerns in its focus on the delivery of services in the Supreme Court of Jamaica's civil registry. Although this is a thesis on the Supreme Court civil registry, it is a study in management and not in law. An essential component of this service quality enquiry is the delivery of on-time services in the civil registry. As Small (2016b) pointed out, on-time delivery of judicial services not only has social and political implications but it has significant business implications also.

The administration of justice is a public-sector phenomenon, and thus the study of the justice system is a study of the public sector. Modern societies demand better public services, efficient and effective delivery of public goods, and more value for money. The citizen is increasingly placed at the centre of the discourse (Carvalho, Brito, & Cabral, 2010; Laycock, 2000; Rowley, 1998; Wisniewski & Donnelly, 1996). The needs and desires of these public service clients have become more the focus of new reforms.

The challenge of putting the citizen first in this new design of public management is that the individual citizen has little direct role to play in determining what services should be delivered and what modes of service delivery should be utilised. A dissatisfied customer in the private sector can simply reject the unsatisfactory provider and look to someone else to provide the desired services. In this environment, the laws of the market ensure that providers constantly meet the needs and desires of consumers. On the other hand, in the public sector the citizen, unfortunately, must take what she gets. Someone dissatisfied with the services in the Supreme Court civil registry cannot simply look to an alternate provider.

The Task Force on justice reform identified twelve problems with the existing justice system (Jamaican Justice System Reform Task Force, 2007). These include delays and backlogs in disposing of matters, lack of respect for the clients of the system, and inadequate funding. The task force also included inconsistency in law enforcement, uncertainty about the outcome of legal proceedings, the complexity of the procedures and the complexity of the language used in legal proceedings in its list of problems. The task force highlighted lack of information and legal assistance; perception of unequal treatment and unequal protection under the law; and insufficient attention to human rights and Jamaica's obligations under international treaties. Finally, the task force concluded that the agents of the justice system were unprofessional, under-remunerated, over-worked, inadequately trained, applied outdated and inefficient practices and lacked accountability.

#### 1.4.1 The Resource Management Problem

Many of the deficiencies in the administration of justice may be addressed by proper allocation of sufficient resources. The literature on the reform of the Jamaican justice system supports this approach. Also, the population in Jamaica have been growing, suggesting an increasing demand for judicial and legal services. Thus, increased budgetary support for the justice system will be necessary. Table 1 shows that between 2002 and 2014 Jamaica's population grew 4% for the period.

*Table 1*

*Jamaica's Population, 2002 to 2014, in '000*

	2002	2004	2006	2008	2010	2012	2014
Female	1,291	1,301	1,312	1,323	1,333	1,342	1,375
Male	1,329	1,338	1,346	1,354	1,362	1,370	1,348
Total	2,620	2,639	2,658	2,677	2,696	2,711	2,723

Source: Statistical Institute of Jamaica (2015)

Significant increases in the allocation of public resources to the justice system are not likely. The Jamaican economy has underperformed, and there is reduced capacity to provide public financial support for all social and public services, including justice administration.

Table 2

*Caribbean 20-Year Average Annual GDP and Annual Per Capita GDP*

Country	GDP	Per Capita GDP
Dominican Republic	5.2%	3.3%
Trinidad and Tobago	5.1%	3.7%
Grenada	2.9%	2.6%
St. Kitts and Nevis	2.5%	0.5%
St. Vincent and Grenadines	2.5%	2.3%
Antigua and Barbuda	2.3%	0.8%
The Bahamas	2.2%	0.9%
Dominica	2.0%	2.0%
Haiti	1.6%	0.0%
St. Lucia	1.3%	0.5%
Barbados	1.3%	1.0%
Jamaica	0.4%	-0.3%

Source: IMF (2014).

By 2015, Jamaica had experienced 20 years of negative average annual per capita GDP growth. Table 2 shows that for the last 20 years Jamaica has had the lowest GDP growth and *per capita* GDP growth in the Caribbean region (IMF, 2014). In addition to the reducing pool of government revenue, Jamaica under the current economic programme agreed with the IMF is administering “... the most austere budget in the world” (Johnston, 2015).

Notwithstanding the adverse economic situation, there has been an increase in the Jamaican government's budgetary allocation for justice. Table 3 shows that from 2012-2013 to 2015-2016 the budgetary allocation to recurring expenses in the Ministry of Justice has increased from JA\$3,691 million to JA\$6,068 million.

Table 3

*Government of Jamaica estimates of recurring expenditure \$'000*

	2012-2013	2013-2014	2014-2015	2015-2016
Allocation to Justice	3,691,314	4,204,160	4,629,088	6,067,659
Total Recurrent Budget	375,003,918	370,504,312	404,654,488	432,579,021
Justice's % of Total	0.98	1.13	1.14	1.40

Source: Ministry of Finance, Jamaica (2015).

The Jamaica Dollar has also depreciated over this period. Table 4 shows the exchange rate at the beginning of the budgetary cycle in April 2012 and the exchange rate in October 2015.

Table 4

*Historical Exchange Rates, US\$ to J\$ (2015)*

Date	US\$	J\$
4/2/2012	1.00	87.28
10/8/2015	1.00	119.35

Source: Bank of Jamaica (2016).

Even at this depreciated rate, the Jamaican government's budgetary allocations for recurrent expenses for justice increased by 20%. On the other hand, the amount allocated to justice relative to the rest of public services is small. To put this in perspective, for 2015-2016 the Jamaican government allocated 1.4% of its budget to justice. For the same period, the Scottish government allocated to justice 7.0%, or



£2,608.4 million of its total budget of £37,539.2 million (The Scottish Government 2014, p. 19). The UK government allocated 2.0%, or £6.3 billion of its £316.1 billion budget on justice in 2015-2016 (Her Majesty's Treasury, 2015, p.77).

Table 5

*Government of Jamaica Budget of Capital A Expenditure \$'000*

	2012-2013	2013-2014	2014-2015	2015-2016
Capital A Budget	211,265,653	124,093,221	109,258,039	186,642,205
Allocation to Justice	100,000	300,000	445,000	122,100
Justice's % of Total	0.05	0.24	0.41	0.07

Source: Ministry of Finance, Jamaica (2015).

The Jamaican budgetary exercise makes the distinction between recurrent expenditure and capital expenditure. The latter is set out in two parts: Capital A, which represents the Government of Jamaica funded projects; and Capital B, which represents multilateral, bilateral or aid-funded projects. Table 5 sets out the Capital A allocation in the budgets for 2012-2016 for justice. Justice's proportion of the total Capital A allocation is small. Table 6 sets out similar information for the Capital B expenditure for the period.

Table 6

*Government of Jamaica Budget of Capital B Expenditure \$'000*

	2012-2013	2005-2006	2014-2015	2015-2016
Capital B Budget	26,158,648	26,289,046	25,444,043	22,356,486
Allocation to Justice	333,439	230,000	357,903	589,536
Justice's % of Total	1.27	1.87	1.41	2.63

Source: Ministry of Finance, Jamaica (2015).

### **1.4.2 Social Implications**

The Jamaican Justice System Reform Project Task Force delivered its report in 2007. The task force conducted its work under the following themes: Access to Justice, Civil Justice Processes, Court Administration and Management, Criminal Justice Processes, Professionalism in Support of Justice Reform, Promoting a Civil Liberties Culture, and Restorative Justice. The report concluded that the Jamaican justice system was too unequal, expensive, uncertain, slow, complicated, fragmented, and adversarial (Government of Jamaica, 2007). The report also found that “a general culture of delay” and “wholly inadequate resources” were the principal barriers to reform. The task force recommended that a reformed Jamaican justice system should be “available, accessible, accountable and affordable on a timely, courteous, respectful, flexible, fair and competent basis for all” (Government of Jamaica, 2007).

These were the challenges that the Government of Jamaica faced when it developed its “Justice Transformation Policy Agenda” for the period 2009 to 2014. In that agenda, the government set out the expected results of its justice sector reform policies which included the “Enhanced capacity of justice sector institutions to deliver services efficiently and effectively” (Darby, 2009). The expected costs of these reforms over a five-year period were JA\$6,361 million (Darby, 2009). It is evident that the Jamaican justice system needed reform and that inadequate resources were among the principal barriers to reform.

### **1.4.3 Implications for Business**

The social consequences of a dysfunctional justice system are well understood, but the implications for business relationships are no less important. There are immediate business benefits to be realised when registry managers and

clerks deliver superior service quality. One expects reduced system delays and consequently reduced systems costs. With improved service quality, we expect an improved user experience, more affordable access, a fair and equitable civil justice system, and improved public confidence in the delivery of justice.

A modern system of commerce requires a functioning justice system with established procedures for the settlement of disputes and the enforcement of contracts. The World Bank ranks Jamaica low on these indices. Jamaica was ranked 107 out of 189 countries on the ease of enforcing contracts (The World Bank, 2016). The Bank estimated that from filing and service of the claim to enforcing the judgement, the average time for settling a dispute in the courts in Jamaica was 655 days. The Bank also estimated that the cost of enforcing the claim in the courts, including attorney's, court and enforcement fees was 45.6% of the amount claimed (The World Bank, 2016, p. 82). These estimates put Jamaica in the lower 60<sup>th</sup> percentile for settling disputes.

## **1.5 Issues for Research Project**

### **1.5.1 Aims and Objectives of the Study**

The research project aimed to identify, investigate and understand the perceptions of service quality in the delivery of legal services in the Supreme Court civil registry in Jamaica. This required exploring the views of the end users in the civil registry. The desired outcome was a better understanding of service quality in the Supreme Court civil registry, and the capacity to advise those engaged in the justice system reform process.

### **1.5.2 Purpose, Justification and Focus of the Study**

The sensitivity of the staff of the civil registry to the service quality requirements of the customers is essential to the civil justice reform process. The project, therefore, examined the relationships between legal practitioners who rely on the court registry's services and those who deliver them. The interaction between legal practitioners, on the one hand, and registry managers and clerks, on the other, is a good proxy of the overall service quality relationship.

A focus on service quality is critical to the administrative reform process in Jamaica. This focus gives direction as to what initiatives should be pursued and provides evidence as to what initiatives are likely to have useful results. It is not sufficient in recognising that the system of the administration of justice is defective without identifying how the service users in that system assess the services they receive.

Legal practitioners engaged in a litigation practice are beneficiaries of the civil registry's services. Registrars, administrators and clerks managing the affairs of the registry are the service providers. The satisfaction that beneficiaries obtained from the interaction between themselves and the providers depend on the quality of services they received. This interaction between the two is a service quality relationship. The study first applied quantitative service quality measures to that relationship, and then secondly reassessed the results of that investigation through a qualitative exercise using focus groups.

The aim was to identify and evaluate the perceived service quality experience, through the following objectives:

- i. Survey the users of the Supreme Court registry;
- ii. Measure their responses to questions that will test both their expectation of service quality and their perception of the service quality experience;
- iii. Identify their assessment of the relative importance of the dimensions of service quality; and
- iv. Measure their expectations and perceptions of the several dimensions of service quality in the Supreme Court registry.

The desired outcome is a better understanding of service quality in the delivery of services in the Supreme Court civil registry and a better understanding of how this knowledge may be used to improve management practices in the registry.

### **1.5.3 Main Issues to be Investigated**

There are five sets of actors and four distinct sets of service quality relationships in the Supreme Court civil registry. The service quality relationships are: First, the relationship between clients, on the one hand, and their legal representatives, on the other; second, the relationship between lawyers and their clerks; third, the relationship between legal practitioners, on the one hand, and registry managers and registry clerks, on the other; and fourth, the relationship between registry clerks and their managers. Service quality relationships in the Supreme Court registry are layered. Clients' satisfaction depends on the quality of services received from the legal practitioners, which in turn depend on the quality of services they received from the registry clerks and managers. These four distinct sets of service quality relationships constitute the Supreme Court civil registry service quality matrix, which is set out in Table 7. This study examined the third stratum in that service quality matrix; that of legal practitioners, on the one hand, and the registry managers and their clerks, on the other.

Table 7

*Supreme Court Civil Registry Service Quality Matrix of Beneficiaries and Providers*

Beneficiaries	Providers
Clients	Lawyers & Law Clerks
Lawyers	Law Clerks
Lawyers & Law Clerks	Registry Managers & Clerks
Registry Clerks	Registry Managers

This service quality relationship between the beneficiaries and providers of services in the civil registry was not fully addressed by the current scholarship (Buckley, 2006; Chevannes, 2007; Cyr, 2007; Darby, 2009; and Jamaican Justice System Reform Task Force, 2007). There is a well-developed worldwide body of scholarship applying service quality measures to the delivery of public services (Carvalho, Brito & Cabral, 2010; Wisniewski, 1996, 2001; Donnelly & Shiu, 1999; Bland, 1997; and Donnelly, Kerr, Rimmer & Shiu, 2006). These principles had not been applied to the civil registry in Jamaica. This study addressed that deficiency. Finally, in adopting the characterisation of service quality into several dimensions proposed by Parasuraman, Zeithaml, and Berry (1985 and 1988), and Zeithaml, Parasuraman, and Berry (1990), it was possible to identify the beneficiaries' assessment of the relative importance of the several dimensions of service quality.

In applying the SERVQUAL gap model to the Jamaican Supreme Court civil registry, this study partially replicated other studies that have applied this model to other public service agencies. Such studies include Almeida, Nogueira, and Bourliataux-Lajoine (2013) on public physical therapy services; Bland (1997) and Donnelly et al. (2006) on policing; Carvalho et al. (2010) on general public services; Chatzoglou, Chatzoudes, Vraimaki, and Diamantidis (2013) on Citizen's Service

Centers; Donnelly, Shiu, Dalrymple, and Wisniewski (1996) on local authority services; Donnelly and Shiu (1999) on local authority's housing repair services; Rasouli, Zarei, and Hossein Zarei (2016) on public hospitals; and Too and Earl (2010) on public transport services. These and other SERVQUAL studies are set out in Appendix A.

#### **1.5.4 No Service Quality Approach**

The Several reports by Buckley (2006), Cyr (2007), Darby (2009), and the Task Force (2007) itemised a list of complaints about the inefficiencies and dysfunction of the justice system. None of these reports identified the deficiencies of the justice system as a service quality problem. Buckley made one reference to the quality of service, and Darby and the Task Force Report made general references to the quality of justice or the quality of "lawyering", but they did not address the question of service quality in the administrative arm of the court.

Service quality is recognised as strategically important to the public sector reform process (Rhee & Rha, 2009). This study brings the service quality approach to an examination of the service relationships in the civil registry, recognising that service quality is measurable and that measuring and assessing service quality are important tools in both process management and strategic planning.

#### **1.5.5 Developing a Conceptual Framework**

It is necessary to have a clear conceptual framework of public service quality as applicable to the Supreme Court civil registry. Assessing the quality of services is more complex than assessing the quality of physical products (Parasuraman et al., 1985; Carvalho et al., 2010). Even as we strive to develop service quality measures, there may be some areas which we will not be able to capture. Expectations and

perceptions have important roles in identifying the service experience, but there are complexities associated with measuring that public service experience (Rowley, 1998).

Public services may be viewed as a pseudo-relationship in that it is “repeated contact between a customer and a provider-organisation” (Carvalho et al., 2010, citing Gutek, 2000, p. 372). The client identifies the service with the institutional provider. In this case, the service is associated with the civil registry, and not with a specific registrar or clerk providing the service. In future interactions, the client expects to deal with the institution and not with a specific person. Future interaction with the institution on even one matter may involve a series of different service employees or agents. Therefore, the overall transaction consists of a series of different and dynamic episodes in a process. Dissatisfaction with one does not put an end to the relationship, the way it could for private or professional services.

The pseudo-relationship that characterises public service delivery in the Jamaican Supreme Court civil registry is even more complicated than that contemplated by the literature on service quality because registry services are delivered in a layered relationship. Figure 2 sets out the layered relationship between the ultimate service providers, the registry managers and registry clerks, and the final service recipient, the client. Whereas users of registry services and providers of those services are in a pseudo-relationship, lawyers and their clients are in a real service relationship. Even in the largest law firms, the client has a direct relationship with her lawyer. The client’s first point of contact is the legal practitioner on whom she is dependent for services. In turn, the lawyer looks to her clerks for services, and both the lawyer and law clerks depend on the registry clerks and the registry managers for services.



## Service quality relationship

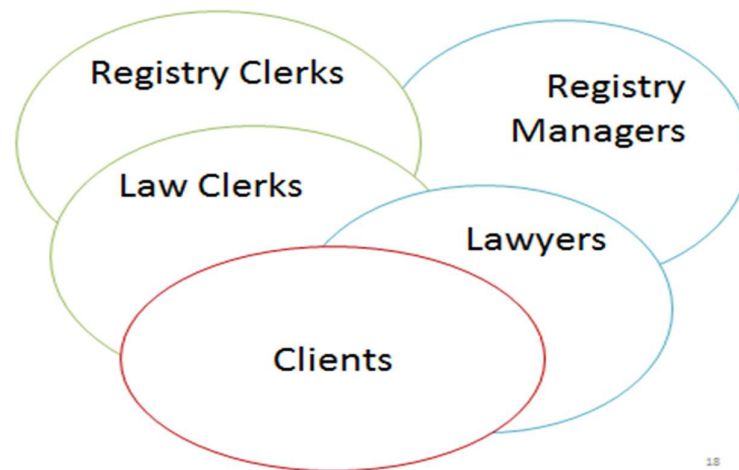


Figure 2. Supreme Court of Jamaica Civil Registry Service Quality Relationships

The service relationship between practitioners and the registry services providers is further differentiated from the typical service quality relationship. In many services relationships, the services beneficiary can only assess service quality subjectively, as they lack expertise in the technical field of the provider. For example, this is true of patients in hospitals, who lack expertise in medicine (Lim & Tang, 2000, cited by Pheng & Rui, 2016). On the other hand, this is not true of the relationship between registry services providers and legal practitioners who are themselves technical experts and who often bring a level of technical judgement to the assessment of the services provided by the civil registry. This is not usual in the typical service quality relationship.

Services in the Supreme Court civil registry are delivered in a layered manner where the client is isolated by several degrees from contact with the registry staff, who are the ultimate providers of the services. It is possible but not usual for the lay client to have a direct relationship with the civil registry. The expectation/perception gap model (Parasuraman, Berry, & Zeithaml, 1991a; A. Parasuraman et al., 1988,

1985), or even the performance model (Cronin & Taylor, 1994) worked for services delivered in a personal relationship.

Carvalho et al. (2010) suggested that "... contact with a public service is viewed as an experience, which can vary between a mere series of episodes... the focus has to be on increasing his/her degree of satisfaction with the experience" (p. 72). Service quality measures developed for the private sector tend to focus on and measure the specific episode, but this may not be a true assessment of the public service experience. Although in the private sector the customer or client may have some influence on or control over a specific service delivery episode, in the public sector she has little control over the overall public service experience.

When the service quality relationships in the Jamaican Supreme Court civil registry are disaggregated, as set out in Table 7, there are four distinct set of relationships. The first relationship, between clients on the one hand and lawyers with their clerks on the other, falls readily within the conceptual elements of the service quality expectation/perception gap paradigm.

It is the third relationship on the Supreme Court civil registry service quality matrix between legal practitioners, on the one hand, and registry managers and staff, on the other, which is unique and is not addressed by the current scholarship. This stratum is not readily accommodated by the current theories on service quality measures. The challenge is to ensure that these models adequately capture the pseudo-relationship for services delivered by the clerks and managers in the registries.

### **1.5.6 Research Questions**

#### **Research Question 1**

The expectation/perception paradigm was regarded as a good foundation on which to develop the research question. Jamaica is engaged in an administrative reform process that includes reforms to the justice system, including the Supreme Court civil registry, but there is no indication that service quality has been considered as an issue in this reform process. The first question, therefore, is whether with these reforms practitioners are enjoying satisfactory service quality. This may be represented as follows:

Do practitioners perceive that they receive satisfactory overall service quality from the Supreme Court civil registry?

If the study cannot establish the hypothesis that the civil registry's clients are satisfied with the services they have received, then the justice system reforms may not be effective and other solutions should be considered.

#### **Research Question 2**

Much of the debate over the use of the SERVQUAL and SERVPERF instruments have been on whether service quality is best understood as a single-dimensional construct (overall service quality or OSQ) and what instrument best captures it. Another view is that there are underlying dimensions of service quality (SQDs) and that these dimensions can be identified by examining the attributes of service quality and grouping them into these dimensions. This study adopts both approaches that service quality may be viewed as both single-dimensional and multidimensional.

The performance model of service quality was used to examine OSQ only, while the gaps model of service quality was used to examine OSQ as well as the attributes of Tangibles, Reliability, Responsiveness, Assurance and Empathy (SQDs). The study, therefore, sought to answer the five additional questions, which concentrate on these five dimensions of service quality. The first of those is Research Question 2:

Do practitioners perceive that they receive satisfactory service quality in the tangibles dimension from the Supreme Court civil registry?

That question tests the respondents' opinion on the physical aspects of the civil registry, such as the equipment, the physical facilities, the appearance of the employees and the materials the civil registry produces.

### **Research Question 3**

The third research question tests the respondents' opinion on the reliability of the civil registry, such as whether the registry will deliver on time, show interest in solving the practitioners' problems, providing error-free service the first time the task is attempted and insisting on error-free records. This question may be put in these terms:

Do practitioners perceive that they receive satisfactory service quality in the reliability dimension from the Supreme Court civil registry?

### **Research Question 4**

The fourth research question tests the responsiveness of the civil registry, and focuses on the promptness of the registry's services, the capacity of employees to tell customer exactly when services will be performed, to provide prompt service, to demonstrate the willingness to help the practitioners using the registry, and not to be

too busy to provide aid or respond to the practitioners' requests for help. Research Question 4 may be put in the following terms:

Do practitioners perceive that they receive satisfactory service quality in the responsiveness dimension from the Supreme Court civil registry?

#### **Research Question 5**

The fifth research question tests the assurance dimension, and it focuses on the behaviour of the employees of the civil registry, whether they instil confidence in the practitioners, whether the latter will feel safe in their transactions with the staff of the registry, whether the staff are courteous with practitioners and whether the registry staff have the knowledge to answer the practitioners' questions. The fifth research question may be put as follows:

Do practitioners perceive that they receive satisfactory service quality in the dimension of assurance from the Supreme Court civil registry?

#### **Research Question 6**

Research Question 6 addresses empathy. This may be summarised as a demonstration that members of the registry's staff have the practitioners' best interest at heart. It includes the capacity of the staff to provide individual attention to the customers, keeping convenient operating hours, understanding the needs of the users of the registry, and providing them with personal attention. Research Question 6 may be stated as follows:

Do practitioners perceive that they receive satisfactory service quality in the dimension of empathy from the Supreme Court civil registry?

**Research Question 7**

Practitioners may value some of these attributes of service quality more than others. In practice, one attribute or dimension may be more useful than another. It is useful to determine whether practitioners experienced satisfactory service quality in the dimensions which were important to them. This is represented by the following Research question:

Do practitioners perceive that they receive satisfactory overall service quality from the Supreme Court civil registry in the dimension of service quality they regard as most important?

**Research Question 8**

It is a legitimate question whether males and females both appreciate the same level of service quality from the service quality interaction (Frater, 2006; Papanikolaou & Zygiaris, 2014). It has been suggested that “there is the significant relationship between gender and service quality” (Hu, Liu, Su, & Huang, 2016, p. 284). Gender issues, including gender discrimination, gender roles and gender stereotypes continue to be contested in Jamaica. Darby (2009) highlighted the importance of gender equality issues, and gender neutrality, in the recommended improvements for the Jamaica justice system. The Statistical Institute of Jamaica (2017) reported that females in Jamaica are almost twice as likely as males to be unemployed. Although significant strides in reducing gender discrimination have been made in recent years, especially in the legal profession, it remains to be determined if females accessing the civil registry perceived that they received the same services as males. The Research question 8 addressed this issue:

Do male and female practitioners perceive that they receive equal overall service quality from the Supreme Court civil registry?

**Research Question 9.**

With more persons joining the legal profession, it has become more difficult getting suitable accommodation in offices and chambers in downtown Kingston. Increasingly, more entrants to the profession in Kingston have had to move away from the vicinity of the Supreme Court to accommodations uptown to the commercial district of New Kingston. The question remains whether practitioners who remain in the downtown area with easier access to the Supreme Court perceive that they receive better services than those further away. This may be represented in the following research question:

Do practitioners working in closer proximity to the Supreme Court perceive that they receive the same overall service quality from the civil registry as do practitioners who do not work near the Supreme Court?

**1.6 Limitation of the Study**

This study relies on the validity and reliability of the SERVQUAL methodology. It was though at one time that the literature on service quality was not well developed (Parasuraman et al. 1985). This perception is no longer true because the conceptual model is well-developed, there is now a strong body of supporting literature and the SERVQUAL instrument and its derivatives are widely used. However, the model is still not without its critics. Not the least of these criticisms concern how effectively these concepts can be transferred from a private sector enterprise to a public-sector department (Rhee & Rha, 2009).

In addition, there is the question of how replicable these concepts are across different cultures. Cultural differences and differences in language distort how respondents understand the service quality construct (Herk *et al.*, 2005 as cited by Carrillat, Jaramillo, & Mulki, 2007). These issues will be revisited in Chapters Two and Three.

### **1.7 Definition of Terms**

During this study, some words are used with the intention that they will carry special meanings. It will be helpful to set out below how these terms are used.

*Customer:* This term customer is used interchangeably with the client, and it is used to identify persons who are beneficiaries or recipients of services provided by others employed in the civil registry.

*Dimensionality:* Service Quality may be characterised as a single dimensional construct, which may be described as *overall service quality (OSQ)*, or it may be viewed as multi-dimensional, to include *service quality dimensions (SQDs)* such as *tangibles, reliability, responsiveness, assurance and empathy*.

*Legal Practitioners:* A legal practitioner is one who holds a current practising certificate from the General Legal Council and who is engaged either as a sole practitioner, an employee of the law firm, or a partner of the law firm. The term is used here to represent both lawyers and law clerks.

*Services beneficiaries:* Customers or clients using the services of the civil registry.

*Service Expectation:* A customer using the services of the civil registry pre-established opinion of what services should be delivered in the interaction between herself and the registry clerks.



*Service Perception:* Customers' perception as to the actual service quality interaction between customers and service providers.

*Service Providers:* Persons providing services in the Supreme Court Civil Registry to those defined as customers.

*Service Quality:* The customer's assessment of the excellence or superiority of the service.

*Service Quality Gap:* The difference between the customers' expectation of service and the customers' perception of the service delivered.

### **1.8 Structure of the Thesis**

The thesis consists of eight chapters. Chapter 1 introduces and explains the outline of the research. It included a brief explanation of the research background, which is the need for improved service quality in the Supreme Court civil registry in the context of a broader need for reform of the justice sector. The Chapter demonstrates that an improved justice system is of critical importance to both the social wellbeing of the country as well as the promotion of commerce. Specifically, the Chapter identifies service quality in the civil registry as the problem that is being investigated. It sets out the conceptual framework and introduces the methodology that the study adopts. It also identifies some limitations that the study must address. Finally, this chapter contains definitions of the main terms used.

Chapter 2 constitutes a literature review and as such analyses the literature on the administration of Justice in Jamaica and on service quality. It examines the SERVQUAL instrument, the application of the instrument to studies of public services institutions, and the limitations and possibilities of the expectation/perceptions model.

Chapter 3 reports on the methodology. It addresses the issues of research philosophy and explains the research process, research design and the choice and implementation of data collection methods. It discusses the ethical considerations of the research. It also includes a discussion on the sampling aspect of the study, including the validity and reliability of the survey instrument used.

Chapter 4 sets out the results of the preliminary pilot study. The purpose of the pilot study was to determine if SERVQUAL could be applied to the civil registry and adapted to assist in answering the research questions. Chapter 5 reports on the findings of the main study and presents the primary data collected through the SERVQUAL questionnaires. Chapter 6 reports on the analyses of focus groups used as part of the process of validating the findings. The purpose of these groups was to ensure the representativeness of the survey and determine the correctness of the interpretations of the data.

Chapter 7 constitutes discussions and analyses of the survey results and the results of the focus groups. Here, the primary data findings of the surveys and the focus groups are analysed, and an in-depth discussion provided about the research objectives. This chapter summarises the level of achievement of the research aim and objectives and the limitations of the study are identified. Chapter 8 sets out the conclusions and recommendations of the research.

## **CHAPTER 2**

### **REVIEW OF THE LITERATURE**

#### **2.1 Introduction**

This chapter introduces the literature relevant to the research project, and it is organised around two broad themes. The first theme concerns reforming the justice system in Jamaica, including practitioners' analyses and Government of Jamaica's reports on the justice system. It is necessary here to rely on these analyses and reports of the Government, as well as those of the Government of Jamaica's consultants because these reports show how the Government of Jamaica sees the problems of the justice system. The review disclosed little academic research on the criminal justice system in Jamaica, even less on the civil justice system, and almost nothing on service quality in the Jamaican Supreme Court civil registry.

The second theme examines the application of the service quality approach to studies such as this. The review of the literature disclosed a gap in the existing knowledge base as it did not identify any prior attempt to address the subject of the delivery of quality service and service quality measurement in the civil registry. Some of the literature is represented in the SERVQUAL replication table in Appendix A, which also identifies the countries where the studies were conducted. This chapter sets out what we know about the state of the Jamaican justice system and what we know about service quality in the civil registry.

#### **2.2 Justice System in Jamaica**

Scholarship on the justice system in Jamaica covers a range of issues. These include access to justice (Buckley, 2006; Cyr, 2007), custodial systems (Harvard Law Review Association, 2002), functional policing (Ellis 1991; Harriott 1997; Harriott

2000; Harriott 2003; and Harriott et al. 2014), judicial accountability (Small, 2016a), and political culture (Valdez 1975; Harriott et al. 2014). Criminal justice attracted most of what little academic attention there was about the Jamaican justice system.

The Government's policy documents and commissioned reports account for much of the knowledge on the justice system. Buckley (2006), Cyr (2007) and Darby (2009), for example, have contributed significantly to a general understanding of the system. Buckley's work was intended principally as a briefing document to the Task Force, and Darby's study was an in-country assessment, providing recommendations to the Government on reforms that could be feasibly implemented.

The Government's policy and ministry papers also provided authoritative statements on the judicial system (Government of Jamaica, 2003; 2009; 2012), as did government-sponsored reports (Jamaican Justice System Reform Task Force, 2007; Darby, 2009). Academic interest in the Jamaican justice system concentrated mainly on criminal justice and focused primary on crime, juvenile and criminal justice and policing, as is represented by the works of Ellis (1991), Harvard Law Review Association (2002), Harriott (1997; 2000; 2003) and Harriott et al. (2014).

The work of Morgan and Sengupta (2012) was confined to the use of information systems. They conducted an organisational review of the information management system of the courts and concluded that the Jamaican court informational system collected only summary or aggregate statistics. Morgan and Sengupta's work has had some influence, and the Government of Jamaica has sought to address the information management system of the courts (Dennis, 2017). In summary, a fair reading of these policy documents and commissioned reports is that the principal justice issues in Jamaica were ones of inadequate resources.

### 2.2.1 The Civil Justice System Today

In an overview of the Jamaican justice reform issues and initiatives, Buckley (2006) identified problems related to the general court administration. These include issues of ease of access to the system, the dispute resolution process, court administration and structures, professionalism (or rather, the lack of it) and issues of enforcement of subpoenas and civil judgments. Buckley's assessment of the civil justice system found that the litigation process in Jamaica was too expensive, slow, and complex, and that better-resourced litigants had the advantage over others. Buckley also concluded that the civil justice system lacked transparency and that there was inadequate integration with alternative dispute resolution processes.

In Buckley's assessment, case management techniques in the civil courts were inadequate and took up too much judicial time. She concluded that the Civil Procedure Rules, introduced in 2003, had not worked properly. In her opinion, the preparation of transcripts took a very long time, and the use of technology, the jury system, rules of evidence, data collection and litigation costs all needed attention. She also complained about the "Lack of proportionality between procedure and size of claim." Buckley did not elaborate what she meant by this, but it appears that small claims took too much of the superior courts' time.

By 2007 the Supreme Court had introduced an automatic system of referrals to mediation, and a computerised case management system (Cyr, 2007). In 2013, by ministerial order, Jamaica increased the monetary jurisdiction of the Resident Magistrate Court, to take some of the burdens from the Supreme Court. However, the views of other scholars were that these reforms were not sufficient. The dominant opinion was that the business processes applicable to that system were very poorly

developed and very poorly executed (Cyr, 2007; Darby, 2009; Jamaican Justice System Reform Task Force, 2007).

### **2.2.2 Reforming the Justice System**

By the end of the twentieth-century, there were in many British Commonwealth countries obvious and demonstrable political commitments to reforming the justice system. These countries included Australia (Law Reform Commission of Western Australia, 2002; Sheen & Gregory, 2012; Wolski, 2011); Canada (Ali & Lee, 2011; Baar, 1999; Choudhry, Cossman, Yoon & Morton, n.d.; Hanycz, 2005; Legal Services Society of British Columbia, 2012; Phillips & Miller, 2012; Trebilcock, Sossin & Duggan, 2012); Hong Kong (Ali & Lee, 2011; Chief Justice's Working Party on Civil Justice Reform, 2004); Malaysia (Ali & Lee, 2011); Nigeria (HURILAWS, 2000); Singapore (Ali & Lee, 2011; Baar, 1999; Sheen & Gregory, 2012); South Africa (Government of South Africa Department of Justice and Constitutional Development, 2013); and the UK (Forrest, 2001; Partington, 2001; Scottish Government, 2012; 2013; Sommer, 2009; Watson, 1996; Zuckerman, 1996). The concerns that prompted the investigations, analyses and recommended-reforms were the same: These concerns were with the access to justice, the increasing costs of legal proceedings and the length of time necessary to bring judicial proceedings to an end. These concerns were also shared by reformers in the USA (Fulco, 1995; P. Johnston, 1994; Kessler & Rubinfeld, 2007; Levin, 1993; Solomon, 2010; Sommer, 2009; The Harvard Law Review Association, 2002).

More recently, Jamaica has also embraced justice reform initiatives. The Several reports by Buckley (2006), Cyr (2007), Darby (2009), and the Jamaican Justice System Reform Task Force (2007) itemised a litany of complaints about the inefficiencies and dysfunction of the Jamaican justice system that required attention.

These concerns were like those about the other common law jurisdictions mentioned above. In the words of Wolski (2011):

By the mid-1980s, the civil justice system in many common law jurisdictions was reportedly “in crisis,” crippled by excessive delay, cost and complexity in proceedings and out of reach of ordinary people. During the next twenty-five years, law reform commissions and other relevant agencies were charged with identifying problems with the civil justice system and with making recommendations for its improvement. (p. 40)

The solutions identified to fix these problems were almost universally the same:

Reduce the complexity of judicial proceedings; reduce the delay in getting matters completed; reduce the cost of litigation; and apply more resources to the justice system.

Buckley (2006) demonstrated that the Government of Jamaica had spent time, effort and money to study the justice system. She identified a Caribbean Development Bank project in 2000 to 2003 on strengthening the financial sector, which included an emphasis on judicial training and equipping the Judicial Training Institute. Buckley also identified a Canadian International Development Association project on social conflict and legal reform which involved working with the Chief Justice, judges and staff of the Supreme Court and the Family Court to improve aspects of the Jamaican legal system; an Inter-American Development Bank citizens' security and justice programme of 2001 to enhance citizen security and justice, including improving the delivery of judicial services; and the Justice System Computerization Project of 1999, which includes a computerised case management system. These projects generated a full range of reports. Buckley (2006), and Darby

(2009), also identified some special reports produced by other stakeholders interested in the reform process.

Several of these reports were government financed or government sponsored. Others were initiatives of the legal profession, civil society and academic and professional associations. The earliest of these was a report in 1986 of a subcommittee of the Consultative Committee of the Bench and Bar on the criminal justice system. This subcommittee's report indicates that practitioners had recognised early that the criminal justice system, at least, required attention. The USAID had financed a Government of Jamaica Court efficiency study, which reported in 1992. The Government of Jamaica financed or sponsored studies on the reform process. These produced several report, including one on the National Task Force on Crime, chaired by Hon Mr Justice Wolfe (1993), a KPMG report on the strategic performance review of the judiciary for the Ministry of National Security and Justice (1998), a KPMG report on the strategic performance review of the Ministry of National Security and Justice's Central Directorates (1998), and the Ministry of National Security and Justice Criminal Justice Research Unit's Sentencing Variations Study (1999). While reports on justice reform were produced by the Police Executive Research Forum (Washington DC) on Violent Crime and Murder Reduction in Kingston (2001), the University of the West Indies Mona on "Crime Peace and Justice in Jamaica—A Transformative Approach" (2001), and the Judicial Development International's report on the safekeeping of court records in the Resident Magistrates' Courts (2005). In addition to these studies and reports, the Jamaican Bar Association had also made several submissions to the Government of Jamaica on justice system reform between 2000 and 2006.



These studies, reports and submissions demonstrate that the Government was not uninformed of the need to reform the justice system. The common shortcomings identified in the many studies spoke of the high cost of justice, delays in the justice system, time-consuming administrative processes, and poor and inadequate administrative skills applied to the administration of justice. The overarching complaint, however, was that the justice system in Jamaica was inadequately resourced.

These reports culminated in the Government of Jamaica's Green Paper, "National Security Strategy for Jamaica: Towards a Secure and Prosperous Nation" (2006) and the establishment of the Jamaican Justice System Reform Task Force, which reported in 2007. With the task force's report, the basis to proceed to reform the civil justice system was well established, and the reform of law-enforcement, penal institutions and laws regulating the social order were high on the public-sector reform agenda. The Government's 2009 strategy for reforming the public sector acknowledged that the scope of work for public sector modernisation involved exploring and developing "... mechanisms to create economies of scale which would result in greater efficiency across government in relation to corporate functions such as ... legal services " (Government of Jamaica, 2009, p. 9).

### **2.2.3 Service Quality Discussions in Jamaica**

These several reports mentioned itemised a damning list of complaints about the inefficiencies and dysfunction of the justice system without characterising any of them as service quality issues. Service quality issues are included in the Jamaican academic literature, but the literature has concentrated on hospitality management (Ajagunna & Crick, 2014; Crick & Spencer, 2011; Gilbert et al., 2004; Ndhlovu & Senguder, 2002; Ndhlovu, 2001), health care (Hardee, Clyde, McDonald, Bailey, &

Villinski, 1995; Peabody, Rahman, Fox, & Gertler, 1994), information systems (Golding, 2005; 2011; Golding, Donaldson, Tennant, & Black, 2008), and institutional change (McKoy, 2004, 2009; Schoburgh, 2014; Tindigarukay, 2004; Waller & Genius, 2015). These studies all addressed service quality, and some even relied on SERVQUAL or SERVPERF, but none addressed service quality in the justice system, and none examined service quality in the civil registry.

### **2.3 Service Quality Literature**

Three decades ago, when Parasuraman et al. (1985) first attempted to develop a conceptual model of service quality, they complained that "... the literature on service quality is not yet rich enough to provide a sound conceptual foundation for investigating service quality." This is certainly no longer the case. Parasuraman et al. (1985) developed the conceptual model and refined the SERVQUAL scale (Parasuraman et al., 1991b, 1988; 1993). The collaborative work on SERVQUAL between Parasuraman, Zeithaml and Berry from 1981 to 1994 has been described by Parasuraman (2011) as "the 'PZB' service quality journey" (p. 8). A table setting out the PZB service quality journey is set out in Appendix B. The body of literature on service quality in general, and on SERVQUAL in particular, is now rich and robust.

As late as 2004, the authors of one study opined that "Few authoritative studies addressing the applicability of SERVQUAL outside the US have been published" (Kilbourne, Duffy, Duffy, & Giarchi, 2004). That too is no longer the case. While US sources dominated the early literature, in later years, SERVQUAL has become increasingly popular in other countries and other cultures. The assessment of Kilbourne et al., (2004) was contradicted only a few years later. The conclusion ten years ago, of a meta-analytic analysis of the previous 17 years' use of the SERVQUAL and SERVPERF scales, has been summarised as follows:

Overall, SERVQUAL and SERVPERF are equally valid predictors of OSQ. Adapting the SERVQUAL scale to the measurement context improves its predictive validity; conversely, the predictive validity of SERVPERF is not improved by context adjustments. In addition, measures of services quality gain predictive validity when used in less individualistic cultures, non-English speaking countries, and industries with an intermediate level of customisation. (Carrillat et al., 2007, p. 472)

### **2.3.1 Measuring Service Quality**

Gow (2014) divided the service quality literature into two schools, which she characterised as the American and Nordic models. Lam and Woo (1997) classified them as the American school and the Scandinavian school of thought. The Nordic model, or Scandinavian school, is associated with Grönroos (1984, 1990, 2000, 2001) and the American model or school, is associated with Parasuraman et al., (1985); Berry et al., (1988) and Zeithaml et al., (1996).

The American model also incorporated two different approaches to service quality measures. The first is based on the disconfirmation paradigm where satisfaction was seen as, “a function of the disconfirmation of performance from expectation” (Oliver, 1980, cited by Lee, Lee, & Yoo, 2000, p. 218). In Parasuraman et al.’s application of this model, service quality is assessed as the difference between the expectation of the service and the perception of the service. This is the gap model (A. Parasuraman et al., 1991b, 1988), and it is described as the “confirmation and disconfirmation of expectations approach” (Yuksel & Rimmington, 1998, cited by Gilbert et al., 2004). With this approach, the more one’s perceptions exceed that which was expected, the better rated is the service; conversely, the more one’s

expectations exceed that which is perceived, the worse the service is considered to be (Parasuraman et al., 1985).

SERVQUAL is built on this paradigm (Parasuraman et al., 1991a, 1988), and it has found numerous applications as a service quality measure (Babakus & Boller, 1992; Babakus & Mangold, 1992; Brysland & Curry, 2001; Donnelly, Mike, & Shiu et al., 1999; Donnelly, Shiu, Dalrymple, & Wisniewski, 1996; Donnelly et al., 2006; Donnelly, Wisniewski, Dalrymple, & Curry, 1995; Dyke et al., 1999; Lam, 1997; Lam & Woo, 1997; Parasuraman et al., 1991b, 1988; Weekes, Scott, & Tidwell, 1996; Wisniewski, 2001a, 2001b; Wisniewski & Donnelly, 1996). Moreover, it continues to be very popular as a service quality measure across many cultures (Abukhalifeh & Som, 2015; Aghamolaei et al., 2014; Al-Momani, 2016; Celik, Aydin, & Gumus, 2014; Cho, Kim, & Kwak, 2016; Gow, 2014; Khamis & Njau, 2014; Mahmoud & Khalifa, 2015; Musah et al., 2015; Ogunnowo, Olufunlayo, & Sule, 2015; Papanikolaou & Zygiaris, 2014; Rasouli et al., 2016; Roslan, Nor, & Wahab, 2015). The instrument has been described as “the most commonly used tool for measuring service quality” (Pheng & Rui, 2016, p. 43).

The second approach of the American model to service quality is based on the performance paradigm. The assumption is that the expectation of service is always qualified or conditioned by the service received and therefore in measuring service quality expectations are ignored, and only the perception or performance questions are considered (Cronin & Taylor, 1992). The SERVPERF instrument is built on this paradigm, and this too has its full share of adherents (Al Khattab & Aldehayyat, 2011; Bayraktaroglu & Atrek, 2010; Carrillat, Jaramillo, & Mulki, 2007; Cronin & Taylor, 1994; McAlexander, Kaldenberg, & Koenig, 1994). Both frameworks are similar,

SERVQUAL measuring expectations and perceptions, each on a 22-item scale, while SERVPERF measures perceptions, using only the perception battery of questions.

### **2.3.2 Multidimensionality**

There is an additional difference between SERVQUAL and SERVPERF. The latter treats service quality as one dimensional. This is referred to as overall service quality (OSQ). SERVQUAL, on the other hand measures OSQ, and further breaks down the scale into several sub-categories or service quality dimensions (SQDs). There is still debate whether it is necessary to rely on the multidimensional formulation of service quality, or even whether it is desirable to use the gap between expectation and perception as a measure (Cronin & Taylor, 1992; Finn & Lamb, 1991). The literature provides support for both sides of the debate (Durvasula, Lysonski, & Mehta, 1999), and some studies have treated SERVPERF as a multidimensional measure (Al Khattab & Aldehayyat, 2011)

The original SERVQUAL scale was developed in five service industries in the private sector. Parasuraman, Zeithaml and Berry (1985) sought originally to capture ten dimensions of service quality, but in later studies reduced these to five (Parasuraman et al., 1988; Zeithaml et al., 1990). Identifying five dimensions may not be suitable or possible in all cases. Some research projects have relied on fewer dimensions (Chakrapani, 1998). It has been suggested that service quality "... is best represented as an aggregate of the discrete elements from the service encounter," which may include these five dimensions as well as others (Carrillat et al. 2007, p. 473, citing Cronin and Taylor, 1992; Dabholkar et al. , 2000; and Parasuraman et al. , 1985).

### 2.3.3 Applying Service Quality Measures to Public Service

Rhee and Rha (2009) argued that since the 1990s, service quality has been regarded as critical for reinventing the public sector. At the same time it was recognised that, “Adapting quality management approaches to the public sector has not been particularly easy” (Bryland & Curry, 2001, p. 390). Assessing the quality of public services, by the nature of the public services environment, is just difficult (Donnelly et al., 2006). However, there is now a rich body of scholarship applying service quality measures to the delivery of public services (Carvalho, Brito, & Cabral, 2010; Wisniewski, 2001; Wisniewski & Donnelly, 1996).

The early applications were not all satisfactory. More recent applications of SERVQUAL to the public services have been much more successful. These include citizens service centers in Greece (Chatzoglou et al., 2013), public health care facilities in Brazil, Greece and Nigeria (Ogunnowo et al., 2015; Papanikolaou & Zygiaris, 2014; Rocha et al., 2013), public Hospitals in Iran and Saudi Arabia (Aghamolaei et al., 2014; Al-Momani, 2016; Rasouli et al., 2016), public physiotherapy service in Brazil (Almeida et al., 2013), and public transport in South Africa and Turkey (Celik et al., 2014; Govender, 2016). In one study, the same SERVQUAL survey was even applied to public and private services at the same time (Manulik, Rosińczuk, & Karniej, 2016).

Rhee and Rha (2009) complained that for the most part, the literature directly applied the five SERVQUAL dimensions of service quality without exploring or validating these dimensions in the public sector and that only a few studies identified other dimensions such as equity and feedback, which are important to public services. Public services relationships are unique and distinct from private services relationships. However, the issues identified by Rhee and Rha (2009) are relevant to

where members of the public directly interact with the public service agency to receive a benefit. In the case of the civil registry, the public has little contact with the actual service providers. Members of the public access the registry through their representatives, legal practitioners, who are the persons in direct contact with the services provider. In the civil registry, transactions between legal practitioners and registry personnel involve few issues of equity and feedback. These are less important than they would be in other areas of government where the department is granting a benefit to the citizen. The relationship between legal practitioners and the civil registry more closely approximates private sector service transactions than other areas of government.

#### **2.4 Understanding the Gaps Model**

The SERVQUAL gaps model seeks to measure service quality as “...the calculated difference between customer expectations and performance perceptions of a service encounter” (Carrillat et al. 2007, p. 473). As such, the model identifies five gaps that account for unsuccessful service quality delivery. This conceptual model is set out in Figure 3.

Since the development (Parasuraman et al., 1985) and refinement (Parasuraman et al., 1991b) of the conceptual service quality model, it has assumed increasing importance in identifying service quality gaps in the delivery structure of many types of services providers (Deshwal, 2011; Johns & Tyas, 1996; Ogunnowo et al., 2015; Xianying & Qin Hai, 2007). The conceptual model of service quality, Zeithaml et al. (1990) identified five gaps. These service quality gaps are Gap 1, the management perception gap; Gap 2, the quality specification gap; Gap 3, the service delivery gap; Gap 4, the marketing communication gap; and Gap 5, the perceived service quality gap (Arokiasamy & Abdullah, 2013).

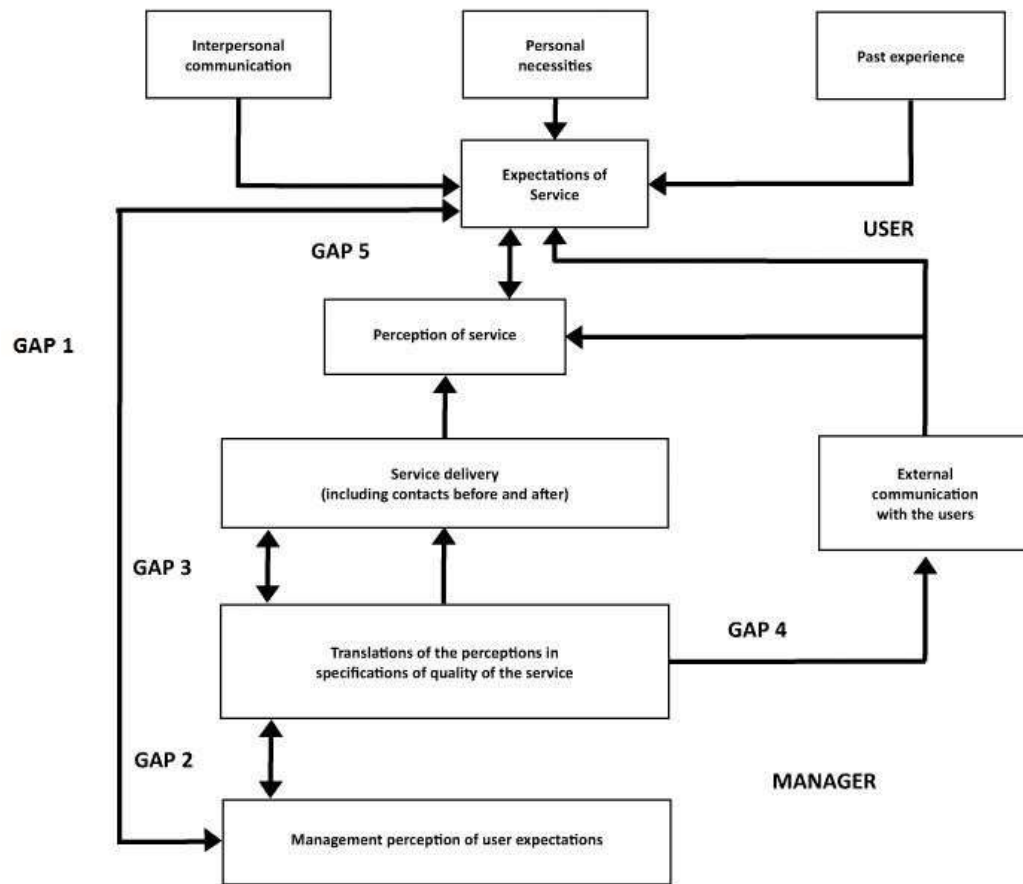


Figure 3. Conceptual Model of Service Quality. Source: Zeithaml *et al.* (1990, p. 46).

Gap 1 identifies the difference between the manager's perception of the customers' expectations, on the one hand, and the customers' actual needs and desires, on the other. It is important that managers accurately perceive customers' expectations. Gap 2 identifies divergences in the specifications of service quality, where the manager may accurately identify the customers' needs but cannot translate that into the appropriate service specifications. Gap 3 identifies those cases where quality specifications may be accurately identified but these specifications are not met in the delivery process. Gap 4 identifies those cases where market communications promise services that are not delivered, and Gap 5 identifies cases where the



perceived service quality falls short of the customers' expectations (Zeithaml et al. 1990).

All these gaps are important to a full understanding of service quality delivery in an organisation and, as can be seen from Figure 3, these are all intimately related. This study focused on Gap 5 and in keeping with the conceptual framework identified in Chapter 1, it sets out to identify where the perceived service quality fell short of the expectations of the users of the civil registry.

### **2.5 Limitations on the Expectations/Perceptions Model**

While the application of service quality measures has demonstrated significant benefits in the private sector, it does not follow that such measure will necessarily and without modification apply with similar success to the public sector (Rhee and Rha, 2009). There is debate whether these service quality concepts can be transferred from the private to the public sector (Carvalho et al., 2010). In fact, it has been argued that unlike the private sector, where these service quality models were originally developed, public services are not delivered under market conditions. Moreover, public sector agencies are more oriented towards political objectives. Thus, these service quality models are not suited to public services (Carvalho et al., 2010).

For example, Wisniewski (1996), one of the early adopters of service quality measures such as SERVQUAL to the research of service delivery in the public sector, noted that public sector organisations face particular difficulties in measuring service quality. Earlier, Donnelly et al. (1995) questioned the applicability and portability of the SERVQUAL approach to the public sector without first adapting the instrument to the new circumstances. They were specifically concerned about its application to local government, but these concerns would apply to the public sector in general.

Donnelly and Shiu (1999) also thought that the application of the SERVQUAL instrument to service quality in a local authority's housing repairs service in the UK was "problematic." They were assessing the link between service quality and value for money in the authority's housing repairs services.

A similar view was expressed by Foster (2000). While examining service quality issues in the public sector, he observed that the service quality principles developed in the private sector might not be easily applied to the public sector. The suggestion is that the public sector situation is more complex than that of the private sector. Donnelly, Kerr, Rimmer and Shiu (2006) had satisfactory results using the SERVQUAL instrument to measure the quality of police services, but they concluded that while the primary SERVQUAL instrument appeared to be internally consistent, it lacked discriminatory validity between the five SERVQUAL dimensions. It should be noted that this is similar to the original concern of Cronin and Taylor (1992, 1994).

Vaughan and Shiu's (2001) area of investigation was different from the public sector. They investigated the voluntary sector, specifically the category providing services to disabled people, and found that the original SERVQUAL framework was inappropriate for services in that sector. In their interpretation, the voluntary sector was not a sufficiently close analogue with the private sector. They, therefore, conducted both qualitative and quantitative research. The qualitative study established sector-specific criteria used by customers to evaluate service quality. They identified first 40 and later 26 potentially unique voluntary sector service quality features that they constructed into 10 service quality dimensions: Access, responsiveness, communication, humaneness, security, enabling/empowerment, competence, reliability, equity, and tangibles. From these features and dimensions they derived a

new instrument, ARCHSECRET, generally applying the SERVQUAL methodology of expectation and perception questions and the relative importance of the dimensions, but suitable for use in the voluntary sector (Vaughan & Woodruffe-Burton, 2011; Vaughan & Shiu, 1999, 2001).

Vaughan and Woodruffe-Burton (2011), and Vaughan and Shiu (1999, 2001) are part of a larger tradition in scholarship, developing industry-specific scales in preference to the generic SERVQUAL as a measure of service quality. Ladhari (2008) identified 30 industry-specific scales developed in the previous 15 years. Donnelly and Shiu (1999) had also made the point that the SERVQUAL instrument should be appropriately adapted and tested and that it should be developed, or modified, from the perspectives of both the recipients and deliverers of service. This position was also adopted by Rhee and Rha (2009). If the generic instrument is to be effectively applied in studying service quality in the Jamaican Supreme Court civil registry, it must be properly validated and tested in the local circumstances.

## **2.6 Conclusion**

This chapter examined the academic and professional literature on the justice sector reforms that have taken place in Jamaica. The body of academic scholarship on the civil justice system in Jamaica is limited. On the other hand, there is a strong body of commissioned work by the Government of Jamaica and others on the justice system, including civil justice, which was informative and helpful. An important deficiency in the entire debate is that nowhere in the civil justice reform process was there any discussion of service quality delivery in the Supreme Court civil registry. This chapter also undertook a review of the literature on service quality and the considerations in applying service quality measures in the public service. The chapter also discussed the conceptual framework of the gaps model used in applying service

quality measures to the Jamaican Supreme Court civil registry. This discussion informed the methodological considerations to be presented in the next chapter. That chapter will introduce the methodology and a description of the methods, identify the population, sampling frame and sample size, set out the data gathering methods, and discuss the validity and reliability of the study.

## **CHAPTER 3**

### **METHODOLOGY**

#### **3.1 Introduction**

In this chapter, the research philosophy, including the axiology, epistemology and ontology that ground this study are examined, and the justification and appropriateness of the research philosophy to this work is articulated. Here, it is demonstrated how this philosophy impacted the choice of the data collection methods used in the study, and how the ethical considerations have been addressed. The chapter also describes the methods, including a description of the SERVQUAL instrument and the gap model. The theoretical population, sampling frame and sample size for the main survey are identified, and the data gathering, data entry and data cleaning methods for the main study are set out. The chapter also includes a description of the data gathering procedures used in the focus groups. Finally, the validity and reliability measures used in the study, including the use of focus groups, are discussed.

#### **3.2 Research Philosophy**

Academic work often represents ideological positions, and this underlying philosophy will influence how researchers approach their work. It may even influence how the researcher interprets her results (Brantlinger, 1997). Ideology is “at work in everything we experience as reality” (Zizek, 1994, p. 17, as cited in Brantlinger, 1997). An important question is: How independent and how useful can research be if it is always interpreted as advancing the interests of an ideology?

Holden and Lynch (2004) argued that methodology should not determine research, but rather that it is the phenomenon that is to be investigated and the

researcher's philosophical stance that should determine the choice of methodology. There are practical reasons, they argue, why a researcher may settle on a particular methodology, but the real process of deciding how to research requires first settling the deeper philosophical question: "Why conduct research?" One's methodology does not determine one's belief about the way the world is. If this were so, it would be akin to "the tail wagging the dog" (Fleetwood, 2014, p. 187). On the other hand, one's world outlook must be consistent with the chosen method.

This thesis examines service quality in a civil registry on the premise that this object is worthy of study and adopts a critical realism research philosophy. The motivating concern behind this project was that of a legal practitioner unable to deliver the desired quality of service to her clients because she was dependent on others who did not provide good service, and whose performance the practitioner could not direct or control. The assumption was that beneficiaries and providers of service should be on the same page and that high-quality professional services in the courts' registries could not be guaranteed if these participants have different perceptions of service quality. Although the service quality approach had long been applied to public services, the Supreme Court civil registry had not been examined in this way before.

### **3.2.1 Axiology**

Axiology is the philosophical study of judgements about value, and may be described as— "axiology is engaged with assessment of the role of the researcher's own value on all stages of the research process" (Li, 2016, as cited by Dudovskiy, 2016, p. 31). As such, the researcher must always be conscious of what is right or good about the research process. In a study such as this, the researcher must maintain an objective stance. That stance is difficult when the researcher is a legal practitioner

whose welfare is dependent on the object of the study, the Supreme Court, and who normally falls within the population and sample frame of the study. While the intention was to conduct the research in a value-free way, maintaining an objective stance with independence from the data, the nature of this study is of necessity value-laden. The researcher is necessarily influenced by her worldviews, cultural experiences and work environment, as are the subjects providing the data.

### **3.2.2 Ontology**

Ontology is the study of the nature of reality. One's view of reality may be based on objectivism, subjectivism or realism. As Fleetwood (2014) explained,

“... everyone has an ontology—a set of beliefs about the way the world is—and if it is not explicit then an implicit ontology will necessarily be ‘smuggled in’ as a presupposition. CR and Idealists are explicit ontologists, while empirical realists presuppose their ontology—deriving it from epistemology.”  
(p. 186)

Fleetwood went on to classify three ontologies. He describes these as idealistic ontology, empirical realist ontology and critical realist ontology. The latter, Fleetwood said, is characterised by “stratified, emergent, and transformational entities, and relations and processes” (Fleetwood, 2014, p. 190). An important ontological approach of critical realism is the recognition that not all entities are constructed from discourse, and thus entities can exist independent of their identification. Secondly, and importantly, in critical realism, epistemology is subordinate to ontology. This study accepts that approach that there is an important difference between reality and the knowledge of that reality.

Administrative structures in the civil registry and services provided by the registry's staff exist independently of the perceptions of the lawyers and clerks who benefit from the services. The ontological question is, what is good service quality in the civil registry? If that service quality is bad or good, how does it exist and how does it change from one state to the other? The research project examined the perception and expectations of the social actors receiving services in the registry and sought to reduce those internal perceptions and expectations to a measurable external reality. These facts exist independently of human thoughts and beliefs or even the knowledge of their existence, even though these facts are interpreted through the social conditioning of the researcher.

### **3.2.3 Epistemology**

This study proceeded on a critical realist research philosophy and made certain epistemological assumptions. It assumes that the reports of the respondents of the survey will provide credible data. However, credible data is not certain data. This study also accepts that insufficient data will result in inaccuracies. Subjects sometimes misinterpret the sensations that they have received. Also, the data collection process may itself have had what Ghoshal (2005) described as the "double hermeneutic." A theory can induce action consistent with that theory, and thus reinforce the theory. Similarly, the collection of data from a questionnaire which assumed certain ideals in practice may induce future respondents to give answers consistent with those ideals.

The data collected must be assessed and understood in its context. As Danermark, Ekstrom, Jakobsen and Karlsson (2005) explained, people have great capacity "to change themselves in connection with new experiences and new knowledge generates continual changes in the studied social phenomena" (p. 16). It is



conceivable that those who had completed the survey may later discuss the concepts with those who have yet to complete it. The experiences of the subjects will necessarily influence how and on what they report. It may not be possible to avoid this reality.

### **3.2.4 Justification of the Research Philosophy**

It is the question that one seeks to answer that should determine the research methods. What has been described as the fundamental question in the philosophy of science is, “What properties do societies and people possess that might make them possible objects of knowledge?” (Bhaskar, 1979, p. 13 as cited by Danermark, Ekstrom, Jakobsen, & Karlsson, 2005). In this study, the broad question becomes, can we determine the quality of the services delivered in a court registry? If the answer to that is no, then one could not proceed with the research project. However, if the answer is yes, the next question is whether this can be achieved by investigating the behaviour of the subjects or by investigating their opinions. How can the users of the services of the registry help us to understand the properties of the registry? If we are to investigate the behaviour of persons giving and receiving customer services, the next question would be whether we can observe their behaviour in their natural environment. If we cannot observe the behaviour, then we need some form of experimentation or modelling to explain what is taking place. On the other hand, if we can observe the behaviour in the natural environment, as it is believed we can, then we need some method of observation or assessment.

This study proceeds on the basis that we can answer research questions about the quality of service in the civil registry by investigating the subjects’ understanding of the natural environment, and by canvassing their opinions by surveys and interviews. A preference for one method does not mean that the other methods are

not valid or useful. Neither does it mean that more than one method cannot be used together. This study seeks to avoid what Danermark et al. (2005) describe as an unfortunate dualism between quantitative and qualitative methods. Thus, while the data gathered in the pilot study and the main study were facilitated using surveys, this study concluded with a reassessment and reevaluation of the data through focus groups.

The initial premise of this work is that we gain knowledge through empirical methods and logical reasoning, and scientific principles can be applied to professional practices (Jackson, 2010, p. 11). It is also recognised that research is value-laden and that the researcher's interpretation of the empirical evidence may be biased by her worldviews, cultural experiences and social and professional influences. These may affect the interpretation of the research findings. Thus, this study tries to chart a critical realist path between positivism, on the one hand, and idealism on the other, recognising that even value-laden research may be valuable research (Johansson, 2016, p. 219).

The assumption made in this study is that all parties in the legal services relationship, legal practitioners on the one hand and the registrars, administrators and registry clerks on the other, are important to the service quality relationship. Moreover, high-quality professional services in the courts' registry cannot be guaranteed if these participants have different perceptions of service quality. It is therefore important to assess the expectations and perceptions of the several dimensions of service quality of the beneficiaries in this customer service relationship.

The research project canvassed the users of services in the court registry, the experiences of the subjects will necessarily influence how and on what they report. At the same time, it is acknowledged that there may be fallibility in the data. Our

capacity to collect, assess and interpret the data from the study may not be perfect, but we can nonetheless draw useful conclusions from them.

### **3.2.5 Impact of Research Philosophy on Data Collection Methods**

Past studies, such as those by Cronin and Taylor (1994), Donnelly et al. (2006, 1995), Parasuraman, Berry, and Zeithaml (1991), Parasuraman, Zeithaml, and Berry (1985, 1988), and Wisniewski (2001), suggested that the respondents can accurately answer questions about their opinions of service quality in situations such as those of this study. This approach continues to be popular in fields as diverse as hospitality (Rauch, Collins, Nale, & Barr, 2015) and health services (Aghamolaei et al., 2014; Pena et al., 2013; Rezaei, Martin, et al., 2016).

This study assumed that such questions on service quality in a civil registry can be answered by investigating the opinions of the users of those services by way of surveys. That assumption is also based on proven experience and it is supported by a large body of influential scholarship (Babakus and Boller, 1992; Babakus and Mangold, 1992; Brysland and Curry, 2001; Donnelly and Shiu, 1999; Donnelly et al., 1995; Donnelly et al., 1996; Donnelly et al., 2006; Dyke et al., 1999; Lam and Woo, 1997; Lam, 1997; Parasuraman et al., 1988; Parasuraman et al., 1991; Weekes et al., 1996; Wisniewski, 1996; Wisniewski, 2001).

These studies also suggest that the respondents can accurately answer questions about their opinions in situations such as this study using the SERVQUAL/SERVPERF data collection methods, and contemporary studies, set out in Chapter 2, confirm this opinion across a wide range of cultures. Although SERVQUAL was developed in the United States, it has been applied in many other countries. Recent studies in countries as diverse as Iran (Rasouli et al., 2016; Rezaei, Martin, et al.,

2016), Nigeria (Ogunnowo et al., 2015), Saudi Arabia (Al-Momani, 2016), Syria (Mahmoud & Khalifa, 2015) and Turkey (Altuntas, Dereli, & Yilmaz, 2012) demonstrate the continued popularity of that approach.

The SERVQUAL instrument was therefore used to solicit the opinions of the subjects on their expectations when they deal with the civil registry, as well as their interpretation of the services they had received in their past dealings. It should be noted that it was only persons who have had experience with the civil registry who were surveyed.

The approach adopted for the main study, therefore, began with closed-ended questions with multiple choice answers, which can be analysed using quantitative methods. The advantages of that method to this study are that it allows for speedy data collection, low costs of data collection and a degree of objectivity (Dudovskiy, 2013), recognising of course that neither the questions nor the answers will be completely objective. The chosen method allowed for comparison of the respondents' assessment of their expectations with their perceptions of the registry's service quality. A cross-sectional sampling of the legal practitioners using the services of the Supreme Court civil registry provided insight into the opinions of members of the sample and allowed for estimates of how these practitioners may understand the delivery of a service which is of critical importance to their welfare. However, such reporting can be and often are value-laden. This study, therefore, ends with an assessment of the findings and inferences in focus groups.

### **3.3 Ethical Considerations**

A research study that seeks to gather evidence by soliciting information from human subjects, of necessity, raises ethical issues. These issues include but are not

limited to breaches of confidentiality and privacy, stigmatisation as consequences of such breaches, and inadequate attention to confidentiality, privacy and gender.

Participation in the study was completely voluntary. All participants were required to give full and informed consent before participating in the surveys or interviews. Subjects were invited to participate, and they were advised that they were not required to do so. The letter of Instructions on Completing the Questionnaire and the Consent Form are attached at Appendix C, and the Participant's Statement and Consent form for those participating in the focus groups is included in Appendix J.

The survey instrument was based on SERVQUAL. The questionnaires were Likert-type scales, which solicited the respondents' expectations of service quality and their perceptions of the services they had received. The questionnaires did not solicit personal or private, or biographical data. The respondents were not identified by name. Also, the data collected will remain confidential and protected from third-party access, other than that which is authorised by Edinburgh Napier University.

The Guide Sheet for Focus Groups discussions included a data sheet with the information supplied by the participants. This data sheet used in the focus groups is in Appendix I. The Guide Sheet included a signed Participant's Statement and Consent whereby the participant confirmed that the purpose of the interview and the nature of the questions were explained and that she had consented to share in the discussion about her experiences. The statement, set out at Appendix J, also confirmed that the participant could withdraw at any time.

As the information was gathered from focus groups, the moderator was required to interact with the participants. It was impressed on the moderator that it was of paramount importance that the rights, needs, values and desires of the

respondents were respected and that the guidelines were to be strictly implemented. All appropriate steps were taken to strictly adhere to the ethical guidelines and to protect the participants' privacy, confidentiality, dignity, rights, and anonymity. No participant was put in a situation where she might be harmed because of her participation, and each participant was informed that at any point during the focus group exercise they had the right to withdraw from the discussion. The moderator also confirmed that the participants' names were not used for any purposes other than their general participation in the focus group process.

### **3.4 Description of Methods**

This study adopted the disconfirmation paradigm discussed in Chapter 2 and used the SERVQUAL instrument to gather data on the expectation and perception of services from subjects accessing the Supreme Court civil registry. The study was focused on legal practitioners using the services of the registries. The SERVQUAL instrument was adapted to capture responses peculiar to the transactions that took place in the civil registry. These responses were analysed with the SPSS program across the SERVQUAL service quality dimensions.

This study consists of a pilot study, a main study and focus groups' assessment of the findings of the main study. The methods for the first two parts were the same. The final part relied on the assessment of the findings of the main study in focus groups. The aim of the main study was to identify and evaluate the perceived service quality experience in the Supreme Court civil registry. The purpose of the pilot study was to determine if the aims of the main research project could be achieved using the objectives identified above, and whether the SERVQUAL instrument was suitable for the study, and if they were not then what modifications

would have to be made. The purpose of the focus groups was to confirm whether it was possible to have confidence in the results of the main study.

### **3.4.1 The SERVQUAL Instrument**

The SERVQUAL instrument used in this study consisted of the four questionnaires set out in Appendix D. The first and second questionnaires replicated quite closely questionnaires from the original SERVQUAL instrument (Parasuraman et al., 1988). Donnelly et al. (1996, p. 40) explained, “It is possible, indeed often necessary, to customise the basic instrument by adapting the wording of items; removing items completely; and inserting new items deemed important in the service content.” Carman (1990), who had tested the instrument in four different service environments, dental school patient clinic, business school placement centre, tire store and acute care hospital, was even more emphatic in his conclusion that, “Clearly, the wording and subject of some individual items need to be customised to each service setting” (p. 50). For this study, the language of the instrument was adapted to make it clear that the respondents were asked to comment on services in the Supreme Court civil registry.

Questionnaire Part 1 is a Likert-type scale that has been adapted from the original, first, to refer to the services of a civil registry specifically and, second, to reduce the range of responses required, from seven on the original scale to five on the scale used in this study. The questionnaire invited respondents to indicate on the scale a preference for one of the following: 1, to indicate that she strongly disagreed that the Supreme Civil Registry should have the feature identified in the question; 2, to mean that she disagreed; 3, to mean that she neither agreed nor disagreed; 4, to mean that she agreed; and 5, to mean that she strongly agreed. The 22 items on the scale were designed to capture the respondent’s expectations of service quality in a

civil registry along five dimensions of service quality suggested by Parasuraman et al., (1988). Each question was associated with a specific dimension of service quality. Questions 1-4 were designed to capture responses about the tangible dimension of service quality; questions 5-9 were designed to capture responses on the dimension of reliability; questions 10-13 sought responses for the dimension of responsiveness; questions 14-17 captured information for the dimension of assurance, and questions 18-22 were used for the dimension of empathy.

Part 2 of the Questionnaire is a matching scale to Questionnaire Part 1. Each question on this second scale corresponded to a similar question on the first scale and the answers returned corresponding values; but whereas Questionnaire Part 1 was designed to solicit the respondents' opinion on the quality services they would have expected in a civil registry providing excellent services, Part 2 was designed to solicit the respondents' opinion based on their experience in the Jamaica Supreme Court civil registry. The range of allowed responses on the perception questions was the same as for Questionnaire 1. The respondent was asked to indicate: "1", if she strongly disagreed that the Jamaica Supreme Civil Registry had features identified in the question; "2", to mean that she disagreed; "3", to mean that she neither agreed nor disagreed; "4", to mean that she agreed, and "5", to mean that she strongly agreed.

Questionnaire Part 3 was designed to solicit information on the relative importance of the five dimensions of service quality: Tangibles, reliability, responsiveness, assurance, and empathy. Conceptually, these are important characteristics of the service quality experience. In the original instrument, Parasuraman et al., (1988) and Zeithaml et al., (1990) proposed that the respondents allocate 100 points to the five dimensions, ensuring that the total number of points allocated to each, sum to 100, and then the respondents were asked to indicate the



most important, the second most important and the least important dimensions. That original questionnaire is set out at Appendix E. This method of simply asking respondents to rate the importance of dimension by assigning a discretionary value is considered problematic as respondents may give very different values (Carman, 2000).

In planning the pilot study, it was thought that all the relevant information could have been effectively and efficiently captured by using a Liker-type scale. Part 3 of the scale was modified to a 5-point Likert-type scale and respondents were asked to indicate how strongly they agreed or disagreed with the following suggestions: The appearance of the physical facilities, equipment, personnel and communication materials are important; the ability to perform the promised services dependably and accurately is important; willingness to help customers and provide prompt service is important; knowledge and courtesy of employees and their abilities to inspire trust and confidence are important; and the caring and individualized attention that the civil registry provides its customers are important. These questions were designed to coincide with the five dimensions of service quality identified above, and this part of the scale was used in the pilot study and it is set out in Appendix F. Finally, Questionnaire Part 4 captured some demographic data on gender, working proximity to the Supreme Court and occupation.

### **3.4.2 The “Gap Model”**

The “gap model” seeks to identify the gap between the expectations and perceptions of service quality (Parasuraman et al., 1988). This model is set out in Figure 3, and this study concentrates on Gap 5 of the model. This gap is calculated in the following manner:

$$\text{Perception Score} - \text{Expectation Score} = \text{SERVQUAL Gap Score}$$

Where the score is positive, respondents have reported that they received better service quality than expected. Where the gap score is negative, then the respondents have reported that they expected better service quality than they received. Using this instrument for the gap model, if a respondent has the lowest expectation of service on an item, valued at 1, and the highest perception of service received, valued at 5, then the score on the item is,  $5 - 1 = 4$ . Thus, the highest SERVQUAL Gap score possible with this instrument is 4. Conversely, if the respondent reports the highest expectation and the lowest perception scores on a paired item, the value would be,  $1 - 5 = -4$ . A value of zero or above indicates that the provider is meeting or exceeding the beneficiary's expectations. A negative value indicates that the provider is not.

The analysis used in this study is a comparison of the mean scores of the several items on the questionnaires. Scores were calculated for the several dimensions of service quality, as well as for the total of all the questions. The service quality dimensions and the corresponding questions are in Table 8.

Table 8

*Service Quality Dimensions' Questions*

Dimensions	Questions				
Tangibles	1	2	3	4	
Reliability	5	6	7	8	9
Responsiveness	10	11	12	13	
Assurance	14	15	16	17	
Empathy	18	19	20	21	22

The gap score for the tangible dimension of service quality is the sum of the responses for the first four questions on Questionnaire Part 2, less the value of the

sum of the value of the first four questions on Questionnaire Part 1. To arrive at an average score the result is divided by the number of paired questions, four in this case. The result is the gap score for tangibles. A similar calculation was done for the reliability dimension: Sum the survey results for questions 5-9 on Questionnaire Part 1 and less the result of the sum of questions 5-9 on Questionnaire Part 2; then divide the result by the number of paired questions for the reliability dimension, five in that case. The result is the gap score for reliability. Similar calculations were made for the dimensions of responsiveness (questions 10-13), assurance, (questions 14-17), and empathy (questions 18-22).

### **3.4.3 Population and Sample Frame**

A legal practitioner in Jamaica, under the provisions of the Legal Profession Act (1971), is an attorney-at-law who holds a current practising certificate from the General Legal Council and who is engaged in practice. Law clerks in Jamaica work under the authority of practising attorneys-at-law. In this study, no distinction is made between law clerks and paralegals. Both terms are used here interchangeably to refer to paraprofessionals who perform delegated legal work for which an attorney-at-law is responsible and which work may cover a wide range of skills. In this thesis, the term legal clerk is not intended to carry the same meaning as a barrister's clerk in England or an advocate's clerk in Scotland. There are no longer barristers and solicitors in Jamaica. The legal profession is now merged as attorneys-at-law, and the former profession of the barrister's clerk as the manager and administrator of a set of barrister's chambers no longer exist in Jamaica. For this study, the broader working definition of "legal practitioner" was adopted which extended the meaning of the term to include law clerks as previously defined as well as attorneys-at-law. Thus, the theoretical population for this study consists of legal practitioners in Jamaica.

As a practising certificate is required for attorneys to practice law in Jamaica, it is assumed that the sum of practising lawyers in Jamaica is equal to the sum of practising certificates. As at 1 March 2015, the General Legal Council published that it had issued 1,757 practising certificates. There is no organising body or regulatory authority for law clerks, and there is no sure way of calculating the number of law clerks other than surveying attorneys-at-law as to the number of law clerks in their employ. Such a survey has not been done in Jamaica, although surveys have been done for paralegals elsewhere. Morrison (2010) reported that benchmark data in the USA from 228 law departments reported the median ratio of 2.66 lawyers for each paralegal, with an average of 3.57 lawyers per paralegal. Similar studies had been done for Canada, the UK and Europe, with different results:

From the same global benchmark survey, 43 Canadian law departments reported a median of three lawyers for each paralegal and an average of 3.72. From 47 law departments in the United Kingdom and Ireland (the UK) came the same median but a higher average of 4.06. Finally, from 81 law departments based in Europe, the median remained the same as that of the UK and Canada, but the average increased significantly to 4.83. (Morrison, 2010)

The conclusion was that the ratio of lawyers to paralegals varies significantly in different jurisdictions.

As there is no Jamaican metrics on this ratio, the legal clerks' contribution to the general population in this study has to be estimated by other means. The United Nations Manual on the methods for estimating total population explained that,

Estimates based on numerical data pertaining more directly to part or all of the population, for example a count of houses, huts or tents, numbers of tax-

payers, voters, or recipients of rations, are not conjectural; though not constituting actual population enumerations, they are based on counting procedures which must be regarded as “non-censal”. (United Nations, 1952, p. 10).

The Manual went on to explain that in some circumstances there is no better way to estimate the population and it is sometimes necessary that part of a population be estimated by non-censal or conjectural data, which may be based on the researcher’s observation or personal knowledge (United Nations, 1952). Superior methods will be used to estimate the remainder.

Information from the Jamaican telephone directory, and from the associated websites, show that Jamaican law practices are small and most lawyers are sole practitioners. Four Jamaica firms have more than 20 lawyers each, inclusive of partners, associates and consultants, and only one of those has more than 27 lawyers. Moreover, practices vary. There are lawyers with several clerks, while in other cases one clerk may serve several lawyers. Some lawyers have no clerks and some lawyers, even with clerks, do not have a litigation practice. For this study, an educated guess is that in Jamaican law practices there are two lawyers for each law clerk. This ratio is lower than those reported by Morrison (2010) for the USA, Canada, the UK and Europe, where the lowest for the USA was 3.57 lawyers to each paralegal, but in the opinion of the researcher, this lower ratio better represents the profile of the Jamaican practice.

Thus, the total theoretical population is estimated to be 2,636 legal practitioners. This is made up as follows: First, 1,757 Attorneys-at-Law, which number is calculated from the number of practising certificates issued in 2015; and 879 Law clerks, which is a non-censal estimate derived from the researcher’s

acceptance of the ratio of two lawyers to each legal clerk. Having first determined the theoretical population to be 2,636 legal practitioners, it is also necessary to calculate the sample frame, which has been identified as legal practitioners working in the Kingston Greater Metropolitan area and who have a civil court practice.

In 2015, the Statistical Institute of Jamaica reported that 25% cent of the general population of Jamaica lived in the Kingston Metropolitan Area (Statistical Institute of Jamaica, 2015). This study adopted the assumption that the geographic dispersion of lawyers and law clerks matched the geographic dispersion of the general population. Thus, both the pilot study and the main study contemplated that as of 1 March 2015 approximately 439 lawyers and 220 law clerks, for a total of 659, which is 25% of the total population, worked in the Kingston Metropolitan Area. Lawyers working outside of the Kingston Metropolitan Area who use the services of the Supreme Court are required to have town agents.

However, this number does not wholly constitute the sample frame, as not all lawyers and clerks working in Kingston have a Supreme Court civil practice. Some lawyers practice in the criminal courts, and many restrict their practices to the Parish Courts. Legal practices in Jamaica may be defined as civil law practices only, mixed practices of civil and criminal law, and criminal law practices only. The majority of lawyers in the Kingston Metropolitan Area have mixed practices. A minority of lawyers will confine their practices to the civil law only or the criminal law only. Thus, we can say that most lawyers in the Kingston Metropolitan Area, having either a mixed practice or a civil practice only, will have a law practice that will require them to access the Supreme Court civil registry.

It is not possible to say with certainty what that majority number is, but it is an educated guess that two-thirds of the Kingston-based lawyers, or 440 subjects, have a

Supreme Court practice and therefore, as a part of their legal practice, would interact with the civil registry. The educated guess of a sampling frame of 440 subjects, consisting of Jamaican legal practitioners working in Kingston Metropolitan Area with a civil court practice, was therefore adopted for this study.

A sample population of 440, a confidence level of 95% and a confidence interval of 10%, required a sample size of 79 for the main study. This computation was done on the Survey Monkey website, and the formula for its calculation is set out below.

$$Sample\ Size = \frac{\frac{z^2 \times p(1-p)}{e^2}}{1 + \left(\frac{z^2 \times p(1-p)}{e^2 N}\right)}$$

*Population Size = N. Margin of error = e. z-score = z. e is percentage, put into decimal form (for example, 3% = 0.03).*

*Source: <https://www.surveymonkey.com/mp/sample-size-calculator/>*

These computations were confirmed by the sample size calculator from Creative Research Systems (<http://www.surveysystem.com/sscalc.htm>). This calculation supposes a normal distribution of the data. A test for normality of the main study data was conducted using the “Analyse→ Descriptive Statistics→ Explore” function of SPSS. The graphs for the data for the two methods computing overall service (total perceptions, SERVPERF, and total gap method, SERVQUAL) are set out in Figure 4 and Figure 5.

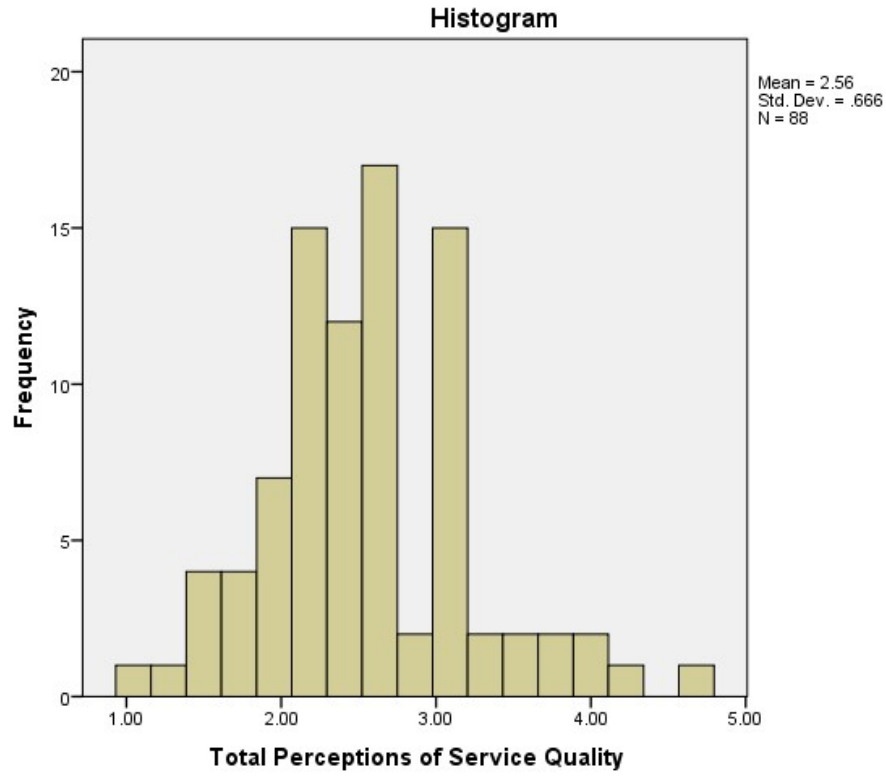


Figure 4. Distribution of Data for Total Perceptions of Service Quality.

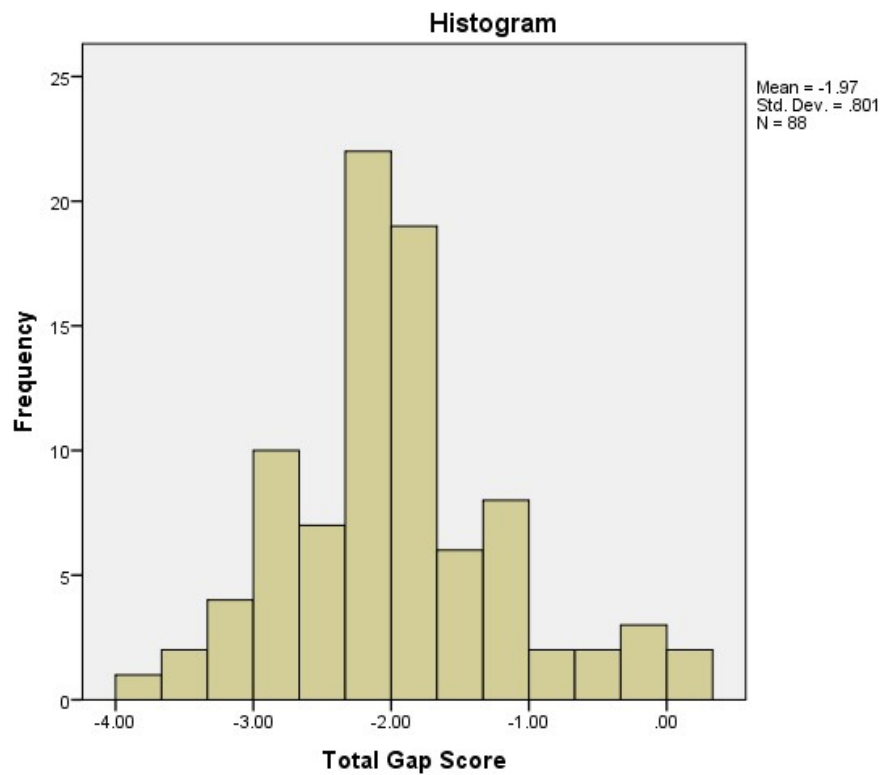


Figure 5. Distribution of Data for Total Gap Score of Service Quality.



Both sets of data show a normal distribution. The standard deviation for the data on total perceptions is 0.67, and for the total gap score it is 0.80. There was little guidance on the appropriate sample size for the pilot study. Hertzog (2008, p. 180) suggested that "... the final decision to be guided by cost and time constraints as well as by size and variability of the population." For this pilot study, it was originally anticipated that a working sample of more than 10% but less than 20% of the final study size would suffice (Hertzog, 2008, citing Lackey & Wingate, 1998). It was therefore decided that between 8 and 16 respondents would suffice for the pilot study.

#### **3.4.4 Quantitative Data Collection**

The study adopted convenience or availability sampling. This method was considered sufficient for the objectives of the study. The original design of the pilot study called for administering the questionnaires during normal working hours, approaching participants as they went about their affairs in the public areas of the Supreme Court civil registry. This method of sampling proved to be problematic. It quickly became evident that an adequate body of respondents could not be obtained in an appropriate timeframe. Potential respondents were not inclined to take the time during the working day, and in the public area of the civil registry, to answer a long list of questions. An alternative method had to be devised. It was therefore decided to approach the subjects at convenient locations, including offices and law conferences. The questionnaires for the pilot study were given out at a major continuing professional development conference.

There were approximately 90 participants at the conference, and these were treated as the sampling frame for the pilot study. During the first day of the conference, respondents were invited to take away the questionnaires, to complete them and return them to the conference registration desk. The respondents completed

the questionnaires themselves. The completed questionnaires were returned over the next 30 days. This approach returned 14 completed questionnaires.

The experience of data gathering for the pilot study was used to guide the data gathering process for the main study. Based on the experiences of the pilot study, data for the main study were collected from the Supreme Court registry, law offices and local law conferences. Like the pilot study, data for the main study were collected by convenience or availability sampling from the civil registry, law conferences, and law offices. Approximately 400 questionnaires were distributed for the main study, of which 93 questionnaires were returned, five were rejected on the conditions discussed below, and 88 were entered on the SPSS spreadsheet.

#### **3.4.5 Data Conditioning**

The IBM SPSS statistics software package was used to analyse the data. The data on the questionnaire were coded for the SPSS table as follows: The first 22 variables were assigned the names “e1” to “e22”, and the variable type was designated as numeric. The second set of variables were assigned names “p1” to “p22” and these variables were treated the same as those of the former set. The next two variables were assigned the names “imp1” and “imp2”, and they were respectively labelled “Most Important” and “Least Important.” Demographic data were captured in the next four variables. These were “d1” for gender, “d2” for the place of work, “d3” for occupation, and “d4” for the time the questionnaire was completed. The final eight variables in the table, “Tangibles,” “Reliability,” “Responsiveness,” “Assurance,” “Empathy,” “Expectations,” “Perceptions,” and “TotalGap” were computed values. The “Transform→ Compute Variable” function in SPSS was used to compute a value for each of these variables. Table 9 sets out the computed variables and the formulae for the computations.

After data entry, the results of the computed variables, Tangibles, Reliability, Responsiveness, Assurance and Empathy were used to assess if there were missing values or outliers in the first 44 variables, where the valid values are between -4 to 4. The computed variables “Expectations” and “Perceptions,” where the acceptable values are 1 to 5, were also used to assess for outliers.

The computed Perceptions variable was also used to check for variability in responses. A “Perceptions” value of exactly “1” or exactly “5” would not be considered sufficiently variable. In the study by Gilbert et al., (2004) on measuring customer satisfaction in the fast food industry, customer responses were considered invalid if the ratings did not vary, that is if they answered all the questions with “1’s” or “5’s”. That approach was adopted here. This test was applied to the “Perceptions” variable but not the “Expectations” variable.

Table 9

*Computed Variables*

Variables	Formulae
Tangibles	$((p1 + p2 + p3 + p4) - (e1 + e2 + e3 + e4))/4$
Reliability	$((p5+p6+p7+p8+p9) - (e5+e6+e7+e8+e9))/5$
Responsiveness	$((p10+p11+p12+p13) - (e10+e11+e12+e13))/4$
Assurance	$((p14+p15+p16+p17) - (e14+e15+e16+e17))/4$
Empathy	$((p18+p19+p20+p21+p22) - (e18+e19+e20+e21+e22))/5$
Expectations	$(e1+e2+e3+e4+e5+e6+e7+e8+e9+e10+e11+e12+e13+e14+e15+e16+e17+e18+e19+e20+e21+e22)/22$
Perceptions	$(p1+p2+p3+p4+p5+p6+p7+p8+p9+p10+p11+p12+p13+p14+p15+p16+p17+p18+p19+p20+p21+p22)/22$
TotalGap	Perceptions-Expectations

In assessing the relative merits of SERVQUAL and SERVPERF Teas, (1993) had argued and Carrillat et al. (2007) later confirmed that customer expectations should be considered as ideal points on the scale. This means that the respondents to the survey are more likely to give the ideal response to the expectations questions. In their early evaluation of the SERVQUAL scale, Brown, Churchill, and Peter (1993) reported that subjects selected one of the top two choices on 79% of the expectation questions. Parasuraman et al. (1991b), in reassessing SERVQUAL, explained that high values on the expectation scale are to be expected as that scale is intended to measure the customers' normative expectations. On the other hand, the answers to the perception questions are more likely to represent a reflective experience. On that basis, the "Perceptions" variable was used in this study as a test for sufficient variability, but the "Expectations" variable was not.

#### **3.4.6 Qualitative Data Collection**

To gain greater insight into and understanding of the items on the SERVQUAL scales, the dimensions into which these items were classified and the results of that study, three focus groups were conducted in April and May 2017. The focus groups were asked to make a qualitative assessment of the Supreme Court civil registry, to evaluate the quantitative SERVQUAL instrument used in the main study, and to assess the results of the main study.

To promote the independence of the process, and as the focus groups were intended as assessments of the data previously gathered by the researcher using the SERVQUAL questionnaires, the researcher did not participate in the focus groups sessions. A research fellow moderated the focus groups, and another graduate research assistant was asked to function as a rapporteur at each session. The moderator has had several years' experience facilitating focus groups. A guide sheet

for the focus group discussions was prepared by the researcher and discussed with the moderator before the commencement of the focus groups. All sessions were tape-recorded, and the moderator and the rapporteur took extensive notes during the discussions. The Guide Sheet for Focus Groups Discussions is set out in Appendix G. This guide covered three sections: A qualitative assessment of the Supreme Court civil registry; an evaluation of the quantitative instrument; and an assessment of the summary results of the survey's main findings.

The questions in Section A of the Guide Sheet in Appendix G were designed to cover the same field as questions on Questionnaires 1 and 2 of SERVQUAL. Two paraphrased questions from each of the dimensions of SERVQUAL were used in the focus groups, but they were designed to be much more open-ended than those used in the survey and to provide greater opportunity for the respondents to provide an unstructured assessment of the features of the civil registry. The first four paired questions on Questionnaire 1 and Questionnaire 2, which read:

1. An excellent Civil Registry will have modern looking equipment / The Supreme Court Civil Registry has modern-looking equipment;
2. The physical facilities at an excellent Civil Registry will be visually appealing / The Supreme Court Civil Registry's physical facilities are visually appealing;
3. Employees at an excellent Civil Registry will be neat-appearing / The Supreme Court Civil Registry's employees are neat-appearing; and
4. Materials associated with the service in an excellent Civil Registry (such as pamphlets or statements) will be visually appealing / Materials

associated with the service (such as pamphlets or statements) are visually appealing at the Supreme Court Civil Registry,

were represented by the following two general questions in the focus groups:

1. What do you think of the physical appearance of the facilities, equipment, personnel and communication materials of the Supreme Court Civil Registry? And,
2. How would you describe the staff and their general appearance?

A similar approach was taken for the following eight questions covering the other four dimensions. These additional questions discussed in the focus groups were:

3. What do you think of the ability of the civil registry staff to perform the promised services dependably, accurately and on time?
4. Do members of the civil registry show a sincere interest in solving your problems?
5. Are employees in the civil registry always willing to help you?
6. Do members of the civil registry provide you with prompt service?
7. Do you think that the staff of the civil registry have the knowledge and abilities to inspire trust and confidence in you?
8. Are the civil registry's staff consistently courteous with the users of the registry?
9. Do members of the staff of the civil registry provide caring and individualised attention to persons using the registry?
10. Do you think that the staff of the registry have the lawyers and clients' best interest at heart?

In addition, two general open-ended questions on the services received from the civil registry and what the participants thought could be done to improve the experience of using the civil registry were added to the list of questions. These general questions were:

11. Describe the service received when you accessed the civil registry.
12. In your opinion, what are some recommendations that can be used to improve your experience using the civil registry?

Section B of the focus groups examined the survey instruments. Participants were asked if they were familiar with the instrument or had participated in the survey. They were invited to discuss their general perceptions of and attitudes to the layout, structure and questions asked by the questionnaires. They were also invited to discuss if the questions adequately addressed their concerns about the registry. Participants were also given a printed summary of the results of the main survey and asked if the results represented an accurate assessment of the registry. They were invited to give reasons for and provide examples to support their answers. The summary results of the main findings which were given to participants in the focus groups are set out in Appendix H. The focus groups' data collection instruments, as represented by the guide sheet and the summary of the quantitative findings, were reviewed by a senior methodologist in the field of public policy and by a senior legal practitioner to ensure objectivity, reliability and validity.

Participants were recruited from the same sampling frame used for the main study: Attorneys-at-Law and legal clerks working in the Kingston Metropolitan Area who were users of the civil registry. A judgemental sampling technique was used to select participants from that sampling frame. As the main survey kept no record of

the identity of those who had completed the questionnaires past participation could not be guaranteed, and only three of the participants in the focus groups had previously participated in the main study. Members of the list for the focus groups were contacted personally to confirm that they or their clerks were users of the Supreme Court civil registry, and they were invited to participate in the focus groups. Before the focus group sessions, the participants were reminded by telephone and email to attend.

### **3.5 Validation of the SERVQUAL Instrument**

Using SERVQUAL the study measured OSQ and five SQDs: Tangibles, reliability, responsiveness, assurance and empathy. SERVQUAL has been described as “a successful instrument for measuring service quality in current business studies” (Hu et al., 2016, p. 284). There are two approaches to measuring OSQ: The gap method, using both perception and expectations questionnaire (SERVQUAL), and the performance method, using only the perception questionnaire (SERVPERF). The gap method is also used to measure what Parasuraman et al., (1988; 1991; 1994) refers to as “the dimensions” of service quality (SQDs).

#### **3.5.1 Reliability**

Reliability refers to consistency, and it is an important test of the dependability of the instrument. The question is whether the instrument consistently measures what it is supposed to measure. There are different ways reliability may be estimated. Cronbach’s Alpha is considered to be the preferred method for determining scale reliability (Morgan & Greigo, 1998, cited by Gilbert et al., 2004), as well as the most commonly used method (Aron & Aron, 1994, Gilbert et al., 2004). In refining SERVQUAL, Parasuraman et al., (1991) used this method. They computed the



reliability coefficients (coefficient alphas) for the five SERVQUAL dimensions (tangibles, reliability, responsiveness, assurance and empathy). Gilbert et al., (2004) reports that in general alphas should range between 0.70 and 0.90, but it is common for some alphas reported in journal articles to be in the 0.60-0.69 range. The SERVQUAL scale as used in various studies has been described as possessing “moderate to high reliability in terms of coefficient alphas which serve as a yardstick of internal consistency” (Lam & Woo, 1997, p. 384).

The Cronbach’s Alpha approach was adopted here. Reliability statistics were run on the pilot study sample size of 14 respondents for Questionnaire 1 (the expectations question with variables “e1” to “e22”), and then on Questionnaire 2 (the perception questions with variables “p1” to “p22”). The resulting ranges were satisfactory. Table 10 sets out the reliability statistics for the expectation questions, with Cronbach’s Alpha of 0.93.

Table 10

*Reliability Statistics for Expectation Questions on Pilot Study*

Cronbach’s Alpha	Cronbach’s Alpha Based on Standardized Items	N of Items
.934	.939	21

The scale reliability of the perception questions is set out in Table 11, and at  $\alpha = 0.85$  that score is weaker than that for the first set of questions. However, greater variability in the answers to the perception questions is to be expected.

Table 11

*Reliability Statistics for Perception Questions on Pilot Study*

Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
.850	.884	22

These results indicate a high level of internal consistency for both scales using the pilot study's data. With such a small data set, and only four or five questions making up each subdimension, no attempt was made to compute the alphas of the SQDs. Nevertheless, these results were considered sufficiently reliable to apply the instrument to the main study.

### 3.5.2 Modified Test-Retest

A test and a re-test is another method of testing reliability of an instrument. With this method, a sample population is tested once and then retested on another occasion with the same questionnaire. Consistency in the answers on both occasions would suggest that the questionnaire is reliable. In their refinement and reassessment of the SERVQUAL scale, Parasuraman et al., (1991) used the 300 cases of the pre-test data from the first study and computed the means and standard deviation.

The test-retest method requires re-administering the same survey to the same sample group. The test-retest method was not strictly applied in this study. Contact information was not kept on the persons completing the questionnaires, and thus the same sample could not be replicated. However, the data from the pilot study were compared with the results of the main study, and the results showed a high degree of consistency. Very similar results to those of the pilot study were achieved from the same questions, using the larger data set of the main study, with  $\alpha = 0.92$  for Questionnaire 1, the expectation questions, and  $\alpha = 0.92$  for Questionnaire 2, the

perception questions. It should be noted that with the larger data set, there was even greater internal consistency for the perception questionnaire. These results are set out in Table 12 and Table 13.

Table 12

*Reliability Statistics for Expectation Questions on Main Study*

Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
.915	.917	22

Table 13

*Reliability Statistics for Perception Questions on Main Study*

Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
.924	.930	22

The conclusion is that the instrument was sufficiently reliable to measure overall service quality.

### 3.5.3 Validity

It hardly matters how reliable an instrument or test is if it is not valid, and an instrument is valid if it measures what it is supposed to measure (Borsboom, Mellenbergh, & van Heerden, 2004). There are several different types of validity, and it is necessary to demonstrate sufficient evidence of them to show that the instrument can be applied to the study. In an early investigation into the applicability of the SERVQUAL scale to local government services, Donnelly et al. (1996) suggested that the validity of the SERVQUAL approach can be judged by its realism, precision, generality and resolution. They define realism as the ability to reflect the general form of the situation being assessed. They defined precision as the quantification of the realism. Generality refers to the generic approach of the instrument, and

resolution refers to the number of attributes or dimensions that the method can incorporate with clarity. These characteristics are not all complimentary. An instrument may have generality precisely because it lacks realism and precision (Donnelly et al., 1996). Thus, the instrument may be applied in many situations but may not be applied equally well in all situations.

Adams, Khan, and Raeside (2014) offer another approach to validity, focusing on the accuracy of the measurement. They suggest that an instrument may have internal validity, external validity, construct validity and conclusion validity. Internal validity refers to the ability to establish causal relationships, external validity refers to the generalisability of the results, construct validity refers to the extent the measured outcomes reflect the constructs they were intended to reflect, and conclusion validity refers to the extent to which the instrument accurately identifies relationships. These are all different ways of looking at the utility of an instrument, but no one way is sufficient.

It seems that this approach by Donnelly et al. (1996) is a more detailed way of looking at construct validity. Along with face, content and internal validity, construct validity is a typical way of evaluating a scale. Construct validity addresses this question: To what extent does the SERVQUAL scale used in this study measure the construct of overall service quality? As important as this question is, it may be a secondary one. In their development of the original SERVQUAL instrument, Parasuraman, Zeithaml, and Berry, (1988, p. 28) argued that “while high reliabilities and internal consistencies are necessary conditions for a scale's construct validity—the extent to which a scale fully and unambiguously captures the underlying, unobservable, construct it is intended to measure—they are not sufficient.” They

went on to suggest that if the scale is to be considered as having good construct validity, it must also have face or content validity.

Face validity is where the test subjectively appears on its face to cover what it is supposed to cover, and this can be achieved by inviting the opinions of experts in the field about the likely suitability of the instrument. SERVQUAL has been used successfully to measure service quality for more than 30 years, in many countries, including Jamaica, and many industries and organisations, including those of the public service. Throughout the history of its application, SERVQUAL has been regarded as having good face validity in its application across a wide range of cultures and disciplines (Frater, 2006; Mahmoud & Khalifa, 2015; Olatokun & Ojo, 2016; Vassiliadis, Fotiadis, & Tavlaridou, 2014).

Content validity is like face validity, and it refers to how a test or measure covers all aspect of a construct. There has been a longstanding debate as to whether service quality is best measured as a single construct of overall service quality, OSQ, or as a multidimensional construct of groups of its several features, SQDs (Brady & Cronin, 2001; Brady, Cronin, & Brand, 2002; J. Cronin & Taylor, 1994; Koo et al., 2009; Martinez Garcia & Martinez Caro, 2010; Vanparia & Tsoukatos, 2013). The general view over the last 30 years is that as a measure of multidimensional service quality, SERVQUAL has good content validity (Carrillat, Jaramillo, & Mulki, 2007; Frater, 2006; Parasuraman & Berry, 2004; Parasuraman, Zeithaml, & Berry, 1994; Zeithaml, Parasuraman, & Berry, 1990). In an early reassessment of the SERVQUAL instrument, Parasuraman, Berry, and Zeithaml (1991) compared other studies that had already used SERVQUAL and concluded that SERVQUAL performed satisfactorily in the areas of face, convergent, discriminant, and predictive or concurrent validity.

### **3.5.4 Factor Analysis**

Factor analysis is sometimes used to demonstrate construct validity. Thus, it is possible in some cases to verify the dimensionality of the 22 questions on the expectation and perception questionnaires with factor analysis, and this method was used by the creators of SERVQUAL to validate the original instrument (Parasuraman et al., 1991b). Factor analysis, however, is dependent on sample size. Fields (2005), having reviewed many suggestions on appropriate sample size, concluded that a sample population of 300 would be adequate. Numbers less than that would be considered unreliable. The sample size available in this study falls short of that number, and as such factor analysis would not be considered suitable. It is therefore acknowledged that any results from factor analysis of the data in this study would be on the low bound of acceptability.

### **3.5.5 Focus Groups**

It is quite possible that even in the best of circumstances, the results obtained from the survey may appear to be inconsistent, uncertain or inadequate (Behdioğlu et al., 2017). This may be because of linguistic variation, as there are many ways of saying the same thing the precise intention is not always communicated by the language used in the questionnaire. As a final test of validity, the overall results of the main study were subjected to analysis by focus groups. Adams, Khan, and Raeside (2014, p. 150) had suggested that focus groups are “particularly useful for validating findings” and that it is a good practice to discuss the findings and inferences with a group who had participated in the survey, as well as with a group of persons who had not. The purpose of this is to ensure the representativeness of the survey and to determine if the correct interpretations have been made (Ouimet, Carini, Kuh, &

Bunnage, 2001). This study adopted that approach. The results of the focus groups are presented in Chapter 6.

### **3.6 Conclusion**

This chapter discussed the research philosophy of the study and how that impacted the data collection methods. The Chapter also explained the gap model and described how the SERVQUAL instrument was used in this study. The reliability and validity of the method were demonstrated. The chapter concluded that SERVQUAL had proven face and content validity, and the scales used in this study appeared to have good construct validity for the overall service quality (OSQ) model. As Pena et al. (2013) explained it, “Developed in 1988, after two decades of use, the SERVQUAL scale has been found to be effective for measuring perceptions and expectations of the users about service quality” (p. 1230). The next chapter presents the findings of the pilot study.

## **CHAPTER 4**

### **PILOT STUDY**

#### **4.1 Introduction**

A pilot study was conducted to explore the applicability of SERVQUAL including the dimensionality concepts in the context of practitioners using the Supreme Court civil registry, and to confirm the respondents' understanding of the instrument items. Using SPSS, reports were generated on the five dimensions of service quality (SQDs) as well as overall service quality (OSQ) using both the total perceptions and total gap scores. The pilot study showed how OSQ could be measured against variables such as gender and place of work. This chapter provides a summary of the provisional findings, their relation to the key literature, an evaluation of the data collection and analysis methods. Finally, the chapter identified the changes that were necessary for the main study and developed the hypotheses to be tested.

##### **4.1.1 Dimensions of Service Quality**

The respondents to the pilot study survey reported that they perceived poor service quality in all the dimensions of service quality, but they are least dissatisfied about the tangible qualities of service quality. The tangible dimension refers to the appearance of the physical facilities, equipment, personnel and communication materials. On the other hand, the respondents reported that they are most dissatisfied in the responsiveness dimension which addressed issues of the registry's willingness to help customers and provide prompt service. These results are in Table 14.



Table 14

*Mean Gap Scores for Supreme Court Civil Registry Service Quality Dimensions.*

	Tangible	Reliability	Responsiveness	Assurance	Empathy
Mean score	-2.37	-3.03	-3.42	-2.92	-2.51

#### 4.1.2 Overall Service Quality

In this model, OSQ was represented first by total perceptions and second by the gap between perceptions and expectations. In the latter case, all 22 expectation questions were summed and averaged and the result taken away from the average sum of all 22 perception questions to produce the overall gap score. Table 15 sets out these results for overall expectations, perceptions and the total gap score.

Table 15

*Mean Scores for Expectations and Perceptions of Supreme Court Civil Registry Service Quality.*

	Expectation of service quality	Perception of service quality	Gap score
Mean scores	4.71	1.86	-2.90

The total gap score, which in this case is negative, suggest that these respondents experienced poor service quality. The respondents had high expectations of the sort of services a Supreme Court civil registry should deliver, but they disagreed or strongly disagreed that they got the services expected. If the performance approach is used, the results are similar. A perception score of 3.0 or higher is required to indicate that the respondent perceived satisfactory service quality. The reported score for the perception of service quality is 1.86, indicating that the respondents do not agree that they had received satisfactory service quality from their interaction with the civil registry.

### 4.1.3 Other Uses of the Data

These gap scores questions were used as dependent variables and measured against the independent variables of the demographic data for gender and work proximity from the court registry. These results are set out in Table 16 and Table 17.

Table 16

*Mean Gap Score of Supreme Court Civil Registry Service Quality by Gender*

	Female	Male	Total Gap score
Mean Gap scores	-2.90	-2.92	-2.91

Table 16 demonstrated how the data could be used in the main study. The data suggest that there is no significant difference in the assessment of the respondents by gender. Both genders appeared equally dissatisfied with the service of the Supreme Court civil registry. It was contemplated that with a sufficiently large data set, the results might be meaningful.

A similar approach could be taken with the place of work. It would be useful to know if the perceptions of service quality differ based on the place of work of the service beneficiary. In Table 17, as in the previous table, there is no significant difference in the interpretations of the respondents but, again, with a sufficiently large data set, the results might be meaningful.

Table 17

*Mean Gap Score of Supreme Court Civil Registry Service Quality by Place of Work*

	Rest of Jamaica	Downtown Kingston	Total Gap score
Mean scores	-2.86	-2.96	-2.90

#### 4.1.4 Dimensionality

The information gathered from the third questionnaire in the pilot study was not helpful. The method used to identify the relative importance of the several dimensions of service quality was not effective, as the information solicited on the Likert-type scale used on Questionnaire 3 could not differentiate the preferred choice between the five dimensions. That questionnaire was designed to solicit information to allow a ranking of Parasuraman et al.'s (1988) five dimensions of service quality, without using the complicated calculations that the original instrument required. However, as Table 18 shows, the answers given by these respondents allowed for little or no differentiation.

*Table 18*

*Mean Gap Score for Importance of Supreme Court Civil Registry Service Quality Dimensions*

	Appearance	Ability to perform	Willingness to help, give prompt service	Knowledge, courtesy and inspiring trust	Caring and individual attention to customers
<b>Mean scores</b>	4	4	4	5	4

While Table 14 shows that the respondents differentiated between the dimensions of service quality, and reported themselves more dissatisfied in some dimensions than others, that differentiation is not supported by the information represented in Table 18. This is explained by the nature of the questions put to the respondents. The respondents were asked if each dimension of service quality was important. These are expectation questions and the literature confirms that respondents are likely to give normative answers to such questions (Carrillat et al., 2007; A. Parasuraman et al., 1991b; Teas et al., 1993). Thus, a respondent may

believe that one dimension of service quality may be more important than others, but she may also believe that all the dimensions are important in their own way.

#### **4.2 Provisional Findings and Relation to the Key Literature**

The SERVQUAL instrument performed in the pilot study as the literature suggested that it would. It will be noted that the calculated mean scores for the pilot data for the five SQDs, set out in Table 14, are all negative. On average, and using the SERVQUAL gap model, the respondents perceived poor service quality from the Supreme Court civil registry. The pilot study suggests that the subjects are dissatisfied with the services provided in the civil registry in all the SQDs. They had high expectations and experienced low service quality, and thus there is a significant OSQ gap. Moreover, the service quality gap is the same across gender and whether the lawyers and clerks work downtown or elsewhere. Because of the design of Questionnaire 3 in the pilot study, it was not possible with the pilot study data to make any determination of how the subjects regarded the relative importance of the several SQDs.

The application of the instrument and the results are consistent with the key literature (Bland, 1997; Bojanic, 1991; Carvalho, Brito & Cabral, 2010; 2012; Donnelly and Shiu, 1999; Donnelly et al., 1995; Donnelly et al., 2006; Parasuraman et al., 1988; Parasuraman et al., 1991; Parasuraman et al., 2007; Rahman et al., 2012; and Wisniewski, 2001). The implication is that with further modifications, the experiences of the pilot study could be replicated in the main study.

#### **4.3 Evaluation of Success of Data Collection and Analysis Methods**

It should be noted from the quantitative data collection methods set out in Chapter 3, that the original design of the pilot study called for administering the

questionnaires during normal working hours in the public areas of the Supreme Court civil registry. For the reasons explained in that chapter, the pilot data were collected at a continuing professional development conference, and that experience was used to guide the data collection for the main study, to include not only the Supreme Court's registry but also law offices and law conferences.

Broadening data collection to include places other than just the civil registry made the process much easier. The subjects have more leisure to complete the questionnaires if they are not engaged in their work using the services of the civil registry. Where data collection was confined to the work area of the registry, the subjects were self-selecting. Persons using the public sections of the civil registry were of necessity engaged with the registry. On the other hand, persons attending professional redevelopment seminars or in their offices must be sought out to complete the questionnaire.

Knowledge of the relative importance of the dimensions of service quality is important. The limited data in the preliminary study suggest that the subjects distinguish between the dimensions, agreeing that they get worse service in some dimensions than in others. Knowledge of areas where the service quality is especially bad but which are also important to the subjects would be very useful in managing the delivery of the appropriate services.

The pilot study demonstrated the application of two methods of measuring OSQ, the performance method (SERVPERF) and the gap method (SERVQUAL). The pilot study showed that both methods returned discernible and complementary measures of overall service quality. Both measures could, therefore, be applied to the research questions of the main study.

#### 4.4 Changes Made for Main Research Study

The pilot study supported the method adopted for researching service quality in the Supreme Court civil registry. However, it was necessary to make two important changes. For the main study, modifications were made to the self-selecting method of getting subjects for the survey. While in theory, the public area of the civil registry should have been an ideal place to approach subjects to complete the questionnaire, in practice it was not. For the main study, while maintaining the convenience or availability sampling nature of the survey, it was necessary to distribute the questionnaires at the several locations where legal practitioners gather.

Based on the experience of the pilot study, Questionnaire Part 3 was redesigned. The format used in the pilot study was useless for its purpose of distinguishing the subjects' ranking of the relative importance of the five dimensions of service quality. The 5-point Likert-type scale asking subjects how much they agree that a dimension of service quality is important does not readily allow for a differentiation of the various dimensions. The subjects are naturally inclined to say, as many did in the pilot study, that each dimension is important.

The redesigned Questionnaire 3 for the main study more closely represented the original Parasuraman et al. (1988) formulation. However, the original was still considered to be complicated and unwieldy. Questionnaire 3 was therefore changed for the main study to openly solicit an expressed preference for the relative importance of the five dimensions of service quality, as in the original, but not to invite them to allocate 100 points to the five dimensions. Thus, for the main study, the current Questionnaire Part 3 was replaced by two additional questions asking, (1) which of the itemised dimensions of service quality is most important, and (2) which

one is least important. Subject to this amendment the SERVQUAL instrument was shown to be suitable for the main study.

#### 4.5 Hypotheses

Nine research questions were set out in Chapter 1, and the results of the pilot study suggested that answers to these questions could be obtained using the SERVQUAL/SERVPERF instruments. The hypotheses statements developed from these research questions are set out below. With the SERVPERF measure, using the 5-point Likert-like scale, a mean score which is equal to or more than 3.0 should be interpreted to mean that the respondents were satisfied with the service quality, and therefore it could be applied to answering whether they have received satisfactory services. A mean score of less than 3.0 should be interpreted to mean that they are not satisfied with the services. On the other hand, with the SERVQUAL gap model, a neutral or positive mean score should be interpreted that the respondents perceive good service quality while a negative mean score should be interpreted that they are not satisfied.

The first research question set out in Chapter 1 asked, “Do practitioners perceive that they receive satisfactory overall service quality from the Supreme Court civil registry?” The literature is divided on the best method of measuring OSQ, whether it should be the performance measure ( $OSQ_p$ ) or the gap measure ( $OSQ_g$ ). The results of the pilot study did not support either side of the debate so both approaches were used for the main study. The first null and alternative hypotheses for the first research question can be represented by the Gap measure:

$$H_0: \mu OSQ_g \geq 0$$

$$H_a: \mu OSQ_g < 0$$

Alternatively, they can be represented by the Performance measure:

$$H_0: \mu OSQ_p \geq 3.0$$

$$H_a: \mu OSQ_p < 3.0.$$

A similar approach was used in developing the hypotheses for the next five research questions on the service quality dimensions (SQD). Here only the gap measure is applied to the SQD, and a similar formula to that of the gap measure for OSQ may be used to represent these hypotheses for SQDs. Where “n” is the number representing the dimension of service quality (Tangibles =1, Reliability =2, Responsiveness =3, Assurance = 4, and Empathy = 5). The null and alternative hypotheses for the dimensions of service quality (Research Questions 2 to 6) may be stated as follows:

$$H_0: \mu SQD_n \geq 0$$

$$H_a: \mu SQD_n < 0.$$

This formula may also be applied to Research Question 7. It will be recalled that this question is, “Do practitioners perceive that they receive satisfactory overall service quality from the Supreme Court civil registry in the dimension of service quality they regard as most important?” Because of a defect in the modified instrument used in the pilot study, which solicited normative responses to the assessment of each service quality dimension, the respondents had difficulty distinguishing a preferred SQD. The instrument was further modified for the main study to make possible the distinguishing of gradation of dimensional preference. The null hypothesis is that practitioners perceive that they got satisfactory service quality in the dimension they regard as most important:



$$H_0: \mu\text{SQD}_n \geq 0$$

$$H_a: \mu\text{SQD}_n < 0.$$

Here n is the service quality dimension that respondents thought was most important.

The Research Questions 8 and 9 may be represented by the following formulae for the null and alternative hypotheses, where “m” represents male, “f” represents female, “d” represents those working downtown Kingston, and “u” is used representing those working in other parts of the Greater Metropolitan area. The null and alternative hypotheses for gender are:

$$H_0: \mu\text{OSQ}_m - \mu\text{OSQ}_f = 0$$

$$H_a: \mu\text{OSQ}_m - \mu\text{OSQ}_f \neq 0$$

And the null and alternative hypotheses for place of work are:

$$H_0: \mu\text{OSQ}_d - \mu\text{OSQ}_u = 0$$

$$H_a: \mu\text{OSQ}_d - \mu\text{OSQ}_u \neq 0.$$

The following statements may represent these formulae:

### **Hypothesis 1.**

H<sub>01</sub> Practitioners perceive that they receive satisfactory OSQ from the Supreme Court civil registry.

H<sub>a1</sub> Practitioners perceive that they do not receive satisfactory OSQ from the Supreme Court civil registry.

### **Hypothesis 2.**

H<sub>02</sub> Practitioners perceive that they receive satisfactory service quality in the tangibles dimension (SQD<sub>1</sub>) from the Supreme Court civil registry.

H<sub>a2</sub> Practitioners perceive that they do not receive satisfactory service quality in the tangibles dimension (SQD<sub>1</sub>) from the Supreme Court civil registry.

**Hypothesis 3.**

H<sub>03</sub> Practitioners perceive that they receive satisfactory service quality in the reliability dimension (SQD<sub>2</sub>) from the Supreme Court civil registry.

H<sub>a3</sub> Practitioners perceive that they do not receive satisfactory service quality in the reliability dimension (SQD<sub>2</sub>) from the Supreme Court civil registry.

**Hypothesis 4.**

H<sub>04</sub> Practitioners perceive that they receive satisfactory service quality in the responsiveness dimension (SQD<sub>3</sub>) from the Supreme Court civil registry

H<sub>a4</sub> Practitioners perceive that they do not receive satisfactory service quality in the responsiveness dimension (SQD<sub>3</sub>) from the Supreme Court civil registry.

**Hypothesis 5.**

H<sub>05</sub> Practitioners perceive that they receive satisfactory service quality in the assurance dimension (SQD<sub>4</sub>) from the Supreme Court civil registry

H<sub>a5</sub> Practitioners perceive that they do not receive satisfactory service quality in the assurance dimension (SQD<sub>4</sub>) from the Supreme Court civil registry.

**Hypothesis 6.**

H<sub>06</sub> Practitioners perceive that they receive satisfactory service quality in the empathy dimension (SQD<sub>5</sub>) from the Supreme Court civil registry

H<sub>a6</sub> Practitioners perceive that they do not receive satisfactory service quality in the empathy dimension (SQD<sub>5</sub>) from the Supreme Court civil registry

**Hypothesis 7.**

H<sub>07</sub> Practitioners perceive that they receive satisfactory service quality from the Supreme Court civil registry in the SQD they regard as most important.

H<sub>a7</sub> Practitioners perceive that they do not receive satisfactory service quality from the Supreme Court civil registry in the SQD they regard as most important.

**Hypothesis 8.**

H<sub>08</sub> Male and female practitioners perceive that they receive equal OSQ from the Supreme Court civil registry.

H<sub>a8</sub> Male and female practitioners perceive that they do not receive equal OSQ from the Supreme Court civil registry.

**Hypothesis 9.**

H<sub>09</sub> Practitioners working in closer proximity to the Supreme Court perceive that they receive the same OSQ from the civil registry as practitioners who do not work near the Supreme Court.

H<sub>a9</sub> Practitioners working in closer proximity to the Supreme Court do not perceive that they receive the same OSQ from the civil registry as do practitioners who do not work near the Supreme Court.

#### **4.6 Conclusions**

The preceding chapter reviewed the pilot study, which confirmed that the SERVQUAL method may be used to distinguish between the following dimensions of service quality: Tangibles, reliability, responsiveness, assurance and empathy. The pilot study also demonstrated that the SERVQUAL/SERVPERF instruments could also be used to measure overall service quality (OSQ). The methods returned results that appeared consistent with the key literature, and the pilot study confirmed that the SERVQUAL/SERVPERF method could be applied to the research question of the main study. The pilot study indicated that for the main study, Questionnaire 3 should be modified. Finally, the data collection method proved to be especially problematic as it was convenience or availability sampling confined to the public area of the Supreme Court registry. The pilot study demonstrated that a broader catchment area was necessary. The hypotheses for the main study were formulated based on the experience of the pilot study. The following chapter sets out the presentation and findings of the main study.

## **CHAPTER 5**

### **FINDINGS OF THE MAIN STUDY**

#### **5.1 Introduction**

This chapter presents the findings of the main study. First, it reports on the results as far as they are relevant to overall service quality. The study contemplated two possible measures of overall service quality. First, a performance measure which required a mean score of or equal to 3.0 to be classified as good service quality (OSQ), and second, a gap measure which required a zero or positive mean score to be classified as good OSQ. The results for the dimensions of service quality (SQDs) in the civil registry were compared with results for what the respondents considered the most important and the least important service quality dimensions. The dependent variables scores for expectations and perceptions were measured against the independent variables of gender and place of work. Finally, there is a summary and evaluation of the findings.

#### **5.2 Overall Service Quality**

Service quality is the customer's assessment of the excellence or superiority of the service. The pilot study demonstrated that the SERVPERF perception of service quality measure and the SERVQUAL total gap measure are both acceptable for measuring OSQ, and the SERVPERF and SERVQUAL results for OSQ from the main study are set out in Table 19. Overall service quality is represented in the table as a performance measure, described as "Perceptions of service quality," as well as a service quality gap measure, described in the table as the "Gap score."

Table 19

*Mean Scores for Expectations and Perceptions of Supreme Court Civil Registry Service Quality.*

	Expectation of service quality	Perception of service quality (OSGp)	Gap score (OSQg)
Mean scores	4.53	2.55	-1.97

Relying on either the performance measure or the gap measure, these results suggest that the users of the Supreme Court civil registry experienced poor overall service quality. The required score on the SERVPERF instrument to be considered satisfactory service must be 3.0 or greater. Here, the finding is a score of 2.55. The SPSS “Analyse→ Compare Means→ One-sample *t* test” function was used to compare the mean values of the performance scores. The results are set out in Table 20.

Table 20

*One-Sample *t* test for Performance Scores*

	Test Value = 3					
	t	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference	
					Lower	Upper
Performance measure (OSGp)	-6.214	87	.000	-.44112	-.5822	-.3000

As the Sig. (p-value) is less than .05 this sample value is different from the test value. A similar conclusion is derived from the SERVQUAL gap score. Good service quality requires a positive score. Using the gap measure, the total gap score is -1.97, again implying that users of the civil registry reported poor overall service quality. The results of the one-sample *t* test for the gap score are set out in Table 21.

Table 21

*One-Sample t test for Gap Score*

	Test Value = 0					
	t	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference	
					Lower	Upper
Gap measure (OSQg)	-23.094	87	.000	-1.97107	-2.1407	-1.8014

In this case the test value is 0. As the Sig. (p-value) is less than .05 we conclude that this sample value is also different from the test value.

### 5.3 Dimensions of Service Quality

The calculated mean scores for the five SQDs are set out in Table 22. These scores are consistent with the trend of the pilot test, as the reported values in all categories or dimensions are negative. On average, and using the SERVQUAL gap model as the measure, respondents perceived poor service quality from the Supreme Court civil registry.

Table 22

*Mean Gap Scores for Supreme Court Civil Registry Service Quality Dimensions (SQDs)*

	Tangibles (SQD <sub>1</sub> )	Reliability (SQD <sub>2</sub> )	Responsiveness (SQD <sub>3</sub> )	Assurance (SQD <sub>4</sub> )	Empathy (SQD <sub>5</sub> )
Mean score	-1.23	-2.30	-2.46	-2.11	-1.73

Here the respondents reported that they were most dissatisfied with the responsiveness dimension, which addressed issues of the registry's willingness to help customers and provide prompt service. Secondly, the respondents were least dissatisfied with the tangibles dimension of service quality which is with the

appearance of the physical facilities, equipment, personnel and communication materials.

Table 23

*One-Sample t test for Service Quality Dimensions (SQDs) Gap Scores*

	Test Value = 0					
	t	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference	
					Lower	Upper
Tangibles (SQD <sub>1</sub> )	-12.02	87	.00	-1.23	-1.43	-1.03
Reliability (SQD <sub>2</sub> )	-21.39	87	.00	-2.30	-2.51	-2.09
Responsiveness (SQD <sub>3</sub> )	-23.10	87	.00	-2.46	-2.67	-2.25
Assurance (SQD <sub>4</sub> )	-20.40	87	.00	-2.11	-2.31	-1.91
Empathy (SQD <sub>5</sub> )	-19.87	87	.00	-1.73	-1.91	-1.56

The respondents reported dissatisfaction in all five dimensions of service quality. The results of the one-sample *t* test for gap scores in the five dimensions of service quality are set out in Table 23. In all cases, the significance value (p-value or Sig. value in SPSS) is less than .05.

The same is true for the other SQDs. In each case the gap score is negative. The score for reliability is -2.30, for responsiveness it is -2.46, for assurance it is -2.11, and for empathy, it is -1.73. In all cases, in the *t* test the significance is less than .05. Practitioners perceived that they had not received satisfactory service quality in the tangibles, reliability, responsiveness, assurance and empathy SQDs from the Supreme Court civil registry.



#### 5.4 Most and Least Important Dimensions

With the modification to Questionnaire 3, it was possible to get a clearer understanding of the respondents' preference for the several dimensions of service in the civil registry. These are set out in Table 24. Reliability, by an almost two to one margin, and Responsiveness were regarded by the respondents as the most important dimensions.

Table 24

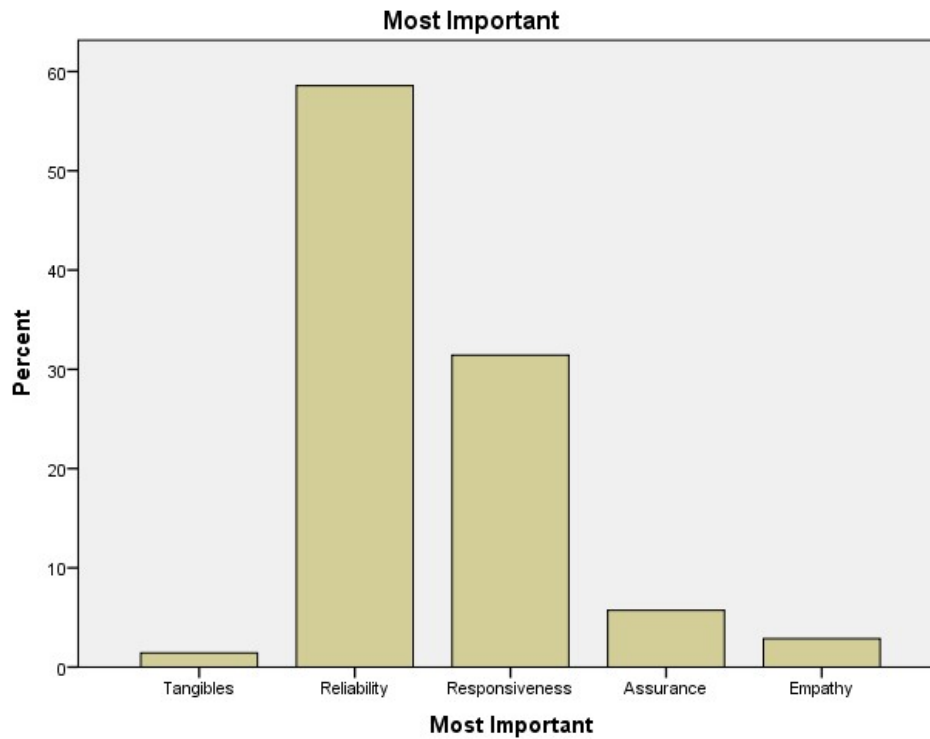
*Most Important and Least Important Service Quality Dimension*

Dimensions	Percent	
	Most Important	Least Important
Tangibles (SQD <sub>1</sub> )	1.4	62.8
Reliability (SQD <sub>2</sub> )	58.6	-
Responsiveness (SQD <sub>3</sub> )	31.4	-
Assurance(SQD <sub>4</sub> )	5.7	6.4
Empathy (SQD <sub>5</sub> )	2.9	30.8

A representation of the dominance of Reliability and Responsiveness as the preferred service qualities are set out in Figure 6. This figure shows the most important service quality dimensions. It will be noticed that the dimensions of Assurance, Empathy and Tangibles are hardly considered as important.

By a similar margin, Tangibles followed by Empathy were described as least important. The dimensions which are least important are represented by Figure 7. These results may be compared with the mean gap scores for the dimension of service quality set out in Table 22, where the respondents reported that they were least satisfied with Responsiveness, and then with Reliability. Similarly, when we compare

the gap score for Tangibles, with the score for the dimensions of service quality, it is noted that Tangibles by a significant margin is the least important service quality dimension in the Supreme Court civil registry, and yet it is the dimension where the civil registry performs best.



*Figure 6.* Comparisons of the most important service quality dimensions.

With the support of 58.6% of the respondents, Reliability is regarded as the most important dimension by a wide margin, yet it achieved the second lowest gap score of -2.30. Similarly, Responsiveness is the next most important dimension, and it achieved the lowest gap score of -2.46. The two most important dimensions of service quality received the lowest and second lowest gap scores.

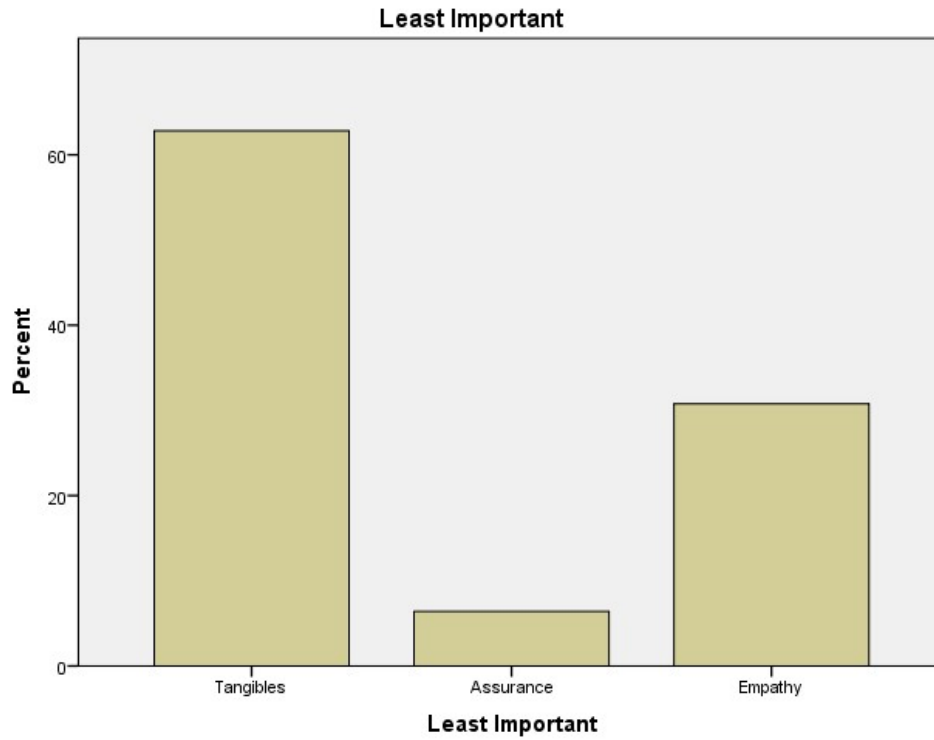


Figure 7. Comparisons of the least important service quality dimensions.

### 5.5 Gender

These gap scores and the total scores of the expectation and perception questions can also be used as dependent variables and measured against the independent variables of the demographic data for gender and work proximity from the court civil registry. The results for gender are set out in Table 25, and Figure 8 represents the Mean Total Gap Score by Gender.

Table 25

*Service Quality Expectation, Perception and Gap by Gender*

Gender	Expectation of Service Quality	Perceptions of Service Quality	Total Gap Score
Male	4.56	2.54	-2.02
Female	4.50	2.56	-1.94
Total	4.52	2.55	-1.97

There is hardly any differentiation for gender for expectation or perception of the civil registry service quality. In both cases the gap scores are negative, suggesting that males and females are dissatisfied with the services of the civil registry. Figure 8 sets out the average responses for both genders. The SPSS “Analyse→ Compare Means→ Independent-sample *t* test” function was used to compare the mean gap scores for gender. The report includes Levene’s test for the equality of variance of the data, which is set out in Table 26, and the *t* test for the equality of means, which is set out in Table 27. The Sig. value in the Levene’s table is .913, which is higher than .05, so equal variances are assumed.

Table 26

## Equality of Variance of Gap Scores for Gender

	Levene's Test for Equality of Variances	
	F	Sig.
Total Gap Scores for gender	.012	.913

As equal variances are assumed, the results were taken from the first row of the independent-samples *t* test set out in Table 27. The significance level (p-value or Sig. value in SPSS) is .664, which is significantly higher than .05. Therefore, we cannot conclude that the mean values for gender are significantly different. There is no significant distinction in the gap scores based on gender.

Table 27

Independent Samples Test of Total Gap score by gender

<i>t</i> test for Equality of Means							
	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
						Lower	Upper
Equal variances assumed	-.436	85	.664	-.07751	.17774	-.43092	.27589
Equal variances not assumed	-.434	69.549	.665	-.07751	.17847	-.43350	.27847

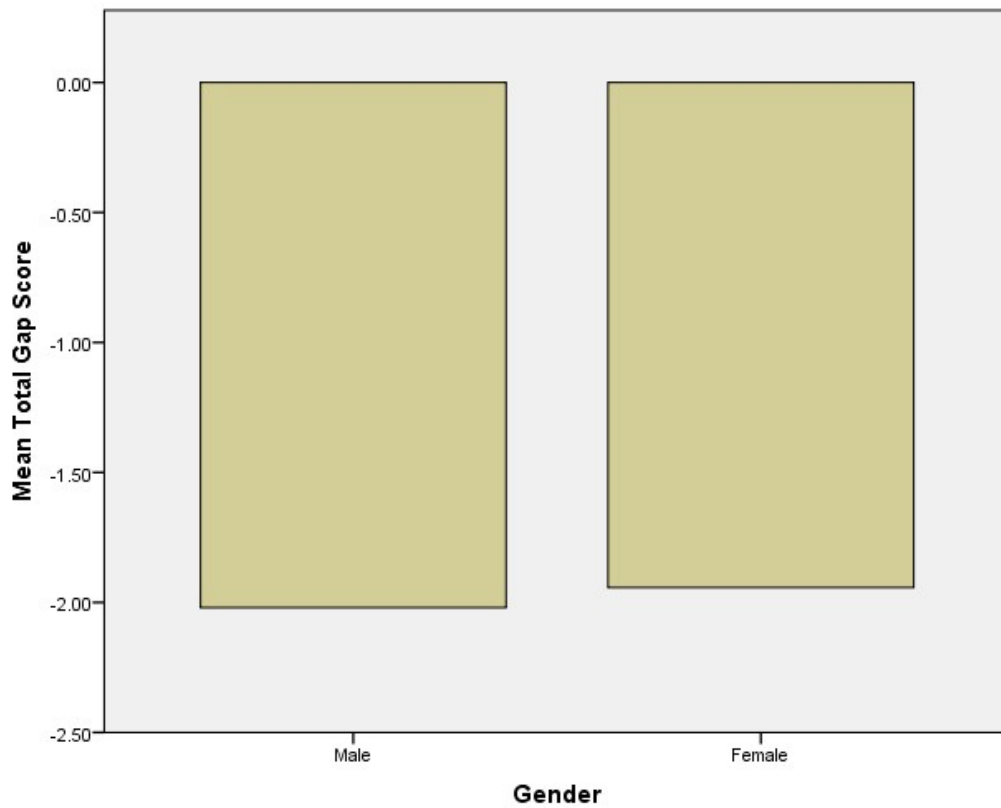


Figure 8. Mean Total Gap Score by Gender.

### 5.6 Place of Work

With increasing demand for spaces in chambers and law offices, many lawyers have had to move away from the downtown areas in Kingston to the commercial centres in New Kingston and elsewhere. It was hypothesised that lawyers with offices and chambers downtown would enjoy an advantage over those working from locations further away from the Supreme Court. However, the data suggest that those closer to the Supreme Court enjoy no advantage. Not only is there no significant distinction in service quality expectations and perceptions, but the results are very much like the results for gender. These results are in Table 28, which show that distance from the Supreme Court makes no difference for perceived service quality.

Table 28

*Service Quality Expectation, Perception and Gap by Place of Work*

Place of Work	Expectation of Service Quality	Perceptions of Service Quality	Total Gap Score
Downtown Kingston	4.67	2.60	-2.07
Greater Kingston	4.47	2.53	-1.93
Total	4.53	2.55	-1.97

Figure 9 also sets out the mean of the responses of those working in Downtown Kingston and those working elsewhere. The graph represents negative results in both cases, suggesting that both groups consider themselves dissatisfied with the services of the civil registry. The SPSS “Analyse→ Compare Means→ Independent-sample *t* test” function was used to compare the mean gap scores for place of work. Levene’s test for equality of variance is set out in Table 29.

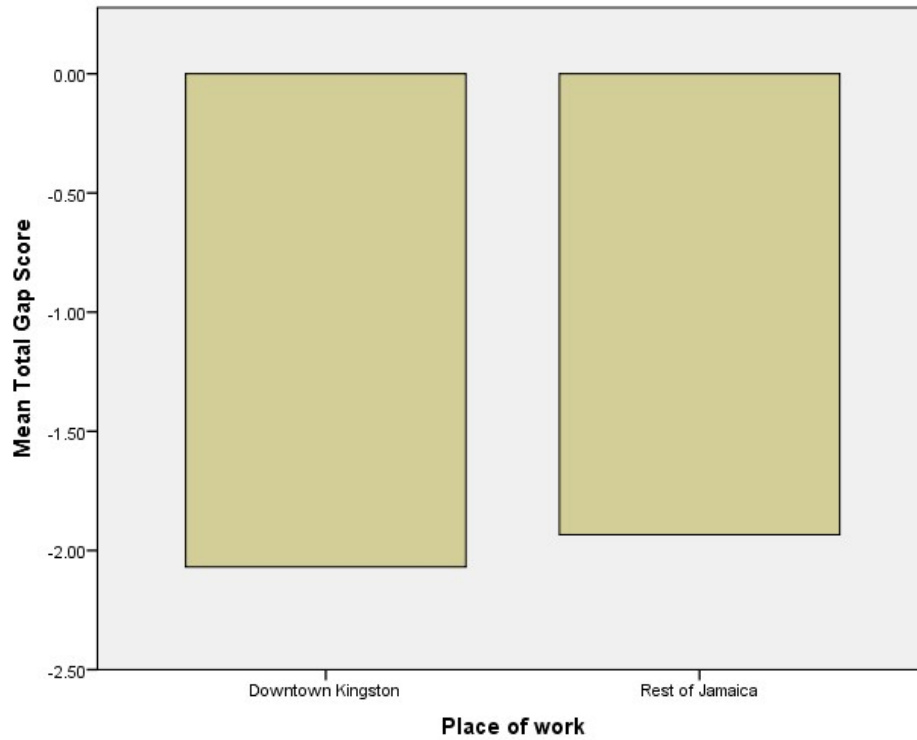


Figure 9. Mean Total Gap Score by Place of Work.

Table 29

*Equality of Variance of Gap Scores for Place of Work*

	Levene's Test for Equality of Variances	
	F	Sig.
Total Gap Scores for place of work	.536	.466

The Independent Samples Test of Total Gap score by place of work is set out in Table

30.

Table 30

*Independent Samples Test of Total Gap score by place of work.*

	<i>t</i> test for Equality of Means					
	<i>t</i>	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference Lower      Upper
Equal variances assumed	-.706	85	.482	-.13507	.19130	-.51543      .24529
Equal variances not assumed	-.717	45.842	.477	-.13507	.18850	-.51454      .24439

It can be seen from the *t* test for the equality of means of the results for place of work that the significance value (p-value or Sig. value) is greater than .05. The mean values are not significantly different.

### 5.7 Attorneys-at-Law vs Law Clerks

Questionnaire 4 of the SERVQUAL instrument used in the study (set out in Appendix D) distinguished the responses of attorneys, legal clerks and private users. The data collected was entered into the SPSS data file as “Employment.” The raw data are set out in Appendix K of the thesis, and the data on employment are recorded in column d3 of the data file.

A comparison of the mean gap scores for employment can be calculated by the “Analyze/Compare Means/Means” function in SPSS. The Total Gap Score was used as the Dependent List and Occupation as the Independent List. Two cases were excluded from the dataset because the subjects had not selected occupation on the questionnaire. One subject reported that he or she was a “private user” and one



subject reported, “Other.” The SPSS Report setting out the mean gap score by occupation is set out in Table 31 below.

Table 31  
Mean gap score by occupation

Occupation	Mean	N	Std. Deviation
Attorney-at-Law	-2.0672	71	.76593
Legal Clerk/ Paralegal	-1.7133	13	.82789
Private user	-.5000	1	.
Other	-.3182	1	.
Total	-1.9752	86	.80954

The Attorney-at-Law to Law Clerk/Paralegal ratio of 5.46 to 1 in the sample is higher than the ratios reported by Morrison (2010), where the highest ratio for law departments based in Europe was 4.83, and it is also much higher than that assumed in planning this study. This high ratio may be explained by how the data for the main study were collected, from law offices and law conferences rather than the reception areas of the Supreme Civil Registry, which advantaged the representation of lawyers over law clerks in the sample.

It is noted that the report suggests that both lawyers and legal clerks are dissatisfied with the quality of services, and further suggests that legal clerks are less dissatisfied than attorneys. Law clerks report a gap score of -1.71, while attorneys report a larger gap score of -2.07. However, the SPSS “Analyse→ Compare Means→ Independent-sample t-test” function was used to compare the mean gap scores for occupation. The report included Levene’s test for the equality of variance

of the data, which is set out in Table 32. The Sig. value in the Levene's table is .929, which is higher than .05, so equal variances are assumed.

Table 32

Equality of Variance of Gap Scores for Occupation

	Levene's Test for Equality of Variances	
	F	Sig.
Total Gap Scores	.008	.929

The *t*-test for the equality of means is set out in Table 33.

Table 33

*Independent Samples Test of Total Gap score by occupation.*

	t-test for Equality of Means						
	t	df	Sig. (2- tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
						Lower	Upper
Equal variances assumed	-1.513	82	.134	-.35393	.23389	-.81922	.11135
Equal variances not assumed	-1.433	15.989	.171	-.35393	.24695	-.87748	.16961

As equal variances are assumed, the results were taken from the first row of the independent-samples *t*-test set out in Table 33. The significance level (p-value or Sig. value in SPSS) is .134, which is higher than .05. Therefore, we conclude that the mean values for occupation are not significantly different at the 5% level, so no further comparative analysis of attorneys-at-law with legal clerks was made.

### 5.8 Summary of the Results

From the results of the main study, it is possible to conclude that practitioners experienced poor overall service quality in the civil registry. This conclusion is possible whether overall service quality is calculated as a performance measure (SERVPERF) or as a gap measure (SERVQUAL). Practitioners also experienced varying degrees of poor service quality in the five dimensions of service quality used in the study, they were most dissatisfied in the two dimensions of service quality they considered most important, and this dissatisfaction did not vary by gender or the civil registry's distance from their place of employment.

Even if it were possible to be completely confident in the prediction of these results, as Fleetwood (2014) said, "prediction does not constitute explanation" (p. 196). A further examination of these findings was therefore considered necessary, and this was accomplished by focus group assessments of these findings. Moreover, the SERVQUAL approach, especially the expectation questions, has been criticised for lacking discriminant validity. One study even suggested that the variance in the questions may come from the respondents' misinterpretation of the questions rather than their different attitudes to the service (Teas et al., 1993). The later focus groups sought to address this and other issues.

## CHAPTER 6

### FOCUS GROUPS' EVALUATION

#### 6.1 Introduction

The prevailing view in the literature is that service quality measures may be ascertained from customers' evaluation of the service encounter (Al-Momani, 2016; Carrillat et al., 2007; Cronin & Taylor, 1992; Govender, 2016; Parasuraman et al., 1988; Rasouli et al., 2016; Rezae et al., 2016), and the survey method, using the SERVQUAL instrument, was adopted in this study as the preferred approach for collecting data from legal practitioners on their evaluation of service encounters in the Supreme Court civil registry. In the main study, SERVQUAL was judged to be reliable and to have good face and content validity. However, there were too few respondents to confidently assess the construct validity of the instrument using factor analysis. Nevertheless, it appeared that SERVQUAL and its SERVPERF variant used in the study had adequate construct validity in assessing overall service quality (OSQ).

The survey asked closed-ended questions and gave no opportunity to the respondents to explain either their interpretation of the questions or the answers they gave to them. It is possible that the responses may not have accurately represented what the instrument intended for them to convey. This study adopted the principle that service quality can be represented both as a single construct of OSQ as well as a multidimensional construct of subordinate elements (SQDs), such as Tangibles, Reliability, Responsiveness, Assurance and Empathy (Carrillat et al., 2007; Dabholkar, Shepherd, & Thorpe, 2000; Parasuraman et al., 1988). While there is some confidence that the combination of all the questions in SERVQUAL measured

OSQ, there is less confidence that the questions accurately represented the subordinate dimensions.

Against this background, three focus groups' evaluations were conducted. The purpose was to discover the participants' understanding of the items on the SERVQUAL questionnaires, and specifically identify whether practitioners interpreted the questions in a manner which was consistent with what was intended and whether the words on the questionnaires were sufficiently clear and specific to produce reliable and valid information. Secondly, it was intended to ascertain from the focus groups if the categories of Tangibles, Reliability, Responsiveness, Assurance and Empathy represented to practitioners an accurate interpretation of the service quality experience. Finally, the groups were intended to focus attention on the findings of the main study, to assess the representativeness of the study, and to determine if the findings of the main study, set out in the previous chapter, were correctly interpreted (Ouimet et al., 2001).

## **6.2 Data Collection Process**

The focus group interview method was selected to allow the researcher to capture the rich data from the interaction of members of the group. The expectation was that the qualitative data from the focus groups should reveal the complexities of the service quality relationship in the civil registry which would not have been immediately obvious from a quantitative survey. The desire was to understand this relationship as deeply as possible and to discuss the data already gathered through the questionnaires in a less restrained environment. The focus group method was used to allow the participants to explore their ideas about the civil registry service quality experience.

Small working groups were selected. In discussing the appropriate size of focus groups, Blackstone (2012) said:

Group size should be determined in part by the topic of the interview and your sense of the likelihood that participants will have much to say without much prompting. If the topic is one about which you think participants feel passionately and will have much to say, I think a group of 3–5 is ideal. Groups larger than that, especially for heated topics, can easily become unmanageable. (p. 151)

Other researchers, such as (Morgan (1998), recommend other sizes within the 3 to 10-participants range. However, Blackstone's guidance was accepted because practitioners are experts in their field and it was anticipated that they would have much to say about the service quality experience in the civil registry.

The General Legal Council supplied the email addresses of legal practitioners. Email messages were sent to 300 legal practitioners selected from the sample frame, inviting them to participate in the focus groups. Those who replied to the email message were contacted by telephone. These practitioners were advised of the dates, times and place of the focus group and arrangements made to accommodate those who found it possible to attend at the date and time specified. Eight practitioners were invited to each group, but it was anticipated that some of the invitees would not turn up.

Two focus group sessions were held in a Seminar Room at the Faculty of Law, the University of the West Indies on 19 and 20 April 2017, commencing at 4:00 p.m. each day. The third focus group was conducted in the law offices of a medium-sized law firm in the New Kingston area, commencing at 1:00 p.m. on 9 May 2017. Nine

persons participated in the focus groups. Three of the participants had earlier participated in the survey stage of the research, five of the participants were female, and four were male, and three worked in downtown Kingston while the other six worked elsewhere in the greater metropolitan area. Table 34 set out the data on the participants of the focus groups.

*Table 34*

*Summary data of participants in focus groups*

	Number of Participants	Completed Questionnaire	Female	Male	Downtown Office	Uptown Office
Group 1	3	0	1	2	2	1
Group 2	3	0	2	1	1	2
Group 3	3	3	2	1	0	3
Total	9	3	5	4	3	6

The first focus group lasted 65 minutes, the second lasted 55 minutes, and the third lasted 50 minutes. The format of the focus groups adopted the practice recommended by Ouimet et al. (2001) and consisted of three broad stages: Introduction, discussion and wrap-up. During the first 10 minutes, the moderator provided an introduction and a brief overview of the background and purpose of the focus group. Next, the participants were introduced to the questions on Section A of the Guide Sheet and invited to share their opinions on the questions asked. As most of the participants had not previously participated in the survey all the participants were given the SERVQUAL questionnaires to familiarise them with the items and response categories. The overall purpose of this familiarity was to facilitate a rich and informed discussion of the issues. Participants were invited to identify questions or items on the instrument that they found to be ambiguous. They were invited to discuss selected items from the findings, set out in Appendix H. At times, the

moderator guided the discussion to specific sections of the instrument. Every dimension of service quality was addressed in one group or the other. The last ten minutes in each group consisting of summarising the themes identified by the group. The participants were invited to alter or clarify their original positions and to add any additional thoughts they may have.

### **6.3 Data Analysis**

Following Ouimet et al. (2001), at the end of each group meeting, the moderator and research assistant reviewed the focus groups notes and identified the key issues that were discussed. After reviewing the notes and key issues, the moderator met with the researcher to discuss the issues and their relevance to the quantitative instrument. This review also noted the items and issues that prompted the most discussion.

An important part of the focus groups was the qualitative analysis of the quantitative data that had been collected. The post review discussion focussed on the participants' interpretation of what was reported by the quantitative surveys as well as the participants' discussion of their own experiences. The data from the focus groups were transcribed and coded. The open coding method was used. This method identified, named, categorised and described what the participants observed. The preeminent concern was always to identify what the discussion was about and what the participants referenced in the discussions. The goal was to create descriptive, multi-dimensional categories that provided a preliminary framework for the analysis. The purpose of the analysis was to discover the patterns, concepts, and themes, as well as the meanings the participants attributed to their experiences. The final step was to compare the results from the focus groups with the results from the main study



while paying attention to the effectiveness of the questions on the SERVQUAL instruments.

## **6.4 Results**

Participants in the focus groups provided valuable feedback in these three areas: The qualitative assessment of the civil registry service quality experience; the evaluation of the SERVQUAL instrument used in the surveys; and the assessment of the survey findings.

### **6.4.1 Qualitative Assessment of Supreme Court Registry**

Participants in the focus groups were invited to discuss the service quality features of the civil registry. They were presented with the 12 questions set out in Section A of the Guide Sheet at Appendix G. The first 10 questions coincided with the features represented in the SERVQUAL instrument, with two questions chosen from that instrument to represent each service quality dimension (SQD). These are represented here as equipment and expertise; facilities and physical structure; general appearance of the staff; ability of the staff to perform dependably, accurately and on time; interest in solving your problems; promptness of service; courteousness of staff; having the legal practitioner's best interest at heart; and care and individualised attention. The participants were also asked to discuss two other open-ended questions that allowed them in their own words to describe the services they had received from the civil registry.

#### **Facilities and the physical structure**

Most of the respondents referred to their inability to speak to the appearance of the facilities, equipment and communication materials within the civil registry, as the organisation and layout of the registry prevented them from going inside the work

area of the registry. Clients of the registry were kept away from the working areas of the registry by a glass barrier. Practitioners were on one side and the registry staff on the other. The registry staff communicated with practitioners through windows in this glass partition. Some participants noted that when the staff accessed their cases, they used manual paper file which suggested that the data were not computerised.

Although the new layout of the civil registry did not give legal practitioners ready access to the work areas of the registry, several of the participants liked the new facilities and thought that the members of staff in the new registry were helpful. One participant said, "I appreciate the new facilities. The civil registry having moved from the older building across the street, this side is more spacious less of a marketplace."

The presence of the glass windows as a physical barrier between legal practitioners and the civil registry staff was a matter of much concern. One participant sought to deconstruct the use of the glass barrier in the civil registry in the following terms:

Back in the late 70s, I thought there was more glass windows in the civil registry than there is now. The relevance of the glass windows is important. I was very disappointed when the registry went through the first improvement work. I think it was in the 80s, and then you could see less of the registry. Customers, lawyers and paralegals are better off being able to see more of what goes on with the workers in the registry, and I think an opportunity was missed. I don't know if they had a reason, whether it was a concern for security. But when they made that first improvement in the 1980s, I was disappointed that it was a bigger registry but designed so we could see less of it. Then in the 90s, they expanded the Kings Street main building. It was

again a bigger place, with fewer glass windows and it was even more difficult to see what the registry staff were doing. It is important to be able to see, so that if you went to the window and sought assistance you could see who was there. You always had a feeling that some of the staff were in a corner where you could not see them and could not call them for assistance. I think that philosophically and practically it is better when customers can see on the inside to attract help for whatever is needed.

While discussing this topic on the facilities of the civil registry, a common thread in the respondents' opinions was that modern communication systems were important. The following statement of one of the respondents represents a commonly held view:

In terms of communication, I still think it needs to be more modernised, instead of notices given out on strips of papers which can be lost or removed by anybody. There are no records to see who collected what notices, so I think that the registry could become more modernised and efficient.

The participants had an overall favourable opinion of their experiences of the new facilities. The new civil registry was considered to be an improvement over the old, as the new registry was considered more spacious, and persons in the new registry building appeared to be more helpful. The participants of the groups also expressed the view that the new facilities have been redesigned and inside the building now appeared to be better than the old facilities. The participants also accepted that the staff appear to be more comfortable in the new facilities.

On the other hand, while it was agreed that the new civil registry facilities are more spacious than those of the criminal registry next door, it was also agreed that the

new civil registry facilities were still deficient. It was said that the new building still lacked space for practitioners to sit, and what space was available was not very welcoming. Participants in the groups recommended the provision of a room in which lawyers and paralegals can go and sit at a table and look at the files and analyse and examine documents, "... rather than standing on the other side of the counter like a customer in a bank and having to deal with the files under the window." The participants also recommended that this room should be supervised to ensure that files are not removed.

### **Staff and general appearance**

The second question on the Guide Sheet, "How would you describe the staff and their general appearance?" provoked very little discussion in any of the focus groups. The question was selected as being partially representative of the Tangible dimension, but whereas the respondents in all the groups had well-developed opinions on the physical appearance of the facilities, equipment, personnel and communication materials of the registry, there was little interest or discussion of the actual appearance of the staff. To the extent that it was discussed, the participants in the focus groups had favourable opinions of the appearance of the staff. Members of the groups thought that the staff was neatly attired and they are all well put together. In addition, several participants noted that there are dress requirements for the civil service and courts' office staff and that these requirements would have contributed to the good attire of the registry's staff.

### **Ability of the civil registry staff to perform the promised services dependably, accurately and on time**

The administrative arrangements in the registry were described as a "paper push system", and the consensus of the groups was that many times court documents

were lost or misplaced. The participants agreed that it took too much time for documents to get where they needed to go. One respondent recounted the following example:

I went there once to file a document, and the registry clerk said do not bother filing it but bring it directly to the judge to get it signed. Otherwise it would take months to get a date for the matter to be dealt with.

The participants questioned the efficiency of the process. It appeared that the clerks send matters to the judges for their signatures at the end of the day or the following day, but if this were so, the participants argued that they could not understand why it would sometimes take months to have the documents signed. The comment of a focus group participant was, “If you end up filing before the judge actually signs, you will never get it until the next year.”

Also, participants complained about the civil registry’s inefficiencies in tracking documents and files. This inefficiency was attributed to “the methodology” and to “the system.” Some participants said that proof that this inefficiency is systemic is to be found in the fact that after vigorous complaints the files or documents are eventually found.

### **Interest in solving your problems**

There were contested views on the interest and ability of the civil registry’s staff to solve problems. Some registry clerks were identified as being more helpful than others, and the general practice was for legal practitioners to try and seek out those persons who were more helpful. One participant reported on how a registry clerk went out of his way to assist the practitioner. Another participant said the glass barrier between him and the registry clerk prevented him from communicating freely.

The common position among the participants was that they were unsure that the registry clerks had sufficient equipment, personnel or resources to address the volume of work. The registry clerks' efficiency was associated with the time of day they were approached. A widely-shared view was that the clerks were more receptive earlier in the day. Another widely held view was that one achieved more if one approached the clerk in person rather than sending the document and waiting for a response. The participants of the focus groups interpreted this latter fact as providing further support for the position that the inefficiencies came not from the staff members but the administrative systems of the registry. One participant expressed the view that it is very difficult to blame everything on the front desk of the civil registry because in his experience the staff are hardworking and they try very hard to get things done.

Participants in the focus groups described as a new development a practice which further hampered communication between legal practitioners and the registry. Civil registry staff will not communicate information to practitioners over the telephone, thus requiring a practitioner to attend in person on the registry to get any information about any of her matters. It was agreed that efficiency would be better improved if the registry staff were more helpful over the telephone. Participants conceded that getting information over the telephone may raise security issues but some thought that these issues could be addressed if each legal practitioner was provided with a personal code to be used as a way of identifying the practitioner on the telephone.

#### **Are Employees of the registry always willing to help?**

The participants agreed that registry clerks were sometimes willing to help, but too often this was dependent on the personality of the clerk with control of the

file. All participants expressed a desire for better treatment, and some described their experience of the registry as persons struggling to get the attention of the staff. The administrative structure does not encourage clerks to be helpful. Moreover, some clerks are deliberately unhelpful. Some clerks are seen to be usurping the judicial function by insisting on unnecessary administrative requirements. One respondent presented an example from his experience with the registry:

Another thing that is a little bit more technical— I do many divorces, and I am finding that there is much delays nowadays brought about by clerks in the registry. I contend that they are usurping the function of the Judge. As I understand it, it is the judge’s business to find facts and rule on matters of law. Sometimes there is a deficiency in the evidence that can be remedied by a direction of the judge, but the clerks are saying, “Look, you do not have this in your affidavit, and you do not have that, so we are asking you to file a supplemental affidavit.” That adds weeks to the process, and I think in some instances it is unnecessary. You do not need to spend another month or two doing something that really was not the problem.

Also, participants sometimes found it difficult to identify someone in the civil registry with whom they could speak about a specific case or file.

### **Promptness of service of the Civil Registry**

The consensus was that operations of the civil registry were characterised by the lack of timeliness. The universally held view of the participants in the focus groups was that services delivery in the civil registry was not sufficiently prompt. However, as bad as the service was, many participants thought that it had improved. This was especially true of divorce matters.

**Knowledge and ability to inspire trust and confidence**

Participants confirmed that fewer items got lost, misplaced or missing from the files in the new registry, which was an improvement on the old registry. The participants believed that there were communication problems, particularly with filing cases. They were concerned with how the registrars and clerk communicated with legal practitioners. One participant explained that the registrar and clerks wrote notes to the legal practitioners on "... a little bit of paper," which notes were then put on the counter on the other side of the service window. "As anybody can accidentally or intentionally remove it and there is no guarantee you will get it. It is also a little bit tacky." Another participant thought that the paper used for communication could be better organised and better secured. The participants all describe the method of communication as "risky business."

Practitioners must file their email addresses and telephone numbers with all their documents, but the civil registry makes little use of this information. The focus group participants recommended that a better approach would be for the registry to utilise email addresses and telephone numbers when communicating with practitioners.

**Care and individualised attention to persons using the registry**

The groups' participants reported that they were not given individualised attention and that there was no follow up to their problems. "Nobody ever calls you back to say okay we found your thing or corrected this or that. Maybe they have a restriction on telephone use."



**The staff of the registry have the lawyers and clients' best interest at heart**

Participants reported that it was difficult for them to determine if the registry staff had their interest at heart. When viewed through the glass partition the staff appeared to be busy at work, but the participants expressed scepticism that the registry staff members were fully engaged.

**Survey administration procedures**

Most participants saw the SERVQUAL instrument for the first time in the focus group. Three participants in the focus groups had previously completed the survey in the main study, and from their experience they could comment on the sampling method used.

**Description of the service received when you access the civil registry**

After the discussion of the questions which represented the SERVQUAL features, the participants were invited to participate in an open-ended discussion on the services received when they accessed the civil registry, and what recommendations could be made to improve that experience. The responses were mixed, with the consensus leaning towards the need for improved services. The participants said they had gotten accustomed to the inconvenience associated with accessing the registry, so the little improvements were greatly felt and much appreciated. Common themes from the discussion were that the civil registry's services were mediocre, that there was a need for greater efficiency, and that the system was not helpful enough. In assessing the experience, the moderator felt that younger participants spoke of the registry in more positive terms, and older practitioners expressed greater frustration and annoyance when speaking about the civil registry.

#### **6.4.2 Evaluation of Quantitative Instrument**

##### **Courteousness of staff while using the registry**

Several participants reported having had bad experiences with the staff of the civil registry. Nevertheless, participants in the focus groups had some sympathy with the registry staff and their circumstances even when they provided poor services.

This was explained as follows:

You have to look at it from their perspective. They have been at the desk from 9 o'clock, and if something goes missing some people will say they are having a frustrating experience with them, but that is normal.

##### **Item clarity**

Participants in the focus groups found the questions to be clearly worded and unambiguous. They agreed that the SERVQUAL questions were easy to understand and easy to complete, and that the layout of the questions on the questionnaire was clear. However, there was some uncertainty about the meaning of the term, "our customers' best interest" as used in Question 21. There was debate as to whether the operations of the registry allowed the staff to be concerned about the interest of practitioners. The participants even questioned the utility of Question 21, and one challenged the usefulness of the questions in these terms:

If you go to the registry, the staff stamp the document, they sort it and return your copies and you walk away. The staff do not check for errors. There is a post-administrator for the family department who will check the documents to ensure that it is in accordance with the requirements. However, it depends on the section of the registry you visit. If there are errors on the documents, then the judges will highlight it.

In addition, members of the groups questioned the fairness of question 5 on the perception scale, “When the Supreme Court Civil Registry promises to do something by a certain time, they will do so.” It was noted that aside from making sure the documents reach the judge, there is nothing more the registry staff can do. A similar approach was taken to Question 8 on the scale, “The Supreme Court Civil Registry provides its services at the time it promises to do so.” The discussants noted that the civil registry was opened based on the decisions of the civil registry’s Rules Committee, and this matter was outside the control of the civil registry staff.

The SERVQUAL questions 5, 7 and 9 raised the most concerns with the focus groups’ participants. Question 9 says, “The Supreme Court Civil Registry insists on error-free records.” Most participants agreed that these three questions could have been more clearly worded.

### **Range of the questions**

Some participant thought that the 5-point scale was too narrow while others thought that more open-ended questions were desirable, as practitioners could make recommendations or identify areas of the registry that needed improvement. In the discussions, some participants expressed the view that the questions in the survey did not capture their concerns with all the issues. More specifically, the inadequacy of the waiting areas was not addressed in the questionnaire.

Also, some participants felt too much emphasis was spent on enquiring about the modernity of the equipment, to the disadvantage of questions relating to service. One participant questioned the point of having modern and “real-up-to-date computerised equipment” if they are not being used well. These participants thought

that the SERVQUAL instrument did not capture these compounded issues. Finally, some participants felt that the SERVQUAL questions contained many repetitions.

### **Service quality dimensions**

The participants were asked to discuss the service quality dimensions as represented by the graphs in Appendix H. Specifically, they were asked to discuss whether the categories made sense for the questions asked on the instrument, and how they interpreted the meanings of the categories. The participants agreed that the service quality dimensions (SQDs) of Tangibles, Reliability, Responsiveness, Assurance and Empathy were appropriate classifications. They supported the view that Reliability was the most important dimension and Tangibles was the least important.

### **6.4.3 Assessment of Survey Findings**

The participants in the focus groups agreed with the findings of the main study, but support for the findings was more enthusiastic in the second and third groups than in the first. All groups agreed that reliability was the most important service quality dimension. Members of the first group noted that there had been improvements in the quality of services in the probate and divorce sections of the civil registry, but more improvement was still needed. Some participants had difficulty understanding the findings as presented in Appendix H and regarded some of the findings as inconsistent. One participant expressed her views in this manner:

Finding 2 says that the facilities are not satisfactory, yet Finding 7B says practitioners place the least importance on those sorts of things. So, if it is not that important why do you care?

The first focus group agreed that the SERVQUAL instrument and the summary of the main findings focussed too much on the civil registry's staff. These were regarded as too "personnel-driven" and it was not an improvement to the personnel that was needed. Improving the entire administrative system was necessary. There was a strong theme in all the groups that in dealing with practitioners the civil registry's staff were helpful, but that they were hampered in their work by the administrative structures of the registry.

#### **6.4.4 Additional Issues from the Focus Group Sessions**

The participants noted that a high number of cases were dismissed before going to trial, but there was no system in place to identify which matters will progress and which ones will be adjourned. At 10 or 11 a.m. there are several courts empty while there are matters still waiting for a hearing. There are significant delays in getting matters heard. It now takes almost one year to have the first case management conference, and then sometimes two additional years for a trial date. Then, even with a trial date, it is highly unlikely that the matter will be heard because older cases on the list will take precedence. The discussants attributed these problems to a shortage of judges, unprepared lawyers and an inefficient civil registry.

The participants expressed concerns with filing applications for hearings and getting a room assigned. At the time of applying there should be no difficulty with assigning court rooms, as at that time the clerks should know what courts and hearing rooms are available; yet this continues to be a concern.

The focus groups discussed the current system of filing and handling documents in the civil registry, which they regarded as inefficient and time-

consuming. It was suggested that this would be improved by an adoption of an “e-filing system.”

### **6.5 Implications**

Based on the observations of the participants in the focus groups, it was determined that questions 5, 7 and 9 on the SERVQUAL questionnaire were unclear, but the participants expected that legal practitioners would be able to answer those along with the other questions. No one thought that interpreting and answering the questions would take too much time. The respondents thought that overall the questionnaire was clear and made sense. The participants all agreed with the five dimensions of service quality and thought that the questions were consistent with those constructs. Finally, the respondents agreed with the findings, as representing their views.

The focus groups suggested additional lines of enquiry, that could not have been pursued in this study, but which seems to be sufficiently important for future investigation. These issues were not part of the research design of this study, but they impact on the question of service quality delivery in the civil registry. One of the important new issues arising from the focus groups is the inability of the current administrative system to reassign resources, such as hearing rooms and judges, as they become available when the original planning falls apart. The respondents concluded that much emphasis was placed on developing case management systems that focused on the future assignment of resources to the cases, but little emphasis placed on capturing and reassigning resources that become available because of the failure of the original planning. Thus, on any day, there are vacant courts and hearing rooms while other matters cannot be heard because courts and hearing rooms have not been made available.

In addition, the focus groups refused to attribute the dysfunctions of the civil registry simply to the inefficient civil registry's staff. The shortages of judges and unpreparedness of the lawyers were also identified as contributing causes. All focus groups were concerned with the impact judges and lawyers had and continued to have on the quality of service that the registry could deliver.

Another issue arising from the focus groups is whether the quality of service depends on the time of day the service is delivered. The original design for this study contemplated that data would be collected from respondents at the registry, and the questionnaire included a question, "Time of day you completed this questionnaire: (circle one): In the morning (AM), In the afternoon (PM)." The answers to this question would have been useful to ascertain if the respondents would give answers to the perception questions based on the time of day they used the services of the registry. The final design changed the collection method from using only the location of the registry to other places where practitioners can be conveniently identified. The time at which the respondents completed the questionnaire became largely meaningless. Nevertheless, the question is interesting, and the answer to it may be useful as it represents the interpretation of some members of the focus groups, and in a differently constructed study it could be answered.

## **6.6 Conclusions**

This chapter reported on the results of three focus group evaluations of the questions, dimensions and findings of the primary study. The purpose of the evaluations was to discover the participants' understanding of the items on the SERVQUAL questionnaires; their interpretation of the service quality dimensions of Tangibles, Reliability, Responsiveness, Assurance and Empathy; and their evaluation of the results of the main study.

Participants in the groups understood the questions on the questionnaires, interpreted the dimensions of service quality in a manner consistent with how the construct was understood by the researcher and agreed with the findings that practitioners experienced varying degrees of poor service quality in the five dimensions of service quality used in the study. The next chapter discusses and analyses the data from the main study and the focus groups, and answers the research questions set out in Chapter 1.



## **CHAPTER 7**

### **DISCUSSION AND ANALYSIS**

#### **7.1 Introduction**

This chapter analyses the findings of the primary survey and the focus groups. The chapter also discusses the aims and objectives of the study, and whether these were achieved. Here the research questions are examined and, based on the results of the quantitative and qualitative data reported in Chapters 5 and 6, a determination is made whether the research hypotheses can be accepted. Furthermore, the implications of the finding are analysed, and the limitations of the study, including the limitations of the methods are also discussed. Finally, the chapter concludes by looking at what this study has added to the SERVQUAL vs SERVPERF debate.

#### **7.2 Meeting the Research Aims and Objectives**

The research project aimed to identify, investigate and understand the factors that determined the perceptions of service quality in the delivery of legal services in the Supreme Court civil registry in Jamaica. The objectives were to evaluate the external and internal factors influencing the service quality of the Supreme Court registry by exploring the views of the end-users of the services in the civil registry on the service quality received. The literature confirmed that Jamaica had undergone a series of administrative reforms designed to improve the administration of justice, and that those reforms and initiatives tended to focus on managing the resources and improving the infrastructure of the justice system (Buckley, 2006; Cyr, 2007; Darby, 2009; Morgan & Sengupta, 2012). Nothing in the literature suggested that any examination of the Jamaican justice system had contemplated service quality as a relevant issue. The literature on service quality in Jamaica focussed on other areas

(Ajagunna & Crick, 2014; Crick & Spencer, 2011; Gilbert et al., 2004; Golding, 2005; Golding, Donaldson, Tennant, & Black, 2008; Golding, Tennant, & Virtue, 2011; Hardee, Clyde, McDonald, Bailey, & Villinski, 1995; McKoy, 2004, 2009; Ndhlovu & Senguder, 2002; Ndhlovu, 2001; Peabody, Rahman, Fox, & Gertler, 1994; Schoburgh, 2014; Tindigarukay, 2004; Waller & Genius, 2015). Nevertheless, the results of the main study and the assessments of the focus groups show that questions of service quality should be very much a part of the discourse on the operations of the Supreme Court civil registry.

Service quality was conceptualised as the customer's assessment of the excellence or superiority of the service and was taken to be the excellence or superiority of services that practitioners received from the Supreme Court civil registry. Other studies have suggested that this assessment of excellence or superiority of service can be measured either as a performance value, which is an assessment of the service received (Cronin & Taylor, 1992; 1994), or as a gap value, which is an assessment of the service received less the assessment of the service expected (Parasuraman et al., 1985; 1988; 1991b; 1993). The prior experience of the researcher led to the hypothesis that legal practitioners in the Greater Kingston Metropolitan area using the services of the civil registry were not satisfied with either the excellence or superiority of the services delivered in the civil registry.

Discussions of service quality of public agencies and the use of instruments such as SERVQUAL to measure service quality in public agencies have been included in the literature for almost three decades, with the work of Donnelly et al. (1995) being one of the earliest applications. However, this literature survey did not unearth any prior studies on service quality in a court's civil registry. Nevertheless, the pilot study was used to demonstrate that the SERVQUAL method of measuring

service quality applies to the Supreme Court civil registry in Jamaica, and from the lessons of the pilot study nine research questions were formulated for the main study. These questions addressed whether practitioners perceived excellence or superiority of service from the civil registry first as an overall measure, and then as a measure of the dimensions of service quality. The research questions also asked if practitioners perceived that they had received satisfactory overall service quality from the Supreme Court civil registry in the dimension of service quality they regarded as most important, whether male and female practitioners perceived that they received equal overall service quality and whether practitioners working in close proximity to the Supreme Court perceived that they received the same overall service quality from the civil registry as do practitioners who do not work near the Supreme Court. Null and alternative hypotheses were developed for these questions. The questions, the hypotheses, the results of the study and the focus groups' assessment of the results are discussed below.

### **Research Question 1**

The first research question was, do practitioners perceive that they receive satisfactory OSQ from the Supreme Court civil registry? The null hypothesis is that they do. Using the gap model, as applied by Parasuraman et al., (1988; 1991b; 1993), this hypothesis may be represented as  $H_{01}: \mu_{OSG_g} \geq 0$ . This model measures the difference between the perception and expectations mean scores, where the latter is deducted from the former, and a neutral or positive score is interpreted to mean that the respondents perceive satisfactory services. Negative scores mean that respondents perceived unsatisfactory services. The hypothesis is that the service quality gap score will be  $\geq 0$ .

The mean scores for the expectations, perceptions and the overall gap scores for overall service quality are set out in Table 19, and the one-sample  $t$  test for the gap score is in Table 21. As the gap score is significantly different from and is less than zero, it is concluded that the null hypothesis can be rejected. Similar results were achieved using the performance measure of Overall Service Quality (OSQ). In early opposition to the Parasuraman et al. approach (1988; 1991b; 1993), Cronin and Taylor (1992; 1994) had argued that Overall Service Quality (OSQ) is best represented as a performance measure. This approach ignores the expectations' battery of questions and focuses only on the perception questions, which are the questions set out in Questionnaire Part 2 of Appendix D. On the 5-point Likert-type scale used in this study, the median or neutral answer is represented by the number "3". A mean response of 3 or more is therefore required to signify satisfaction with the services. As Table 19 shows,  $OSQ_p = 2.55$ , is less than 3.0. The one-sample  $t$  test set out in Table 20 shows that the scores are significantly different.

The focus groups considered this result and agreed with it. There is, therefore, no basis to challenge the findings of the quantitative study. As the focus groups supported the survey results, we cannot accept the null hypothesis. Both interpretations of the data, the survey and the focus groups, report that practitioners perceive poor service quality. Therefore, in the circumstances, the null hypothesis,

$H_{01}$  Practitioners perceive that they receive satisfactory OSQ from the Supreme Court civil registry,

cannot be established, and the alternate research hypothesis,

$H_{a1}$  Practitioners perceive that they do not receive satisfactory OSQ from the Supreme Court civil registry,

can be accepted.

This conclusion is important as it discloses a weakness or flaw in the administrative reform process being pursued by the Government of Jamaica. It may even be possible to assess the Government's efforts, in part, as a failure. These results do not support the interpretation of scholars such as Buckley (2006), Cyr (2007) and Darby (2009) that it is sufficient to throw more resources at the justice system. Important stakeholders and professional clients of the Supreme Court civil registry remain dissatisfied with the services received, and the efforts to reform the administration of justice have not addressed this deficiency.

## **Research Question 2**

Simply saying practitioners are dissatisfied with the services of the civil registry does not address in what ways they are dissatisfied. That question can only be answered by looking at the dimensions of service quality. Following the model of Parasuraman et al., (1988; 1991b; 1993), service quality is conceptualised in this study as having five dimensions: Tangibles, Reliability, Responsiveness, Assurance and Empathy. The second research question addresses the first of these. Do practitioners perceive that they receive satisfactory service quality in the tangibles dimension from the Supreme Court civil registry? The tangible dimension of service quality includes the physical attributes of the civil registry. The associated questions asked about the registry's modern-looking equipment, how visually appealing are the physical facilities, whether the employees appear neat and whether the materials associated with the registry are visually appealing.

The null hypothesis for the second research question is represented by,  $H_{02}$ :  $\mu_{SQD_1} \geq 0$ . The mean average score for the first Service Quality Dimension of

Tangibles should have a value equal to or greater than a score of zero if the service quality in this dimension is to be regarded as satisfactory. The results of the primary data do not support this hypothesis. The mean service quality score for the first service quality dimension of Tangibles is less than zero. The one-sample *t* test for the dimensions' gap scores suggests that this difference is significant. The focus groups considered that the Tangible dimension was one area where the civil registry was doing well, and that performance in this area was better than in others. While the participants in the focus groups spent little time on the appearance of the employees of the civil registry, they had extensive discussions on the physical attributes of the new civil registry. Their principal assessment was that practitioners could no longer see inside the registry, and therefore could not give a full assessment of the equipment used in the registry. Nevertheless, they still found physical attributes deficient in several areas, especially in the provisions made to accommodate practitioners. Even where they regarded facilities as an improvement, they agreed that the new design prevented practitioners from effectively communicating with the registry staff.

The assumption is that investments in Tangibles are more easily obvious, and better appreciated than in other areas. This type of investment is also consistent with the approach of treating justice concerns as resource management concerns.

However, on balance, it seems that the null hypothesis,

H<sub>02</sub> Practitioners perceive that they receive satisfactory service quality in the Tangibles dimension (SQD<sub>1</sub>) from the Supreme Court civil registry,

cannot be established. The respondents to the survey and the participants in the focus groups reported that they expected better service quality than they perceived they had

received from the Supreme Court civil registry. This response is represented here by the gap score of -1.23. Consequently, the alternative to Hypothesis 2,

H<sub>a2</sub> Practitioners perceive that they do not receive satisfactory service quality in the Tangibles dimension (SQD<sub>1</sub>) from the Supreme Court civil registry,

may be accepted.

The participants of the focus groups questioned the emphasis placed on the features of the Tangible dimension of service quality. It is possible to interpret the discussions to mean that the focus groups' participants, and the respondents to the main study, would have had low expectations of the tangible dimension and thus would have been likely to be more satisfied by the perceived services in this dimension. One possible conclusion is that the registry's performance in the Tangible dimensions is not good, but that the respondents do not care much for features making up that dimension. This interpretation leads to the further enquiry whether the physical attributes of the registry, although easy to identify, are reasonable proxies for the overall services provided by the civil registry. The literature would suggest that there are some areas, such as hotels, where the physical attributes are good proxies for overall service quality. For example, Al Khattab & Aldehayyat's (2011) study of hospitality services and hotels in Jordan reported respondents giving the lowest scores on the Tangible dimensions, indicating the area where they were most dissatisfied. It is possible that in some situations, the Tangible dimension may be a good proxy for OSQ while in other situations it may not be. The focus groups' discussions would suggest that in the case of the Supreme Court civil registry, the tangibles dimension is not a proxy for overall service quality.

### Research Question 3

Do practitioners perceive that they receive satisfactory service quality in the Reliability dimension from the Supreme Court civil registry? The Reliability dimension included questions on the civil registry doing on time the things that it said it would do, showing an interest in solving the practitioners' problems, performing services right the first time, providing on-time services and insisting on error-free records. These questions were of significant concern to the participants of the focus groups. First, several participants thought the questions contained duplications. For example, is promising to do something at a certain time and doing so not the same as providing the services at the time the registry said it would?

In the focus groups, the question on the registry insisting on error-free records was controversial. Most agreed that the insistence on error-free records was a mark of good service quality, but many of the participants thought that the general attitude of staff in the registry was nit-picking and the identification of errors was used to delay the civil registry's performance. However, all the participants agreed that the civil registry did not perform well in the Reliability dimension, which was a dimension they considered especially important.

In this case, the null hypothesis to the third research question,  $H_{03}: \mu\text{SQD}_2 \geq 0$ , is not supported by the results of the primary study, nor by the focus groups. Table 22 shows the score for the service quality dimension of Reliability ( $\text{SQD}_2$ ), which is a negative score (-2.30), and the  $t$  test in Table 23 indicates that this difference is significant. The same is true for Hypotheses 4, 5 and 6. In each case the gap score is negative. The score for Responsiveness is -2.46; for Assurance, it is -2.11; and for Empathy, it is -1.73. In all cases,  $t$  tests show that the significance is less than .05.



Nothing in the focus groups contradict these results. Therefore, for Research Question 3 the null hypothesis,

H<sub>03</sub> Practitioners perceive that they receive satisfactory service quality in the Reliability dimension (SQD<sub>2</sub>) from the Supreme Court civil registry,

is rejected and the alternative hypothesis,

H<sub>a3</sub> Practitioners perceive that they do not receive satisfactory service quality in the Reliability dimension (SQD<sub>2</sub>) from the Supreme Court civil registry,

may be accepted. In this important area of ability to perform the promised services dependably and accurately, the Supreme Court civil registry seemed to have failed badly.

#### **Research Question 4**

Do practitioners perceive that they received satisfactory service quality in the Responsiveness dimension from the Supreme Court civil registry? The questions associated with the Responsiveness dimension include asking if employees will tell the customers exactly when the services will be performed, will the staff give prompt service, are they always willing to help, and are they never too busy to respond? The focus groups participants thought that these questions were quite close to the questions in the Reliability dimension. They also agreed that performance in these areas was an important test for service quality. Responsiveness was the dimension in which participants of the main survey said the civil registry performed worst. With a mean gap score of -2.46, the survey reported the greatest dissatisfaction in this area. This result can be seen in Table 23. The *t* test of the dimension's score indicates that

this negative distinction is significant. Based on the survey results of the main study, the null hypothesis,  $H_{04}: \mu\text{SQD}_3 \geq 0$ , is not supported. The focus groups agree with this finding. Thus, the null hypothesis,

$H_{04}$  Practitioners perceive that they receive satisfactory service quality in Responsiveness dimension ( $\text{SQD}_3$ ) from the Supreme Court civil registry,

is not established, and the alternative hypothesis,

$H_{a4}$  Practitioners perceive that they do not receive satisfactory service quality in the Responsiveness dimension ( $\text{SQD}_3$ ) from the Supreme Court civil registry,

can be considered. Practitioners appeared to have perceived that the Supreme Court civil registry was not responsive to their needs.

### **Research Question 5**

Do practitioners perceive that they receive satisfactory service quality in the dimension of assurance from the Supreme Court civil registry? The questions associated with the Assurance dimension included questions about the behaviour of the employees and their capacity to instil confidence in the users of the registry, whether practitioners will feel safe in their transactions with the registry, whether employees in the registry are courteous with the service users, and whether the registry's employees have the knowledge to answer the practitioners' questions.

The participants of the focus groups were especially concerned about this dimension. Members of the focus groups agreed that the registry performed badly in this dimension. The survey reported in Table 23 a gap value of -2.11, which the  $t$  test

confirmed was a significant difference. It is therefore concluded that the null hypothesis,  $H_{05}: \mu\text{SQD}_4 \geq 0$ , represented as,

$H_{05}$  Practitioners perceive that they receive satisfactory service quality in the Assurance dimension ( $\text{SQD}_4$ ) from the Supreme Court civil registry,

cannot be supported. The alternative hypothesis must, therefore, be considered:

$H_{a5}$  Practitioners perceive that they do not receive satisfactory service quality in the Assurance dimension ( $\text{SQD}_4$ ) from the Supreme Court civil registry.

The service quality dimension of Assurance speaks to the knowledge and courtesy of the staff of the Supreme Court civil registry, and their ability to inspire trust and confidence in the practitioners using the services of the registry. The results suggest that the staff do not inspire trust, and practitioners are not confident in the staff that they can do so.

### **Research Question 6**

Do practitioners perceive that they receive satisfactory service quality in the dimension of Empathy from the Supreme Court civil registry? This dimension concerns whether the registry staff provides individualised and personal attention to the legal practitioners using the registry, whether the operating hours are convenient to the users, whether the staff have the users' best interest at heart, and whether the registry staff understand the users' needs.

Table 23 shows that respondents to the survey had not perceived that they had received good service quality from the civil registry in the Empathy dimension. The gap score for the Empathy dimension is -1.73. Results of the  $t$  test in Table 23 show

that this difference is significant. Although participants in the focus groups agreed with the results of the main study, they were sympathetic with the civil registry's staff on some of the components that made up the Empathy dimension. The focus groups did not attribute responsibility for determining the opening hours of the civil registry to the registry's staff, and the focus groups did not regard opening hours as being inconvenient. Moreover, there was a debate on whether the registry staff could or should provide individualised attention to practitioners. The focus groups, however, agreed that they had not received satisfactory service quality in the Empathy dimension. Therefore, the null hypothesis,  $H_{06}: \mu\text{SQD}_5 \geq 0$ , represented as,

$H_{06}$  Practitioners perceive that they receive satisfactory service quality in the Empathy dimension ( $\text{SQD}_5$ ) from the Supreme Court civil registry,

is not established, and the research hypothesis,

$H_{a6}$  Practitioners perceive that they do not receive satisfactory service quality in the Empathy dimension ( $\text{SQD}_5$ ) from the Supreme Court civil registry,

may be considered.

### **Research Question 7**

Do practitioners perceive that they receive satisfactory service quality from the Supreme Court civil registry in the dimension of service quality they regarded as most important? The third questionnaire in the survey was used to capture the perceptions of the participants on the importance of the relative dimensions of service quality in the civil registry. The respondents were asked to indicate which one of five sets of characteristics they considered most important, and which one they considered least important. These characteristics were designed to coincide with the service quality

dimensions (SQDs). These were described as follows: The appearance of the physical facilities, equipment, personnel and communication materials; the ability to perform the promised services dependably and accurately; the willingness to help customers and provide prompt service; the knowledge and courtesy of employees and their abilities to inspire trust and confidence; and the caring and individualized attention that the registry clerks provide to the users.

Table 24 sets out the results for the most important and least important SQDs, and in order of importance from least to most important these are Tangibles, Empathy, Assurance, Responsiveness and Reliability. Reliability, which is the ability to perform the promised services dependably and accurately, was regarded as the most important dimension. Fifty-nine percent of the respondents regarded this as most important. Responsiveness, the capacity to help customers and provide prompt service, was regarded as the next most important dimension.

Some participants in the focus groups had difficulty interpreting these results, but most participants agreed with them. Practitioners perceived that the most important dimension is the Reliability dimension (SQD<sub>2</sub>). The null hypothesis for Research Question 7 may be stated as follows,  $H_{07}: \mu\text{SQD}_2 \geq 0$ . As was already stated in examining Research Question 3, participants of the survey did not perceive that they had received good service quality in this dimension. While the respondents of the survey did not report that the Reliability dimension was the worst performing dimension in the civil registry, that distinction is held by the Responsiveness dimension, but with a gap score of -2.30 Reliability cannot be seen as satisfactory. Thus, Hypothesis 7,

H<sub>07</sub> Practitioners perceive that they receive satisfactory service quality from the Supreme Court civil registry in the SQD they regard as most important,

cannot be established and the alternative research hypothesis,

H<sub>a7</sub> Practitioners perceive that they do not receive satisfactory service quality from the Supreme Court civil registry in the SQD they regard as most important,

must be considered.

### **Research Question 8**

Do male and female practitioners perceive that they receive equal overall service quality from the Supreme Court civil registry? This question tests whether there is a difference in the perception of service quality associated with gender. The research hypothesis is that there should be, as gender continues to be a contested issue in Jamaica, and there is evidence of gender discrimination regarding employment. The literature is ambivalent as to whether there is a significant relationship between gender and service quality. Hu et al. (2016) had hypothesised that the relationship existed, at least in the responsiveness dimension. Responsiveness may be described as the “Willingness to help customers and to provide prompt service” (Rodrigues, Barkur, Varambally, & Motlagh, 2011, p. 633). Hu et al. (2016) had examined the measurement invariance across gender for responsiveness in the retail industries in Taiwan, but the results did not support their hypothesis. Earlier, Frater, (2006) had identified gender as one of the distinguishing characteristics of service quality in the travel industry in Jamaica, and Darby (2009) had indicated the importance of gender equality issues in the justice reform process in Jamaica. On the other hand, in

examining service quality perceptions in primary health care centres in Greece, Papanikolaou and Zygiaris (2014) found "... no significant differences between expectations and perceptions were detected depending on participants' Gender" (p. 201).

The results of this study suggest that there is no gender discrimination in the delivery of services in the Supreme Court civil registry. Table 25 shows hardly any difference in the service quality gap score for male and female (-2.02 to -1.97) and the independent samples *t* test set out in Table 27 confirms that the difference is not significant. The focus groups confirmed this assessment. As there is no significant distinction in the gap scores based on gender, or in the focus groups' assessments, we fail to reject the null to Hypothesis 8,

H<sub>08</sub> Male and female practitioners perceive that they receive equal OSQ from the Supreme Court civil registry.

And the alternative,

H<sub>a8</sub> Male and female practitioners perceive that they do not receive equal OSQ from the Supreme Court civil registry,

cannot be accepted. These results do not support the research hypothesis that there is variance across gender. These results are similar to those acquired by Hu et al. (2016) on responsiveness in retail services and those reported by Papanikolaou and Zygiaris (2014) on the perceptions in primary health centre services. On the question of service quality in the Jamaica Supreme Court civil registry, the measurement invariance across genders is not significant.

**Research Question 9**

Do practitioners working near the Supreme Court perceive that they receive the same overall service quality from the civil registry as do practitioners who do not work near the Supreme Court? The research hypothesis to this question assumed that practitioners in the Downtown Kingston area, being closer to the Supreme Court, would have easier access to the services of the civil registry than would practitioners with offices in the Greater Kingston Metropolitan Area. The results of the survey suggest that this is not so. Table 28 shows that the gap scores are very close (-2.07 to -1.93) and the independent samples *t* test, reported in Table 30, confirms that this difference is not significant. The focus groups confirmed this result. Practitioners working in downtown Kingston and Greater Kingston are both dissatisfied with the civil registry's service quality, and they appear equally so. Therefore, the null hypothesis for Research Question 9 cannot be rejected and the answer to Research Question 9 must be,

H<sub>09</sub> Practitioners working in closer proximity to the Supreme Court perceive that they receive same OSQ from the civil registry as practitioners who do not work near the Supreme Court.

In the circumstances, the research hypothesis,

H<sub>a9</sub> Practitioners working in closer proximity to the Supreme Court do not perceive that they receive the same OSQ from the civil registry as do practitioners who do not work near the Supreme Court,

cannot be considered.



### 7.3 Implication of the Findings

The study sought to answer nine research questions, which may be summarised as follows: Do practitioners perceive that they receive satisfactory overall service quality from the Supreme Court civil registry? Do practitioners perceive that they receive satisfactory service quality in the tangibles dimension from the Supreme Court civil registry? Do practitioners perceive that they receive satisfactory service quality in the reliability dimension from the Supreme Court civil registry? Do practitioners perceive that they receive satisfactory service quality in the responsiveness dimension from the Supreme Court civil registry? Do practitioners perceive that they receive satisfactory service quality in the dimension of assurance from the Supreme Court civil registry? Do practitioners perceive that they receive satisfactory service quality in the dimension of empathy from the Supreme Court civil registry? Do practitioners perceive that they receive satisfactory overall service quality from the Supreme Court civil registry in the dimension of service quality they regard as most important? Do male and female practitioners perceive that they receive equal overall service quality from the Supreme Court civil registry? Finally, do practitioners working in close proximity to the Supreme Court perceive that they had received the same overall service quality from the civil registry as do practitioners who do not work near the Supreme Court?

In answering the first seven questions, a fair interpretation of both the survey results and the focus groups is that practitioners do not perceive that they had received good overall service quality from the Supreme Court civil registry, and they do not perceive that they had received satisfactory service in any of the dimensions of service quality, including the reliability dimension which they regarded as the most important. On the other hand, males and females share a common perception of

overall service quality, as do practitioners working downtown and in other areas of Kingston.

It is possible to conclude that the Government of Jamaica's elaborate programme for reform of the justice system is not producing the desired results in all areas, although improvements can be seen in the tangible SQD. Practitioners reported that they were least dissatisfied with the tangible elements of the civil registry. However, there is dissatisfaction in all areas and broad dissatisfaction in the dimensions of reliability and responsiveness. The implication is that more resources should be applied in these two areas, and perhaps fewer resources applied to the tangible elements.

#### **7.4 Limitation of the Study**

This study was conducted in Jamaica against the background of an ongoing programme of justice system reform. There may be cultural biases playing a role in the outcome of the study, as the expectations of Jamaican practitioners may be different from those of practitioners in other countries. Nevertheless, it is believed that the methodology used in this study applies generally to the study of service quality in any court registry.

While the methodology of this study may be applied to other studies, this research project focused on the perceptions of legal practitioners and did not address concerns of other important participants in the civil registry's service quality relationship matrix. Legal practitioners represent only one part of the civil registry's service quality equation. Additional assessments would require an investigation of the perceptions of the staff, administrators and registrars. Additional investigations would also involve the judges and the Masters in the Supreme Court. The opinions of

those persons were excluded from the aims and objectives of this study, but the focus groups show that practitioners thought that lawyers and judges are important to the quality services delivered by the registry.

The study of the relationship between the customer and the service providers is essential to an understanding of the service delivery mechanisms in the Supreme Court Registry, but the results of the study will be just one of the considerations that may guide the reform process. The difference, if any, between the practitioners' expectations and perceptions and the registry managers' expectations and perceptions, are important and would add significantly to the assessment of the registry's performance. That relationship was not examined here, and neither did this study consider other areas of management's perceptions or assessment of the service quality relationship. These areas are important and should be addressed in other studies using the methodology applied in this study.

Practitioners are willing to express opinions on the quality of services received publicly and are not limited in their ability to do so, but the same is not true of the staff in the civil registry. We do not expect the clerks to speak critically of the registry while they are employed in it. In any event, any canvassing of the opinions of the staff would require at least the prior permission of the Registrar, and possibly even the Chief Justice. It is possible that with the completion of this study, the need for a similar study of the opinions of the service providers in the civil registry will become more obvious.

Finally, this study examined service quality in the civil registry from the perspective of OSQ and then the five SQDs, and identified gaps in all areas. However, the study did not examine each of the 22 attributes that made up the dimensions. For this study, OSQ and the SQDs were considered sufficient, but it is

conceivable that a more detailed analysis of the gaps between the 22 questions may be useful in identifying special problem areas to be addressed.

#### **7.4.1 Choice of Data Collection Methods**

This study relied on convenience or availability sampling as the principal means of gathering the data. The deficiencies of this method were to some extent later mitigated using focus groups. True random sampling would have been preferred. While it is possible with some certainty to determine the population of lawyers in Jamaica and those in Kingston, a critically important qualification was prior experience using the services of the civil registry. Every qualified lawyer has the right to a civil practice in the Supreme Court. Many choose not to do so. There is no clear way of knowing this in advance of a survey.

#### **7.4.2 Implementation of Data Collection Method**

To preserve the anonymity of the participants of the surveys no attempt was made to record the identities of the persons who participated. This approach removed the opportunity to test the reliability of the instrument with a true test and retest methodology using the same sample. Similarly, prior knowledge of who had participated in the survey would also have been helpful in planning the focus groups but could not have been achieved without perverting the integrity of the surveys. Fortunately, three participants in the focus groups had participated in the SERVQUAL survey. There would have been an advantage if the identities of the participants in the pilot study had been recorded for further use in a test-retest exercise. However, the anonymity of the participants was essential to its integrity. The raw data from the main survey are in Appendix K.

### **7.5 SERVQUAL vs. SERVPERF Debate**

This study's purpose was not to join the SERVQUAL vs. SERVPERF debate, but both instruments were used in the study and it may be useful to make some assessment of their relative performance. As measures of OSQ, both instruments performed well and performed about the same. Using the quantitative data from the main study, it was not possible to distinguish the results of the SERVPERF method from those of SERVQUAL for overall service quality (OSQ). Both appear to be equally reliable, with the reliability score for the performance measure being marginally less so than the performance score for the gap measure. As measures of OSQ, the face, content and construct validity seem similar.

It was not possible to compare both instruments as measures of the SQDs because SERVPERF was not used in this study for any of those measures. The original designers of the SERVPERF model thought that the dimensional differentiation was conceptually flawed. The results of this study support the view that dimensional differentiation is difficult, but identifying SQDs is justified because they provide a more detailed diagnostic capacity which is not available with OSQ (McAlexander et al., 1994, p. 38). Expectation questions tend to be normative and will not produce the precision that perception questions will, but more detailed assessments come from identifying the underlying SQDs. This study provided support for the five SQDs from the focus groups. However, future research is needed to identify more clearly these or other SQDs in the public service environment.

### **7.6 Summary of the Discussion**

This chapter analysed the findings and discussed whether the aims and objectives had been achieved. The conclusion is that the research objectives have

been achieved. It was assessed that practitioners did not perceive that they had received good OSQ from the Supreme Court civil registry, and neither do they perceive that they had received satisfactory service in any of the SQDs. This conclusion is true also of the Reliability dimension, which is the dimension the respondents regard to be most important. On the other hand, the interpretation is that males and females share a common perception of overall service quality, as do practitioners with offices in different parts of Kingston.

This chapter analyses the implications of the findings, and that analysis suggest that the justice system reform process has much more to do in the areas of reliability and responsiveness to satisfy practitioners using the services of the civil registry. The chapter also discussed the limitations of the work, and concluded with a contribution to the SERVQUAL vs SERVPERF debate. This study tied together different concepts. First, the study discussed government's policy on the justice system, and identified that policy as accepting that the justice system could be improved mainly by applying greater resources to it. Second, the study identified as important the relationship between legal practitioners and staff of the civil registry. Finally, the study investigated the service quality relationship between those two sets and used SERVQUAL/SERVPERF to measure overall service quality (OSQ), and SERVQUAL to measure the dimensions of service quality (SQDs). It is believed that all three concepts are important, and the civil registry is a point where they all intersect.

## CHAPTER 8

### CONCLUSIONS AND RECOMMENDATIONS

#### 8.1 Summary of the Work

This thesis represents a study that was conducted in three parts: A pilot study, a main quantitative study and a qualitative study assessing the finding of the main study. This chapter provides an assessment of the work and its implications for future research in this area, in addition to offering some recommendations on the justice administration reform process. The thesis began by identifying the perceptions of service quality in the civil registry as the object of the study and identified the aims and objectives as the investigation and understanding of those perceptions by evaluation of the legal practitioners' assessment of those services. The thesis is grounded in the Government of Jamaica's policy for the reform of the system of the administration of justice. That policy focuses on improving the administration of justice by increasing the resources available to the justice sector.

In Chapter 1 it was noted that in the reform process very little attention was given to the service quality question. It was also noted that a well-functioning justice system had both social and business implications. Good social relations and effective business practices both require a well-functioning justice system. Chapter 1 also introduced the conceptual framework that represented the civil registry's service quality relationships. That framework showed that clients were relying on legal practitioners for professional services, while those practitioners were relying on the staff and managers in the civil registry. In this model, the ability of legal practitioners to satisfy their clients depend on the quality of the service they receive from the civil registry staff. Based on the aims and objectives of the research project, and the

conceptual framework, Chapter 1 identified nine research questions to be answered by the research project. That chapter also identified some of the limitations of the study, offered definitions of some of the terms used in the thesis, and summarised the structure of the thesis.

Chapter 2 reviewed the literature and discussed this in two parts. The first part of the literature review identified the knowledge-base on the Jamaica justice system. The second part identified and discussed the service quality literature. Included in the latter were discussions on measuring service quality, the multidimensionality of service quality, and the problems of applying service quality measures to public services. The chapter explained and discussed the gaps model and discussed some of the limitations of using that model.

Chapter 3 discussed the methodology, which is grounded in critical realist research philosophy. The chapter sets out a description of the methods, which relied first on the SERVQUAL instrument and then on focus groups. The SERVQUAL instrument and the gap model were discussed. These methods were tested in the pilot study and then applied to the main study. The population, sample frame, data collection methods (for both quantitative and qualitative studies), and data conditioning methods were identified and explained. Finally, that chapter discussed the reliability and validity of the quantitative instrument, including the qualitative methods used later to validate the quantitative findings.

Chapter 4 reported on the pilot study and demonstrated how the SERVQUAL instrument should be used in the main study. The chapter also set out the changes necessary, which were some minor changes to the data collection procedures and an amendment of the third questionnaire. Based on the research questions posed in



Chapter 1 and the experiences of the pilot study, Chapter 4 also developed and set out the research hypotheses to be tested by the main study.

Chapter 5 sets out the findings of the main study. These were that practitioners experienced poor overall service quality from the Supreme Court civil registry and that this was true for both overall service quality as well as for the five SQDs. Practitioners were also dissatisfied in the dimension they regarded as most important, and that these assessments did not change based on gender or place of work.

These findings of the main study were later reassessed by focus groups and Chapter 6 reported on the findings of those groups. The focus groups identified the participants' understanding of the items on the SERVQUAL questionnaires, confirmed that the categories of Tangibles, Reliability, Responsiveness, Assurance and Empathy represented an accurate interpretation of the service quality experience, and assisted in the correct interpretations of the quantitative findings. The qualitative assessments were consistent with the quantitative study. The participants understood the dimensions of service quality as it was intended in the main study, and they supported the findings of that study.

Chapter 7 discussed and analysed the findings of both studies and applied them to the research questions. That chapter concluded that the null hypotheses to Research Questions 1 to 7 could not be established. On the other hand, the null hypotheses to both Research Questions 8 and 9 could not be rejected. These conclusions were interpreted to mean that an important constituency of the Supreme Court civil registry was dissatisfied with the quality of service its members had received from the civil registry and that the Government of Jamaica's civil justice reform policy had not adequately addressed this need. That chapter also

acknowledged the limitations of the thesis and made some contribution to the ongoing SERVQUAL vs. SERVPERF debate.

## **8.2 Contribution to Knowledge**

First, this research adds to the growing literature on service quality in the public service and extends the discourse to the institutions administering the justice system. Second, this research also contributes to the ongoing debate on the use of the gap approach to service quality. The study confirms that SERVQUAL and SERVPERF are both good instruments for measuring OSQ. Nevertheless, while identifying that OSQ is useful, the study confirms that disaggregating the overall service quality concept into its subordinate dimensions is also very useful. Sometimes this disaggregation cannot be done with the quantitative instrument alone, and further qualitative assessments may be necessary. This study demonstrated how those different methods might be used.

This thesis also makes a theoretical contribution to the service quality scholarship, as it developed a conceptual model for the service quality relationships in the civil registry, identifying the five sets of actors and four distinct sets of service quality relationships. This was further conceptualised as a matrix, where each relationship may be disaggregated and examined. The project focused on the stratum that includes legal practitioners and registry employees. This thesis sets out a framework for further studies, such as the relationship between registry managers and registry staff.

One of the criticisms of the SERVQUAL method of measuring service quality is that it relies on the underlying assumption that there is a linear relationship between customer satisfaction and service quality, which is not always so (Pheng & Rui,

2016). Large gap scores will not always indicate the more important areas to prioritise for improvement. This study supports that argument. In the main survey, practitioners reported that they were most dissatisfied in the Responsiveness SQD (with the largest mean gap score of -2.46), but they overwhelmingly reported that Reliability was the most important dimension. The focus groups agreed with this assessment. This finding points to another line of enquiry which should not be confined to the civil registry or even the public service. The evidence suggested that the incongruence between gap scores and the relative importance of the dimensions is important and requires further study. Future assessments and investigation of service quality should consider appropriate methods of weighting the gap scores.

### **8.3 Contribution to Practice**

This study adds to the practice as it opens further discussion for application and management of resource to the justice system in general and especially, the civil registry. This study suggests that while the resource management approach of the government is not without impact, it is not sufficient. Other areas need to be considered. Thus, practitioners appear least dissatisfied with the tangible elements of the civil registry, but they are most dissatisfied with responsiveness and reliability of the civil registry which are the two areas that practitioners consider to be most important. The practitioners and the policymakers are not on the same page.

We now have a clear indication of how one set of stakeholders view the system. That indication relied only on the perceptions of legal practitioners, and further analysis of the opinions of other stakeholders is required. Nevertheless, assessing the practitioners' views is an important first step. Determining how registry clerks and registry managers view the service quality relationship is important and will require further study, and future studies should also seek to assess the perceptions

of registry clerks from those of the registry managers independently. This study has indicated how that may be done.

#### **8.4 Conclusion**

This thesis sought a better understanding of service quality in the delivery of services in the Supreme Court civil registry with the view that this knowledge may be useful in improving management practices in the registry. In 2007 the Jamaican Justice System Reform Task Force had recommended that a reformed Jamaican justice system should be accessible, accountable, affordable, timely, courteous, respectful, flexible, fair and competent, and the Task Force identified several ways in which the justice was failing in these areas. While addressing the service quality question, this study confirmed many of the concerns identified by that Task Force. The conceptual elements used in this study are different from those used by the Task Force's report, but these findings validate many of the Task Force's concerns. At the top of the Task Force's list of complaints were delays in the system, lack of respect for users and inadequate funding in support of the justice system. This study confirms that the civil registry does not deliver services accurately or on time. This study has focussed on only a small part of the Task Force's concerns, but its findings are very much in support for one of the Task Force's central concerns, that the civil registry's customers are not at the centre of service delivery in the justice system.

It is true that this study found that legal practitioners were least dissatisfied in the Tangible dimension of service quality, which might suggest that in applying more funding to the infrastructure one concern of the Task Force had been addressed. However, practitioners were still not satisfied with Tangibles and, in any event, it is the dimension they value least. A decade after the Task Force's report, there is nothing in the findings of this study to suggest that its concerns have been adequately

addressed. In summary, this study supports many of the conclusions of the Task Force, including that the agents of the justice system were unprofessional, inadequately trained, applied outdated and inefficient practices and lacked accountability.

The concerns of this thesis are much narrower than those of the Task Force, and there is no suggestion that service quality is a sufficient proxy for all the weaknesses of the Jamaican justice system. This work's premise is that service quality is worthy of investigation by itself, and a fully functioning justice system requires attention to the delivery of quality services to all its constituents. Thus, this study sought to identify, investigate and understand the perceptions of service quality in the Supreme Court civil registry in Jamaica, and evaluated the factors influencing the service quality of the registry. It did so from the perspective of the legal practitioner using the services, recognising that these were only one set of stakeholders in the service quality relationship. The study tied together different concepts, including the government's policy on reforming the justice system, the concerns of legal practitioners to deliver satisfactory services, and the use of quantitative and qualitative methods to assess the quality of services that practitioners perceived.

The study applied the gap model of service quality (Zeithaml et al., 1990) to the relationship between the practitioner and the registry staff, and posited nine research questions focused on the practitioners' perceptions of service quality. In answering the first seven questions, the conclusions were that practitioners had not received good overall service quality or satisfactory service in any of the dimensions of service quality examined, including the areas they regarded as most important. In answering the last two questions, the conclusion is that there was no difference in the

services perceived by male and female practitioners, nor between the perceptions of those working near or far from the Supreme Court. The overall conclusion is that notwithstanding the Government's efforts, legal practitioners are dissatisfied with the services of the civil registry.

Service quality in the Supreme Court civil registry requires further investigation, especially of the perceptions of staff and managers of the civil registry. There is now sufficient information to suggest that the government's policy which had emphasised improving the infrastructure of the justice system has not sufficiently addressed all the elements practitioners considered to be important. Concerns of reliability and responsiveness are measures of the skill, ability and the attitude of the registry's staff. These factors focus on whether the staff will deliver on time service, show an interest in solving the practitioners' problems, perform the required service right the first time and be willing to help practitioners in their use of the civil registry. These factors require the further attention of the managers of the civil registry, and the results here suggest that some of the resources which have been applied to infrastructural improvements could have been beneficially applied to other areas.

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### Appendix A

#### SERVQUAL Replication Studies

AUTHOR / DATE	INDUSTRY / COUNTRY	METHODOLOGY / ANALYSIS	KEY FINDINGS / CONCLUSIONS
Abari, Yarmoham- madian, & Esteki, (2011)	Postgraduate school in a non- govern-mental university.  Iran	Gap study using standard SERVQUAL questionnaire, measuring gap between level of current and expected quality.	Significant difference between expectations and current level of quality of services in responsiveness SQD. The other variables were ranked in this order, Empathy, Assurance, Tangibility and the confidence in service quality.
Aga & Safakli, (2007)	Professional Accounting Firms.  North Cyprus	SERVQUAL, 5- dimensional model. Pre- test with 30 clients. Final study posted 120 instruments, 109 returned, 9 unusable.	Five dimensions supported by data. Service quality, firm image, price of service have positive effect on customer satisfaction. Price of service influenced service quality. Only empathy dimension, with largest negative score, statistically significantly related to customer satisfaction. Clients believed a degree of service quality guaranteed by any firm.
Al Khattab & Aldehayyat, (2011)	Hospitality services, Hotels.  Jordan	SERVPERF only 5-point Likert scale administered to 350 customers in hotels, of which 280 considered valid for analysis. SERVQUAL's 5- dimensional model also used.	SERVPERF is a reliable and valid tool to measure service quality. Customers gave the lowest perception scores on tangible dimension

Ali & Raza, (2017)	Islamic banks. Pakistan	Modified SERVQUAL with unique compliance dimension. Self-administered questionnaire administered to 450 walk-in customers. Exploratory factor analysis followed by confirmatory factor analysis to test validity. Structural equation modelling used to test impact of different service quality dimensions on customer satisfaction.	Multidimensional scale is positively and significantly associated with unidimensional scale of customer satisfaction. New compliance dimension showed highest contributing factor. Study has practical implications for the policy-makers of Islamic banks to better understand the behavioural intentions of Islamic bank customers.
Babakus & Mangold, (1992)	Hospital Services. USA	SERVQUAL applied to small sample. Pre-test indicated some items redundant. Final 5-point Likert scale reduced to 15 pairs of questions and 5 dimensions of SQ. Questionnaires mailed to 2,036 patients, 443 returned. Exploratory factor analysis used.	Patients may have a clear idea on desirable levels of service attributes, but that actual service performance becomes difficult to assess either because of the time lapse or the unique nature of the service experience. "SERVQUAL" is reliable and valid in the hospital environment" (p. 780).
Behdioğlu et al., (2017)	Physiotherapy & rehabilitation hospital. Turkey.	Fuzzy SERVQUAL approach, with 22 questions and 5 dimensions, applied to 262 patients	Highest gap score was in tangibles, followed by responsiveness, reliability, assurance and empathy
Bland, (1997)	Policing services. UK	Quantitative analysis of Public expectation of services, applying SERVQUAL approach (described as gap analysis).	Gap analysis appears to offer a method for gathering useful, detailed information from customers about the service they receive. Gap analysis could also be used to inform the development of strategies to tackle these problems.



Bowers, Swan, & Koehler, (1994)	Hospital services. USA	Modified SERVQUAL. Focus groups used to identify 12 dimensions: Outcomes and Caring plus the original 10 dimensions identified by Parasuraman, Zeithaml, and Berry. Of 644 mailed questionnaires, 298 were returned.	Caring is a predictor of patient satisfaction, while tangibles was not. Several of SERVQUAL's original dimensions were not significant predictors of patient satisfaction. Empathy, Responsiveness, and Reliability were.
Brown, Churchill, & Peter, (1993)	Retail Services. USA	Focus group (of financial Institutions) used to develop validity measures scale. Lundstrom & Lamont's (1976) Consumer Discontent Scale also used. Total of 230 university subjects completed package with these and SERVQUAL scales.	Evidence of convergent validity of all SQ measures. SERVQUAL demonstrated moderate discriminant validity. Perceptions component outperforms SERVQUAL in predicting behavioural intentions. SERVQUAL dimensionality did not replicate.
Bryland & Curry, (2001)	Community Services (Catering and Grounds Maintenance). UK	Modified SERVQUAL 22-item, 5-dimension, 7-point Likert scale. Total of 140 questionnaires distributed to previous year's customers, 52 usable questionnaires returned.	Highest gaps for Reliability and Responsiveness. While SERVQUAL present difficulties in public sector context, eg. value for money, price and environmental impact, it should be used as planning and process tool.
Carman, (1990)	Dental school patent clinic, business school placement centre, tire store & acute care hospital. USA	Modified SERVQUAL, 26 items and 10 dimensions from original PZB study. Two other dimensions examined (Convenience & Cost). Questionnaires were self-administered. Principal axis factor analysis followed by oblique rotation.	Wording and subject of some individual items need to be customised in each service setting. More SQ dimensions are necessary. More of the original PZB should be retained. Serious problem with the value of the expectations battery of questions.

Carman, (2000)	Discharged patients from an acute care hospital.  USA	As generic SERVQUAL not appropriate, 6 dimensions were chosen: nursing care; accommodations; physician care; food service; preparation for discharge; & outcome. Total of 298 responses analysed (15.4% of mailing).	Conjoint methodology is a robust way to study attitude structure and appears superior to other implicit methods. Consumers appear to segregate affective dimensions of service quality from technical quality dimensions.
Carrillat, Jaramillo, & Mulki, (2007)	Service Quality.  USA	Investigated difference predictive validity of SERVQUAL and SERVPERF. Meta-analytic study of 42 effect sizes, from 17 empirical studies, conducted across five continents, spanning 17 years.	Overall, SERVQUAL and SERVPERF are equally valid predictors of OSQ. Adapting the SERVQUAL scale to the measurement context improves its predictive validity. Predictive validity of SERVPERF is not improved by context adjustments. Measures of services quality gain predictive validity when used in: less individualistic cultures, non-English speaking countries, and industries with an intermediate level of customization (hotels, rental cars, or banks).
Carvalho, Brito, & Cabral, (2010)	Conceptual Model of Public Service quality.  Portugal	Theoretical, methodological and managerial Analysis.	Public services involve pseudo-relationships involving 3 agents: citizen, public agency & society. Combination of attribute based measures and incident analysis is most significant. Constructs and frameworks designed for private services need to be adapted to the public service arena.

Cho , Kim & Kwak, (2016)	Service centres of electronics companies.  South Korea	SERVQUAL used as a basis to understand specific Customer Requirements (CRs), and as input information to the Quality Function Deployment (QFD). Respondents asked how important and how satisfied with 22 SERVQUAL features	SERVQUAL and Fuzzy QFD approach can provide insight into CRs for service centres in electronic industry.
Cock, Adams, Ibbetson, & Baugh, (2006)	Medical services.  UK	Modified version of SERVQUAL for GP Exercise Referral Scheme, REFERQUAL. Pre-pilot REFERQUAL distributed to 6 attendees, 5 ERSs and corresponding scheme organisers. Class of 30 invited to participate, 27 did. Respondents invited to comment on the instrument.	Satisfactory internal consistency demonstrated by Cronbach's 'alpha'. Clients responded favourably to usability, wording and applicability of the instrument's items. REFERQUAL suitable tool to evaluate service quality within the ERS community, subject to assessing validity and reliability of instrument using confirmatory factor analysis.
Cronin & Taylor, (1992)	Banking, pest control, dry cleaning and fast food.  USA	Total of 660 usable questionnaires gathered randomly from their residences by personal interviews in US city. Information gathered on 2 firms in 4 industries. Replication test of original SERVQUAL 22-questions scale. Confirmatory analysis. OBLIMIN oblique factor rotation.	Five-dimension structure found to be a poor fit. Postulates single-item scales of perception only questions, SERVPERF, as having superior predictive capacity. SERVPERF preferred instrument.
Cronin & Taylor, (1994)	General services.  USA	Conceptual & empirical analysis of SERVQUAL vs SERVPERF.	SERVPERF preferred instrument.

Dabholkar, Thorpe, & Rentz, (1996)	Retail stores' environment. USA	Data on all 22 SERVQUAL items, plus 28-item scale, 17 from SERVQUAL and 11 from literature and qualitative research. A sample of 227 respondents from 7 stores in 2 department chains was obtained. Questionnaires were self-administered. Confirmatory factor analysis, with cross-validation study at 2 stores with 149 respondents.	Effectively, introduced new scale to measure service quality in retail sector. Second-order factor to capture commonalities between dimensions. Appear measures of service quality not feasible across industries.
Datta & Vardhan, (2017)	University Branch Campuses. United Arab Emirates	SERVQUAL 5-dimensional model used to explore quality of Management Education across seven branch campus universities, surveying 300 students.	Significant difference between the student's expectations and perceptions in all five dimensions. Highest service quality gap was assurance, and lowest was responsiveness.
Donnelly & Shiu, (1999)	Public sector, Council Housing Maintenance. UK	Focus group of 9 tenants plus officials examined draft SERVQUAL. Consequently, researchers introduced 3 items, removed 1, amended 2, add description to each section, and add invitation of comments. Total of 354 usable responses (22%). Factor analysis & reliability analysis (Cronbach's $\alpha$ ).	Application of SERVQUAL approach and instrument problematic. Vital to develop instrument from both the deliverer and recipient perspectives. Instrument must be appropriately adapted and tested.

Donnelly, Kerr, Rimmer, & Shiu, (2006)	Police services. UK	Customised SERVQUAL. Postal survey of all 471 elected representatives (councillors) in the 12 local authorities in the force's area, 142 responses, 10 unusable.	While significant shortfall in meeting customer expectations, police force appears to have a good understanding of what these expectations are. The primary SERVQUAL instrument appears to be internally consistent but lacks discriminatory validity between the five SERVQUAL dimensions in this service arena. SERVQUAL can be applied to police services in Scotland
Donnelly, Wisniewski, Dalrymple, & Curry, (1995)	Local Government. UK	Conceptual analysis of SERVQUAL model.	SERVQUAL has broader applicability than customer expectations and perceptions. In principle, can be applied to local government services.
Durvasula, Lysonshi, & Madhavi, (2011)	Higher educational services. India & USA	SERVQUAL 12-item scale was used for assessing personal values regarding services. Data collected from university students (n=176 USA, n=242 India).	Personal values can be used as a way of differentiating a service that goes beyond the measurement of satisfaction and service quality. SERVQUAL scale lacks the means to identify the more basic human values that reside within a student.
Durvasula, Lysonski, & Mehta, (1999)	Business-to-business services (Ocean freight shipping). Singapore	Original SERVQUAL, 22-item, 5-dimension, 7-point Likert scale. Data collected from shipping managers, n=114, randomly selected from list of all shippers.	Service quality measures developed for consumer services can only be applied with caution in business-to-business marketing. Psychometric properties of the SERVQUAL perceptions scores found to be a better predictor than the SERVQUAL gap scores. Fit of the five-dimensional factor structure is reasonable, but the measures may be better represented by a more parsimonious structure.

Dyke, Prybutok, & Kappelman (1999)	Information systems. USA	Slightly modified IS-SERVQUAL, 13 paired questions & 4 dimensions. Data from 138 executive and information systems professional customers on 5-point scale.	Modified instrument (IS-SERVQUAL) suffered from unstable dimensionality, poor predictive & convergent validity, & inadequate reliability. Gap measure problematic.
Finn & Lamb, (1991)	Retail stores USA	SERVQUAL with all the original 22 items. Confirmatory factor analysis	The five-factor structure had a poor fit. No other structure analysed. Without modification, SERVQUAL could not be used as a valid measure in retail environment.
Ganiyu, (2016)	Domestic Airline Carriers. Nigeria	Modified SERVQUAL, with 28 questions and 5 dimensions. Cross-sectional survey, convenience sampling of 800 travellers in Lagos State. Data analysed using descriptive statistics, Pearson's correlation analysis, and one-sample t test.	Modified SERVQUAL model is a good instrument to evaluate perceived service quality of air travellers in the Nigerian airline industry. Perceived service quality by operators recorded relatively low mean scores, implying that airlines' performance fall below passenger expectations.
Gayathri, Vinaya, & Lakshmisha, (2006)	Insurance. India	Heavily modified SERVQUAL, with 7-point Likert scale. Sample collected for each insurance company (219 surveys from 168 individuals).	Service quality dimensions could be a basis for differentiation between insurance companies.
Gregorio, Santos, Pires, Prada, & Queiroga, (2016)	Veterinary health services. Portugal.	Modified SERVQUAL questionnaire, using 7-point Likert scale, administered to 133 respondents, including owners of pets with cancer and owners from general pet population. Differences in scores between groups were compared using Kruskal-Wallis and Mann-Whitney tests.	Owners of pet with cancer seem to constitute a specific subpopulation with special needs and veterinary staff should invest resources towards Assurance instead of privileging Tangible aspects of veterinary services.

Groff, Stumberger, & Slapnicar, (2012)	Professional firms (Accounting). Slovenia.	SERVQUAL, with small modifications; analytical; analysis of survey data	Professional qualification is positively associated only with accountant's competences. Perceived competences affect other dimensions of perceived service quality – assurance, reliability, responsiveness and empathy and only these latter dimensions are associated with customers' retention decision.
Hernon & Calvert, (2005)	Electronic Library Services. New Zealand	Heavily modified e-SERVQUAL. Focus groups with 25 library staff at 4 universities suggested new statements and wordings. Self-selected sample of library customers asked to identify expectations, but required no change. Data collection from 206 based on convenience non-probability sampling.	"Ease of use", a new category, rated as the most important, and "Web site aesthetics" was the least important dimension. "Reliability" ranked third as most important and eight as least important. Library e-SERVQUAL is one means for creating active listening—between customers and library staff.
Hu, Liu, Su, & Huang, (2016)	Retail Business. Taiwan	SERVQUAL scale with minor amendments. Population selected from customers of four retail stores, resulting in 200 surveys.	Results indicated strict measurement invariance across gender.
Khorshidi, Nikfalazar, & Gunawan, (2016)	Services which are provided in trains for passengers. Australia.	An adapted SERVQUAL questionnaire was created for measuring quality of train's internal services. Statistical process control was used for service quality through a structured framework.	Reliability is the most important dimension in internal services of train for the passengers.

Kilbourne Duffy, Duffy, & Giarchi, (2004)	Long-term health care services.  USA & UK	Analysis of meaning and structure of SERVQUAL across UK and USA, sampling 195 US nursing home residents and 99 from UK	With only minor modifications, SERVQUAL is invariant across the two samples, and therefore has the potential to be used in the context of long-term health care for these two countries, and that reliable comparisons of construct means can be made between the countries.
Lam & Woo, (1997)	Banks, Restaurants, Supermarkets & Retail Chain.  Hong Kong	Four sets of Questionnaires given to 233 undergraduate management students & asked to note industry on front page and complete the scales for the 4 industries. Sample of 217 obtained. Re- administered after 1 week, and again after 2 months; and 159 matching responses finally obtained.	Expectation battery stable but performance items subject to instability. Insignificant correlation between test and retest scores reveal SERVQUAL not stable over time.
Lam, (1997)	Hospital services.  Hong Kong	22-item SERVQUAL Scale with 5-point Likert-response format. Factor Analysis.	Scales exhibit valid and reliable measures of health care service quality. But expectation, performance and gap scores treated as unidimensional measures without meaningful underlying dimensions.
Lee, Lee, & Yoo, (2000)	Entertainment Park, Aerobic School, & Investment Consulting Firm.  Korea	15 Items, 3 each from each SERVQUAL and SERVPERF dimensions. Respondents from Entertainment park (196), Aerobic School (197) & Investment Consulting Firm (128). Regression. LISTREL- based confirmatory analysis	Performance-based measures capture more of the variation in service quality than do the difference (P-E) measures. Support for notion that perceived service quality leads to satisfaction. Tangibles are a more important factor in the facility/equipment-based than the people-based service industries.



Mahmoud & Khalifa, (2015)	University Students. Syria	Cross-sectional survey, using a pilot sample of 40 students. Thereafter, sample of 259 students. Hypotheses tested using structural equation modelling and one-sample <i>t</i> test.	SERVPERF in Syrian universities was a 3-factor instrument consisting of the three dimensions: faculty-individualized attention, support staff helpfulness, and support staff empathy. Findings showed students hold negative perceptions toward all of the three service quality dimensions.
Manulik, Rosińczuk, & Karniej, (2016)	Specialist ambulatory health care centre. Poland	Survey of 412 patients, 211 from public facility, and 201 from private facility using 22-item, 5-domain SERVQUAL questionnaire.	At both facilities, patients' expectations of SQ differ substantially from perceptions to disadvantage of the latter. Non-public customers have highest expectations of equipment and infrastructure, while public customers have the highest expectations of relations with medical staff.
McAlexander, Kaldenberg, & Koenig, (1994)	Health Services, Dental Clinics. USA	Patients from 2 dental offices invited by post to complete SERVQUAL questionnaire. After 6 weeks, total of 346 questionnaires returned (response rate of 36%).	Performance measures superior to gap measures. Expectations did not add predictive power to model.
Oliaee, Jabbari, & Ehsanpour, (2016)	Midwifery section of the health centres of Isfahan. Iran	Descriptive, comparative, cross-sectional study of 201 women referred to Midwifery section, using 22-question, 5-dimensional model of SERVQUAL. Frequency distribution, mean, standard deviation, paired <i>t</i> , Pearson correlation, Spearman correlation, and independent <i>t</i> tests were used for analysis.	Negative gap showed that level of service receivers' perception was far from their expectation. There was wide gap between attaining satisfaction with midwifery services and expectation and reaching appropriate level of service. Greatest gap was in the tangibles SQD. Smallest gap was in Assurance SQD. No significant association with age, education level, occupation, and marital status.

Pheng & Rui, (2016)	Hospital Facilities Management (FM). Singapore	Evaluated FM service quality standards in Singapore's hospitals from the patient's perspective. Applied SERVQUAL to Kano Model of Performance, Basic, Excitement, indifferent & Reverse requirements.	Patients generally have a high perception of services in Singapore's hospitals, but they also have a higher expectation.
Rezaei , Matin, Moradi, Bijan, Fallahi, Shokati, & Saeidi, (2016)	Educational Hospital Services. Iran.	Cross-sectional study of educational hospitals using 22 questions, 5-dimension SERVQUAL with 5-point Likert scale. Research population included patients who were hospitalized at least two days in one of seven educational hospitals. Sample size, 400 patients.	Negative gaps in all the dimensions in the studied hospitals. Recommended that planners and managers improve timeliness of the delivery of care and enhance the communication skills of staff members.
Rodrigues, Barkur, Varambally, & Motlagh, (2011)	Higher Education, Engineering Students. India	Pilot test of 35 students, followed by stratified random sampling of 84 students each for both SERVQUAL & SERVPERF (total of 168).  Self-administered Questionnaires were delivered on a personal mode to the students in the randomly chosen classrooms in the three major disciplines of engineering (strata). Metric was 5-point Likert scale.	SERVQUAL and SERVPERF differ significantly in their outcomes in a higher educational institute. However, they uniformly classify the level of Service quality into a given category of service quality satisfaction. (High, Medium, or Low). They have almost identical rank order ability. Instruments differ in outcomes. Both should be applied on the combined basis. Hybrid instrument may be considered for future researchers.

Selber, (1998)	Health & Human Services. USA	Purpose of study: collect information on gap 1-4 of PZB model. A 22-item SERVQUAL scale used in 20 health & human services programmes across 2 public organizations. Focus groups conducted on-site to define external customer entities. Content validity checked at focus group stage. Multiple regressions of scales. ANOVAS.	Reliability & validity of SERVQUAL as adapted for health & human services are adequate. All five dimensions relevant to customers in health care. Gap model provided much-needed diagnostic data. Model provides more complete understanding of nature of service quality in health & human services, and provides more complex and through understanding of how factors impact perceived service quality.
Sureschchandar, Rajendran, & Anantharaman, (2002)	Banking Sector. India	Proposed 5 different factors of SQ. SERVQUAL items modified: 2 items deleted, 5 items retained, 14 items slightly modified, merged and reduced to 10, plus 8 items. Stratified random sampling 452 customers from 51 banks, producing 277 completed questionnaires. Factor Analysis	All five new factors of customer-perceived service quality show strong evidence of uni-dimensionality, reliability, convergent, discriminant and criterion-related validities. Customer perceptions of service quality can be considered as the new five-factor structure.
Teas, (1993)	Non-specific. USA	Original 22 items on SERVQUAL scale. Conceptual and mathematical arguments on the functional relationships between perceived performance and service quality. Examined criterion and construct validity of 8 different service quality models	Gap model indicate problems, which create ambiguity. Expectation measures lack discriminant validity. Variance may come from misinterpretation of questions rather than different perceptions. Evaluated performance has greater construct and concurrent validity. This may be more valid than SERVQUAL.

Vaughan & Shiu, (2001)	Voluntary sector UK	Seven focus groups, content analysis of transcripts, resulted in 40 attributes. Pilot study of 3 sets of 40 questions (expectations, perceptions, and importance) for 72 usable cases.	SERVQUAL found to be inappropriate in the Scottish non-profit sector. Thus, development of alternative multi-item scale, ARCHSECRET, comprising service quality features that are distinct from SERVQUAL dimensions and attuned to evaluations from service recipients in the voluntary sector.
Vaughan & Woodruffe-Burton, (2011)	Students with disabilities. UK	ARCHSECRET vs SERVQUAL. Postal surveys of students with registered disabilities. ARCHSECRET 158/400. Modified SERVQUAL 188/400.	ARCHSECRET reliable and valid for disabled students in higher education, superior to SERVQUAL in prediction of variation of evaluation. Neither model fully supported dimensional structure.
Weekes, Scott, & Tidwell, (1996)	Professional business services. Australia	Preliminary interviews confirmed all SERVQUAL dimensions relevant. Four point, 60 statement scale. Sample from clients of 2 accounting firms. Total of 65 usable from 155 mailed questionnaires.	SERVQUAL provides generic base for additional industry-specific dimensions.
Wisniewski & Donnelly, (1996)	Public sector, library services. UK.	SERVQUAL adapted to library services, with 368 completed questionnaires from theoretical population of 80,000.	SERVQUAL “provides the most complete expression yet available of the issues which influence consumers in their assessment of service quality”, but public sector- organizations face difficulties in measuring service quality. Further applications to public sector services required to assess the portability and reliability

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Wisniewski, (2001)	Public Sector, council services.  UK.	Pilot work across several councils. SERVQUAL adapted for each service: Catering, building, development control, grounds, housing repairs, leisure, and library, with 100- 500 responses per service.	Public sector service managers find the gap approach and the dimension approach conceptually attractive and operationally useful. Remains to be verified if PZB's 5 dimensions are transportable to other service sectors. SERVQUAL cannot give a complete picture.
Yin, Huang, Shieh, Liu, & Wu, (2016)	Telehealth services.  Taiwan.	Study combined SERVQUAL model and 4- quadrant importance- performance analysis to evaluate telehealth services provided by a case hospital.	Integrated approach worked well to evaluate SQ then classify service items into different categories of importance and performance. Study relied on 5 dimensions and 21 questions.

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**Appendix B****“PZB” service quality journey (1981-1994)**

Research Phases	Nature of the Research	Key Research Outcomes	Marketing Science Institute (MSI) Research Reports Published
Pilot (1981-82)	Review and synthesis of insights from extant literature	Proposal developed and submitted to MSI	
Phase 1 (1982-84)	Qualitative	Conceptual model of service quality (“Gaps Model”)	Parasuraman, Zeithaml, and Berry (1984), “A Conceptual Model of Service Quality and Its Implications for Future Research,” MSI Report No. 84-106.
Phase 2 (1984-86)	Quantitative	SERVQUAL (instrument for assessing service quality)	Parasuraman, Zeithaml, and Berry (1986), “SERVQUAL: A Multiple-Item Scale for Measuring Customer Perceptions of Service Quality,” MSI Report No. 86-108.
Phase 3 (1986-89)	Qualitative and quantitative	Extended gaps model and its empirical assessment	Zeithaml, Berry, and Parasuraman (1987), “Communication and Control Processes in the Delivery of Service Quality,” MSI Report No. 87-100. Parasuraman, Berry, and Zeithaml (1990), “An Empirical Examination of Relationships in an Extended Model of Service Quality,” MSI Report No. 90-122.
Phase 4 (1989-91)	Qualitative	Conceptual model of the nature and determinants of customers’ service expectations	Zeithaml, Berry, and Parasuraman (1991) “The Nature and Determinants of Customer Expectations of Service,” MSI Report No. 91-113.
Phase 5 (1991-94)	Quantitative	Refined SERVQUAL instrument	Parasuraman, Zeithaml, and Berry (1994), “Moving Forward in Service Quality Research: Measuring Different Levels of Customer Expectations, Comparing Alternative Scales, and Examining the Performance-Behavioral Intentions Link,” MSI Report No. 94-114.

Source: Parasuraman, 2011, p. 8

## Appendix C

### Instructions on Completing Questionnaire

Please do not attempt to answer questions on the questionnaire until after you are familiar with these instructions.

I am interested in learning something about your experiences in dealing with the Supreme Court Civil Registry. The information you supply will allow me to develop more informed ideas about the operations of the civil registry. This information will be used in preparing papers for discussion at conferences and workshops, preparing academic papers for University and preparing articles for publication in academic journals. It is hoped that the results will also assist legal practitioners, public sector policy makers and public-sector managers in improving the services in the court system

Your right to privacy is always respected. Do not write your name on the questionnaire. There is no way in which the information you provide can be directly or indirectly identified with you. You do not waive any rights merely by participating in the survey. This study complies with the appropriate government regulations and academic guidelines for the Protection of Human Subjects.

You should experience no stress, embarrassment or loss of self-esteem by participating in this survey. However, I need your honest responses and it is important that you provide an answer to each question asked. You may stop participating in the survey at any time.

If you have read the above, or had it read to you, and understand the nature of this study then you may proceed to participate in it. Please take one survey form. Fill in all the questions as best you can. Please leave the completed form at the survey desk, or return it to:

GRACE A MCKOY  
ATTORNEY-AT-LAW  
19 HOLBORN ROAD  
KINGSTON 10

Thank you for your kind assistance and participation in this study.

Grace A McKoy  
DBA Candidate  
Edinburgh Napier University

Consent Form

**Title of Project:** Service Quality in the Supreme Court Registry

**Name of Researcher:** Grace A. McKoy

		<b>Please Initial</b>
1	I confirm that I have read, or have had read to me, the “Instructions on Completing Questionnaire” overleaf, and I understand the information on the instructions and the questionnaires. I have had the opportunity to ask questions and have had them answered to my satisfaction.	
2	I understand that my participation is voluntary, that I am free to stop participating at any time, without giving any reason and without my legal rights being affected.	
3	I agree to take part in the above study.	
4	I agree that the information I provide may be used anonymously in publications, and that I will not be identified.	

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Researcher



**Appendix D**

Jamaica Supreme Court Civil Registry Questionnaires

Questionnaire Part 1

DIRECTIONS: Based on your experience as someone dealing with court registries, think about the kind of court civil registry that **would deliver** excellent quality of service to its users. Think about the kind of court civil registry that you would be pleased to deal with. Show the extent to which such a court civil registry **would possess** the features described in each statement.

If you feel that a feature is not at all essential for an excellent court civil registry, circle the number “1”. If you feel a feature is absolutely essential for an excellent court civil registry, circle “5”. If your feelings are less strong, circle one of the numbers in the middle. There is no right or wrong answer. We are interested only in the number that truly reflects your feelings regarding a court civil registry that would deliver excellent quality of service.

Circling 1 means you strongly disagree that a Civil Registry should have the feature.  
 Circling 2 means you disagree that a Civil Registry should have the feature.  
 Circling 3 means you neither agree nor disagree that a Civil Registry should have the feature.  
 Circling 4 means you agree that a Civil Registry should have the feature.  
 Circling 5 means you strongly agree that a Civil Registry should have the feature.

		Strongly Disagree			Strongly Agree	
		1	2	3	4	5
1	An excellent Civil Registry will have modern looking equipment	1	2	3	4	5
2	The physical facilities at an excellent Civil Registry will be visually appealing	1	2	3	4	5
3	Employees at an excellent Civil Registry will be neat-appearing.	1	2	3	4	5
4	Materials associated with the service in an excellent Civil Registry (such as pamphlets or statements) will be visually appealing.	1	2	3	4	5
5	When an excellent Civil Registry promises to do something by a certain time, it will do so.	1	2	3	4	5

		Strongly Disagree			Strongly Agree	
6	When a customer has a problem, an excellent Civil Registry will show a sincere interest in solving it.	1	2	3	4	5
7	An excellent Civil Registry will perform the service right the first time.	1	2	3	4	5
8	An excellent Civil Registry will provide their services at the time they promise to do so	1	2	3	4	5
9	An excellent Civil Registry will insist on error-free records	1	2	3	4	5
10	Employees in an excellent Civil Registry will tell customers exactly when services will be performed	1	2	3	4	5
11	Employees in an excellent Civil Registry will give prompt service to customers	1	2	3	4	5
12	Employees in an excellent Civil Registry will always be willing to help customers	1	2	3	4	5
13	Employees in an excellent Civil Registry will never be too busy to respond to customers' requests.	1	2	3	4	5
14	The behavior of employees in an excellent Civil Registry will instill confidence in customers.	1	2	3	4	5
15	Customers of an excellent Civil Registry will feel safe in their transactions with the registry	1	2	3	4	5
16	Employees in an excellent Civil Registry will be consistently courteous with customers using the services of the registry	1	2	3	4	5
17	Employees in an excellent Civil Registry will have the knowledge to answer customers' questions.	1	2	3	4	5
18	An Excellent Civil Registry will give customers individual attention.	1	2	3	4	5
19	An excellent Civil Registry will have operating hours convenient to all their customers.	1	2	3	4	5
20	An excellent Civil Registry will have employees who give customers personal attention.	1	2	3	4	5

		Strongly Disagree			Strongly Agree	
21	An excellent Civil Registry will have the customers' best interest at heart.	1	2	3	4	5
22	The employees of an excellent Civil Registry will understand the specific needs of the users of the registry.	1	2	3	4	5

## Questionnaire Part 2

DIRECTIONS: Based on your experience as someone dealing with the Supreme Court Civil Registry, the following relates to your actual experiences with the registry. For each statement, please show the extent to which you believe that the Supreme Court Civil Registry **has** the feature described in the statement. There is no right or wrong answer. All we are interested in is a number that best shows your experience in using the Supreme Court Civil Registry. You may circle any number to show how strong your feelings are.

Circling 1 means you strongly disagree the Supreme Civil Registry actually has the feature.

Circling 2 means you disagree the Supreme Civil Registry actually has the feature.

Circling 3 means you neither agree nor disagree the Civil Registry actually has the feature.

Circling 4 means you agree the Supreme Civil Registry actually has the feature.

Circling 5 means you strongly agree the Supreme Civil Registry actually has the feature.

		Strongly Disagree			Strongly Agree	
1	The Supreme Court Civil Registry has modern-looking equipment.	1	2	3	4	5
2	The Supreme Court Civil Registry's physical facilities are visually appealing.	1	2	3	4	5
3	The Supreme Court Civil Registry's employees are neat-appearing.	1	2	3	4	5
4	Materials associated with the service (such as pamphlets or statements) are visually appealing at the Supreme Court Civil Registry.	1	2	3	4	5
5	When the Supreme Court Civil Registry promises to do something by a certain time, they will do so.	1	2	3	4	5
6	When you have a problem, the Supreme Court Civil Registry shows a sincere interest in solving it.	1	2	3	4	5
7	The Supreme Court Civil Registry performs the service right the first time.	1	2	3	4	5
8	The Supreme Court Civil Registry provides its services at the time it promises to do so	1	2	3	4	5

		Strongly Disagree			Strongly Agree	
		1	2	3	4	5
9	The Supreme Court Civil Registry insists on error-free records.	1	2	3	4	5
10	Employees at the Supreme Court Civil Registry tell you exactly when services will be performed.	1	2	3	4	5
11	Employees at the Supreme Court Civil Registry give prompt service.	1	2	3	4	5
12	Employees at the Supreme Court Civil Registry are always willing to help you.	1	2	3	4	5
13	Employees in the Supreme Court Civil Registry are never too busy to respond to your requests.	1	2	3	4	5
14	The behavior of employees at the Supreme Court Civil Registry instill confidence in you.	1	2	3	4	5
15	You feel safe in your transactions with the Supreme Court Civil Registry.	1	2	3	4	5
16	Employees in Supreme Court Civil Registry are consistently courteous with you.	1	2	3	4	5
17	Employees in the Supreme Court Civil Registry have the knowledge to answer your questions.	1	2	3	4	5
18	The Supreme Court Civil Registry gives you individual attention.	1	2	3	4	5
19	The Supreme Court Civil Registry has operating hours convenient to all persons using it.	1	2	3	4	5
20	The Supreme Court Civil Registry has employees who give you personal attention.	1	2	3	4	5
21	The Supreme Court Civil Registry has your best interest at heart.	1	2	3	4	5
22	Employees of the Supreme Court Civil Registry understand your specific needs.	1	2	3	4	5

## Questionnaire Part 3

DIRECTIONS: Listed below are five sets of features pertaining to the Supreme Court Civil Registry and the services it provides. We would like to know **how important** these features are to you when you evaluate the Supreme Court Civil Registry. As before, there is no right or wrong answer. All we are interested in is the set of features you regard as most important and the set of features you regard as least important. You may circle any number to show your choice of features.

**First**, circle the number on the left for the set of features which are **MOST** important.

<b>These features are the MOST important (You may choose only one):</b>	<b>Circle one</b>
Appearance of the physical facilities, equipment, personnel and communication materials.	<b>1</b>
The ability to perform the promised services dependably and accurately.	<b>2</b>
Willingness to help customers and provide prompt service.	<b>3</b>
Knowledge and courtesy of employees and their abilities to inspire trust and confidence.	<b>4</b>
The caring and individualized attention that the Registry provides its customers.	<b>5</b>

**Second**, circle the number on the left for the set of features which are **LEAST** important.

<b>These features are the LEAST important (You may choose only one):</b>	<b>Circle one</b>
Appearance of the physical facilities, equipment, personnel and communication materials.	<b>1</b>
The ability to perform the promised services dependably and accurately.	<b>2</b>
Willingness to help customers and provide prompt service.	<b>3</b>
Knowledge and courtesy of employees and their abilities to inspire trust and confidence.	<b>4</b>
The caring and individualized attention that the Registry provides its customers.	<b>5</b>

## Questionnaire Part 4

DIRECTIONS: Listed below are some general and demographic questions. Nothing here will allow anyone to identify who answered the questionnaire. Please tell us your gender, whether you work downtown, your occupation, the time of day and the date you completed this questionnaire.

1	Gender (circle one)	MALE	FEMALE		
2	Do you work in Downtown Kingston? (circle one)	YES	NO		
3	Occupation (circle one)	ATTORNEY- AT-LAW	LEGAL CLERK / PARA-LEGAL	PRIVATE USER	OTHER
4	Time of day you completed this questionnaire: (circle one)	In the morning (AM)	In the afternoon (PM)		
5	Date you completed this questionnaire:	<u>DAY</u>	<u>MONTH</u>	<u>YEAR</u>	

## Appendix E

### Part 3 of the Original SERVQUAL Scale

Directions: Listed below are five features pertaining to \_\_\_\_\_ companies and the services they offer. We would like to know how important each of these features is to *you* when you evaluate a \_\_\_\_\_ company's quality of service. Please allocate a total of 100 points among the five features *according to how important each feature is to you* – the more important the feature is to you, the more points you should allocate to it. Please ensure that the points you allocate to the features add up to 100.

- |   |  |              |
|---|--|--------------|
| 1 | The appearance of the _____ company's physical facilities, equipment, personnel and communication materials. | _____ points |
| 2 | The _____ company's ability to perform the promised services dependably and accurately.                      | _____ points |
| 3 | The _____ company's willingness to help customers and provide prompt service.                                | _____ points |
| 4 | Knowledge and courtesy of the _____ company's employees and their abilities to inspire trust and confidence. | _____ points |
| 5 | The caring and individualized attention that the Registry provides its customers is important.               | _____ points |

**TOTAL points allocated**

**100**

Which one of the features among the above five is *most important* to you? (Please enter the feature's number)

\_\_\_\_\_

Which feature is *second* most important to you?

\_\_\_\_\_

Which feature is *least important* to you?

\_\_\_\_\_

Source: Zeithaml et al., (1990) p. 184.



**Appendix F**

Questionnaire Part 3

DIRECTIONS: Listed below are five features pertaining to the Supreme Court Civil Registry and the services it provides. We would like to know **how important** these features are to you when you evaluate the Supreme Court Civil Registry. As before, there is no right or wrong answer. All we are interested in is a number that best shows how highly you value a feature. You may circle any number to show how strong your feelings are.

Circling 1 means that you strongly disagree that this feature is important.

Circling 2 means that you disagree that this feature is important.

Circling 3 means that you neither agree nor disagree that this feature is important.

Circling 4 means that you agree that this feature is important.

Circling 5 means that you strongly agree that this feature is important.

		Strongly Disagree			Strongly Agree	
		1	2	3	4	5
1	The appearance of the physical facilities, equipment, personnel and communication materials are important.	1	2	3	4	5
2	The ability to perform the promised services dependably and accurately is important.	1	2	3	4	5
3	Willingness to help customers and provide prompt service is important.	1	2	3	4	5
4	Knowledge and courtesy of employees and their abilities to inspire trust and confidence are important.	1	2	3	4	5
5	The caring and individualized attention that the Registry provides its customers is important.	1	2	3	4	5

## Appendix G

### Guide Sheet for Focus Group Discussions

#### Section A – Qualitative assessment of the Supreme Court civil registry

1. What do you think of the physical appearance of the facilities, equipment, personnel and communication materials of the Supreme Court Civil Registry?
2. How would you describe the staff and their general appearance?
3. What do you think of the ability of the civil registry staff to perform the promised services dependably, accurately and on time?
4. Do members of the civil registry show a sincere interest in solving your problems?
5. Are employees in the civil registry always willing to help you?
6. Do members of the civil registry provide you with prompt service?
7. Do you think that the staff of the civil registry have the knowledge and abilities to inspire your trust and confidence?
8. Are the members of staff of the civil registry consistently courteous with the users of the registry?
9. Do the members of staff of the civil registry provide caring and individualized attention to persons using the registry?
10. Do you think that the staff of the registry have the lawyers and clients' best interest of at heart?
11. Describe the service received when you access the civil registry.
12. In your opinion, what are some recommendations that can be used to improve your experience using the registry?

**Section B – Evaluation of quantitative instrument**

Hand out Questionnaire and give participants 10 minutes to review the questionnaire.

1. Are you familiar with the instrument presented?
2. Did you complete this instrument at any time?
3. In your opinion, what was your general perception towards the questions, layout and structure of the questions asked?
4. In your opinion, what was your general attitude towards the questions, layout and structure of the questions asked?
5. Do you think the questions adequately addressed your concerns about the registry?

**Section C – Assessment of Summary Results of the Survey's Main Findings**

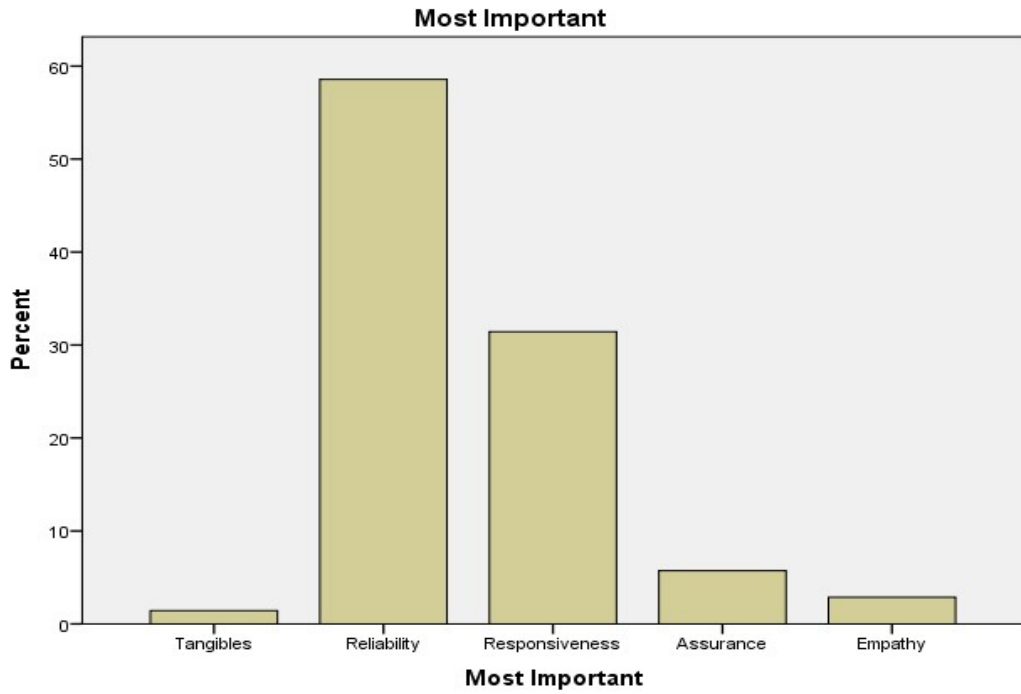
Hand out and review the Summary Results of Main Findings of Survey:

1. Do you think the findings provide an accurate assessment of the registry?
2. Please give reasons for your response and provide examples that may assist with the validation of the information shared?

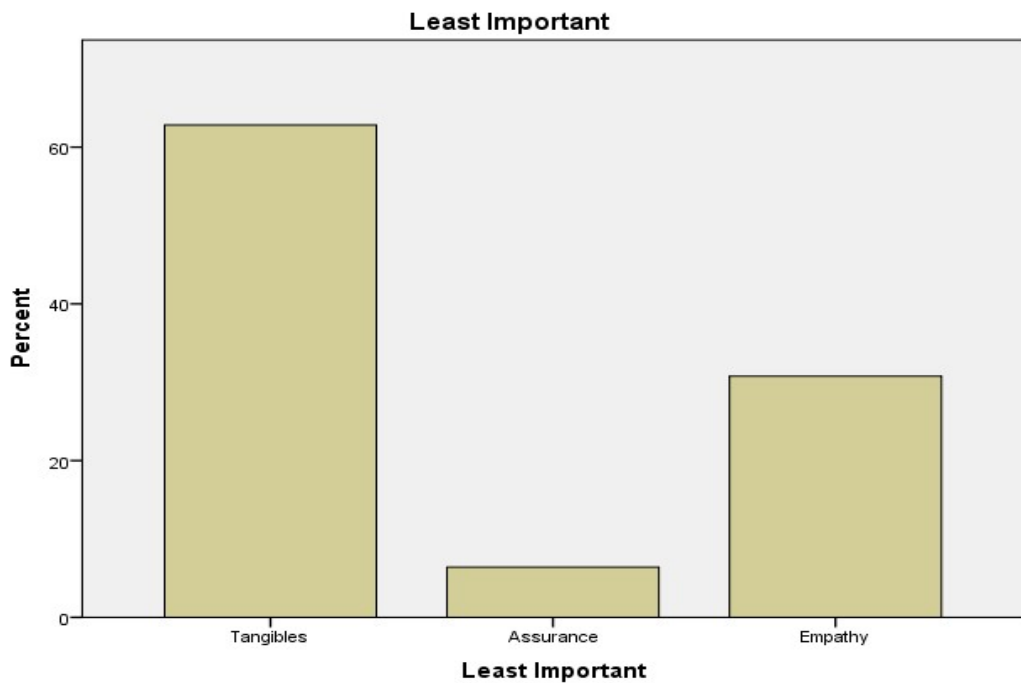
## Appendix H

### Summary Results of Main Findings of Survey

- 1: Practitioners perceive that they do not receive satisfactory overall service quality from the Supreme Court civil registry.
- 2: Practitioners perceive that the appearance of the physical facilities, equipment, personnel and communication materials of the civil registry are not satisfactory.
- 3: Practitioners perceive that the civil registry staff cannot perform the promised services dependably and accurately.
- 4: Practitioners perceive that civil registry staff members are not willing to help customers and provide prompt service.
- 5: Practitioners perceive that civil registry staff members do not have the knowledge and ability neither do they demonstrate the courtesy to inspire trust and confidence.
- 6: Practitioners perceive that they do not receive caring and individualized attention from the Supreme Court civil registry.
- 7A: Practitioners think that **Reliability** (ability to perform the promised services dependably and accurately) is the **most important** characteristic of the civil registry:



7B: Practitioners think that **Tangibles** (appearance of the physical facilities, equipment, personnel and communication materials) is the **least important** characteristic of the civil registry:



- 8: Male and female practitioners perceive they receive the same overall service quality from the Supreme Court civil registry.
- 9: Practitioners perceive that those working in closer proximity to the Supreme Court receive the same overall service quality from the civil registry as practitioners who do not work near the Supreme Court.

**Appendix I****Focus Group Data Sheet**

---

Name of Participant

---

Age at Last Birthday  
(Optional)

---

Gender of  
Participant (circle  
one)

Male

Female

---

Occupation (circle  
one)

Attorney-at-  
Law

Legal Clerk /  
Para-Legal

Private  
User

Other

---

Place of work (circle  
one)

Downtown Kingston

Greater Metropolitan  
Area

---

Telephone Number

---

Email Address

---

Have you ever used  
the Supreme Court  
civil registry?

---

**Appendix J****Focus Group Participant's Statement and Consent**

The purpose of the interview and the nature of the questions have been explained to me. I consent to share in the discussion about my experiences. I agree to the focus group discussion being audio recorded. My participation is voluntary. I understand that I can withdraw from the study at any time. I am aware that the information that I provide during the focus group will be grouped with answers from other people so that I cannot be identified.

---

Please Print Your Name

---

Date

---

Please Sign Your Name

---

Witness: Print Name

---

Signature

---

Date



**Appendix K**

**Raw Data from Main Survey**

**Expectation Questions**

	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e
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Perception Questions

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	p 1	p 2	p 3	p 4	p 5	p 6	p 7	p 8	p 9	p 10	p 11	p 12	p 13	p 14	p 15	p 16	p 17	p 18	p 19	p 20	p 21	p 22
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**Other Questions**

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24	-	1	1	2	1	2
25	1	5	1	2	2	2
26	5	1	1	2	1	2
27	3	5	1	2	1	2
28	2	1	1	1	1	1

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30	2	1	1	1	1	1
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32	-	5	2	2	1	1
33	-	-	2	2	1	1
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57	-	-	2	2	1	2
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	imp1	imp2	d1	d2	d3	d4
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60	3	1	2	2	1	1
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63	2	5	2	2	1	2
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66	2	1	2	1	1	2
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83	2	1	2	1	1	2
84	2	1	1	2	1	2
85	2	1	2	2	-	1
86	3	1	2	1	2	1
87	2	1	1	1	1	1
88	2	4	1	1	2	1