

**NEED FOR ATTITUDINAL CHANGE AMONG COURT
EMPLOYEES.**

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First and foremost, I would like to thank God Almighty for keeping us all alive and in good health up to this day. With humility, I would like to express my profound gratitude to the Administrator of the National Judicial Institute, *Hon. Justice R.P.I. Bozimo, OFR*, and the Management of the Institute for giving me this opportunity to serve as a resource person in this Workshop. I am most grateful for the privilege.

The title of this paper, **“Need for Attitudinal Change among Court Employees”**, is very apt because a positive attitude is no doubt an important aspect of an organised institution like the Court. Furthermore, the theme of this Workshop **“Building Capacity of Court Employees for Optimum Performance”** goes to show that having a good attitude will enhance better productivity in our courts and consequently promote the administration of justice.

This training course is also designed to create awareness among Court Employees on the dangers of entrenched values and unethical behaviour that can be disastrous to the Judiciary. It aims to provide participants with relevant knowledge, skills and techniques to improve on work ethics, organizational culture and behaviour towards improved productivity and above all effective administration of justice.

What then is attitude?

Attitude means the choice to be positive or negative about a certain idea. It affects a person's action, responses, and rewards¹. Attitude is also a manner of thinking, feeling, or behaving that reflects a state of mind or disposition².

“Our attitude” could therefore mean our opinion or feeling about something usually shown by our behaviour. It can be positive/right or negative/wrong. It involves our feelings, values, beliefs and disposition which makes us to act or behave in a certain way. A right attitude will lead to increase in productivity and positive results in the administration of justice. Our attitude to work can then be said to mean our feelings, values and disposition towards work.

Who is a Court employee?

An employee is a person who is hired for a wage, salary, fee or payment to perform work for an employer.³

A Court employee means all categories of employees involved in the day-to-day administration of the Court, other than Judicial Officers.⁴

The Judiciary is part of the civil service and is made up of staff from different backgrounds with individual idiosyncrasies shaped either by family, religion or social factors.

An independent, strong, respectable and responsible judiciary is indispensable for the administration of justice in a civilised society.

¹ The Law Dictionary, Free Online Legal Dictionary 2nd Ed.

² www.thefreedictionary.com

³ Supra.

⁴ Code of Conduct for Court Employees; Pg2.

Court employees are complementary to and supportive of the role of Judicial Officers in the administration of justice. The duties of a Court employee, which include all statutory duties prescribed by law, takes precedence over all his other activities⁵. To effectively carry out these duties, he or she must be of good behaviour and his attitude to work must be positive at all times.

The Judiciary is saddled with the responsibility to decide disputes and interpret the Law, and Court employees provide support to Judicial Officers to fulfil this role. Without Court employees, the Judiciary will be unable to function and play the role the Constitution has reserved for it. Also, the role Court employees play is such an important role that what they do, and how they do it affects the administration of Justice.

Permit me here to reinstate that attitude could either be positive or negative. A positive attitude is of great value and importance in all walks of life. Not only does it enrich one's experience of life, it also paves ways for self-development leading one towards attaining the desired results. As regards employment, it is a valuable thing to maintain a positive attitude. Whether you are an employer or an employee, maintaining a positive attitude in the work place brings lots of benefits while allowing you to fulfil your objectives successfully.

The attributes of positive attitude includes:

⁵ Preamble of the Code of Conduct for Court Employees.

- Punctuality: this is the ability of a worker to resume to work promptly i.e. at the appropriate time.
- Honesty: this is the moral uprightness and sincerity as it pertains to work.
- Consistency: this is the ability to maintain a particular standard at work and the act of improving.
- Diligence: this is the act of working hard and carefully.
- Devotion: this is the act of working with dedication and loyalty.
- Commitment: this is showing a strong belief in the work one is doing and putting one's heart to his/her work.

Rewards of employees right attitude to work

- It brings success and progress to employees;
- It brings joy and happiness to employees;
- It brings respect and mutual understanding among employees and the management;
- It enhances good relationship with co-workers;
- It brings about growth and productivity to the organisation.

Attributes of employees negative attitude to work

- Disobedience or insubordination to your boss and co-workers;
- Indiscipline;
- Perpetual late coming to work;
- General inefficiency: disobeying instructions, orders and directives;

- Misconduct: use of foul languages, fighting at work, having intimate relationships with colleagues;
- Gross misconduct: previous conviction of a criminal charge, contravention of the provisions of the Code of conduct;
- Absence from duty without permission;
- Inappropriate or immodest dressing;
- Corruption;
- Writing of petitions.

All of these should be avoided.

Consequences of negative attitude to work

- It brings about little or no productivity;
- It brings anxiety to the employee because he/she always feels he is in danger;
- The employee feels over worked and that he/she is being treated unfairly by the management;
- The employee feels unhappy and may become depressed;
- The administration of justice is negatively affected as it is seen to be an inefficient and ineffective system.

How to Change Negative Attitudes at Your Workplace

A negative attitude can be contagious and is capable of destroying a person's career. It is therefore imperative to make those negative attitudes positive ones! Some employees who have negative attitudes may not necessarily be doing anything wrong; it may just be that they

have a cynical, negative perspective that pervades the work place. So how can we change our negative attitudes as employees?

To improve the level of optimism at our workplace, both Judicial Officers and Court Employees must keep the following in mind:

- Acknowledge concerns: Don't gloss over complaints or present a Pollyanna view of things. If appropriate, acknowledge the other person's point of view and provide clarification on any misunderstandings without being rude or arrogant;
- Be part of the solution: Instead of allowing employees to present only problems, encourage them to propose solutions. Ask them to offer at least one resolution to any complaint;
- Encourage humour: Humour can diffuse tension and ease stress. But humour should be positive and light-hearted, and should never occur at the expense of others. In today's world where sarcasm is considered to be a good form of humour, it's tougher and more important than ever stick to humorous remarks that uplift the workplace rather than add to the negativity;
- Make time for others: Have an open-door policy and be approachable. This encourages employees and your colleagues to be open and upfront about problems and concerns;
- Watch your body language: Smile, establish eye contact, listen attentively, and nod in encouragement. Use your physical actions to send a positive message to your colleagues. On the flip side, avoid body language that's perceived as negative.

Drumming your fingers; scratching; crossing your arms over your chest; rubbing your face, chest, or neck when speaking; and mumbling are most often perceived negatively by others and suggest that you are disengaged or distrustful;

- Suggest privacy if appropriate: If a major setback or crisis occurs at work for an employee or a colleague, encourage the person to take a few minutes to be alone. That way, the individual can work through strong emotions and avoid scenes or actions that he or she may later regret;
- Praise, praise, praise. When successes occur, share them with others and praise those who made them happen. Recognizing achievements makes everyone feel important and appreciated;
- Having a good/positive attitude, along with positive thinking, at work will reflect on what you do and make you a more productive employee. This can determine how well you get your projects done and also how others perceive you;
- If you display a good attitude, it helps you get your work done in time, you will also make a good team player. This may increase your chances for your colleagues to always want to work with you. Be a positive role model for others within your department at work;
- Your attitude is a form of expression of yourself. You can choose to be happy, positive and optimistic or you can choose to be pessimistic and paranoid with a negative outlook at your work. Positive thinking and a good attitude help better your

psychological wellbeing and help you cope better under stressful situations at work.

Attitudinal change in people depends largely on their conviction and determination to change for the better. Values tend to form the basis for how human beings behave, it is the foundation of our character. Most people act in ways that move them towards their goals and also conform to their personal values and sense of right and wrong. This can lead to defensive behaviour and interpersonal conflicts. People, when faced with a threat to their basic security (e.g. keeping a job and providing for their family), may engage in unethical behaviours.

The Code of Conduct for Court Employees is applicable to all personnel working in institutions that have to do with or are involved in the administration of justice. The Code makes provisions which are geared towards achieving objectives to improve on the discipline and accountability of the Court employee in his duties in the administration of justice.⁶

The Code of Conduct as a spring board to attitudinal change

The Code of Conduct for Court Employees provides guidelines which regulates the ethical behaviour, discipline, efficiency, integrity and accountability of the Court Employee.

⁶ Justice F.O. Ibiam “Examining the Code of Conduct for Court Employees” being a paper delivered at the NJI workshop for Court Employees 2014.

Court employees are encouraged to read through this guide regularly and ensure that their conduct conform in every way with the guidelines and standards established by the code of conduct.

The Code is divided into four rules

- Rule 1: Accountability
- Rule 2: Relationships
- Rule 3: Abuse of Position
- Rule 4: Decorum and Comportment

Note that a breach or violation of any rule contained in the Code constitutes gross misconduct or misbehaviour and may attract action, and this should be without prejudice to the penalty which may be imposed by any law where the breach is also a criminal offence⁷.

Court employees hold highly visible positions of public trust, which requires them to act in ways that will build and sustain public trust, and not undermine or betray it. It goes without saying that there is public confidence reposed in justice institutions and trust in those who are appointed to administer justice — the Judges — as well as those who play a pivotal part in administering court services - Court Employees. The Judiciary is the last hope of the common man so Court Employees must not act in any manner that may bring the Judiciary to disrepute.

⁷ Code of Conduct for Court Employees, Pg10.

The Code ensures that everyone without exception and distinction is accorded respectful, diligent and courteous services and that no one suffers any disadvantage, prejudice or discrimination arising from the delivery of court services on account of grounds such as race, ethnicity, religion, gender or tribe. This is necessary to sustain public confidence in the administration of justice.

We know that public trust is fragile and brittle, and can be eroded, damaged or lost easily and quickly. Therefore, misconduct by Court employees is viewed as undermining that public trust, and this is aside the question of whether actual harm was caused to someone or not. The impressions Court Employees give by their attitude or behaviour is just as important as the actual effect or impact, because public confidence in the integrity and independence of Courts rests, in part, on how the public perceives the conduct of Judges as well as those who support them, i.e. court employees.

Some Court Employees feel that a prompt, diligent service should be rewarded and may think unfavourably of a court user who does not offer something as a “thank you” gesture, or think him or her is “ungrateful”. It is wrong to accept “tips” after offering a service, or to consider a person who does not offer such a “tip” or “show appreciation” to be ungrateful, this is an act prohibited by the Code. In fact, a person making extra payment for a service is already in breach of anti-corruption Laws, while a Court Employee accepting such payments may be in a similar legal situation. For example,

section 98A of the Criminal Code punishes the offence of giving bribes, etc., on account of actions of public officials.

A Court Employee should neither demand personally nor accept when offered any benefit of any kind, whether this is in cash or otherwise and the Guidelines in the Rules provide good justification for why this conduct is prohibited. It does not matter whether a practice of giving benefits has existed for a long time or not, or whether there are many people who have accepted it as a way of life or not. The fact that everyone is doing it does not necessarily make it right.

Court Employees' are accountable for their decisions and actions to the public, this requires the employee to submit himself/herself to whatever scrutiny is required of his actions. This can be construed to mean that Court Employees are accountable for the nature, quality or standard of service they render to members of the public, and this reinforces what was said earlier about the office of a Court Employee being that of public trust.

Attitude is all about discipline, simple orderliness, integrity, honesty, dedication, accountability, proper conduct in our lives, in our homes, our place of work and in all facets of our activities. As the saying goes righteousness exalts a nation so discipline exalts an individual. Good character is evidence of discipline. Discipline is inborn in some people, while others have to acquire it along life's journey. It therefore needs much determination from us to maintain discipline.

Obedience, attendance, dedication to duty, loyalty must be our watch words.

To strengthen and improve the delivery of justice services and to better serve their communities, actions to improve the understanding of the attitude of Court Employees and reinforce the Code's importance both as a standard of conduct as well as a guide for ensuring that court services are delivered professionally, competently, efficiently and accountability is of utmost importance.

Change is a fact of life due to the dynamic impact of diverse external and internal forces. The only permanent thing in life is change and no organization or individual can escape it. Naturally, People are resistant to change for a number of different reasons amongst which are uncertainty, to maintain status quo, fear of the unknown, threatened self-interests, different perceptions, feeling of loss and die hard habits.

As Court Employees or support staff of the judiciary, you render useful services, the Courts cannot function effectively without your support. The Judiciary is the third arm of Government and the most permanent. It is the only body that can adjudicate bindingly and validly on the rights of the citizens including you. As it is usually said, the Judiciary is the last hope of the common man, let us keep the stream of justice clean and unpolluted by showing good conduct which will enhance the effective administration of justice.

The court exists to promote justice, public order and the overall happiness of the society. Every Court Employee while carrying out his official functions has to bear in mind the onerous responsibility to aid the administration of justice within the confines of work schedule. He has to passionately discharge all responsibilities assigned to him with due diligence and to the best of his ability in order to serve the interest of the public. He should therefore, avoid impropriety and should be seen above board and beyond reproach.

A Court Employee has to be emotionally stable, temperate, patient, attentive, impartial, industrious and diligent in carrying out his official functions. Transfer of aggression bordering on domestic and family matters is therefore discouraged.

Promptness in discharging of all matters submitted or assigned to him is highly recommended as it will enhance the speedy administration of justice. Thus, a court employee is a stakeholder and has a role to play in the efficient administration of justice when discharging his official duties as at when due. Punctuality to work and in the performance of duties are highly enjoined where the court users i.e. litigants, lawyers, witnesses etc. would be attended to and served accordingly. This would strengthen the public confidence in the Court.

A Court employee should therefore be above reproach in the discharge of his official duties. In his official functions, he is expected to be conscientious, thorough, courteous, patient, punctual, just,

impartial, and fearless of public clamour and regardless of private influence should administer justice according to Law.

As we come to the end of this paper, I hope the participants will be able to:

- Distinguish between their values, ethical and unethical behaviour;
- Identify how attitudinal change can help resolve common dilemmas;
- Understand the role of ethics in the modern workplace;
- Understand the importance of positive attitude in the work place;
- Identify misconduct and what to do to avoid them; and
- Discuss performance standard measures and explain their applicability in their workplace;
- Above all, understand that his attitude goes a long way in the effective administration of justice to man.

I leave you all with this quote for inspiration:

“Great is the issue at stake, greater than appears, whether a man is to be good or bad. And what will anyone be profited if, under the influence of money or power, he neglect justice and virtue.”

Plato

Thank you all for listening.

