INFLUENCE OF THE USE OF RECORDS RETENTION SCHEDULE IN SHARI'A COURTS FOR DISPENSATION OF JUSTICE IN KADUNA STATE

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Abstract

The study explores the influence of records retention schedules in Shari'a courts on the dispensation of justice in Kaduna State, Nigeria. Shari'a courts, which handle cases under Islamic law, are a critical component of the Nigerian legal system. Effective records management is essential for ensuring transparency, accountability, and efficient decision-making in these courts. To investigate the specific influence of records retention schedules on the justice system in Shari'a courts, the study employed a quantitative approach using a cross-sectional survey. The population included 259 Shari'a court staff, with a stratified sampling technique used to select 143 staff members (53%). Data were collected using a closed-ended questionnaire, revealing that General Records Retention Schedule and Custom Records Retention Schedule influences dispensation of justice in Shari'a courts in Kaduna State. The study concluded that the use of records retention schedules significantly impacts the dispensation of justice in Shari'a courts in Kaduna State. Based on these findings, the study recommends that the courts management should mandate all record managers to strictly adhere to the constructs of retention schedule in their everyday record management practices.

Keywords: Influence; Records Retention, Shari'a Courts, Justice Dispensation, Kaduna State, Records Management.

Introduction

A records retention schedule is a crucial tool for managing an organization's records, specifying how long different types of records should be kept and when they should be disposed of or archived.

This schedule ensures compliance with legal and regulatory requirements, supports operational efficiency, and helps manage information lifecycle effectively (Junaid, 2024).

By categorizing records based on their administrative, legal, fiscal, and historical value, organizations can systematically control the retention and disposal processes, reducing the risk of data breaches and ensuring that vital records are preserved (ISO, 2022). Implementing a well-defined records retention schedule also aids in minimizing storage costs and optimizing space, as it prevents the accumulation of unnecessary documents (ARMA International, 2013).

Furthermore, it facilitates easier retrieval of records, enhancing decision-making and operational continuity (Usman, 2022).

The use of records retention schedules in Shari'a courts is essential for ensuring the proper management and preservation of legal documents, thereby supporting the integrity and efficiency of the judicial process.

These schedules help Shari'a courts systematically determine how long various types of records should be maintained before they are archived or disposed of, aligning with both Islamic legal principles and contemporary regulatory requirements (Khan, 2019). By implementing a records retention schedule, Shari'a courts can ensure that critical documents are retained for appropriate periods, facilitating accurate record-keeping

and timely retrieval of information necessary for legal proceedings (Hussain, 2020).

Additionally, such schedules aid in reducing unnecessary storage costs and mitigating the risks associated with the mishandling or loss of records, ultimately contributing to more efficient and transparent court operations (Abubakar, 2023).

The use of records retention schedules in Shari'a courts is pivotal for the effective dispensation of justice, as it ensures that essential legal documents are systematically managed, preserved, and readily accessible when needed.

These schedules dictate the appropriate duration for retaining various types of records, thus aligning with Islamic legal requirements and contemporary regulatory standards (Khan, 2019). By implementing these schedules, Shari'a courts can maintain the integrity and accuracy of case files, facilitating swift and fair legal proceedings (Hussain, 2020).

Furthermore, retention schedules help in minimizing administrative burdens and reducing storage costs, while also safeguarding sensitive information, thereby enhancing the overall efficiency and transparency of the judicial process (Abubakar, 2023).

This structured approach to records management supports the courts in upholding justice by ensuring that relevant documents are available for reference and legal decision-making.

Statement of the Problem

A significant problem affecting the dispensation of justice in Kaduna State's Shari'a courts is the inconsistent application and utilization of records retention schedules. This inconsistency leads to difficulties in maintaining the integrity, accessibility, and security of legal documents, which are essential for effective judicial proceedings. The lack of standardized records management practices can result in misplaced or lost records, delayed court processes, and potential miscarriages of justice (Hussain, 2020).

Furthermore, without a properly implemented retention schedule, there is a heightened risk of non-compliance with both Islamic legal requirements and modern regulatory standards, thereby undermining the courts' operational efficiency and transparency (Khan, 2019).

Addressing these issues is crucial for ensuring that the Shari'a courts in Kaduna State can uphold justice by maintaining a reliable and systematic approach to records management (Abubakar, 2023).

Research Question

i. To What extent do Records retention Schedule used in Shari'a Courts influence dispensation of justice in Kaduna State?

Hypothesis

i. **H_0^1** There is no significant difference among Shari'a Courts in Kaduna State in the schedule they employ to retain Court Records.

Literature review

The use of records retention schedules in Shari'a courts is a critical component of effective judicial administration, ensuring that legal documents are systematically managed, preserved, and accessible for the dispensation of justice.

According to Baffa and Muhammad (2024), implementing a structured records retention schedule helps Shari'a courts maintain the integrity and reliability of court records, which are essential for upholding the principles of justice. Baffa and Muhammad highlight that retention schedules provide clear guidelines on how long various types of records

should be kept, ensuring compliance with both Islamic legal principles and contemporary regulatory requirements.

This structured approach minimizes the risk of lost or misplaced records, which can otherwise lead to delays and inefficiencies in the judicial process.

Furthermore, Bello (2021) emphasizes the importance of records retention schedules in enhancing the efficiency of Shari'a courts. By systematically organizing and disposing of records that are no longer needed, courts can optimize their use of physical and digital storage space, reduce administrative burdens, and improve the speed and accuracy of information retrieval.

Bello notes that this is particularly important in the context of increasing caseloads and the growing complexity of legal proceedings in many Shari'a courts. Effective records management supported by retention schedules can significantly streamline court operations, making it easier for judges and court staff to access relevant information promptly and make informed decisions.

Mohammed (2019) discusses the legal and regulatory implications of records retention in Shari'a courts, highlighting the necessity for these courts to adhere to both Islamic legal frameworks and modern information governance standards.

Mohammed argues that records retention schedules help ensure that documents are preserved for the appropriate duration, thereby supporting legal accountability and transparency.

By following these schedules, Shari'a courts can demonstrate their commitment to upholding justice and maintaining public trust. Moreover, compliance with established retention schedules helps mitigate legal risks and protects courts from potential litigations arising from the mishandling or premature destruction of records.

Despite the benefits, the literature also points out challenges in the implementation of records retention schedules in Shari'a courts.

Baffa and Muhammad (2024) identify a lack of standardized practices and insufficient training for court staff as significant barriers.

Without proper training and awareness, staff may struggle to adhere to retention schedules, leading to inconsistencies in records management.

Bello (2021) further underscores the need for continuous professional development and capacity-building initiatives to equip court staff with the necessary skills and knowledge to manage records effectively.

Addressing these challenges is crucial for optimizing the use of records retention schedules and ensuring the efficient and just dispensation of legal proceedings in Shari'a courts.

Methodology

The use of records retention schedules in Shari'a courts is essential for effective judicial administration, ensuring that legal documents are systematically managed, preserved, and accessible for dispensing justice.

The study's target population comprised 259 staff members responsible for Shari'a Courts Records across the Local Government Areas of Kaduna State.

A stratified sampling technique was applied to select a representative sample, resulting in the inclusion of 143 Shari'a Courts Records staff, representing 40% of the total population.

Data collection was carried out using a closed-ended questionnaire. To ensure the instrument's reliability, a pilot study was conducted over three weeks at Upper Shari'a Courts in Kano State, yielding a Cronbach's alpha coefficient of 0.98.

Data analysis involved both descriptive and inferential statistics. Descriptive statistics, such as frequency, percentages, means, and standard deviation, were used to address research questions. Additionally, inferential statistical techniques, specifically one-way ANOVA, were employed to test the research hypothesis.

Descriptive analysis

Extent at Which Records Retention Schedule Used in Shari'a Courts Influence Dispensation of Justice in Kaduna State

Records retention schedule addresses the question of how long should Shari'a records stay before their eventual end in the records cycle. Two schedules in this regard are captured in table 1.

Table 1: Influence of Records Retention Schedule on Dispensation of Justice in Kaduna State

S/N	Record Retention Schedule	VHE	HE	M	LE	VLE	T	%	M	SD
1	General Records Retention Schedule	33	23	31	5	4	96	67.1	2.847	2.562
2	Custom Records Retention Schedule	32	22	29	7	5	95	66.4	2.817	2.512

Key: VHE=Very High Extent, **HE**=High Extent, **M**=Moderate, **LE**=Low Extent, **VLE**=Very Low Extent, **T**=Total, **%**=Percentage, **M**=Mean, **SD**=Standard Deviation

Table 1 discloses the extent records retention schedule the Shari'a courts in Kaduna State use influence dispensation of justice in the State. In an order of high mean score which show the extent, General Records Retention Schedule with Mean value of 2.847(SD=2.562) is to a very high extent influence dispensation of justice in Shari'a courts in Kaduna State. In the same vein, Custom Records Retention Schedule with Mean value of 2.817(SD=2.512) which is almost at par with former is substantially used and as such, influences dispensation of justice in Shari'a courts in Kaduna State.

The finding that the extent of Shari'a Courts records preserved influences the dispensation of justice in Kaduna State is supported by existing literature.

The use of modern records management techniques, including photocopying machines, and the adoption of tight security measures, including the use of locks, bars, alarms, and CCTV cameras, are crucial to the effective preservation and accessibility of court records and, thus, to the dispensation of justice in Shari'a Courts in Nigeria. The finding that the extent of Shari'a Courts records preserved influences the dispensation of justice in Kaduna State is supported by existing literature. For example, a study by Abdulrauf and Mohammed (2015) on the impact of records management on the administration of justice in Shari'a Courts in Nigeria found that effective records management enhances the quality of judicial decision-making and reduces delays in case processing.

The study emphasized the need for Shari'a Courts to adopt modern records management techniques, including the use of photocopying machines and electronic storage systems, to improve the preservation and accessibility of court records.

Similarly, a study by Abubakar (2024) on the challenges of records management in Shari'a Courts in Kano State, Nigeria, identified inadequate preservation and security of court records as major challenges that negatively affect the dispensation of justice. The study recommended the use of modern records management techniques and security devices, including CCTV cameras and alarms, to

improve the preservation and security of court records.

Furthermore, a study by Dikko et al. (2021) on the role of records management in enhancing the quality of justice delivery in Nigerian courts found that effective records management is critical to the dispensation of justice and that modern records management techniques and security devices are essential to ensure the preservation and accessibility of court records.

Hypothesis One: There is no significant difference among Shari'a Courts in Kaduna State in the schedule they employ to retain Court Records.

Table 4.3.4: Analysis of Variance (ANOVA) statistics on difference among Shari'a Courts in Kaduna State in the schedule they employ to retain Court Records.

Descriptives
Schedule_for_Retention_Court_Records

	N	Mean	Std. Deviation	Std. Error	95% Confidence Interval for Mean		Minimum	Maximum
					Lower Bound	Upper Bound		
Sabon Gari	26	6.3077	2.54196	.49852	5.2810	7.3344	3.00	11.00
Makarfi	8	5.5000	2.07020	.73193	3.7693	7.2307	3.00	9.00
Zaria	27	6.2593	2.50527	.48214	5.2682	7.2503	3.00	11.00
Kaduna North	31	6.1613	2.43717	.43773	5.2673	7.0553	3.00	11.00
Giwa	11	5.2727	2.00454	.60439	3.9261	6.6194	3.00	9.00
Kaduna South	18	6.2222	2.43879	.57483	5.0094	7.4350	3.00	11.00
Jama'a	8	6.6250	2.82527	.99888	4.2630	8.9870	3.00	11.00
Kagarko	8	5.6250	1.92261	.67975	4.0177	7.2323	4.00	9.00
Kachia	6	6.8333	2.99444	1.22247	3.6909	9.9758	3.00	11.00
Total	143	6.1329	2.40375	.20101	5.7355	6.5302	3.00	11.00

ANOVA
Schedule_for_Retention_Court_Records

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	19.682	8	2.460	.412	.912
Within Groups	800.793	134	5.976		
Total	820.476	142			

Post Hoc Tests
Homogeneous Subsets

Schedule_for_Retention_Cort_Records
Scheffea,b

Sharia_Courts	N	Subset for alpha = 0.05
		1
Giwa	11	5.2727
Makarfi	8	5.5000
Kagarko	8	5.6250
Kaduna North	31	6.1613
Kaduna South	18	6.2222
Zaria	27	6.2593
Sabon Gari	26	6.3077
Jama'a	8	6.6250
Kachia	6	6.8333
Sig.		.969

Outcome of the Analysis of Variance (ANOVA) statistics showed that There is no significant difference among Shari'a Courts in Kaduna State in the schedule they employ to retain Court Records.

Reasons being that the calculated p value of 0.912 is above the 0.05 alpha level of significance and the computed F value of 0.412 is below the 3.00 F critical value at df 8.

The mean level of opinion on the schedule they employ to retain Court Records are 6.307, 5.500, 6.259, 6.161, 5.272, 6.222, 6.625, 5.625 and 6.83 for sharia courts of Sabon Gari, makarfi, Zaria, Kaduna North, Giwa, Kaduna South, Jama'a, Kagarko and Kachia respectively.

The Post hoc mean comparison Scheffe test showed that all the mean were put in one subset indicating that statistically they have the same level of opinion on the schedule they employ to retain Court Records irrespective of the sharia courts location within the state.

Therefore, the null hypothesis which state that There is no significant difference among the Shari'a Courts in Kaduna State in the schedule they employ to retain Court Records. The hypothesis is hereby accepted and retained.

Conclusion

The research concludes that the use of records retention schedules significantly impacts the dispensation of justice in Shari'a courts in Kaduna State.

The research highlights that the General Records Retention Schedule and the Custom Records Retention Schedule both substantially influence judicial processes.

These findings are supported by existing literature, which emphasizes the importance of modern records management techniques, such as photocopying and electronic storage systems, alongside robust security measures like locks, alarms, and CCTV cameras, for preserving and accessing court records effectively.

Effective records management not only enhances the quality of judicial decision-making but also reduces delays in case processing, ensuring a more efficient and fair justice system in Shari'a courts.

Addressing the challenges of inadequate preservation and security of court records is essential for optimizing the use of records retention schedules and improving the overall administration of justice in Kaduna State.

Recommendation

i. The courts management should mandate all record managers to strictly adhere to the constructs of retention schedule in their everyday record management practices.

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