

YANGON UNIVERSITY OF ECONOMICS
DEPARTMENT OF APPLIED ECONOMICS
MASTER OF PUBLIC ADMINISTRATION PROGRAMME

**CAPACITY BUILDING STRATEGIES AND PERFORMANCE OF
JUDICIAL STAFF: A CASE STUDY OF JUDICIAL COURT,
THINGANKYUN DISTRICT**

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EMPA-11 (20th BATCH)

JUNE, 2025

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This thesis is submitted to the Board of Examiners in partial fulfillment of the requirements for the degree of Master of Public Administration (MPA).

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This is to certify that thesis entitled "**CAPACITY BUILDING STRATEGIES AND PERFORMANCE OF JUDICIAL STAFF: A CASE STUDY OF JUDICIAL COURT, THINGANKYUN DISTRICT**", submitted as a partial fulfillment towards the requirement for the degree of Master of Public Administration (MPA) has been accepted by the Board of Examiners.

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ABSTRACT

This study examines capacity building and performance of judicial staff of Thingankyun District Court. The study aims to evaluate the perception of the judicial staff on performance improvement programs on staff performance to explore the perception of professional development programs on staff performance and to create the perception of training on staff performance. In this study, descriptive method is used. The secondary data were obtained from supreme court of the Republic of the Union of Myanmar. It is also conducted based on a structure questionnaire. The survey question are built in to three sections Section A considered of profile of judicial staffs and Section B and C asked for the respondents performance improvement programs. A sample of (56) judicial staff for Thingankyun District Court are selected through convenient sampling method. This study found that professional development programs were an important component that positively related with staff performance. The programs were being perceived as a judicial court benefit where staff can attain better qualifications and was not in anyway being utilized to cause better performance for the district court.

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LIST OF ABBREVIATIONS

CTU	Constitutional Tribunal of The Union
GAD	General Administration Department
HCDT	Human Capital Development Theory
HR	Human Resource
MMDAs	Metropolitan Municipal and District Assemblies
OECD	Organization for Economic Cooperation and Development
OSCD	Organizational Support for Career Development
PIP	Performance Improvement Plan
PIP	Performance Improvement Program
RBT	Resourced-based Theory
SOPS	Standard Operating Procedures
UEC	Union Election Commission
UNCEPA	United Nations Committee of Experts on Public Administration
USD	United States Dollar

CHAPTER I

INTRODUCTION

One strategy to increase people's, organizations', and society's overall capacity to effectively handle their affairs is capacity building. Therefore, in order to overcome obstacles and develop the ability to fulfill their mission statements and provide services in a sustainable way, the majority of enterprises or institutions must come up with capacity development strategies. The purpose of this study is to evaluate capacity building initiatives in organizations or enterprises in order to raise the overall level of performance.

To be competitive and relevant, organizations must constantly reinvent themselves (Kwamboka, 2018). As a result, capacity building gives businesses the chance to develop or expand the technical skills and abilities required for both organizational growth and performance. The cooperative company model needed special efforts that would increase its capability in order to succeed in a competitive setting. The ability of a cooperative organization to function and allocate its resources in order to achieve and maintain cooperative objectives is known as capacity. Enjel, Land, and Keijzer (2017) define capacity as an organization's entire ability to function and maintain itself. This ability is the logical combination of competencies and capabilities, where competencies are individual skills and abilities and capabilities are organizational or systemic skills like financial resources, management policy, administrative, technical analysis, and all other traits that define an organization.

Organizational performance is improved through capacity building. Brown, Lafond, and Macintyre (2017) define capacity development as a dynamic, complex process that helps an organization achieve its goals or compete better. Light, Hubbard, Patrizi, Sheerwood, and Spector (2018) agreed that capacity building improves organizational performance. Building capacity has been viewed as a crucial component of accomplishing development goals. The word "capacity building" refers to initiatives aimed at improving the capacities of people, organizations, and societies as well as assisting in the effective use and distribution of human resources among conflicting

demands for addressing performance concerns. enhance an organization's performance by bolstering its managerial, administrative, and leadership capacities. (2019, Ann-Prah).

1.1 Rationale of the Study

The foundation of capacity building is the idea that by investing in the social and human capital of marginalized people and groups, they can grow and play independent roles in the revitalization and development of their communities. Human capital includes knowledge, skills, attitude, and conduct, as well as education, experience, training, intelligence, energy, work habits, initiative, and trustworthiness, which affect a worker's marginal product. According to Sen (1999), the human capital development hypothesis links poverty to a society's untapped potential. The same argument, which emphasizes that institutions will not be able to operate properly if their capabilities are denied, might be used at the corporate or institutional level.

Notwithstanding the capabilities of the majority of companies, there hasn't been much attention in the literature or empirical data on how to create some special activities that would boost businesses' potential and enhance their performance (Light et al., 2018). According to Muchunguzi and Milne (2017), who were quoted in Starvros (2008), a large portion of the misunderstanding surrounding core organizational capacity building results from the divergent perspectives of researchers, some of whom concentrate entirely on non-profit-making organizations or non-governmental organizations. Crucially, the majority of these investigations were carried out in industrialized and sophisticated nations.

Once more, increasing capacity is essential to improving the effectiveness of the judicial personnel. Nevertheless, no comprehensive study has been carried out in developing nations' local assemblies to ascertain how capacity building affects business performance. By examining the effect of capacity building on legal firms' performance in the judicial court, this study fills this gap. Client happiness and judicial staff satisfaction are correlated; that is, foreign customers need that the manufacturing process completely satisfy them. Global consumers give equal weight to the product's values and those of the companies involved in its manufacture. In order to increase efficiency and achieve organizational objectives, judicial staff members should be knowledgeable, well-trained, and content with their jobs.

Studies have looked at administrative, financial, training, and development capacity building in a variety of institutions. Additionally, this study focuses on judicial performance. Development, training, and skill development of court staff need HR processes. Capacity building improves judicial staff knowledge, abilities, comprehension, values, motivation, and attitude. Organizational performance, competitiveness, and income typically improve with capacity building. Staff in Thingankyun District's judicial court development sector may be better prepared to engage clients and accept new judicial organs if they invest in capacity building activities. thereby affecting the performance results of the employees. Hyper-competition, competent personnel, staff turnover, and good staff performance are some of the issues that the research aims to solve for the judicial staff district court in Thingankyun District. Building capacity could be a likely way to solve the performance issues certain courts are facing.

1.2 Objectives of the Study

The primary objective of this study is to assess the impact of capacity building on judicial staff performance in the judicial court in the study area.

The specific objectives of the study are to:

1. To evaluate the perception of the court staff on performance improvement programs on staff performance
2. To explore the perception of professional development programs on staff performance
3. To create the perception of ethic training on staff performance

1.3 Method of Study

The descriptive technique used in this study is based on information and data from primary and secondary sources. Key personnel are interviewed in order to get primary data. Use systematic questionnaires to survey judicial officers. The systematic sampling approach was used to acquire the sample size, which is 5b respondents. The Thingankyun District Court in the Yangon Region provided the secondary data needed for this thesis.

1.4 Scope of the Study

The study focused on judicial staff since they are responsible for jurisdiction and strategic planning including decision making on capacity building strategies to be adopted and organization development. This study was conducted within period of January to May 2025.

1.5 Organization of the study

There were five chapters in this study. The study's justification, goals, methodology, scope, limitations, and structure were all covered in the first chapter. The second chapter reviewed relevant literature, providing a summary of the chapter as well as specifics on the ideas, conceptions, and performance of judicial personnel in relation to capacity development. Chapter 3 aims to provide an outline of the Union of Myanmar's judicial system. The fourth chapter discussed the specifics of the data collected in the field, the research's presenting figures, and the results' analysis and interpretation in light of the study's goal. The statistical instrument utilized for data analysis. Chapter 5 concluded with a summary, conclusion, and suggestions about the study's findings.

CHAPTER II

LITERATURE REVIEW

This part of the study concentrated on reviewing relevant literature about phenomena and identifying places where previous researchers had agreed and disagreed. More precisely, the review was organized by reviewing relevant theories, the study's concepts, empirical reviews, and concluding with a conceptual framework.

2.1 Theoretical Review

The theories underlying the connection between institutional performance and capacity building are listed in this section. Resource-based theory and the human capital development theory serve as the study's main theoretical pillars. These frameworks were selected to aid in the study's generalization and meaning giving. Additionally, it aids in developing the vision that the research topic is centered around.

(i) *Resource-Based Theory*

The resource-based theory (RBT) was used in this study to describe how businesses might use their resources to accomplish their goals in the marketplace. One of the most popular ideas in the body of existing research for explaining how an organization's skills impact its ability to use assets to get a competitive edge in the marketplace is the resource-based theory (Peteraf & Barney, 2003). According to the idea, a firm's competitiveness may be explained by the collection of resources and competencies it possesses (Das & Teng, 2000; Peteraf & Barney, 2003). According to the RBT, "resources" are an organization's primary assets, and as such, its performance is dependent upon them (Truijens, 2008). Additionally, RBT clarified that the firm's resource composition is the primary determinant of organizational performance and competitive advantage. The theory's main tenet is that a firm's performance and competitive position are impacted by the resources and skills it has (Peteraf & Barney, 2003). This suggests that a firm's competitive advantage may not come from all of its resources and competencies, but rather from how "valuable," "rare," "inimitable," and "non-substitutable" each resource is (Lonial & Carter, 2015). (Seidu, Opoku Mensah,

Issau, & Amoah-Mensah, 2021). This implies that companies that effectively manage their internal resources, including personnel, will achieve organizational performance. In light of the aforementioned, the study investigated this notion.

(ii) Human Capital Development Theory

Armstrong (2009) asserts that context, knowledge, identity, fixed factors, and personal factors are all components of the performance process. Depending on their capacity levels, both individuals and organizations are capable of producing extraordinary performance. Therefore, Barreto (2010) asserts that an organization's worth and performance are determined by the degree of personnel and intellectual capability. Sen's (1999) poverty and capacity postulates in the development literature serve as the foundation for the Human Capital Development Theory's (HCDDT) argument. Sen contends that greater poverty is linked to a society's higher levels of missing capability. At the institutional level, the similar argument might be made, highlighting the fact that denying institutions their capabilities will prevent them from operating efficiently. Schultz's (1961) human capital theory states that human capital—whether innate or acquired—is the most significant human ability and can be developed with the correct investment. The idea is that an organization's performance is a result of its internal and external knowledge, experience, skills, and expertise. Frank and Bemanke (2007) view human capital as a complex of factors that affect a worker's marginal product, including education, experience, training, intelligence, energy, work habits, trustworthiness, and initiative. Rastogi (2003) defines human capital as knowledge, competency, attitude, and behavior ingrained in an individual. However, Senge (2004) distinguishes firm-specific training from generic education. General education has minimal impact on people's job skills, he says. Instead, firm-specific training helps achieve organizational goals. Humans influence all economic activities, including production, consumption, and transactions, making them "creators" who frame knowledge, skills, competency, and experience from "self" and "environment" linkages (Boldizzoni, 2008). As a result, learning by "doing" aids in experience acquisition and gradual improvement. Therefore, any pool of knowledge, traits, or abilities that an employee possesses—whether natural or learned—that enhances their productivity is considered human capital (OECD, 2009). Olaniyan and Okemakinde (2008) contend that by raising the level of cognitive stock of economically productive human talent, investments in human capital enhance a population's quality of life.

Socio-political growth is the outcome of a strong interaction between human capital and social consciousness (Beach, 2009; Sen, 1999). According to Beach (2009), human capital can raise community members' social consciousness. As a result, initiatives to encourage local government investment in human capital development are thought to accelerate societal growth (Attanasio et al., 2020). The importance of human capital in explaining growth performance, especially in the least developed nations, has not yet been successfully analyzed in the expanding body of literature. A starting point for assessing the function of capacity in the development process is the growing body of research on the contribution of human capital to economic growth generally (Habib, Abbas & Noman, 2019). This thesis analyzes the impact of capacity development tactics used by MMDAs on employee performance and determines institutional capacity using the theory of human capital and human capital development.

2.2 Concept of Capacity Building

varied circumstances have given the phrase "capacity building" varied meanings and justifications. The phrase was thought to be strongly related to HR development, which involves improving workers' training and expertise. The field was very limited and focused on training employees and educating them via formal education to cover the shortage of skilled workers in industrial operations (Rajabifard & Williamson, 2004). But in recent years, this antiquated idea has evolved into a more expansive and worldwide viewpoint. It covers both institutional and national programs with an emphasis on staff development (Williamson, Rajabifard, & Enemark, 2013).

Each has unique demands and skills. Employee training needs to begin on the same day as hiring. Based on their position, employers teach workers information, experiences, and skills. Some personnel rely on business orientation material and guidance to do their responsibilities. Every company's SOPs and manuals must address on-the-job and off-the-job training. Managers engage in human resources and capacity building so employees may change their job-related knowledge, behavior, and abilities. This improves results and employee retention since the taught person becomes a brand ambassador and uses their new skills to accomplish their job better (Nkosi, 2015).

Both developed and developing nations formally and unofficially acknowledge that capacity building encompasses a variety of elements, from organizational capability and complementary frameworks and norms that govern their operations to individual knowledge and expertise (Otibine, 2016). A crucial aspect of organizational

development, which centers on effective organizational change and performance, is that it involves planned and focused change decisions that will result in the accomplishment of certain predetermined outcomes. People who consciously decide to do their tasks differently and more competently will typically get the desired results (Freeman, 2010). Therefore, the goal of capacity building is to create feasible connections between the efficacy of an organization and its activities.

2.3 Dimensions of Capacity Building

(i) *Administrative Capacity*

Depending on the context, the term "administrative capacity" can signify a variety of things. Through administration and execution, it entails "running the machinery of a political or economic system and translating political and collective will into actions" (Ellis, 2010). Any effort that increases an organization's capacity to meet its goals is considered capacity building. However, the human aspect of administrative capacity is the main emphasis of this study, since the degree of service delivery to the public is determined by the sum of the individual capacities of local government personnel. Human resources must be available to fulfill their roles for performance to be effective. The hiring and posting of staff to the different Metropolitan, Municipal, and District Assemblies (MMDAs) enhances the District Assemblies' administrative capabilities. The research will examine how the District Assemblies' administrative capabilities are being strengthened by the Cape Coast Metropolitan Assembly. To establish if postings are truly improving District Assemblies' administrative competence, a few District Coordinating Directors and government staff were surveyed.

(ii) *Financial resource management capacity*

The practice of managing financial resources and choices with the goal of guiding the company toward achieving its objectives and optimizing shareholder returns is known as financial management (Gitman, 2007). It encompasses the ability to design, plan, oversee, and carry out projects and programs, including the ability to create a budget and calculate the costs of capacity development; the ability to raise, manage, and deploy organizational revenues and assets to guarantee effective operations; the ability to manage procurement and human and financial resources; and the ability to set indicators for tracking and tracking progress (Stowe & Barr, 2005).

Financial resources that provide a company with the ability to seize opportunities, respond to competition efficiently, and endure unforeseen shocks from both the inside and the outside are known as financial resource capacity building (Bowman, 2011).

It is crucial to have a financial management strategy to plan and control for a business enterprise's future in order to forecast a positive cash flow within the organization and achieve value for money, especially since major fiscal and allocation decisions have been transferred to local authorities (Oduware, 2011). In order to better capture an organization's resources and guarantee precise forecasting and tracking of expenditures, financial resource strategies seek to implement sound financial management systems (Otibine, 2016). Financial strategy aims to maximize results while using capital resources wisely.

(iii) Employee Training and Development

A company can only be as successful as its employees. It is a reality that every organization's ability to provide effective services is reliant on the caliber of its personnel. Bratton and Gold (2003) define personnel training and development as processes and procedures that intentionally offer learning activities to improve the skills, knowledge, and capabilities of individuals, teams, and organizations without changing operations to achieve desired results. It is tough to start a career or take a position and stay in it for years with the same skills today. In addition to being desired, management must invest financial and human resources in employee training and development if it hopes to retain informed and competent staff. The process of changing an employee's behavior to support organizational objectives is known as personnel training and development. According to Cole (2003), training is an educational activity intended to help one acquire certain information and abilities for a job or task. The job or task is the main focus of training.

On the other hand, he defined development as any educational activity that is focused more on professional advancement and immediate performance, and that is oriented toward future needs rather than existing demands. The future workforce needs of an organization are often the main emphasis of development, followed by the needs of employees to progress in their roles. Development is the process of gaining abilities and information that may be applied now or in the future. This has a longer-term focus. It is a general phrase that encompasses all of the various ways that people might be motivated to improve, update, and embrace their personal competences, knowledge,

and skills. According to him, development has a longer time horizon, a greater focus, and a more expansive reach. Cole (2002) states that an organization's training policy may cover a variety of human resources-related rules. The policy statement outlines the organization's commitment to employee development and must be in line with its mission, goals, and strategies. The policy statement has to be accessible to everyone for reference and well stated. In order to meet all of their demands, some businesses have a heritage of developing their own managers and specialists through extensive internal training (Noe, 1999). Other corporations outsource their training to outside parties including universities, colleges, consultancies, and private training companies. Other companies, on the other hand, take a middle ground, hiring outside managers and supervisors to teach them while giving internal induction and job training.

2.4 Capacity Building

The main competences of capacity building are organizational motivations and resources. Employees that represent a certain level of above average in capacity, tend to perform much better than those who don't. The reason behind that is because they possess a high level of knowledge and skills. Moreover, they keep on developing those skills making them an important asset to the organization (Fullan, 2010). Essentially, capacity building often encompassing the development of skills and knowledge, plays a crucial role in shaping the competencies of employees within organizations. In the context of the real estate sector, which is characterized by its intricate and evolving nature, the need for a highly skilled and adaptable workforce is paramount. Within the unique landscape of Jordan's real estate development sector, studies have started to shed light on the specific challenges and opportunities.

(Hargreaves, 2011) discusses the importance of system redesign for capacity building, highlighting the need for organizations to evolve their structures to support continuous learning and skill development. The role of organizational support for career development (OSCD) becomes particularly relevant in this context, as it aligns with the broader goals of capacity building. (Tahir et al., 2015) argue that organizational support mechanisms significantly contribute to the professional growth of employees. As organizations in Jordan strive to navigate the complexities of the real estate development industry, understanding the nuanced interplay between capacity building initiatives and employees performance becomes crucial.

Capacity building has three main aspects. First, individual level. Individual capacity comes from the conditions an employee is surrounded by within the organization such as competition, knowledge, skills, etc... Second, an institutional level. Institutional level concerns organizations development. And lastly, the societal level. Social capacity building concerns the government. The common aspect between the three elements of capacity building is the development of knowledge and skills to achieve overall efficiency (UNCEPA, 2006).

Capacity building can be imposed with project development in order to have a stronger organization and to be adoptive to changes. Therefore, capacity building is a human resource development and organizational development (UNESCO, 2010). Capacity building support include organizational and institutional support in different aspects. These support include developing knowledge, enhancing skills, influencing efficiency, and encourage productivity. (WRI, 2008). Measuring and evaluating capacity building is through scheme of competences. That analyzes the improvement rate resulted from the long-term development (IPMA, 2009).

(i) Knowledge Development

Knowledge is essential for acquiring assets and building intangible company capabilities, which may boost growth, value, and competitiveness. Their study examines how information systems affect knowledge sharing. Service, system, and technology quality of information systems are vital for firm staff sharing, according to the findings. This fast information interchange benefits company operations and stakeholder relations. Company knowledge development improves and manages staff knowledge. Organizations get greater and more effective control over employee performance. Organizations can improve their performance by investing in knowledge development (Morris, 2001). Organizations often describe knowledge development as managing, evaluating, and gathering isolated data to create meaningful bodies of knowledge that can be used as assets (CCOE, 2024). Assessment of knowledge development processes is crucial to knowledge management effectiveness. They explore how IT infrastructure boosts knowledge growth, organizational efficiency, and creativity (Roldan, 2018). Fostering a knowledge-based economy has changed our view of economic growth variables in recent decades. Thus, current knowledge development research increasingly seeks to enhance and utilize this knowledge (Bilan et al., 2023). Masa'deh et al. (2019) analyzes how knowledge management technology

boosts work satisfaction. The findings show that strong knowledge management technical infrastructure boosts work happiness. Integration of information flows and technologies in information and communication systems helps create new knowledge. This eliminates communication obstacles between organizational structure components.

(ii) Skills Development

Per Sousa (2014). It says that understanding technical, organizational, and market advances requires skill development. This includes technical, managerial, business, and personal growth competences like cognitive, social, and relationship skills. Organizational success depends on business strategy and management methods. Competing in a dynamic local and worldwide market requires implementing initiatives to increase staff skills and performance. Identifying the important aspects that need to be improved and tackle them by skills development is a key business move that helps organization sat competitive in today's dynamic market. In today's rapidly evolving business landscape, the imperative of skills development has emerged as a cornerstone of organizational success. Smith and Jones (2023) emphasized on the ability to adapt, innovate, and thrive in dynamic environments hinges upon the continuous enhancement of employee skills. They argue that in an era characterized by technological disruption, globalization, and shifting consumer preferences, businesses must prioritize skills development to remain competitive and future-proof their operations. The article highlights the multifaceted benefits of skills development for both individuals and organizations. Through upskilling and reskilling initiatives, employees are equipped with the knowledge, competencies, and confidence to excel in their roles and contribute meaningfully to organizational objectives. By investing in the professional growth and development of their workforce, businesses foster a culture of innovation, agility, and high performance. In the context of digital transformation, there is an increasing necessity for lifelong learning, which strengthens the connection between education, training, and the workplace. Employees must constantly learn to invent, design, program, construct, and build digital technologies to compete. (Iivari et al., 2020). This ongoing development is crucial for businesses to remain competitive and adapt to market changes.

(iii) Training Programs

Training programs are acknowledged as a key driver of company's effectiveness expansion. It fosters the development of skills and imparts the necessary knowledge for employees to achieve self-reliance through knowledge and education. A primary goal of training programs is to equip employees, managers, and aspiring entrepreneurs with the skills and inspiration to foster business in various business industries of their preference (Okoli, 2022). Effective training programs prove to be beneficial for long term effectiveness for companies in the market in numerous ways. It helps companies transform processes by establishing and maintaining individual and organizational power (Ezigbo, 2011). Training programs provide employees with the abilities and mentality to find and launch new ideas (Cope, 2005; Katz, 2007). According to the Kauffman Foundation (2009), training helps employees spot possibilities others may miss, boosting their self-esteem and capacity to act when others may not. Companies that start up and manage resources despite dangers are included (Mel Kleiman, 2000). Addressed that management skills, operational skills, and orientation are considered an essential part of training programs. skills of employees. These essential categories are considered an important aspect of training programs. The reason why organizations should invest more resources in training programs is to enhance their overall organizational performance. To do so, organizations should focus on their most important asset, their employees to be well trained (Kleiman, 2000). These studies address the importance of having training programs within companies to enhance the overall performance and gain competitive advantage.

(iv) Employees Performance

Organizational success depends solely on personnel performance. One of the key ways to improve employee performance is capacity building. Training and development programs help people enhance their performance and benefit their employers. According to larger analyses of limiting and enabling variables, organizations and training may not be the best places to focus. Other research demonstrate that capacity building is not the only element in employee success. Social and economic stability. Also political. Both corporate cultures and successful management strategies affect employee performance (Grindle, 1997).

Knowledge obtained via curiosity is called employees' learning. A helpful perspective Few workers need to acquire new skills and methods. Learning improves employee skills (Dixon, 1999). Competency and talents boost worker productivity.

Also, skill growth is an employee's improved talents. Training and mentorship improve employees' abilities and knowledge, which boosts performance.

Cascio (1992) talks about in his study that performance is basically about how well employees do their job tasks. Cascio also pointed in study that there should be a certain grading criteria called them standards that employees should aim at. Meeting the right standards represents well performance. Organizations should always strive to develop these aspects to translate them into an effective overall performance. These standards should meet the objectives of the company to reach better standings in the markets. The idea of analyzing employee performance is to compare it to these standards and figure out what the person's strengths and weaknesses are, taking into account both personal traits and job skills (Goss, 1994).

Once we've looked at how individuals are doing, the next step is to come up with a plan to help them do better and improve the team's overall results. Most organizations ignore the fact of how employees reach the level of high performance. Moreover, they tend to see the results only without the steps that lead towards the development of those performances. For example, Joyce & Glynn (1989) found that one particular approach to employee development made a big difference in performance when it was given enough time and support to really work. More studies like this are needed to confirm what most people already think: employee development really can make a difference in how well staff perform.

It's pretty well accepted that good development programs can change how employees do their jobs. Whether it's training, individual assessments, or something else, helping employees develop remains super important for making sure they do their jobs well and the team performs at its best. Training programs has major positive effect towards the performance of employees. Which in result, the development translates into a better and more effective organizational performance. Therefore, organization should invest more resources in these developments to compete in today's market (Gupta, 1999).

The literature underscores that a well-structured approach, integrating dimensions like skill development, knowledge enhancement, and organizational support, can be a cornerstone for fostering a workplace culture conducive to continuous improvement and growth

(v) ***Task Performance***

Task performance may be divided into two categories. One is made up of activities that convert raw resources into products and services that are sold by the company. Work at a factory, teach, do surgery, pay checks, and sell items in a store are examples. Restocking raw materials, delivering finished items, and executing important staffing, planning, organizing, and overseeing duties help the technical core work smoothly. Task performance category 2 includes these activities. The execution of the organization's technical processes or the maintenance and servicing of its technical needs immediately affect task performance (Motowidlo et al., 1997). Understanding what drives individuals to excel in their task performance and what encourages them to remain with their company is affective commitment. Affective commitment has been a central focus in companies' behavior research for decades, aimed at achieving competitive advantage (Albrecht et al., 2015). According to Clarke & Mahadi, 2017. they indicated that level of respect importance in terms of status and relationship quality. Their study, however, emphasizes respect-generating behaviors, providing a new perspective on defining and operationalizing respect which result in a higher task performance quality. (Carmeli et al., 2015). By examining respect as a precursor to task performance, this method tends to enhance factors that drive these critical individual outcomes and achieve higher and more positive task performance.

(vi) Contextual Performance

Contextual performance maintains the organizational, social, and psychological framework in which the technology core of the company operates, although it does not contribute through technical procedures. It includes helping and collaborating and following organizational rules and procedures to preserve the social and organizational network and improve the psychological environment in which the technology core is rooted (Motowidlo et al., 1997). According to earlier studies, people are capable of effectively assessing the personality qualities of others, especially when they are provided with performance-related information (Connelly & Ones, 2010). Observers may be able to draw conclusions about an individual's personality by using performance information from contextual performance. For instance, Rosopa et al. (2013) found that people who see organizational citizenship activities often attribute such actions to internal factors. In particular, those who demonstrated altruistic conduct were seen as more conscientious, pleasant, and extraverted than those who did not. However, given the evolving nature of work, assessing and managing performance continues to be one

of the most difficult and important problems that businesses have faced recently (Chiaburu et al., 2017). Organizational effectiveness is supported by contextual performance. Contextual performance influences psychological, social, and organizational aspects of workers' work to improve organizational success (Motowildo and Kell, 2012).

(vii) *Adoptive Performance*

the ability to adjust behavior to the demands of novel settings, circumstances, or events; the capacity to adapt to changing work situations. Adoption of new management tools, sometimes taken from the private sector, is one particular type of organizational change that still has a significant influence on public sector transformation initiatives. Specifically, managers' performance evaluation and incentive programs have received a lot of attention as they are seen to be tools for coordinating managers' activities with the production of results (Newberry and Pallot, 2004). Currently, there is a range of interpretations regarding adoptive performance in educational and professional environments. Recent reviews of the literature, exemplified by (Bohle et al., 2014) and (Kua et al., 2021), often treat adoptive performance as interconnected or even synonymous concepts adoptive performance actively seek to learn from their experiences. Their objective is not merely to complete a task using existing knowledge and skills, but also to enhance and refine their knowledge and skills. These crucial components of adoptive performance may not be readily apparent in performance. Adopting to the current environment of work to perform accordingly with company's tasks is considered adoptive performance. Companies should invest enough resources to develop adoptive performance for employees to better their chances of competing in the markets.

2.5 Previous Studies

Mary Nan Myint (2016) Myanmar Civil Servant Capacity Building The Ministry of Home Affairs' General Administration Department examined GAD's basic functions and capacity-building training program. The key demands were derived after collecting primary and secondary data from various sources. This study found that programs emphasize general tasks over GAD-specific skills. The lack of a skill gap analysis before training and the measurement of training efficacy are other major considerations when building a successful curriculum.

Htet Zaw Paing (2018). University of Co-operative and Management Academic Staff Performance and Capacity Building, Thanlyin found a favorable association between academic staff performance and capacity building and satisfying mean values for staff performance, productivity, instruction, assessment, and commitment. The study will assist higher education administrators, staff, and researchers who want to conduct similar surveys understand the importance of capacity building for academic staff productivity.

Wing (2004) Seven Industry Concerns for Capacity-Building Initiatives In "The Effectiveness of Capacity Building Initiatives: Seven Issues for the Field," T. Wing noted how difficult it is to evaluate organizational capacity development programs. suggesting that outcomes are inaccurate and should be assessed over time. Wing also lists seven problems that organizations have when attempting to gauge the impact of capacity development, noting that there is no effect that can be examined until the research is conducted over an extended period of time. He contends that short-term assessments frequently underestimate the advantages of these programs because they do not fully capture their influence. Wing also emphasizes the significance of context-specific assessments, as capacity-building's efficacy can range greatly between organizational contexts. He comes to the conclusion that determining the actual worth of capacity-building initiatives requires a more thorough and long-term approach.

The study "System Redesign for System Capacity Building" was published in 2011. The purpose of this study is to look at the variables that affect how organizations and capacity building interact. It suggests that companies have more potential than what is usually used to maintain systems satisfactorily. Although it doesn't typically operate at full capacity, the organization may when necessary. High levels of social and intellectual capital are a reserve capacity that is developed by effective organizations. According to the study, this reserve capacity may also be increased by making calculated expenditures in staff training and knowledge exchange. Organizations may better handle unforeseen opportunities and difficulties by cultivating a culture of cooperation and ongoing learning. Hargreaves comes to the conclusion that proactive capacity building is essential to the long-term performance and resilience of an organization.

Capacity Building Boosts Employee Performance is the title of a 2015 study by Tahir. With an emphasis on extrinsic elements like organizational support for career development (OSCD) and supervisory assistance, as well as inner aspects like capacity

building, this research attempts to explore the factors impacting employees' performance. The study uses one mutual dimension—organizational support for career development—to examine how capacity building affects workers' performance. The results indicate that employees' performance is much improved when organizational support for career development is combined with capacity building. This emphasizes how crucial it is to make investments in both extrinsic and intrinsic elements in order to optimize employee happiness and productivity. The report emphasizes that in order to attain the best performance results, businesses must give capacity-building projects top priority and offer complete career development assistance to staff members.

CHAPTER III

JUDICIAL STRUCTURE IN MYANMAR

Myanmar's 2008 Constitution took effect on January 31, 2011. The Supreme Court, lesser courts, Courts-Martial, and Constitutional Tribunal have judicial authority. Sections 293–336 of the Constitution provide the foundation of the judiciary in Chapter VI of the Judiciary.

Under Section 293 of the 2008 Constitution, Courts of Union are established. The Constitutional Tribunal, Courts-Martial, and Supreme Court and its subordinate courts adjudicate constitutional, military, and civilian matters separately and definitively. This paper will quickly outline the tasks and powers of each union court under the 2008 Constitution in its varied adjudication.

3.1 Union Supreme Court and its Subordinate Courts

Supreme Court of the Union. This Supreme Court is the highest in the Union and does not affect the Constitutional Tribunal or Courts-Martial.

Thus, the Supreme Court is the nation's highest civilian adjudication court. Section 295 of the 2008 Constitution lists the Supreme Court's original jurisdiction:

(a) The Supreme Court of the Union is the only court with the original jurisdiction listed below:

- (i) in areas pertaining to bilateral treaties that the Union has concluded.
 - (ii) in other disputes, excluding those pertaining to the Constitution, between the Union Government and the Region or State Governments.
 - (iii) in other disputes, excluding those pertaining to the Constitution, between the States, Regions, and the Union Territory and the Region or State.
 - (iv) in other matters as specified by any law.
- (b) The Supreme Court of the Union is the court of ultimate appeal since it is the highest court in the Union.
- (c) There is no right of appeal for the Supreme Court of the Union's rulings, which are final and definitive.

- (d) The Supreme Court of the Union has the appeal jurisdiction to rule on decisions made by the High Courts of the States or the Regions, subject to any provisions of the Constitution or other laws. Additionally, in accordance with the legislation, the Supreme Court of the Union has the appeal authority to decide cases decided by lower courts.
- (e) According to the legislation, the Supreme Court of the Union has the authority to make revisions.

The Supreme Court can also grant habeas corpus, habemus, prohibition, quo warranto, and certiorari to protect constitutional rights. Pyidaungsu Hluttaw passed the Law Relating to Writ Applications to allow writ applications. State and regional high courts are located in the state and area, respectively. These courts can decide lawful, appealing, revised, and original cases. The High Court of the Region or State monitors Self-Administered Division Courts, Zone Courts, District Courts, Township Courts, and other legally formed courts.

Union Judiciary Law of 2010 defines Supreme Court, High Courts, and lesser courts' organization and makeup. These courts' civil jurisdiction is defined by the Civil Procedure Code, while their criminal jurisdiction is defined by the Criminal Procedure Code. The Union Supreme Court occasionally issues decisions and directives to complement these criminal and civil domains in order to address the nation's evolving requirements.

3.2 Courts - Martial

Section 293(b) of the 2008 Constitution designates the courts-martial as the second kind of court for military justice. According to the constitution, Myanmar's Defense Services is the only modern, capable, and powerful patriotic defense force with the authority to independently manage and decide all armed forces matters. Thus, the Defense Services personnel are governed jointly or individually under the Defense Services Act of 1959, and the Commander-in-Chief has last word in military adjudication under section 343(b) of the 2008 Constitution. Military courts vary from civilian courts since they are discipline-based. Military adjudication is to maintain order and justice in the military. Martial law should differ from civilian justice in content and process. For those protected by the Defense Services Act, the 1959 Act and its rules are the special criminal law. There are four types of courts-martial under the 1959 Act. These tribunals are summary general, summary, district, and general

courts-martial. Section 211 of the 1959 Act describes Courts-Martial Appeal Court procedures. The Courts-Martial Appeal Court's ultimate conclusion is outlined under Section 217 of the same Act.

Section 217

1. The court of final appeal is the Courts-Martial Appeal Court. Furthermore, no appeal against the Courts-Martial Appeal Court's ruling may be filed in any other court.
2. Within 30 days following the date of the judgment, the Commander-in-Chief of the Defense Services will receive the appeal cases that the Courts-Martial Appeal Court has resolved.
3. The Commander-in-Chief of the Defense Services may issue an order confirming, revoking, or reaffirming the Courts-Martial Appeal Court's decision, exonerating the appellant, or imposing punishment. The Commander-in-Chief of the Defense Services' decision is final.

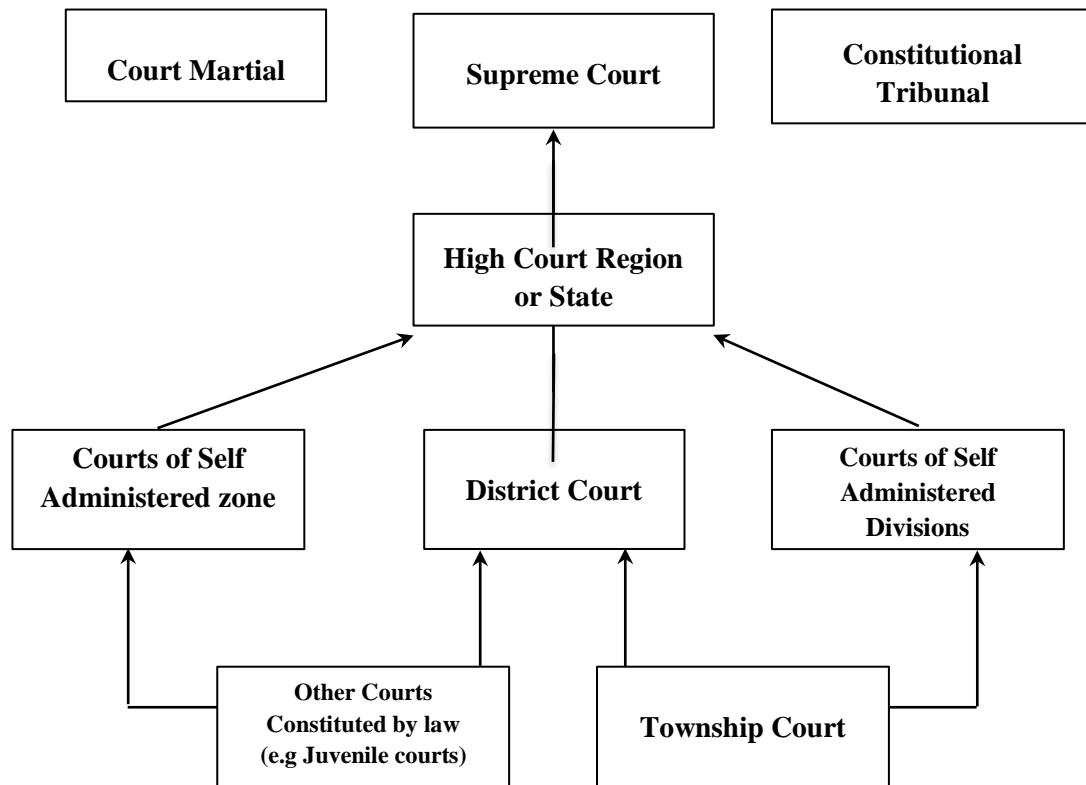
3.3 Constitutional Tribunal of the Union (CTU)

Depending on a nation's constitution, constitutional adjudication handles constitutional interpretation disputes, rulings on the constitutionality of federal and state laws, constitutional disputes between federal states or the federation, and other matters. Myanmar is the second common law nation with a constitutional court after South Africa. Civil law nations choose constitutional courts differently from common law. The Constitutional Tribunal of the Union adjudicates Myanmar's democratic constitution.

The CTU is required under Section 46 of the 2008 Constitution, which is in Chapter I (Basic Principles of the Union). Thus, the CTU can interpret the Constitution and veto legislative and executive measures. It can also handle constitutional disputes between the Union and its units or between the units themselves and disputes over the Union's and its units' rights and duties when implementing legislation. The CTU can conduct concrete judicial review under Constitutional Section 323. If an ordinary court has concerns about the validity of legislation, it suspends the trial to ask the Tribunal, through the Supreme Court, to investigate. Using Articles 336 and 443 of the Constitution, the State Peace and Development Council formed the Constitutional Tribunal of the Union Law and specified its duties.

Before CTU, only specified people and organizations had locus standi. The President, the Speaker of the Pyidaungsu, Pyithu, Amyotha, and Chairperson of the UEC, the Chief Justice of the Union, the Chairperson of the UEC, the Chief Minister of a Region or State, the Speaker of a Region or State, the Chairperson of a Self-Administered Division Leading Body, and at least 10% of all representatives.

Figure (3.1) The Court Structure in Myanmar



Source: open society foundation (2022)

The court system has four levels. From lowest to highest, there are 342 Township courts, 67 District and Selt Administered Area Courts, 14 State and Regional Courts, and the Supreme Court of the Union. Traffic and juvenile courts for municipal offenses were also formed by law.

3.4 Judicial Powers under Ordinary Law

3.4.1 Civil Action and Procedure

The legal system in Myanmar is adversarial. Advocates or pleaders present their arguments before a court or panel of judges. Myanmar's civil litigation procedural standards are mostly derived from the Code of Civil Procedure. The Evidence Act of

1872 and the Courts Manual of 1960 are also cited by advocates and pleaders. English court processes and practices had a big impact on Myanmar's court procedures and practices. Although courts in Myanmar use arbitration, the country does not yet have a sophisticated dispute settlement system. All civil disputes can generally be tried in Myanmar's courts, with the exception of few cases that are legally prohibited. The kind and size of the claim, the parties' whereabouts, the location of the company, or the act in issue will all determine which court in Myanmar is best to start proceedings.

(i) Powers of Courts and Jurisdiction

In an initial civil complaint, the Supreme Court and the State or Region's High Courts have unrestricted pecuniary jurisdiction. The following are the areas of jurisdiction for other judges:

- (i) A district judge with pecuniary jurisdiction may try an original civil suit for a maximum of 500 million Kyats, or roughly USD 500,000.
- (ii) A deputy district judge with pecuniary jurisdiction may try an original civil suit for a maximum of 100 million Kyats, or roughly USD 100,000.
- (iii) A township judge with pecuniary jurisdiction may try an original civil suit for a maximum of ten million Kyats, or roughly USD 10,000.
- (iv) An additional township judge with pecuniary jurisdiction may try an original civil suit for a maximum of seven million Kyats, or roughly USD 7,000.
- (v) A deputy township judge with pecuniary jurisdiction may try an original civil suit for a maximum of three million Kyats, or roughly USD 3,000.

The court within whose local limits the property is located must hear suits for reacquisition of real estate, partition of real estate, foreclosure, sale, or redemption in the event of a mortgage or charge upon real estate, determination of any other right or interest in real estate, compensation for destruction of real estate, and reacquisition of real estate that is actually subject to restraint or attachment. In cases where the defendant's compliance is sufficient to obtain relief, a lawsuit may be filed in the court whose jurisdiction the property is located in or in the court whose jurisdiction the defendant actually resides in, operates a business in, or works in.

If a wrongdoing occurs within the local jurisdiction of one court and the defendant lives, works, or conducts business within the local jurisdiction of another court, the plaintiff may choose to institute the suit in either of the relevant courts. This

includes claiming compensation for wrongdoing to movable property or to a person. When a lawsuit is filed in one or two or more courts, any defendant may request that the case be moved to another court as soon as practicable after notifying the other parties. The court where the litigation is filed shall be decided by the court to whom such an application is submitted.

(ii) *Transfer of Cases*

An application must be presented to the appellate court when various courts have jurisdiction. If these courts are subordinate to other appellate courts, the application must be made to the High Court. A court below the Supreme Court, State Court, or Divisional Court (High Court) may try or resolve any litigation, appeal, or other continuing proceeding. The Supreme Court, the State, or the Divisional Court (High Court) may also shift the matter to a lower court for trial or disposition or withdraw any action, appeal, or other process and try or dispose of the case. The withdrawn case might be retransferred to the original court for trial or disposition.

(iii) *Appeals*

Any decree issued by a court with original jurisdiction may be appealed to the court that has the authority to consider appeals from the court's ex parte ruling. A decree issued by the court with the parties' consent cannot be appealed. For any of the following reasons, the Supreme Court will hear an appeal of any decision made by the State or Divisional Court (High Court):

- (i) the decision violated the law or a usage that has legal force.
- (ii) the decision failed to address a significant legal issue or usage that has legal force.
- (iii) There was a significant error or flaw in the legal process that could have led to an error or flaw in the case's outcome.
- (iv) in a case where the value of the original suit's subject matter or the quantity of claims exceeds 2 million kyats (about USD 2,000); (v) an appeal from an ex parted appellate decree may fall within this provision.

Orders issued in accordance with provisions that specifically permit appeals may also give rise to an appeal. An appeal may be filed with the court to which the decree may be appealed, or it may be filed with the court directly above if the District

Court, State Court, or Divisional Court (High Court) made the order in the exercise of appellate authority.

An appeal court can rule, remand, frame and refer to trial issues, acquire further evidence, or order more evidence. Regarding litigation filed there, it has the same powers as original jurisdiction courts.

The Supreme Court may hear appeals from decrees or final orders issued by the High Court or any other court with final appellate jurisdiction, the High Court while exercising its original civil jurisdiction, or the High Court when the case is certified for appeal. An appeal to the Supreme Court against a lower court's decree or final judgment requires a major legal problem.

If one, two, or more High Court judges or other courts with more than two judges have evenly divided opinions and do not represent a majority of the judges, the Supreme Court cannot consider an appeal. If the law prevents a second appeal, the Supreme Court cannot consider an appeal from a decree.

(iv) Execution of Decrees

Orders are subject to decree enforcement where applicable. The court that issued the decree or the court that executes it can execute it. A decree holder might seek that the issuing court transfer it to another court for execution. The court can enforce a decree handed to it as if it had passed it. The court will penalize anybody who disobeys or obstructs the decree's execution in the same way as it would have if it had issued the decree. And the same guidelines that apply to appeals will apply to its order in carrying out such a decree. The following is how the court may direct the decree to be executed, subject to any applicable laws and regulations:

- (i) by delivery of any property especially decreed;
- (ii) by sale with attachment or without attachment of any property;
- (iii) by arrest and detention in prison;
- (iv) by appointing a receiver or;
- (v) in other manners as the nature of its relief may require.

Execution by detention in jail, however, cannot be granted when the decree is for the payment of money unless the judgment debtor is given a chance to explain why he shouldn't be sent to prison.

(v) ***Processes for Review***

Any court may declare a matter and request an opinion from the Supreme Court. Anyone who feels wrong can ask the court that issued the order or decree to reconsider the verdict. Any lower court decision without an appeal may be asked for by the Supreme Court, State or Divisional Court (High Court), or District Court. Any court record decided by its appellate or revision authority is excluded from this rule. Furthermore, the Supreme Court's ability to use its revision power is unaffected by these limitations.

3.4.2 Criminal Action and Procedure

(i) ***Basic Principles***

Judges at all levels are required to follow current legislation, such as the Law of Evidence and the Code of Criminal Procedure, while trying criminal cases. All Myanmar criminal courts must accept documented and material evidence and interrogate witnesses, complainants, and the accused. The Attorney General or President of the Union can designate local or general Public Prosecutors. A person may only be found guilty of an offense under the applicable laws in effect at the time it was committed. Furthermore, the accused cannot get a punishment that is worse than what is permitted by the existing legislation. No criminal legislation can be applied retroactively. If a competent court finds someone guilty or acquitted of a crime, they cannot be prosecuted again for that crime unless a higher court overturns the conviction or acquittal and orders a new trial.

(ii) ***Powers of the Criminal Courts***

Supreme Court, State and Regional High Courts, Courts of Self-Administered Areas, District Courts, and Township Courts have specific criminal jurisdictions. Sessions Judges rule over Session Courts under Self-Administered Area and District Judges. Township Judges, Additional Township Judges, and Assistant Township Judges also have magistrate authority.

Supreme Court judges can impose any legal penalty under the Code of Criminal Procedure. A High Court judge, District Judge, or Judge of Self-Administered Area (Sessions Judge or Additional Sessions Judge) can inflict any legal penalty, but the Supreme Court must uphold any death sentence. The Deputy District Judge can inflict any legal sentence, save death or exile to a prison colony for more than seven

years. While an Additional Township Judge, if granted extraordinary magisterial powers, can inflict seven-year prison sentences, a Township Judge can issue seven-year sentences. Magistrate Deputy Township Judges can punish.

(iii) Jurisdiction

Usually, a local court will try an offense or its consequences. According to § 526 of the Code of Criminal Procedure, the President of the Union can direct that any district's cases be heard in any Sessions Division if it does not contradict with Supreme Court orders. Thugery, murder, dacoiting, evading incarceration, theft, committing a crime while traveling, kidnapping and abduction, criminal misappropriation, and criminal breach of trust have different trial venues. If two or more courts under it disagree on who should investigate or try an offense, the High Court decides.

(iv) Summons, Warrants, Bail

The Township Judge, Additional Township Judge, or Deputy Township Judge (District Magistrate, Sub-divisional Magistrate, or Magistrate) with exceptional authority given by the President of the Union may issue summonses or warrants for violations outside their local jurisdiction. He or she may also refer the accused to the Magistrate with jurisdiction to investigate or trial the offense, or investigate it locally. If the offense is bailable, the magistrate may allow a bond with or without sureties for his attendance. If a magistrate without trial power issues a warrant, the detained person must report to the District or Sub-divisional Magistrate. The detained person will either be transported to the magistrate who issued the warrant or delivered to the police officer who executes it if the magistrate with jurisdiction over the situation issues a warrant for their arrest. If any other criminal court in the district can investigate or prosecute the offense, the defendant will be referred to that court.

Any District Magistrate, Sub-divisional Magistrate, or other Magistrate with special authority can cognize an offense based on a complaint, a police officer's report, information from someone other than a police officer, or the magistrate's suspicions.

(v) ***Cognizance and Transfer of Cases***

The President of the Union or the District Magistrate may allow any magistrate to try or commit offenses for trial, subject to the President's general or special orders. The accused might request a transfer of cases based on the Magistrate's suspicions or non-police information. These cases will go to the Court of Session or another magistrate.

After a Magistrate of the first class has taken cognizance, any District Magistrate might assign a matter to a qualified district Magistrate to try the accused. The High Court or Court of Session has initial jurisdiction over the offense when a magistrate brings the accused before it by statute. Additional Sessions Judges and Assistant Sessions Judges shall try these cases upon the President of the Union's general or special order or as the division's Sessions Judge may determine.

The Supreme Court may hear any offense in which the Attorney General, with the President's agreement, files information against an accused person under its jurisdiction. The case's circumstances and Supreme Court precedence and procedure may allow proceedings based on all of this evidence. The Union owns fines, penalties, forfeitures, debts, and money recovered from the information.

(vi) ***Judgments and Sentencing***

The verdict or major elements of every criminal trial with original jurisdiction must be announced. It must be done after the trial or after notifying the parties or their pleader. Unless there is a legal requirement or clerical error, a court cannot modify a signed ruling. After a Sessions Judge convicts an accused to death, the judge must advise the accused of the appeal deadline.

A High Court or Court of Session death sentence cannot be executed until the Supreme Court affirms it. No order of confirmation may be issued until the appeal deadline has expired or the appeal is determined. After receiving the confirmation order or other Supreme Court order, the Court of Session must issue a warrant or take other steps to execute the sentence. If the accused is imprisoned or sent to a penal colony, the court must swiftly send a warrant to the jail. The court must send the accused to such a jail with the warrant if he is not already there.

The following actions may be taken by the court imposing the sentence to recover the fine whenever an offender has been ordered to pay one:

- issue a warrant to the District Collector allowing him to seize the money in accordance with Civil Process against the offender's immovable or moveable property.
- issue a warrant for the recovery of the amount by sale with attachment of any moveable property that belongs to the offender.

The officer carrying out a sentence must return the warrant to the court from whence it was issued once the sentence has been fully executed, together with an endorsement attesting to the execution method.

(vii) Appeals

No criminal court decision or order may be appealed, with the exception of situations outlined in the Code of Criminal Procedure or by any other currently enacted legislation. Anyone condemned under section 349 or section 562, sub-section 5 of the Criminal Procedure Code by a Sub-divisional Magistrate of the second class or convicted on trial by any Magistrate of the second or third class, may appeal to the District Magistrate. The District Magistrate has the authority to order that any appeal be considered by any first-class magistrate who reports to him or by any magistrate who has been given the authority to do so by the President of the Union. Any appeal thus submitted or transferred may be withdrawn by the District Magistrate. Anyone condemned under section 349 or section 562, sub-section 5 by a Magistrate of the first class or convicted on a trial presided over by an Assistant Sessions Judge, District Magistrate, or other Magistrate of the first class, may file an appeal with the Court of Session. Anyone found guilty in a trial presided over by a Sessions Judge, High Court, or Additional Sessions Judge may file an appeal with the Supreme Court. Certain summary convictions, small charges, and situations where the accused enters a guilty plea are exempt from appeal.

An initial or appellate order of acquittal issued by a court other than the Supreme Court may be appealed to the Supreme Court by the Public Prosecutor at the direction of the President of the Union. Both factual and legal issues may be the basis for an appeal. However, the appeal will only be based on a legal issue if the trial is conducted by jury. Any other individual found guilty in the same trial may appeal on both a factual and legal basis when someone is given the death penalty in a jury trial.

The appellate court may dismiss the appeal summarily if it determines that there is insufficient justification for meddling. Without giving the appellant or his pleader a

fair chance to be heard in favor of their appeal, no appeal may be denied. The court may, but is not required to, request the case record before rejecting an appeal. The appellant or his pleader, as well as any officer designated by the President of the Union, will get notice of the appeal's hearing time and location if the appellate court does not reject it summarily. Additionally, if an accused person files an appeal, the appellate court will ensure that the accused person receives a similar notification. In addition to dismissal, the court may do the following after hearing from both parties and considering the record:

- When an acquittal ruling is appealed, the appellate court has the authority to overturn the order, request more investigation, or order a new trial for the accused. The court of appeal will punish him in accordance with the law if it deems him guilty.
- When a conviction is appealed, the appellate court has the authority to overturn the verdict and sentence, release the accused, or order that he be committed for trial or retried by a court of competent jurisdiction that is under the appellate court.
- The appellate court has the option to change the finding and keep the sentence in place, reduce the sentence with or without changing the finding, or change the nature of the sentence with or without changing the finding; however, it is not permitted to increase the sentence in accordance with section 106 of the Criminal Procedure Code. The appellate court has the authority to change or reverse any other order in an appeal.
- Any modification or incidental or consequential order that appears to be appropriate or reasonable may be made by the appellate court.

The jury's verdict (if any) cannot be changed or overturned by the court unless the jury misunderstood the judge's explanation or the judge made a mistake.

When the High Court renders a decision in an appeal case, it must certify its ruling and forward it to the court that recorded or issued the finding, sentence, or order that is being appealed. The certificate must be sent via the District Magistrate if the finding, sentence, or order was made or recorded by a magistrate other than the District Magistrate.

The court to which the High Court certifies its judgment or order must thereafter revise the record if needed and make the order consistent with the High Court's judgment or order.

If the appeal court determines that more evidence is required, it must document its reasoning and have the option to either gather the material itself or order a magistrate to do so. High Court appeal courts might instruct a Court of Session or Magistrate to obtain evidence. Unless instructed otherwise by the appellate court, the accused or his pleader must be present while the extra evidence is taken.

When the Court of Appeal justices have equal disagreements, a case must be heard by another judge. The judge must provide his view and order after hearing about the matter. After an appeal, appellate court rulings and orders are final unless otherwise stated by legislation.

(viii) Reservation and Revision of Cases

A High Court judge exercising its original criminal jurisdiction may reserve any legal question raised during a trial and refer it to a court with two or more judges if the defendant is found guilty. The High Court can hear the case, determine, amend the sentence, make a decision, or issue an order. The High Court, Sessions Judge, District Magistrate, or Sub-Divisional Magistrate may seek and view subordinate criminal court proceedings within its jurisdiction. This ensures the lower court's decision, order, or finding is appropriate, legitimate, and accurate. Additionally, this determines if lower court sessions are regular. If a sub-divisional magistrate considers a finding, judgment, or order is unlawful or irregular, he must forward the record and his comments to the district magistrate.

After examining records, the District Magistrate, High Court, or Session Judge may instruct any subordinate Magistrate to investigate further. Before the released person may explain why the order should not be given, no court can investigate their case. If after reviewing the case file, the Sessions Judge or District Magistrate determines that the Court of Session can only try the case and that the accused was wrongly released by the lower court, they may order the accused to be committed for trial. The accused can persuade the court or magistrate not to commit. The Supreme Court can extend the sentence and employ whatever jurisdiction section 338 of the Criminal Procedure Code gives a court or Court of Appeal. When there is an equal disagreement among the judges that make up the Court of Revision, the matter will be decided in accordance with section 429. The accused must be given a chance to be heard, either in person or through a pleader, before an order can be made using the revision authority.

(ix) *Crime Prevention and Pre-Trial Detention*

Every police officer has the right to intervene and, to the best of his abilities, stop any crime from being committed in order to prevent crime. He has the authority to arrest someone who is about to commit any crime without a magistrate's instructions or a warrant if he believes there is no other way to stop the crime from being committed. When an arrest is made without a warrant, the arrestee must be taken or sent right away to the officer in command of the police station. With the exception of the time required to get to the magistrate's court, the detention term cannot be more than 24 hours in the absence of a specific order from the magistrate. When someone is charged with a crime that carries a minimum sentence of seven years in prison, their detention cannot be more than thirty days; if the charge relates to a crime that carries a maximum sentence of seven years in prison, it can be as short as fifteen days. A magistrate must inform the individual providing the statement that he is under no need to confess and that doing so might be used against him in the event of a confession. The Criminal Procedure Code includes provisions for bail, bonds, and sureties.

Resolution, result

One of the three departments of government that decides disputes between individuals, between the state and its institutions, and amongst individuals themselves is the judiciary. In every nation, the judiciary serves as both the guardian of the constitution and the protector of the people's fundamental rights. The constitution's guaranteed fundamental rights may be upheld and the rule of law in society strengthened if the judicial system is fair, unbiased, and independent. The Supreme Court and its lower courts, the Courts-Martial, and the Constitutional Tribunal are the three constitutionally based courts established by the 2008 Constitution. The latter court examines the legality of specified matters under the Constitution in a unique way, while the previous two courts execute their original and appellate judicial powers under ordinary laws of the nation, respectively, as apex courts within their respective jurisdictions. First, a coordinated judicial structure between military tribunals and civilian courts at the court of last resort is recommended. Second, people must have standing to file a suit with the Constitutional Tribunal if they believe their basic rights have been infringed and have exhausted all other legal options.

CHAPTER IV

SURVEY ANALYSIS

4.1 Survey Profile

Thingankyun District in Yangon City is lively. It is one of Yangon Region's largest districts and home to varied communities at 32.64 square miles. This district links individuals from around the city and beyond. The district survey sheds light on judicial staff knowledge and performance. Cooperative capacity is the ability to achieve and maintain cooperative goals by marshaling resources. Thingankyun District borders Tharkayta to the east, Bahan to the west, Tarmwe to the south, and South Dagon Myothit to the north. These surrounding townships complement Yangon's variety with their own traits.

This area is defined by its location between the Bago River and Ngamoeyeik crack. The survey conducted in Thingankyun District focused on investigating the impact of capacity building on judicial court. Judicial staff satisfaction lies parallel to the client satisfaction, that is international customer (client) demands that production process must fully satisfy the clients. This study is to attempt to address the difficulties and challenger faced by judicial staff in district court of Thingankyun District such as hyper-competition, competent personal, staffs' turnover and satisfactory performance.

4.2 Survey Design

This study analyzes Thingankyun District judicial personnel knowledge attitude and performance and the influence of capacity building. To achieve these goals, descriptive research examined Thingankyun District court staff capacity building methodologies and variables. Descriptive research was utilized to analyze Thingankyun District's judicial personnel prevalence and performance characteristics to achieve these objectives. The study used primary and secondary data. The primary data came from 56 questionnaire respondents. Like judicial staff. Administrative and attorney personnel at district court.

A designed questionnaire assessed knowledge, attitude, and behavior on performance improvement, professional skill development, and ethnic training program. Secondary data came from Thingankyun, Yankin, Tamwe, and South Okkalapa courts. Judicial personnel are responsible for jurisdiction, strategic planning, capacity training, and organization growth, hence the research focused on them.

A structured questionnaire was used to obtain primary data from 56 respondents, while secondary data was collected from Thingankyun district court records. Some research limitations existed. The study was restricted to one Yangon district, which may not be indicative of the region. Second, responses, who may be inaccurate. Finally, the research was brief, thus its conclusions may not apply to other periods. Purposive sampling was employed to pick survey respondents. The sampling frame included Thingankyun district inhabitants who were judicial workers and volunteered to complete self-administered surveys. The Thingankyun District Court's four township courts received the questionnaire evenly. There were 56 responders, 14 from each of the four townships. The researcher made sure respondents had distinct information, attitudes, and habits, not different services. Researchers found that respondents had male and female experiences.

4.3 Survey Result

The survey findings are analysed and shown as profile of respondents. Task Performance, Performance improvement programs professional improvement program and ethic training programs of the respondents as followings.

4.3.1 Profile of Respondents

Appendix (a) shows the survey questionnaire, and 56 people participated. Table (4.1) shows responder profile results.

Table (4.1) Profile of Respondents

Particular		Frequency(n)	Percentage 100%
Gender			
1	Male	36	62.3
2	Female	20	37.7
	Total	56	100%
Age			
1	Less than 30 years	6	10.71
2	31-40 years	14	25
3	41-50 years	20	35.71
4	+51 years	16	28.58
	Total	56	100%
Position of Respondent			
1	Admin staff	1	1.78
2	Attorney staff	20	35.71
3	Judicial staff	35	62.51
	Total	56	100%
Years of Experience			
1	Less than 5 years	5	8.93
2	5-10 years	12	21.43
3	11-15 years	24	42.86
4	16 years above	15	26.78
	Total	56	100%

Source : Primary Data, 2025

62.3 % (36) of the respondents were male and 37.7 % (20) of the respondents were female. The findings reflect that all gender was considered in the study and of course, there were more males employed in Thingankyun District court than their female counterparts.

10.71% (6) of the respondent were under 30 years of aged, followed by 25% (14) who were between 30-40 years at the time of the study. Meanwhile, 35.7% (20) of the respondent were between 41-50 years old and the other 28.58% (16) had between over 50 years old.

Majority of the research respondent a 62.5% (35) were judicial staff followed by 35.71 (20) who were attorney and the other 1.78(1) had attained administrator.

8.93 % (5) were less than 5 years serviced, followed by 21.43% (12). Who served between 5 year and 10 years. Majority of the research participants 42.86% (24) who served between 10 years less than 20 years. Finally 26.78% (15) were more than 20 years respectively.

Table (4.2) Descriptive Statistics for Staff Performance

No.	Staff performance	Mean Score
1	Time management	3.54
2	Meeting deadlines	2.91
3	Following work plans	2.82
4	Task completion	2.45
5	Efficient service delivery	3.14
6	Achieving work targets	2.66
7	Timely accountability	2.70
Average		2.89

Source : Primary Data, 2025

In table (4.2), the average mean rating observed was 2.89 for staff performance. The highest mean rating was 3.54 i.e. staff in Thingankyun District keep & manage their time well and the lowest mean rating of 2.45 was reported for staff performance (i.e. Staff complete their tasks on time). Thus, the study findings as portrayed from table 4.2 showed that the research participant viewed staff performance as being at moderate level (Mean = 2.89). The ratings of the items on staff performance may suggest that respondents only witnessed moderate staff performance in Thingankyun District.

The study split capacity building initiatives into performance improvement programs, professional development programs, and ethical training to investigate their effects on staff performance in Thingankyun District. The subsequence sub-sections summarize the study's quantitative descriptive data and interview results, which answered linked research questions.

The frequency distributions depict that even though there was good individual level time management, 30(53.6%). It was still difficult to effectively meet stipulated organizational deadlines 19(33.9%). None the less, the work plan was sufficiently followed in the execution of duties 26(46.4%). Staff did not adequately complete their

tasks 14(25.1%). Which partially hindered their ability to achieve work targets 18(32.2%) and consequently affected service delivery 25(44.6%). Timely accountability was also a challenge as indicated by 16(28.6%) respondents who disagreed to the assertion of timely accountability.

4.4 Effect of Performance Improvement Programs

Performance development is a continuous process focused on enhancing staff performance and achieving organizational goal through ongoing communication, feedback, and development opportunities. It involves setting objectives, assessing progress and providing support to ensure staff meet their goals and develop their skills in alignment with organizational strategies.

4.4.1 Quantitative Data Presentation and Analysis

To assess the effect of performance improvement knowledge development programs on staff performance in Thingankyun District, descriptive analysis and interviews enabled the interpretation and discussion of study findings, which has been presented in the subsequent sub-section.

Table (4.3) Descriptive Statistics for Knowledge Development Programs

No.	Performance Improvement Programs	Mean Score
1	The court encourages a culture of legal knowledge sharing among staff.	3.98
2	The court facilitates access to the court relevant knowledge.	3.36
3	The court updates newly acquired knowledge development expectations.	3.23
4	The court invests enough resources in legal knowledge development platforms.	3.50
5	The court welcomes staffs knowledge-based participatory discussions.	3.20
Key Average		3.45

Source: (Primary Data, 2025)

To assess the effect of performance improvement programs on judicial staff performance in Thingankyun District the study examined the status of performance improvement programs in study area. In table (4.3), the average mean rating was 3.45 for performance improvement programs the highest mean rating was 3.98 i.e.

knowledge sharing is done for all staff and the lowest mean rating was 3.20 i.e. The court welcome staff knowledge base on participatory discussion is given to staff.

Thus, the study findings as portrayed from table 4.3 exhibited that performance improvement programs were maximum level in Thingankyun District (Mean=3.45). The high ratings of the items on performance improvement programs may mean that respondents were in full agreement that there were knowledge development programs in study area.

Results from the frequency distributions confirm that there were knowledge sharing out 43(76.8%) for staff which were also followed up by continuous court facilities and access 31(55.4%) of the staff. Update newty acquired were also carried out 30(53.6%) were also undertaken and invests enough resources was evident among the employees 35(62.5%) and that there was evident welcomes staff 29(51.8%).

4.4.2 Discussion

During the interviews, participants cited that performance improvement (knowledge sharing an court facilities access, update newty acquired invest enough resources and welcome staff) positively affected staff performance.

One of the respondents asserted that;

"... Performance improvement are good and they can better be utilized through participating with lower-level staffs for implementation in a well-planned way and having performance improvement plans."

On career development, training for skills was held in positive regard to performance as revealed by staff who opines that;

"Career development trainings for skills to apply at work for improved performance..."

However, Respondents argued that although performance improvement programs are essential in ensuring staff performance, there was need for intentional planning, and carrying out needs assessments. For instance, one of the participants said;

"Performance improvement programs improve performance by making staff have confidence, motivated, learn more skills, feel loved by their employers, time management, and help them to know their strength and weaknesses for improvement. As a result, timely planning for the above-mentioned activities can ease staff performance because each staff will be competent enough in the respective field of work."

In other interviews, the participants stated that the programs boost learning, exposure, motivation, knowledge, and still emphasized on needs assessment. A respondent asserted as below;

"These programs help boost learning confidence, exposure to different environment, hence case/yield into improved performance ... Staffs are motivated and then knowledge base is widened. Staffs are also able to attain confidence in pursuing their takes and beefs good leadership skills..."

Other respondents emphasized the need for undertaking Needs assessments tailored towards improvement of staff performance.

"Carrying out needs' assessments every end of year to guide on what to capacity build the following year and action to be taken by the administration is very important" he said.

He further added that;

"... Through motivation, increase in promotion, recognition of best staffs, the programs improve performance on staff through effective service delivery in communication, integrity and confidentiality."

Therefore, from the findings of the study as presented above, we can clearly notice that performance improvement programs were attributed to a lot of benefits and the respondents for more attention and resources these programs. Though they were not being fully utilized, they still were being viewed positively by the research participants of this study. this means that more still needed to be done by the district jurisdiction towards improving performance improvement programs for better staff performance.

4.5 Effect of Professional Development Programs on Staff Performance

Professional development refers to the process of improving an individual's knowledge, skills and abilities in their chosen profession. It encompasses a variety of learning and overall career advancement. It's a continuous long-term process that involves both formal and informal learning experiences.

4.5.1 Quantitative Data Presentation and Analysis

To examine the effect of professional development programs on staff performance in Thingankyun District, descriptive analysis enabled the interpretation and discussion of study findings, which has been presented below.

Table (4.4) Descriptive Statistics for Skill Development Programs

No.	Professional Development	Mean Score
1	The court invests resources in bench skill development	3.41
2	The court matches appropriate bench skills with suitable staffs.	3.71
3	The court implement bench skill development programs upon needs.	3.38
4	The court provides opportunities for staffs to enhance their skills.	3.45
5	The court supports staffs in initiating newly acquired skills.	3.30
Average		3.45

Source : (Primary Data 2025)

To examine the effect of professional skill development programs on staff performance in Study, the study examined the status of professional development programs in study. In table (4.4), the average mean rating observed was 3.45 for professional skills development programs. The highest mean rating was 3.71 i.e. Staff of Thingankyun District appropriate skill with suitable and the lowest mean rating of 3.30 was reported for acquired skill development programs (i.e. initiating mealy acquired). Thus, the study finding as portrayed from table 4.4 showed an average high mean from respondents towards variables on professional development programs

(Mean=3.45). The ratings of the items on professional development programs may infer that respondents were in high agreement that professional development programs were being conducted in Thingankyun District.

The Frequency distributions from Table (4.4) indicate that 32(57.1%) of the participants are in agreement that positively impacted their performance. Also, 28(50%) was agreed to be a supporting input to staff performance. Results further indicate that majority of the participants agreed that 32(57.2%) and activities 30(53.6%) had a significant impact on performance levels.

4.5.2 Qualitative Data Presentation and Analysis

Factual and value loaded interviews were undertaken to affirm the relation premised by the quantitative descriptive and the results established as below;

It was evident that professional development enhanced analytical and domain knowledge skills and abilities.

One respondent opined that;

"Professional development improves on analytical and proficiency skills. These help the staff attain more knowledge and skills that enhance performance..." and that "They help increase their knowledge, skills experience with regard to their specific responsibilities. Also, it will give them the ability to handle more robust official tasks"

Through professional development, staff are able to learn new ideas and experiences which boosts their resilience in performance. As opined by the respondent below;

"...They get to learn new ideas and professional knowledge, which improve their performance. They gain more experience on what to do on duty and get more exposed to better information..."

Participants also made suggestions for the improvement of professional development programs in the city, among which include partnering with universities, provision of incentives, allowing junior staff to enroll for the programs, and clearly planning and professional development activities. Some of the responses in line with this thought can be seen as below:

"By allowing all staff especially all the junior staff for capacity building programs and this will eventually increase staff performance..." said another respondent.

On the other hand, it was clear that professional development programs were considered as effective contributors to staff performance. For example, a participant cited that;

"Professional development improves on staff performance through acquiring new skills and improves on the knowledge gap of individual staff and it enhances staff promotion..."

He further added that

Through clear planning for the activities and also, through developing annual performance development plans to execute.

4.6 Effect of Trainings on Staff Performance

Ethic training refers to structured learning initiative that equip individuals with the knowledge and skills to make sound ethical decisions and uphold ethical standards in their personal and professional lives. It about promotion a culture of integrity within an organization by helping employees identify ethical dilemmas, understand their responsibilities and develop one capacity to act ethically.

4.6.1 Quantitative Data Presentation and Analysis

To establish the effect of ethics trainings on staff performance in Thingankyun District, the descriptive analysis below enabled the interpretation and discussion of study findings;

Table (4.5) Descriptive Statistics for Ethic Training Programs

No.	Professional Development	Mean Score
1	The court provides enough training programs.	3.25
2	The court encourages staff to participate in training programs.	2.95
3	The court focuses most on relevant judicial training programs.	3.29
4	The court effectively matches trained judicial staff with suitable suits roles.	3.27
5	The court provides suitable suit for trained staff.	3.25
Average		3.20

Source : (Primary Data 2025)

To establish the effect of ethics trainings on staff performance in Thingankyun District. In table 4.6 the average mean rating observed was 3.20 for ethics trainings. The highest mean rating was 3.29 i.e. relevant trainings are always undertaken and the lowest mean rating of 2.95 was reported for ethics trainings (i.e. Transparency trainings are frequently done). This means that transparency trainings were not frequently done in study area.

Thus, the study results as represented from table 4.6 disclosed a high average view towards variables on ethics trainings (Mean = 3.20). The ratings of the items on ethics trainings may put it to the results to mean that participants were in a high agreement with ethics trainings being effective in Thingankyun District.

Majority of the respondents 25(44.6%) agree that enough training program have an effect on staff performance. However, few respondents agree the participate trainings 20(35.7%), and relevant trainings 23(41.1%) in study area have had an effect of staff performance. It is rather evident that effectively match trained and suitable law suit trained positively affects staff performance as a agreed by 30(53.5%) and 25(44.7%) of the respondents respectively.

4.6.2 Qualitative Data Presentation and Analysis

Findings from the interviews regarding ethics trainings revealed that there was urgent need for clear ethics training and, appraisal and the leadership.

One respondent was quoted opining as below;

"There is need to have clear relevant training planning and knowledge and developing an ethics training plan. Appraisal forms to access needs of the staff for proper planning and being regularly and behaviorally informed. There should also deliberate interest and willingness by leaders to be ethical".

In line with the benefits of ethics trainings towards staff performance, several arguments were fronted by the participants. Majority however noted that trainings improve accountability, transparency, promotes personal checkup, minimizes corruption, and adherence to employee code of conduct. Among the many responses, some of them included;

One Respondent opined that;

"Ethics training improves staff performance in that through these trainings, individuals will learn how to be accountable and transparent. Knowing that it is not for individuals but it concerns the whole team, when an individual fails to account then the whole system is affected..."

One other respondent opined that;

"Ethics training facilitates and promotes personal checkup in regards to work ethics and integrity. It also saves resources and finances. It also helps awaken staffs consciousness about their duties at all times hence improved performance."

Staff training was also believed to improve accountability levels which would subsequently minimize corruption tendencies among the staffs as opined by the response below;

"If such trainings are conducted, these could help staff improve in accountability and transparency and also reporting hence generate positive results."

Another respondent opined that;

Ethics trainings minimize corruption vice among staff and they increase their performance because of good morals they get from ethics

trainings. It also enables to stick or operate under the staff code of conduct.

One particular participant opined that "ethics trainings are not commonly done in district court, but it can improve on the staff's image where accountability is done well, where audit queries are not raised. And as such, there is need to increase the frequency of the training programs." This further shows how important ethics trainings are in regards to influencing staff performance in study area.

4.7 Discussion

The discussion of findings of this study is done. The findings were based on a response rate of 95.3%, which is above the recommended 80%. The discussion was done according to the research objectives of the study, which included:

- i. To evaluate consequence of performance improvement programs on judicial staff performance.
- ii. To explore the consequence of professional development programs on judicial staff performance.
- iii. To create the consequence of ethics trainings on judicial staff performance.

4.7.1 Consequence of Performance Improvement Programs on Staff Performance

Answering the research question on "what is the effect of performance improvement programs on staff performance in Thingankyun District", the findings exhibited that performance improvement programs were highly evident in Thingankyun District (Mean = 3.45). The high ratings of the items on performance improvement programs may mean that respondents were in full agreement that there were proper performance improvement programs in Thingankyun District.

Also, the interview findings confirmed that performance improvement programs were being conducted in Thingankyun District. These results are in contrast to those of Prachi (2015), who claimed that many businesses perceive PIPs as a waste of time for all stakeholders since significant performance increases are statistically implausible. In addition, in line with the present findings, Heath field (2021) discovered in her research that a formal performance improvement plan (PIP) may address concerns with workplace productivity and assist even the most improbable person in succeeding in your company. She continues by saying that an effective PIP gives staff members the guidance they need to complete particular objectives. It is a

useful tool for boosting employee productivity and addressing workplace issues (Heathfield, 2021).

According to independent study by Barron et al., most health care organizations fail to create and implement system-wide reform programs. His research found eight organizational success factors for performance development programs: Strong administrative executive and performance improvement leadership, active board of trustees involvement, effective oversight structure, knowledgeable performance improvement staff, physician involvement and accountability, active staff involvement, effective use of information resources—data used for decision making—and an effective communication strategy are needed.

4.7.2 Consequence of Professional Development Programs on Judicial Staff Performance

The study findings, in providing answers to the research questions that “what is the consequence of professional development programs on staff performance in Thingankyun District?”, study results showed an average high mean from respondents towards variables on professional development programs (Mean = 3.45). The ratings of the items on professional development programs may infer that respondents were in high agreement that professional development programs were being conducted in Thingankyun District.

As expressed during the interviews, professional development programs played a significant role towards the employee performance in Thingankyun District. These results support Chen's et al (2004) study, which found a link between high work satisfaction, professional growth, and productivity among R&D professionals who were satisfied with career development programs.

According to "Staff development programs and job performance of lecturers at Moi University." staff development programs strongly correlate with work performance. It was also suggested to recognize, value, and support both short-term and long-term training opportunities; create clear promotion criteria that recognize teaching, research, and service; and improve the staff development programs policy that encourages all staff members to maximize their potential and work effectiveness (Odinga, 2022).

4.7.3 The Consequence of Ethics Trainings on Judicial Staff Performance

To answer the research question that concerned “How do ethics trainings affect staff performance in Thingankyun District”, the ratings of the items on ethic trainings disclosed a high average view towards variables on ethics trainings (Mean = 3.20). The ratings of the items on ethics trainings may put it to the results to mean that participants were in a high agreement with ethics trainings being effective in Thingankyun District.

The findings of this study are consistent with those of Liao & Teng (2010), who came to the conclusion that ethics training had a good impact on corporate responsibility practices and that such practices had a beneficial impact on employee satisfaction. Furthermore, it was argued that moral behaviour benefits businesses because it fosters positive externalities like stakeholder loyalty and trust, which in turn promotes long-term success.

Walumbwa et al. (2021) also reported that ethical leadership was favourably and substantially associated to employee performance as judged by their immediate supervisors, according to data from 72 supervisors and 201 immediate direct subordinates. According to a different survey, the biggest ethical problems for organizations include bribery, corruption, and payments for favours; whistle blowing or speaking up; and harassment, bullying, or discrimination (Bello, 2012). Additionally, according to Weber (2014)'s inquiry and evaluation, certain components of ethics training are helpful, but five severe issues are noted and explored as probable causes of the absence of ethics among employees of corporate companies.

From the study findings, we can conclude that capacity development strategies played an important role towards staff performance in Thingankyun District. It is also clear that performance improvement programs, professional development programs, and ethics trainings had played positive roles towards staff performance in Thingankyun District.

CHAPTER V

CONCLUSIONS

5.1 Findings

This chapter presents the conclusions and recommendations of the study, as derived from the findings on the effect of capacity building strategies on staff performance in Thingankyun District. The conclusions and recommendations have been presented as below.

Performance improvement programs seem not to have been fully utilized in the Thingankyun District Court. The researcher therefore concludes that although there was a perceived significant effect of performance improvement programs on staff performance, in Thingankyun District, the Performance Improvement Program (PIPs) were not being fully utilized and/or undertaken. What's more, there seemed to be a mismatch between the expectations among government and the actions of the supreme court.

This study's findings revealed that professional development programs were an important component that positively related with staff performance. However, the programs were not intentional. These programs were being perceived as a judicial court benefit where staff can attain better qualifications and was not in any way being utilized to cause better performance for the district court. This shows how much a gap there is for the subordinate court and administration.

Ethics trainings are essential in regards to staff performance. With ethics trainings, corruption and embezzlement can be checked, so is bribery and other forms of financial fraud. But that is not all, judicial court ethics and other professional ethics of concern can be improved upon. The study concludes that ethics trainings were missing in Thingankyun District and, therefore, may not have stimulated staff performance to the maximum, which should be the ideal situation.

5.2 Suggestions

From the study findings, the researcher fronted the following recommendations:

1. First and foremost, the researcher recommends the jurisdiction and adoption of a performance improvement policy in the judicial court. Since the judicial court was recently operationalised, it is tempting to keep following government policies and mandates.
2. Also, there should be jurisdiction of a performance improvement team in the court. That is to say, there should be designated and independent individuals who are directly charged with the responsibility of ensuring that all staffs perform to the required standard. In other words, the district jurisdiction should institute a court or department of quality assurance that will be in charge of ensuring that all public services are in line with expected standards.
3. Therefore, the Jurisdiction should emphasize more of ethics trainings since the participants were mainly concerned about the challenges associated with what ethics trainings is premised upon.
4. Also, it is also recommended that the judicial court develops an Ethics and professional standards policy to be followed by all staff. This policy should deal with only ethics, not overall performance. To cement this, there should be an ethics evaluation each year. As such the results of the survey are shared with the judicial staff so as to enable them understands what the public thinks of them in terms of ethics.

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APPENDICES

Capacity Building Strategies and Judicial Staff Performance in Thingankyun District

Dear respondent,

I am Ei Win Zaw, a student of the Yangon University of Economic, pursuing Master's Degree in Public Administration (MPA). I will be carried out a study on Capacity building strategies and Judicial Staff performance in Thingankyun District. In partial fulfillment of the above award and I am looking for your honest response which shall be used for academic purpose only. I shall be very grateful to receive your useful contribution to this project.

SECTION A: General Background Information

Please put a tick () where appropriate:

1. Gender Male Female

2. Age Less than 30 years 30-Less than 40 years
 40- Less than 50 years More than 50 years

3. Position Judicial Officer Attorney Admin officer

4. Years of experience: Less than 5 years 5-Less than 10 years
 10- Less than 20 years More than 20 years

Section B: Staff Performance

Staff Performance: Staff Performance defined as the result or level of success of a staff within a court as a whole during a certain period in carrying out tasks compared to various possibilities, such as suit measures, targets, speed, justification, and quality of cases.

Key : 1 = Strongly Disagree, 2 = Disagree, 3 = Natural, 4 = Agree, 5 = Strongly Agree

No.	ITEMS	Expectation Condition				
1. Task Performance: Task Performance explores the speed, efficiency, and quality of staff completing tasks that assists the overall jurisdiction.						
1	Time Management	1	2	3	4	5
2	Meeting Deadline	1	2	3	4	5
3	Following Work Plan	1	2	3	4	5
4	Task Completion	1	2	3	4	5
5	Efficient Service delivery	1	2	3	4	5
6	Achieve Work Target	1	2	3	4	5
7	Timely Accountability	1	2	3	4	5

Key : 1 = Strongly Disagree, 2 = Disagree, 3 = Natural, 4 = Agree, 5 = Strongly Agree

1. Knowledge Improvement Programs: Defined as the process enhancing staff professional and uses of authenticity. (eg. Attitude, bias, jurisprudential philosophy and that knowledge available so that it can be shared among staff.						
8	The court encourages a culture of legal knowledge sharing among staff.	1	2	3	4	5
9	The court facilitates access to the court relevant knowledge.	1	2	3	4	5
10	The court updates newly acquired knowledge development expectations.	1	2	3	4	5
11	The court invests enough resources in legal knowledge development platforms.	1	2	3	4	5
12	The court welcomes staffs knowledge-based participatory discussions.	1	2	3	4	5

Key : 1 = Strongly Disagree, 2 = Disagree, 3 = Natural, 4 = Agree, 5 = Strongly Agree

2. Professional Improvement Programs: Defined as the process of enhancing judicial staff skill, e.g. Judgement writing, decision making trail management and this use of information technology.						
13	The court invests resources in bench skill development	1	2	3	4	5
14	The court matches appropriate bench skills with suitable staffs.	1	2	3	4	5
15	The court implement bench skill development programs upon needs.	1	2	3	4	5
16	The court provides opportunities for staffs to enhance their skills.	1	2	3	4	5
17	The court supports staffs in initiating newly acquired skills.	1	2	3	4	5

Key : 1 = Strongly Disagree, 2 = Disagree, 3 = Natural, 4 = Agree, 5 = Strongly Agree

3. Ethic Training Programs: Defined as programs that offer staff information, new skills, or opportunities for professional development and the positive role of training in attaining the supreme level of staff retention.						
18	The court provides enough training programs.	1	2	3	4	5
19	The court encourages staff to participate in training programs.	1	2	3	4	5
20	The court focuses most on relevant judicial training programs.	1	2	3	4	5
21	The court effectively matches trained judicial staff with suitable suits roles.	1	2	3	4	5
22	The court provides suitable suit for trained staff.	1	2	3	4	5

Section C: Interview Guide

What performance improvement Programs has the Thingankyun District been utilizing?

In your opinion, how have the performance improvement programs increased staffs performance in Thingankyun District?

How is performance professional development being utilized in Thingankyun District?

How have the ethics trainings increased staff performance in Thingankyun District?

What would you say about the overall performance of staffs in Thingakyun District, in relation to their jobs?

