

**THE INAUGURAL ADDRESS OF THE 31ST PRESIDENT OF THE
NIGERIAN BAR ASSOCIATION, MR. YAKUBU CHONOKO
MAIKYAU, SAN, AT THE INAUGURATION OF THE 2022 – 2024
NATIONAL EXECUTIVE COMMITTEE**

Protocols

INTRODUCTION

That I, Yakubu Chonoko Maikyau, SAN is today, the **26th of August 2022**, standing before you as the 31st President of the Nigerian Bar Association (NBA); the prestigious association of the only noble profession, the largest, most vibrant and most influential Bar on the continent of Africa, is simply a function of the grace of God Almighty. To HIM ALONE be all the glory, the honour and the praise.

Family background

My late parents, Lt. Maikyau Chonoko and Mrs. Titi Maikyau, had no formal education. Had my father not joined the Army, my late sister, Amina Maikyau, and I may not have gone to school. I can recall my father saying to me as he sent me off to the School of Basic Studies, Zaria in 1984, ***“any day you go hungry, come home, whatever we have we will share”***. My mother, amongst other trades, sold firewood to support my education and as an undergraduate, I helped to split the firewood for sale. My late sister on her part, after her National Certificate of Education (NCE) suspended further education and took up a teaching appointment to support the family and my education. She only went back to school to graduate in 1994 - four (4) years after my call to the Bar in 1990. My father passed on the **28th of January 1989**, while I was in my final year in ABU Zaria; my sister passed on the **10th of January 2005** and my mother, on the **1st of December 2019**.

It was as though they all came into the world just for me as I do not have a recollection of anything they did for themselves, but from the time I could recognise and recall events, I can only remember all they did to raise and support this boy, Yakubu. They were selfless towards me as they individually and collectively invested in me. My father did not witness my graduation and eventual call to the Bar and my sister did not live to see me become a Senior Advocate of Nigeria. Coincidentally, today is the 11th anniversary of my swearing in as Senior Advocate of Nigeria, which only my mum was privileged to witness on the 26th of August 2011. I pay special tribute to all of them for their love, sacrifices, support, prayers and for a godly upbringing. I am sure that, to the glory of God, they look from heaven, proud of their boy and grateful for the privilege of being part of the journey that culminated in this inauguration ceremony.

My Education

I studied Physics, Chemistry and Biology in my A-level classes at the School of Basic Studies, Zaria. Never in my wildest thoughts or imaginations did I contemplate studying Law. I gained admission to study Veterinary Medicine at the Ahmadu Bello University (ABU), Zaria. About three weeks into my resumption in Veterinary Medicine, I was informed by my friend, Hassan Danjuma, that he saw my name on the admissions list for the Faculty of Law. He literally dragged me to the old Senate Building and pointed out my name on the list. I saw it and was completely taken aback and unsuccessfully tried so hard to convince Hassan that this was in fact news to me. I later confirmed that my name was not only on the master list but also in the list at the Faculty of Law. Thereafter, I travelled to Sokoto to consult with my big brother figure, Mr. J. S. Magaji of blessed memory, who said to me, *“if you can cope, Law is a more lucrative course than Veterinary Medicine”*. Upon return to Zaria, I withdrew from Veterinary Medicine and re-registered as a law student with the encouragement of the then Dean of Faculty of Veterinary Medicine, Professor Daniel Saror, who also promised to defer my admission to the following year, so that if I could not cope with Law, I could return to continue with Veterinary Medicine.

I owe a debt of gratitude to **Professor Daniel Saror, late Mr. J. S. Magaji and late Senator Danladi Bamayi**, my first employer and principal in chambers, with whom I worked for almost 13 years. Senator Bamayi’s sense of duty, discipline, honesty, respect for values, ethics, and standards helped in no small measure in moulding me into who I am, as a legal practitioner, a husband and a father. I know Professor Daniel Saror (who would have been here in person – he will be 81 in October), the late Mr. J. S. Magaji and the late Senator Danladi Bamayi, are proud of their advice and mentorship and are equally grateful to God to have had a hand in what turned out to be the nurturing of the seed of greatness God deposited in me.

That we are here today, is more than enough proof that I never went back to study Veterinary Medicine. That I can rise to the peak of the profession of law, into which I was admitted by sheer providence (for I did not apply to study Law; I still do not know how my name appeared on that list), attain the rank of a Senior Advocate of Nigeria (SAN) and now the 31st President of the NBA, are all the work of the Almighty. Is there any impossibility with God? Certainly NONE!

I give God Almighty, the Alpha and Omega, Omnipresent, Omniscience, Omnipotent, the ONLY WISE ONE, the ONE in whom the essence of His existence is in Himself, all the glory, honour and praise.

ACKNOWLEDGEMENTS

I must recognise the contribution and support of my partners and colleagues at Y. C. Maikyau and Co. This project afforded me the opportunity to see a side of them that I probably may never have experienced. Their commitment, passion

and sacrifices towards this aspiration, have been humbling. They have also assured me that I do not have to worry about the office for the 2 years that I will be steering the affairs of the Bar. My partners; Raphael Terfa, Nwabueze Obasiobi, Mohammed Adelodun; I am grateful for the support. I am also grateful to my Associates and staff at the office for their tremendous support.

My campaign team was simply awesome. The Director General of the campaign, **Mr. Yemi Akangbe**, who earned himself the aliases of “capacity”, “energy”, “structural”, “intellectual”, “accommodating”, to mention just a few, drove the process well. We saw the interplay of these attributes during the campaign. **Mazi Afam Osigwe SAN**, “the Golden Boy”, was exceptional in his support; he committed his time, resources and experience to support this aspiration. I am grateful to my Nominators, **Chief R. A. Lawal Rabana** (my egbon) past NBA General Secretary and Life Bencher and **Mr. Aminu Sani Gadanya** (the fine boy from Kano), who found me worthy of nomination, for their trust and support. I am grateful to my friend and call-mate, **Sopriye Long Williams** for deploying his wealth of experience as Deputy Director General of the Campaign alongside my younger brother, **Paul Daudu**. My profound gratitude goes to the rest of the Campaign team: **Murtala Kankiya; Sammie Somiari, SAN; Chinaecherem Nwaubani; Laura Alakija; Aisha M. Hassan; Barbara Omosun; Olabamiji Adeyeye; Rachael Osibu; Dressman Ebikebina; Auta Nyada; Henry Barnabas; Yakubu Philemon; Isah Aliyu; Eva Amadi; Folarin Aluko; Hope Anehen; Jamiu Isiaka; Lere Fashola; Blessing Udofia-Poromon; Amaka Uzuegbu; Ada Edozie; Adanma Isamade; Sameera Tabo; Godwin Madubuko; Augustine N. Eseagwu; Nasir Salau; M. A. Magaji, SAN; Adekunle Ojoh, SAN**; all my friends and colleagues of the 1990 set of the Nigerian Law School and a host of other friends and colleagues too numerous to mention. I must however not fail to mention **Mr. Kaka Lawan Shehu**, the Honourable Attorney General, Borno State for his unflinching support throughout this election. Similarly, **Yunus Ustaz, SAN; E. Y. Kura, SAN; Abdullahi Yahaya, SAN; Abdul Mohammed, SAN; Chief (Mrs.) A. J. Offiah, SAN; Mr. A. I. Ani, SAN; Offornze D. Amucheazi, SAN; Abdulwasiu Alfa; Zibril Jimeta; Zibril S. Zibril (Chairman Bauchi), M. M. Maidoki, Haruna Yelma, Hannatu Simon; Hajiya Altine; Mohammed Nuhu (Chairman Sokoto); Lawan G. Hudu (Chairman Birnin Kebbi); M. T. Mohammed (Chairman Kaduna); Usman Sule, SAN; Wada A. Wada, Ibrahim A. Nasarawa; Mal Salisu; M. E. Osume; Zainab Bio** and many others who were all very supportive throughout the process. I am also grateful to our media, technical, publicity and content creation teams – they worked tirelessly behind the scenes and drove our campaign organization from the shadows – I am truly blessed to have had such a formidable team behind me.

So many respected friends and senior colleagues took the time to offer their personal endorsements of my candidacy. Words cannot convey the depth of my gratitude or the value I ascribe to every one of these endorsements. **Mama Hairat Ade-Balogun, OON; Chief Anthony Mogboh, SAN; Anthony**

Mogboh, Jnr, SAN; President Paul Usoro, SAN; Mrs. Funke Adekoya, SAN; Prince Lateef Fagbemi, SAN; Mallam Yusuf Ali, SAN; Mr. Adebayo Adelodun SAN; Dr. Anthony Idigbe, SAN; Chief Paul Erokoro, SAN; J.S. Okutepa, SAN; K. K. Eleja, SAN; Prof. Wahab Egewole, SAN; Ayuli Jemide; Dr. Adekunle Ojo, SAN; Tobenna Erojikwe; Emeka Ozoani, SAN; Tochukwu Maduka, SAN; Chukwuka Ikuazom, SAN; Abdul Mohammed, SAN; Rafiu Kolawole; Mr. Dayo Idowu; Orji Agwu Uka; and a host of our younger colleagues who flooded the airwaves with a barrage of their endorsements which essentially translated into the victory we celebrate today.

Permit me again to extend my profound gratitude to:

- (i) President Olumide Akpata for the privilege to serve under his administration. This afforded me the opportunity to interact with members of the National Executive Committee, with whom I enjoyed a wonderful working relationship. I commend you again for the reformatory leadership you brought to the NBA, the laudable projects which my administration is committed to build upon and for putting in place the process that led to the successful hand over of the baton to my administration.
- (ii) The ECNBA under the leadership of **Mr. Richard Ayodele Akintunde SAN** for delivering free, fair and seamless elections culminating in the emergence of this administration of the NBA.
- (iii) Past Presidents of the NBA particularly **Dame Priscilla Kuye, T. J. O. Okpoko, SAN, Chief Wole Olanipekun, SAN, Olisa Agbakoba, SAN, His Excellency, Oluwarotimi Akeredolu, SAN, Chief O. C. J. Okocha, SAN, Chief Bayo Ojoh, SAN, J. B. Daudu, SAN, Okey Wali, SAN, Austin Alegeh, SAN, A. B. Mahmoud, SAN and Paul Usoro, SAN**, for leaving a legacy that we can build on.
- (iv) Candidates who ran for one office or the other - In all our travels across the country, we did not record any incident. We moved around, consulted, campaigned, participated in the election in good health and witnessed the election to the end. Regardless of the outcome of the elections, we should be reminded there is no amount of money anyone could have paid to enjoy God's mercies and protection as we travelled. I will be calling on you to work with us for the greater good of the legal profession in Nigeria; the very reason we all got into the race in the first place.

A few weeks after the election and precisely on the 10th of August 2022, I received shocking news of the deaths of two of our colleagues who were very close to me and to many of you; **Mr. Nasiru Dangiri, SAN** and **Mr. Ogaga Emoghwanre**, who was the Secretary of the NBA Welfare Committee which I chaired. Ogaga was also the Publicity Secretary of NBA, Benin Branch and a Personal Assistant to President Olumide Akpata. He contested for the office of National Publicity Secretary but lost to Habeeb Lawal. He was gracious in defeat, reached out to the

winner and joined all of us in the celebrations that followed. These unfortunate losses are stark reminders of the transience of life and the mercies of God in our lives. May their souls and those of our other departed colleagues, rest in peace and may the Almighty God comfort their families and the NBA, Amen.

It is on this note that I call upon my big brother **Chief J. K. Gadzama, SAN, OFR, MFR** to continue to be gracious in accepting the result of this election. I equally extend a hand of fellowship and invite him, to join hands with the current administration to deliver on the mandate of the Nigerian Bar Association to its members and the Nigerian public. I must appreciate the sportsmanship displayed by the DG of JK-Gadzama Campaign Team. **Chief C. P. Oli**, who called to congratulate me. I similarly thank my big brothers, **Mr. K. T. Turaki, SAN** and **Mr. Mela Nunghe, SAN**, (both close associates of Chief J. K. Gadzama) who individually called to congratulate me and pledged their continued support for the Bar under my administration. I am particularly grateful to Mr. Jonathan Gunu Taidi, past General Secretary of NBA, who ran for the office with us, but promptly called to congratulate me and paid a personal visit to my office to celebrate with us. I already have his commitment to work with this administration in delivering the needed dividends to our members.

THE TASK AHEAD AND MY CALL TO MEMBERS OF THE LEGAL PROFESSION.

I had in my manifesto identified “*service to the cause of justice*”, as our primary call as lawyers. The discharge of this duty will naturally lead to the socio-economic and political change we desire in Nigeria; engender the recovery, reformation and repositioning we need as a nation; improve the productivity, prosperity and empowerment within the polity and guarantee the well-being of the entire citizenry, lawyers inclusive.

We must not lose sight of the fact that the prosperity of the members of the legal profession cannot be isolated from that of the larger society. To this end, it is the responsibility of all members of the legal profession, individually and collectively, to provide the desired leadership to the nation. To achieve this, the Bar must earn the respect and confidence of the public and this can only be secured by a Bar that conducts itself professionally with honor, respect, dignity and integrity. This responsibility of the Bar to the Nation was underscored in the quote attributed to Sir Adetokunbo Ademola, where he said that “*the respect in which the bar in any country is held is the best indicator of the freedom in that country*”. Conversely, the absence of freedom in a country is the best indicator of either the complete absence of the Bar or the lack of respect for the Bar in that country.

Consequently, distinguished colleagues, in taking on the task ahead, I call on all members of the legal profession to do whatever we are lawfully permitted to do to command respect as a Bar, because therein lies the freedom this country yearns for. To this end, **service to the person of justice must be our primary**

motivation in the discharge of our responsibilities as members of the legal profession wherever we may find ourselves; on the Bench, the Bar (official or private), public service, private businesses, in our places of worship, or whatever endeavour we may be engaged in. It is my firm belief that with the quality and diversity of our members, many of whom populate constitutional/statutory bodies, the legal profession is properly positioned to provide the leadership that can turn around the fortunes of this nation for the better. Thus, the discharge of the functions of these statutory bodies must be motivated solely by the need to attain justice. I therefore call on our members in whatever capacity you currently serve, to awaken to our responsibilities as socio-economic change agents, to put our hands on the plough with our eyes fixed on the goal to deliver justice to the Nigerian people and cultivate the greatness of this Nation under God.

STATE OF THE NATION

The Nigerian state is passing through perilous times. The insecurity in the nation has reached an all-time high; no longer are we dealing with insecurity on the fringes of the Nigerian territory, as nearly all parts of the country have experienced and/or are experiencing one form of security breach or the other. Attacks on military formations and killing of security personnel are now regular occurrence. The Abuja-Kaduna train attack; the closure of Kaduna International Airport due to security concerns; killing of innocent worshippers in Owo, Ondo State; the rampaging activities of Boko Haram, terrorists, bandits, et al in the Northern parts of Nigeria; kidnappings and the activities of elements described as *unknown gun men* in the South East; the jail breaks including the recent incident at the Kuje Correctional Centre, FCT; the attacks on the suburbs of the FCT, within a radius of not more than 50 kilometers to the seat of the President and the Commander-in-Chief of the Federal Republic of Nigeria; are to say the least worrisome and distressing. The situation appears so overwhelming that it is either that what is being done by the Federal Government of Nigeria (FGN) is too negligible to be noticed, or nothing is being done at all- **many Nigerians believe that the latter is the position**)

There has not been any time in this country when Nigerians have looked more to the Bar as they do now, for a way out of the rather bleak situation, and they are certainly looking in the right direction. We are the ones who, by the privilege of our training and expertise, are positioned to ask the right questions, interrogate the system and call those saddled with the responsibility of providing security for the lives and properties of Nigerians, to account for their stewardship. Permit me to borrow from a biblical expression and to say that; just as the entire world is eagerly waiting for the manifestation of the sons of God, *so are Nigerians eagerly waiting for the discharge of the leadership responsibility and interventions of the members of the legal profession*. We have what it takes to precipitate the leadership that will bring the succour and freedom Nigerians deserve and we cannot afford to shirk from that responsibility.

Let me emphasise this point in this way; Nigeria and Nigerians have been so terrorised, traumatised and their psyche pauperised by our present-day realities. The dignity of the lives of Nigerians have come under severe attack by these and many factors. What is left of this country, which cannot be emasculated in my humble view, is the voice of the legal profession; a voice that derives its life and strength from the person of justice and which cannot be caged or killed. This voice must speak against the terror in the land and the hardship that has taken over the lives of our people. This is the charge that my administration undertakes to spearhead.

That is why what we saw at the just concluded conference where some of our colleagues broke into the Pavillion for the distribution of conference materials, destroyed the booths and carted away bags and other valuables, was most unfortunate, highly despicable and totally unacceptable. What the world saw on social media is not a representation of who we are as members of the legal profession. We remain proud of the nobility of the profession, and we are committed to conducting ourselves in the best traditions of the Bar with candour, honour, dignity, integrity, and professionalism. What we saw fell short of this and we have a duty to deal with that shameful conduct.

I hereby immediately, subject to the approval of NEC, setup a committee to be chaired by Mr. Wale Fapohunda, SAN, Attorney General of Ekiti State, to investigate the incident and identify all those who participated in that disgraceful act with the view to reporting them to the LPDC.

In the next couple of weeks and months, the NBA under my leadership will take steps and set in motion processes that will seek to interrogate government's investments in the security of this nation and the utilization of these investments if any, to ascertain the reason(s) for what clearly appears to be a failure of National Security. Our apparently ill-equipped security personnel are continually being sacrificed notwithstanding what is known to be their patriotism, uncommon courage, military expertise, tact, zeal, gallantry and determination to defend the Nigerian people, their properties and the territorial integrity of this Nation.

This engagement, which must be carried out expeditiously, is necessary to, amongst other things, generate discussions that will provide Nigerians with sufficient information to guide them in making their choice of persons to occupy elective offices in the upcoming general elections. While the NBA shall hold the current and past leaderships to account (bearing in mind that government is a continuum), we must ensure that no one seeking elective office leverages on the failures of this or any administration, to gain the sympathy of Nigerians. Nigerians must be satisfied, given the concrete realities of our nation, with the practical solutions that are being proposed to deal with the current security, economic and political challenges. Consistent with our duty to the people, we cannot allow the nation to be misled, as Abraham Lincoln once said: ***“let the people know the truth and the country will be safe”***.

In the interim, I hereby call on the Federal Government of Nigeria, to show demonstrable commitment to the protection of lives and properties of Nigerians across the country. A situation where the elite guards of the Commander-in-Chief will come under such humiliating and fatal attack as was recently reported, amongst other similar incidences and experiences of the Nigerian military, leaves much to be desired. I will however commend the security personnel in the field of operation for doing so much with apparently so little.

THE 2023 GENERAL ELECTIONS

Besides the need to guarantee the security of the lives and properties of Nigerians as they troop out to vote in the 2023 general elections, the ultimate outcome of the election will largely depend on the interface between the Bench, the Bar and the Political gladiators. As members of the Legal Profession, serving either on the Bench or at the Bar, we owe Nigerians sincere and honest participation in the process. We must do all that is legitimately within our abilities, motivated by the desire to serve the course of justice, to ensure that the relevant laws and rules, properly interpreted and applied, remain the guiding principles for our involvement in the process.

While we shall stand with the Courts and do everything legal to protect the integrity of the Bench against any form of intimidation by the political class, any person or group of persons, we will not hesitate to call out and pursue disciplinary action(s) against erring judicial officials. Similarly, members of the Bar who misconduct themselves while participating in the resolution of electoral disputes will face disciplinary action at the Legal Practitioners' Disciplinary Committee (LPDC) and the Legal Practitioners' Privileges Committee (LPPC), where Senior Advocates of Nigeria (SAN) are involved.

Our Association just conducted a fully online election of its national officers, adjudged free, fair, transparent, credible and seamless. While about 62,000 members were verified and eligible to vote, 34,809 of our members voted in the election. Eligible members cast their votes from across the world, from the comfort of their homes, offices and on the go, using their computers, phones and other electronic devices, while monitoring the progress in real-time. Members did not have to congregate at any location to vote, thus, avoiding all the risks and expenses associated with movements from one point to another and convergence at any designated location.

I call on the Independent National Electoral Commission (INEC) and the various State Independent Electoral Commissions to emulate the NBA; to leverage on technology in the conduct of future general elections with minimal or no exposure of the electorate to insecurity, risks and other associated costs/expenses in the process in addition to reducing of likelihood of electoral malpractice. I am confident that, the insecurity situation will be contained and we shall regain normalcy in the nation, notwithstanding, deployment of technology in all facets

of our national life is not an option. It is the future of the world and we cannot be left out of this future.

Finally on this point, the agitations in the polity as to the election processes; choice of candidates and the extent of participation of the citizens in the political space, have to my mind been largely fueled by what I see as the constitutional limitation imposed on the Nigerian citizens by Section 221 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended). This section essentially prohibits any association other than a political party from canvassing for votes for any candidate. In this respect, relevant sections of the Constitution make sponsorship by political parties a requirement for eligibility to contest for elective offices in Nigeria. These provisions have made participation by all classes of persons or groups in Nigeria impracticable no matter their qualification, experience and ability to garner support across the nation. The teaming youths and women of this Nation, who constitute over 70% of the voting population, are limited in their choice of leaders.

My administration will assiduously embark on awareness campaigns to advocate for the liberalisation of the political space through constitutional amendments to provide for independent candidature. I am persuaded that this is one way through which majority of Nigerians can elect leaders of their choice based on competence and merit.

The present status quo, where political parties conduct primaries for the election of candidates through processes that are apparently marred by all forms of irregularities, not the least, the compromise of delegates to Party conventions, leave Nigerians with no option but to elect their leaders at the general election, from the product of those otherwise tainted primaries. This is totally unacceptable. Consequently, the NBA under my leadership will partner with relevant government agencies and other stakeholders to ensure that the process of electing our leaders is not limited to the current flawed system. Where the candidates emerge faulty and corrupt primaries, the subsequent general election simply becomes a charade.

WELFARE OF LAWYERS

I have deliberately at the onset, dwelt on some of the burning national issues because the NBA exists within the context of the Nigerian State, and we must reckon with our responsibility towards the survival of the nation even as we look after ourselves as an Association.

At this point however, I would like to reiterate my commitment to sustain and build on the welfare schemes and programmes of the immediate past administration. Like I said in my manifesto, I will sustain the National Health Insurance Scheme for lawyers, while offering free subscription to the scheme to an additional 1000 members in each year of my administration. The life assurance policy will be reviewed with the view to increasing the benefits. Free stamp for

members who pay their Bar Practicing Fees (BPF) on or before 31st March each year will be sustained. We will also improve upon the current savings by the NBA. I commend the administration of President Olumide Akpata for saving 1.5 billion Naira- the first in the history of the NBA and I am committed to going on with the proposed constitutional amendment intended to protect this fund which is used to backstop the access to credit programme. I have already commenced discussions with financial institutions and other development partners for access to grants and professional development funds to boost and strengthen the access to credit/finance programme.

As Chairman of NBA Welfare Committee, I had committed to work to the last day of the past administration and would have continued to do so under a new administration if called upon. As it turns out, thanks to you our members, I am now to serve you at a slightly higher capacity. I therefore make the following commitments:

1. Within the first 60 days of my administration, we will collate 1000 names from the 125 Branches of the NBA for the purpose of the free NBA - NHIS GIFSHIP programme as promised in my manifesto. 50% of this number will be spread between our colleagues of 1 – 7 years post call. Not less than 100 will be drawn from of our physically challenged colleagues. The remaining number will be distributed amongst members based on the criteria to be decided.
2. In line with my campaign promise, the subscription for the 1000 members already on-boarded for the NBA - NHIS GIFSHIP programme shall be renewed at the anniversary of their initial subscription to the Scheme.
3. Conference fees:
 - a. Lawyers 1 – 5 years post-call will pay 50% less the fee paid this year for the AGC on condition that such members are in good financial standing and have recorded not less than 70% participation in the CLE programme of the NBA. For avoidance of doubt this should come to NGN 7, 500 (for early bird registration), NGN 20,000 (for regular registration) and NGN 40,000 (for late registration). Similar provisions will in due course be made for other category of lawyers as our financial position improves. My administration views conferences and particularly the AGC as knowledge sharing opportunities and our younger colleagues must be encouraged to take advantage of every such opportunity.
 - b. Colleagues who are physically challenged will be registered for the conference free of charge, subject to participation in not less than 70% of the CLE programmes.

- c. Aged colleagues of 70 years and above will be registered for the AGC free of charge unless they choose to pay. We must keep our older colleagues close and continue to engage with them so as to tap from their wealth of experience

LAWYERS' REMUNERATION

To demonstrate my administration's commitment to improving the remuneration of lawyers, I will constitute a Remunerations Committee to, amongst other things, implement the recommendations of the NBA Remuneration (White Paper) Committee as contained in the white paper submitted and accepted by the National Executive Council at its meeting in Ilorin, Kwara State, on the 9th of June 2022. I shall also liaise with the Honourable Attorney General and Minister for Justice for the purpose of setting up the Legal Practitioners Remuneration Committee LPRC as provided for under Section 15 of the Legal Practitioners Act 2007, with the view to incorporating the recommendations of the committee as part of the Order which the LPRC may issue under the power conferred on it to make orders regulating the charges of legal practitioners. This is to secure enforceability of the recommendations by the Committee.

I shall constitute a remuneration committee within 21 days from today subject to the approval of NEC.

LAW OFFICERS, LEGAL AID OFFICERS AND LAWYERS IN PUBLIC SERVICE

In my manifesto, I identified the need for members of the legal profession to be positioned in strategic sectors and offices, as a way of using some of our best resources to drive the affairs of the state and introduce a culture of excellence and respect for the rule of law in public service.

During the campaigns, I had interactions with law officers, legal aid officers and lawyers in law enforcement agencies and have come to the understanding that one of the most effective ways to reform this nation is through these distinguished members of the legal profession, whose utilitarian value to the society has clearly not been fully acknowledged and appreciated. We shall engage with relevant authorities and stakeholders to recognise and invest in these members of the legal profession by developing their capacities and adequately compensating them for their services, which is often at great personal risk. The improvement of their salaries, and emolument and for proper grade level placement at the time of employment will be negotiated.

IN-HOUSE COUNSEL AND LAWYERS IN BUSINESS

In-house Counsel's role in promoting the rule of law is often overlooked, downplayed or misunderstood. As the conscience of corporate Nigeria, I recognise the need to protect, support and strengthen the voice of our members

who work in these roles and who by virtue of their office drive policy and uphold the corporate integrity of the Nigerian business. This function is key to our overall economic growth and advancement. Therefore, the NBA under my administration will engage more actively with these members and look forward to working with them improving their participation and interactions within the association and providing whatever backbone support they will require from the NBA.

NBA EMPLOYMENT BUREAU

As I promised during the electioneering campaigns, my administration will interface with Government Ministries, Departments, Agencies and parastatals both at the Federal, State and Local Government Levels, Including the Armed Forces, Police, Civil Defence, Immigration, Customs and other organizations, to seek placements for our members. I shall constitute this Committee within 21 days from today subject to the approval of NEC. The Committee shall be the NBA Employment Committee otherwise known as NBA Employment Bureau.

NBA LAW FIRM/INSTITUTIONAL MENTORSHIP PARTNERSHIP

My promise for law firm/institutional mentorship will remain foremost in the agenda of my administration. In addition to the funding by the NBA and law firms, the professional development financing expected from our interactions with financial institutions will be deployed for the take-off of this programme. This mentorship programme will equally serve as a means of preparing our colleagues for employment and entrepreneurship as indicated above. I will within 21 days from today constitute a Law Firm/Institutional Mentorship Committee which shall among other things, develop general policy and strategy for engagement; develop the scope, duration and cycles of mentorship program; develop the criteria for participation (for both law firms and interns); design of program outline including such details as stipends, program expectations and deliverable and the obligations of firms to the mentees and vice versa and the supervisory role of the NBA.

CAPACITY BUILDING AND CONTINUING PROFESSIONAL DEVELOPMENT

At the risk of sounding biased, I make bold to say that no nation develops without a deliberate investment in its human capital, with special attention to the legal professionals. There must, at the core of any meaningful development in any nation, be a preponderance of purposeful and qualitative legal professionals who will provide the legal frameworks borne out of a progressive mindset for the implementation of the programmes and policies of government at all levels. This will require a deliberate commitment to developing the legal profession's human capital needed to provide specialised services at different level of governance. Nigeria currently has about 140, 000 lawyers on the Roll of which 1,500 were recently admitted, thus adding to the growing number. Let me use this opportunity to welcome our newest colleagues into the profession and to assure

you that, notwithstanding the challenges we face, the legal profession remains the only noble profession and you should be proud of the privilege of being a part of it. As the seniors offer to provide purposeful guidance and support for your professional growth, I admonish you to make yourselves available to learn, work hard and conduct yourselves according to the ethics of the profession.

My administration is committed to sustaining the capacity development drive of the last administration. I am persuaded that for us to remain globally competitive in this era of digital disruption, we must keep building our capacities in order to deliver qualitative service that meets the present day demands. We will also seek to close the knowledge gap between lawyers in major urban centers and lawyers in sub-urban areas with a view to generally improving and standardizing the quality of legal service delivery.

PROFESSIONAL CONDUCT AND DISCIPLINE

As noted earlier, the only voice which cannot be annihilated by any form of terrorism, highhandedness or impunity is that of the Legal Profession. This voice can only be heard and be impactful where, as members of the Legal profession, we conduct ourselves professionally, honestly, with dignity and respect. This is the only way we can elicit the confidence of the Nigerian Public as we step out to discharge our responsibilities as agents of change. It is the preponderance of the professionalism we exhibit in dealing with our clients, local or foreign, that will help generate the required public confidence in us and restore the Bar to its pride of place in the scheme of things within the country and beyond. To this end, we must therefore get involved in regulating the conduct of our members and bringing erring colleagues to book. My administration will continue with the ongoing interactions between the NBA and the Body of Benchers (BoB) in fashioning out the appropriate regulatory mechanism for the Legal Profession in Nigeria. We will also ensure that the outcome of these interactions are properly reflected in the proposed amendment of the Legal Practitioners Act (LPA) submitted to the National Assembly and support the passage of the Bill into law.

While on this subject, let me speak on the recent development bordering on alleged professional misconduct, involving the Law Firm of no less a personality than our revered legal icon, Chief Wole Olanipekun SAN, OFR. The issue which I suppose everyone here is familiar with, began with an email sent by Adekunbi Ogunde, a partner in Wole Olanipekun & Co., to companies known as Sapiem S. A. and Sapiem Contracting Nigeria Limited, clients of Mr. H. Odein Ajumogobia, SAN, OFR. Arising from this, the NBA on 20th of July 2022 filed a complaint to the Legal Practitioners Disciplinary Committee (LPDC) against Adekunbi Ogunde – No.: BB/LLPC/901/2022. On the basis of this complaint, President Mr. Olumide Akpata, wrote a letter to Chief Wole Olanipekun, OFR, SAN, being the Chairman, Body of Benchers, requesting him to recuse himself as the Chairman of that August Body, on the premise that the petition against Adekunbi Ogunde had requested the LPDC to *“consider whether the partners of the Firm of Wole*

Olanipikun & Co are not liable to be disciplined by this august body seeing that the Respondent has the ostensible authority to act as a partner and indeed acted for and on behalf of the said Firm”.

Apparently, in response to the request by the NBA, the Body of Benchers has exonerated the partners of the law firm of Wole Olanipekun & Co. from complicity in the alleged act of misconduct. In a letter dated 19th August, 2022, addressed to Adelani Ajibade, Esq, of Wole Olanipekun & Co., the Body of Benchers conveyed its decision on this issue ***“with regards to the Applicant’s prayer to also consider whether the partners of the firm of Wole Olanipekun & Co are not liable to be disciplined, I hold the humble view that since there is no evidence to show that the Respondent indeed acted with the knowledge and consent of the principal partners, especially with the partner’s express and constant denial of the content of Exhibit 1 to the effect that the Respondent acted without the authority or consent of the principal partners or the firm, I cannot situate that angle of the Applicant’s prayer to both the act and the rules.***

Accordingly, I see no merit in recommending further investigation against the partners of the firm of Wole Olanipekun & Co. I so hold”.

My attention was also drawn to an action instituted at the High Court of the Federal Capital Territory, Abuja; **Suit No.: FCT/HC/CV/2571/2022 between Lady (Barr.) Chidinma Udebuani v. Body of Benchers & 7 Ors**, seeking Declaratory and Injunctive reliefs. Other than to restate these facts as above, I know like everyone here, not to make any comments on the substance of both the complaint before the LPDC and the pending Suit before the FCT High Court.

Suffice it however to say that my administration will not under any guise ignore, overlook or sweep under the carpet, any alleged act of professional misconduct brought to my attention against any member of the legal profession, not minding his age at the Bar and status in the profession. I must add that, while the Rules of Professional Conduct must be applied to all without any form of discrimination whatsoever, the level of adherence/observance of the rules expected of lawyers and the corresponding scrutiny on their conducts in cases of alleged breach of the Rules is higher for Senior Lawyers.

It is important to emphasise that how these matters are eventually resolved by the LPDC and the Court, will go a long way in determining the continued relevance of the Bar, the confidence in which the Nigerian people will hold the legal profession and the eventual freedom which Nigeria will or will not enjoy. Put differently, the resolution of these matters one way or the other, will determine whether members of the legal profession in Nigeria either individually or through the instrumentality of the NBA, will be in position to provide the required leadership for the recovery, reformation and repositioning of Nigeria, to bring about the freedom we all need.

Finally, on this issue and subject however to the subsistence of the petition and suit abovementioned, there are many voices that should have been heard but were not heard specifically on this matter. In my humble view, given the important critical nature of this issue to the continued relevance of the Bar as earlier noted, the silence of these leading lights in the profession, who wield enormous amount of influence not only amongst the members of the legal profession but also the Nigerian public at large, is already hurting the profession and ditto the Nigerian public. Let me add that it does not matter what their views are on the matter, they simply owe the profession and the Nigerian public a duty to not only wade into the matter, but also be seen to have done so. As I stated earlier, the ultimate outcome will either make or mar the legal profession in Nigeria.

My administration shall therefore maintain a purposive approach to this issue seeing that our responsibility transcends the interest of any individual or group of persons. In a paper titled “Legal Practice as a Senior Advocate of Nigeria” delivered at the induction programme organised by the Body of Senior Advocates of Nigeria, in 2018, Chief Wole Olanipekun, SAN, OFR referred to the statement by Sir Christopher Sapara Williams on the role of a lawyer to his nation where he said *“the legal practitioner lives for the direction of his people and the advancement of the cause of his county”*. On the conduct of Senior Advocates of Nigeria, Chief Wole Olanipekun, SAN, had this to say: *“We must bear in mind that a Senior Advocate of Nigeria is first and foremost a lawyer, subject to and bound by the Rules of Professional Conduct for the Legal profession in Nigeria. Therefore, he is under a duty, not only to scrupulously subscribe to all the rules of professional ethics, in the profession, but also clinically comply with them. Be that as it may, this time around, as a Senior Advocate, he is acting as a leader, a role model, a mentor, an exemplar, a cynosure, a teacher, as well as a shepherd. In effect, he is under a duty to lead by example.”*

Flowing from above, there is no sacrifice too big for a lawyer to make in the overall interest of the profession and the nation. My administration will lead the awareness or re-awareness campaign to bring members of the legal profession to this place of national responsibility.

INDEPENDENCE OF THE JUDICIARY

Our judges are firstly members of the Legal Profession thus, the quality of our Bench is derived from the quality of the Bar. As Ministers in the Temple of Justice, we at the Bar have the duty of advocating for the welfare of the Bench as a way to guarantee the incorruptibility expected of this group of legal professionals.

The fact that the salaries and allowances of judges and justices in Nigeria was last reviewed in 2008, notwithstanding our concrete economic realities is the best proof that there is, either a lack of understanding of the critical nature of the role of judiciary in the development and stability of any nation (and the need for this arm of government to be incorruptible) or there simply had been a deliberate

effort to pauperise the judiciary in order to perpetuate impunity and corruption in the land. Little wonder none of the Presidential Candidates who attended the Opening Ceremony of the just concluded AGC on the 21st August, 2022, spared any thoughts on Rule of Law and the Judiciary. If this is indicative of their scale of priorities; the importance they accord to the rule of law and justice delivery, we do have cause for serious concern. It would seem to me in their assessment, the rule of law does not qualify as a top item on their agenda for good governance. This, in my view, gives us cause for serious concern.

That an action, had to be filed in Court to compel government to look into and improve the welfare of Judges and Justices, is all the reason why it will be safe to infer that there is a deliberate ploy to emasculate and pauperise the Courts and by so doing strangulate the course of justice in this nation. The Suit No NIC/ABJ/142/2022 before the National Industrial Court of Nigeria between Chief Sebastine Hon, SAN v. National Assembly & Ors., was determined on the 15th of July, 2022. It would have been laughable if it were not pathetic, that a nation which truly desires to develop or recover itself from the brinks of failure, particularly in the face of our present-day realities, will allow for a matter of this nature to be ventilated in Court.

The recent unprecedented complaint by Justices of the Supreme Court about the lack of basic needs and support in the discharge of their constitutional duties is the most ridiculous display of the neglect that the judiciary of this nation had been subjected to over the years. This is further proof that no effort whatsoever is being made towards redressing the situation. Notwithstanding, in a rare but not surprising display of strength of character, the Supreme Court in Suit No.: SC/655/2020 declared unconstitutional, null, void and of no effect whatsoever, Executive Order 10 which was meant to seemingly help uplift the welfare of Judges and Justices. It held that “the President overstepped the limit of his powers” and that “the country is run on the basis of the Rule of Law”.

Like I said earlier, looking after the welfare of the judiciary which is in a manner incomparable to other arms of government must be the default mode for any government that seeks development no matter how minimal. Implicit in such default mode, is respect for the process of the administration of Justice, that will ensure that persons who went through trials and are convicted, and after unsuccessful appeals up to the Supreme Court must be allowed to serve the consequences of their culpability as found by the courts. Not to let such convicts off the hook in a manner that clearly undermines the judiciary and the administration of justice, and which also contradicts the acclaimed fight against corruption by the government. While I respect the constitutional powers of the President to extend mercy to such convicts, such must be exercised judiciously having regard to the need to build the right national mindset that will aid the administration of justice. The apparent lack of respect for the decisions of our courts is a direct function of the several decades of neglect of the judiciary as an institution of government. The morale of the officers of the agencies of

government who worked tirelessly in many cases under great risks to investigate, collate evidence, prosecute these matters is dampened, leading to lackadaisical attitude towards the efforts to fight the menaces that have bedevilled us as a nation.

My administration will not only continue with the actions which seek essentially to protect the dignity of the judiciary for the proper discharge of its constitutional functions and duties, we will seek engagement with government and other stakeholders in ensuring that immediate measures are taken to guarantee proper remuneration for Judges and Justices in service and for their comfort upon retirement. We will seek implementation of the reforms recommended at the Justice Sector Summit held on 25th January 2022 as organised by the NBA and the Justice Research Institute (JRI) in collaboration with the Konrad Adenauer Foundation, the United Nations Office on Drugs and Crime (UNODC) and the Justice Reform Project (JRP).

On its own part, I implore the judiciary to make its accounting books open and remain accountable to the Nigerian people for whom justice is being dispensed by the courts.

INSTITUTIONAL AND GOVERNANCE STRUCTURE

In line with my commitment to setting up and supporting a functional secretariat, my administration will promptly constitute with the approval of the National Executive Council (NEC) the Appointment and Renumeration Committee for the appointment of the Executive Director, the recruitment of heads of departments and other staff in accordance with section 11 of the NBA Constitution, 2015 (as amended in 2021).

LEGAL EDUCATION REFORM

The current curriculum of legal education in Nigeria is out of touch with modern realities. In order to fully exploit and unleash the potentials of lawyers as catalysts for change, particularly the socio-economic and political transformation of the nation, we need to look differently and more creatively into the training of Nigerian legal workforce of the future. As promised in my manifesto, the starting point for my administration will be to draw from the 2007 Funke Adekoya Report on the Reform of Legal Education in Nigeria (commissioned by the NBA) and the 2008 Funke Adekoya Report on the Reform of Legal Education in Nigeria (Commissioned by the Council of Legal Education) together with other valuable resources to develop an NBA legal education framework that will act as the thought regulatory document for all discussions by the NBA on the subject. The legal education framework policy will act as the guide document for all NBA representatives on the Council of Legal Education.

Our administration will work with the Council of Legal Education (CLE), the National Universities Commission (NUC) and Faculties of Law in Universities,

in fulfilling the provisions of the NBA Constitution with respect to the Association's role in the advancement of Legal Education in Nigeria. We will work to develop and ensure the implementation of a legal education curriculum that will cause the required transformation in the minds of the new breed of lawyers, leading to the inevitable prosperity of the members of the profession and the entire nation.

NBA SECTIONS AND FORA

Beyond providing a platform for professional and social advancement of the Bar, the NBA Sections and Fora are veritable resource bases for policy conceptualisation and formulation of public and private sector initiatives. As a member of the NBA Section on Legal Practice (SLP), I have witnessed the tremendous intellectual discourse and conversations at conferences and seminars organised by the Sections. Similarly, the NBA Section on Public Interest and Development Law (NBA-SPIDEL) has been vibrant in public interest advocacy and litigation, whilst the NBA Section on Business Law (SBL) remains actively involved in engendering the professional development of commercial lawyers.

In order to facilitate effective interactions between the NBA and these fora, as well as support their respective investments in our colleagues, my administration will offer office spaces to all fora to ensure physical presence at the NBA House in Abuja.

RULE OF LAW AND THE ADMINISTRATION OF JUSTICE

I take it for granted that all lawyers know that the freedom in any society or community is bench marked by the level of respect for the rule of law in that Society. As such, the Nigerian Bar must be known for its transparency, integrity and care for the Nigerian people, by speaking up boldly for the freedom of the people of Nigeria. In recent times, the voice of the NBA has regained considerable attention and respect; this tempo must be sustained if we are to restore respect for the Bar. Our administration will therefore continue to promote the rule of law, advocate for the protection of human rights; champion law reforms and protect the integrity and independence of the judiciary.

ELECTORAL REFORMS

The NBA has come a long way in terms of the conduct of elections and the electioneering process. It is remarkable to see how we transitioned from a delegate system to universal suffrage. Even more remarkable is how we transitioned from the traditional ballot process to electronic voting. In spite of these improvements and having gone through the process myself, I find that it is onerous and, in several regards, absolutely unsustainable. Our administration will review the electoral guidelines to improve the electoral process, cut down on costs incurred by candidates and the risks associated with frequent travels. I shall

within 21 days from today, set up an Electoral Reforms Committee subject to the approval of NEC. This committee shall be chaired by Mr. E. Y. Kura, SAN.

CONCLUSION

I would like to conclude by saying that **BOLD TRANSITONS**; the chosen theme for this year's AGC is one that I find apposite.

This administration is nothing if not bold; bold in its election, constitution and approach; bold in its aspirations and execution of its goals; bold in its engagements and all the interactions that have led up to this moment. We have made some bold declarations here today; we will boldly pursue and deliver them. We will boldly confront all the issues that have bedevilled our profession and our nation; from bad governance to insecurity, corruption and impunity; and to dwindling national pride. We will join hands, speak truth to self (the NBA) and to power, and where necessary commence actions and do whatever it takes to change our trajectory and reverse our fortunes.

I therefore invite you, learned friends at the Bar to come on this journey with us, to boldly confront the issues that have plagued our profession; tear down the walls of division, raise up the fallen standards and jointly disavow every unethical, unprofessional and sectional thought and action that has kept us from moving forward and achieving our true potential.

We no longer have time to be mediocre, fearful or indecisive. We will, together, take decisive, deliberate and calculated steps to move into the bold new world that awaits us.

Ladies and gentlemen, the best is often saved for the last. I must at this juncture, publicly express my profound gratitude to His Excellency the Governor of Kebbi State, Senator Abubakar Atiku Bagudu, who turned out to be the brother I never had. As Governor, he would travel to Zuru to visit my mum, spend time with her in her small abode; make so many provisions for her particularly during festive periods. My younger daughter who once saw the bundles of wrappers the Governor brought for her grandmother, suggested that her grandmother could open a shop to start selling wrappers. By the way you treated our mother, you honoured me in ways that no one in public position had ever done. You severally visited her in the hospital when she had a surgery about a year before she passed; on the day of her demise, you immediately flew into Abuja from Kebbi after leaving the previous day; you attended her funeral service and stood by her grave when her body was committed to mother earth. I said all of these to say that I acknowledge you today not as a Governor but as my older brother who is here to represent the family, particularly our dear mother. At this point, I should acknowledge my older sister, Dr. Zainab Shinkafi-Bagudu, who is standing election for President-Elect of the Union for International Cancer Control (UICC), the umbrella body for cancer organisations globally. I wish you success

and pray that the Almighty God will continue to guide you as you work for the advancement of global health and wellbeing.

My Pastors – Pastor **Andy Osakwe**, Senior Pastor Summit Bible Church, **Rev. Tokunbo Adejuwon**, the National Director Rhema Bible Training Centre and Pastor Olu Adetomiwa, my younger brother. I thank you all for being available to guide me, morally and spiritually and for this, I remain grateful. My friends, **Charles Bala, Prof. Zachariah Tanko, Lateef Olaniyan, Nasir Salau, Omokayode Dada, Wole Agunbiade, SAN, Honourable Sunny Marshall, Suleyman Shelleng** and the rest of you, I could never repay your kindness, encouragement and support – thank you!

That I am being inaugurated as the leader of the Bar today is due to the peace and support I enjoy at home, thanks to the Grace of God and the love, support and understanding of the one woman that God has blessed me with as a wife. Indeed, he that finds a wife finds a good thing and obtains favour from the Lord. Through the days and weeks of travels and late nights; through the physical and emotional absence and the many inconveniences, Zainab never murmured nor complained. She always bade me farewell and offered prayers for my safe return. She is simply my haven. Same goes for our Children, Israel Danmanya, Princess Sarah, King David and Queen Esther – our blessings!

To all our members across the branches, I will be a President for all and will do my utmost to build a Dynamic Bar where the interests of our members are accommodated and protected. So, help me God.

Thank you for your attention.

Yakubu Chonoko Maikyau, SAN
President, Nigerian Bar Association.