

**ADDRESS BY**

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*and Minister of Justice*

**AT THE**

**SPECIAL SESSION OF THE SUPREME COURT OF NIGERIA TO MARK THE BEGINNING OF THE 2024/2025 LEGAL YEAR AND CONFERMENT OF THE RANK OF SENIOR ADVOCATE OF NIGERIA**

**HELD ON MONDAY, 30TH SEPTEMBER 2024**

**AT THE MAIN COURT ROOM, SUPREME COURT COMPLEX, THREE-ARMS ZONE, ABUJA, NIGERIA.**

**PROTOCOLS**

It is an honour for me to be invited to address this esteemed legal assembly today at the dawn of a new legal year. It is a time to reflect on the vital role of the Supreme Court in our national life and to reaffirm our commitment to the rule of law as a profession. Today signposts a momentous occasion for our judiciary and the entire nation as we gather in this hallowed chamber of the Apex Court, to witness the triad of ceremonies, consisting of the formal flag-off of the 2024/2025 Legal Year of the Supreme Court of Nigeria, the first sitting of my noble Lord as the substantive Chief Justice of Nigeria to preside over the conferment of the prestigious rank of Senior Advocate of Nigeria (SAN) on eighty-seven (87) deserving legal practitioners.

1. We thank God for the gift of a new Honourable Chief Justice of Nigeria my noble Lord, Hon. Justice Kudirat Motonmori Olatokunbo Kekere-Ekun, CFR on your Lordship’s appointment as the substantive 19th Chief Justice of Nigeria. And with joy immeasurable, I am already looking forward to my Lord’s roll out of impactful initiatives that will strengthen not just the Supreme Court but the entire judicial and legal system in Nigeria. I am confident that under the leadership of our esteemed Chief Justice, the Supreme Court will unlock new vistas of investment in public trust and in shaping public policy as well as consolidating our legal jurisprudence.
2. It is also gratifying that one of the most recent initiatives of this court towards enhancing efficient appellate justice delivery is the Supreme Court Rules 2024 Rules prepared by a rules committee headed by my Lord, the current Chief Justice. That new rule, with all the well received and promising innovations introduced therein will now be seamlessly rolled out directly for use by practitioners in this court as the new legal year kicks off. I can only beseech my learned colleagues to quickly internalize and embrace the rules so that its many well thought out benefits can begin to manifest in earnest in justice delivery at the Supreme Court.
3. I am most delighted that my Lord has hit the ground running by identifying some core areas requiring attention, including deployment of technology in the administration of justice, zero tolerance for corruption and all forms of abuses, such as the vexed phenomenon of frivolous ex-parte orders, media trial by lawyers in clear breach of the principle of *sub judice* and rules of professional conduct; not discounting possible reforms for insulating the Supreme Court from pre-election matters, etc. I share in Your Lordship’s vision and do pledge my unflinching support thereto.
4. I strongly commend the Honourable Justices of the Supreme Court, both serving and retired, for your Lordships’ commitment and sacrifice, as illustrated in illuminating rulings and judgments that were delivered in the 2023/2024 legal year. Those decisions have significantly impacted on socio-political and public policy of the nation. The recent landmark judgment of 11th July, 2024 on financial autonomy for local governments is still resonating introspective reactions amongst stakeholders. This judgement which has been greeted with huge sighs of relief would certainly enhance socio-economic development and reduce insecurity at the local government level, which is the base of the pyramid.
5. Distinguished ladies and gentlemen, it is undoubted that the Supreme Court has the sacred mandate of acting as the last bastion in defence of our Constitution. This is why the Court sits at the pinnacle of our judicial system, playing the pivotal role of upholding the rule of law, advancing and protecting democratic governance, and offering the unique service as the core regulator of Nigeria’s judicial and legal systems.
6. As the Attorney General and Chief Law Officer of the Federation, I am not oblivious of the immense responsibility that rests upon the shoulders of your lordships. The Supreme Court has remained steadfast in its commitment to upholding the principles and policies outlined in the 1999 Constitution (as altered). Your decisions have shaped our nation's trajectory, providing guidance and clarity in times of uncertainty. In realization of the fact that your Lordships’ decisions have direct and profound impact on the lives of millions of Nigerians, such decisions must, therefore, be grounded in the law, and informed by the values and vision of our nation.
7. Let me reiterate the profound pronouncement of His Excellency, President Bola Ahmed Tinubu, GCFR at the epoch-making event of the swearing in of our fresh from the oven Honorable Chief Justice of Nigeria at about 11:21am today, of his commitment to continue to preserve the sanctity of the judiciary. The President also promised that the independence, autonomy, welfare and development of the judiciary will continue to receive priority attention under the current administration.
8. I want to assure the justice constituency that this administration they will live up to its pledge to accord obeisant respect for judicial decisions and the rule of law, in realization of the fact that sound and just judicial pronouncements are enablers of the critical factors that drive socio-economic development. We will therefore continue to take proactive steps to avoid undue exposure of the government to legal liabilities.
9. The nobility of our legal profession demands unwavering commitment to the principles of fairness, equality, and the pursuit of excellence in values that we hold dear. Thus, the conferment of the coveted rank of Senior Advocate of Nigeria is a fitting acknowledgement of the outstanding contributions of learned colleagues to the profession and to the nation. It is a testament to hard work, dedication, and commitment to the highest standards of legal practice.
10. Let me now progress to the second ground of our gathering here today, which is to felicitate with 87 of our illustrious colleagues who have just been adorned with the revered regalia of learned silk. It is indeed with a high sense of nostalgia and elation that I congratulate you all on this worthy professional attainment. The conferment of the rank of the Senior Advocate of Nigeria (SAN) is not just a recognition of excellence for those conferred but it is also a motivation for those aspiring to be admitted into the inner bar.
11. I also wish to commend the Legal Practitioners Privileges Committee (LPPC), and all stakeholders who contributed their quota to the emergence of the new silks, for the yeoman job you are doing over the years to reward excellence, ethics and perseverance as well as sustaining standards in the legal profession. I enjoin the LPPC, Nigerian Bar Association, and the Body of Senior Advocates of Nigeria not to relent in maintaining and enforcing a continuous culture of Excellence, Legal Ethics, Scholarship, and Professionalism in the practice of law in Nigeria.
12. To the new silks, I warmly welcome you to the inner bar. It is indeed a remarkable privilege to be chosen and decorated with honour amongst your colleagues. As the name of the LPPC implies, the conferment of the rank of SAN is a privilege for the deserving only. Every visionary professional, strives to attain the apex of such profession. Expectedly, the rank is being conferred on worthy advocates, as a prestigious honour, in recognition of their excellence in advocacy and leadership role in the field of law or legal practice.
13. Your new and enviable status demands that you must be honest and maintain professional standards at all times within and outside the court room towards the judex, colleagues, clients, and the public in general. You must maintain very high standard of professional conduct in the discharge of your duties. Being a privilege also means that it can be lost or taken away, it is worthy of note that under the new rules once a name is struck off there is no provision for restoration of the name to the roll, therefore, you must continue to sustain the standards and qualities for which you were considered worthy of the rank *ab initio*.
14. I wish to remind you that your new status comes with its peculiar privileges, benefits, challenges and responsibilities. Your preoccupation should not just be limited to the privileges and pecuniary benefits associated with the rank. You are required to advance the course of justice, rule of law, promotion of the image or rating of the judiciary and legal profession as worthy ambassadors. You should always be willing and ready to exhibit exceptional understanding and knowledge of the law, contribute to legal education. The development of the legal profession rests on your shoulders. You must therefore advocate for technological and modern innovations that will bring the practice of law in Nigeria in line with global standards.
15. Gentlemen, as you are being welcomed to the Inner Bar it is important to remind you that you are the second set of Senior Advocates of Nigeria to be elevated under the provisions of 2022 GUIDELINES FOR THE CONFERMENT OF THE RANK OF SENIOR ADVOCATE OF NIGERIA AND ALL MATTERS PERTAINING TO THE RANK. One of the highlights of the new Guidelines is that unlike the 2018 Guidelines which contains provisions for discipline of erring holders of the rank and for the restoration of the rank after three years of withdrawal upon the fulfilment of certain conditions, the 2022 Guidelines makes no provision for the restoration of the rank after withdrawal. In other words, once the Legal Practitioners Privileges Committee, pursuant to the provisions of Paragraph 26(4) of the Guidelines withdraws the rank from any holder who may have breached the provisions in sub-paragraph (a)-(h), the withdrawal is final and the rank cannot be restored afterwards. It therefore behoves on any Senior Advocate of Nigeria to strive to conduct himself in utmost professional standards and to avoid running foul of the Rules of Professional Misconduct for Legal Practitioners.
16. One of the areas you must avoid like the plague is the unwholesome practice of engaging in media trial of cases pending before the courts. It is unprofessional for a legal practitioner nay a Senior Advocate of Nigeria to be seen engaging in the analysis of cases pending before the court. We have seen cases where legal practitioners appear at television or radio stations discussing pending matters. We have also seen lawyers after court sitting discussing on what transpired in the proceedings. You must resist the urge to engage in such practice. You must also reject invitations by media houses inviting you to analyse or discuss pending matters. The doctrine of sub judice enjoins lawyers and even members of the public to refrain from commenting and discussing live cases. You should not be seen breaching this doctrine. However, where judgment has been delivered in a given matter, lawyers and the public are free to analyse and discuss the decisions without impugning the integrity of the judicial personnel involved or stacking the professional competence of counsel involved in such matters.
17. As leaders in the Bar you should resist the urge to engage in such unbecoming conduct or creating unwholesome content for social media. It is therefore, your abiding duty to project, promote and ensure the integrity and independence of the judiciary at all times. Every worthy professional in the world seeks the good and progress of their profession. We the members of the legal profession cannot afford to ignore our nobility by publicly denigrating or ridiculing the judiciary and by extension the profession by our actions and utterances. We can only do so to our own peril. I am not advocating that we should condone or tolerate short-comings or any form of misconduct, but we must follow accepted procedure and channels to avoid collateral and collective damages. Your coming on board at such a challenging time as this requires that you passionately seek to enhance or achieve a paradigm shift from the status quo by avoiding infamous conducts that would further damage public perception about our court system, being mindful of the fact that the importance of public confidence in the judiciary cannot be overemphasized.
18. Having been elevated to the Inner Bar, you are now regarded as part of the leadership in the profession. However, you are still amenable to the mentorship of the very senior elders at the Inner Bar. Law is a dynamic profession. We learn every day and the seniors are there to play the role of mentors. You are therefore in a unique position of still being mentored by the elders in the Inner Bar while at the same time acting as mentors to the younger colleagues at the Bar. You must therefore be good mentors by showing good examples in and outside the court room. I believe that the one-day Induction Course organised by the BOSAN here in Abuja last week would go a long way in assisting to appreciate the tasks ahead and how to go about them.
19. As legal practitioners, we act as the conscience and gate-keepers of the legal profession. Legal practitioners must restrain from abusing their privileged position as the link between the litigants and the judiciary. It is not the exclusive prerogative of litigants to determine which cases get filed in court, or which judgment goes on appeal. We must be firm in sieving these cases in order to avoid filing of frevoliuos cases or appeals which clogs the already congested court dockets. In this wise, I wish to recommend to you the wise admonition of His Lordship, **DAHUNSI OLUGBEMI COKER, JSC**in **ADEWUNMI V. PLASTEX (NIG) LTD (1986) LPELR-164(SC)** at **(P. 24, paras. B-C),** thus:

*"Every lawyer upon his own responsibility must decide what cases he will bring into Court for plaintiffs and what cases he will contest in Court for defendants. His is the responsibility for advising as to questionable transactions, for bringing questionable suits and for arguing questionable defences. He cannot escape it by arguing as an excuse that he is only following his client's instructions."*

1. On this note, accept my congratulations on your ascendancy to the zenith of your professional career as advocates and this attainment should not be a mere badge or right for bragging and showoff. You must remain true to the calling of being advocates in the temple of justice, which was what earned you the conferment of this prestigious rank.
2. My Lords, today's occasion also presents an opportunity for my office to give an update on our various interventions aimed at achieving a justice system that works in the interest of Nigerians.
3. On my inauguration as the Attorney-General of the Federation and Minister for Justice, I did state that I recognize the need for sustainable reforms of our justice sector. Indeed, every aspect of our justice system requires rethinking in fundamental ways. I also did stress that while I understand the need for far reaching reforms, the reform of our justice system will not be an event but changes must be accelerated to keep up with the expectations of Nigerians for an efficient and effective justice system.
4. I also said that our approach to reforms will not be dogmatic. We will be open to all ideas that move us closer to the justice system that we all desire. Much of the interventions that we are undertaking, therefore, are outcomes of a consultative and inclusive process. We make no pretense about knowing it all. We are open to constructive engagement and criticisms that lead to results.
5. The starting place of our justice sector reform interventions has been the Federal Ministry of Justice. We recognize that charity must necessarily begin at home. We have, over the last legal year, taken steps to ensure that our work environment is conducive and enabling for all those who work in the Federal Ministry of Justice. We firmly believe that the place we work is as important as the work we do. Aside from improving facilities in the Ministry, we will continue to proactively take steps that improve the conditions of service of all those who work in the Ministry. No less important is the need to ensure that all the departments, agencies, and institutions under the Justice Ministry perform optimally. In line with the directive of Mr. President that every Ministry, Department and Agency should justify its existence, deliberate efforts will be made over the next months to review their activities and level of service delivery to Nigerians.
6. We are taking steps to implement the far-reaching outcomes of the National Justice Sector Summit, which was held during the last legal year. The proposals for institutional, legislative, and constitutional reforms across the judicial sector have been identified, and the consequential bills have been drafted for the consideration of the Federal Executive Council and subsequently the National Assembly. I look forward to the continued productive engagement and collaboration with the judiciary and the Nigerian Bar Association to ensure that these proposals are speedily implemented.
7. I can now announce that all the issues responsible for the lack of progress on the Legal Practitioners Act Amendment Bill have now been resolved. I am grateful for the understanding and support shown by the Nigerian Bar Association and the Body of Benchers on this long-delayed bill. My office will now proceed quickly to ensure its enactment into law.
8. During this legal year, a major component of our deliverables will be the focus on our criminal justice system. Specifically, my office will renew efforts in bringing together federal and state government institutions whose mandates directly relate to criminal justice administration. The increasing number of persons in our custodial centers is simply not acceptable. Specifically, we need to rethink our approach to decongesting our custodial centers nationwide. The current situation in my considered view is no longer simply an access to justice matter but one with serious implications on national security. I anticipate my Lord, the Chief Justice of Nigeria’s leadership on this matter. We need a fresh approach that places additional responsibilities on state judiciaries. On my part, I commit to providing leadership to the Body of Attorneys - General to ensure the attainment of tangible results.
9. President Bola Ahmed Tinubu, GCFR is aware of the concerns about the status of our laws and the urgent need to review the Laws of the Federation. It is obvious that our laws need to respond to current developments not only nationally but also globally. Our desire to make rapid progress in all aspects of our socio- economic and indeed political life requires that we have enabling and empowering legislation. It is for this reason that the federal government has constituted a working group on the Review of the Laws of the Federation. The essential mandate of this working group is simply to review our laws and propose laws that will support the development of all aspects of our national life. We are determined to deliver a revised Laws of the Federation by the commencement of the 2025 legal year. The working group is under the Chairmanship of Olawale Fapohunda, SAN. On behalf of Mr. President, I want to thank the Chairman and members of this working group for accepting to serve in this role.
10. I should restate that reforms of the justice sector can not be the exclusive preserve of the Office of the Attorney-General of the Federation. I once again invite all justice sector stakeholders, including those in the private sector, to take than a passing interest in these interventions. It is important that all of us, especially those of us who are affected daily by the inherent limitations in the sector, do more than social media criticisms. It is time for us all to be part of the solutions. There is no scarcity of literature on the challenges facing the sector. We need to respond to the dearth of solutions.
11. In closing, My Lords, Your Excellencies and Distinguished Colleagues, as we embark on this new legal year, I urge all of us to renew our commitment, dedication and initiatives aimed at promoting democratic tenets including, the administration of justice, rule of law and access to justice for all, in order to engender a more just and prosperous society. Your lordships should neither waver nor falter in the commitment to the principles of justice, equality, and the rule of law.
12. I thank you all for the audience and your kind attention.