



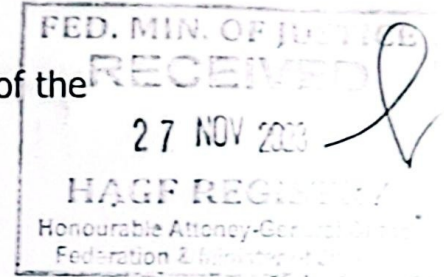
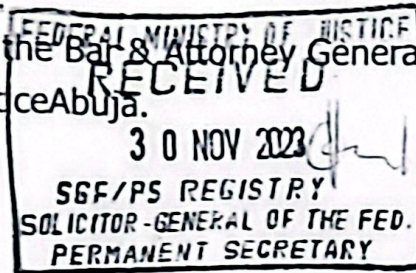
REPRESENTATIVES OF THE NIGERIAN BAR ASSOCIATION TO THE GENERAL COUNCIL OF THE BAR

COORDINATOR
J.O AIKPOKPO-MARTINS ESQ
08023063841, 07016284231
email: omisessy@yahoo.com

SECRETARY
VICTOR C. ONWERE ESQ
08035091557
onweremaduvictor@gmail.com

DATE: November 24, 2023

Prince Lateef Fagbemi, SAN
The President, General Council of the Bar & Attorney General of the
Federation, Federal Ministry of Justice Abuja.



Dear Mr. President Sir,

OPERATIONAL CHALLENGES AND REQUESTS FOR RESOLUTION Greetings.

We, the NBA Representatives on the General Council of the Bar, again extend our heartfelt congratulations on your recent appointment as the Honourable Attorney General of the Federation and Minister of Justice. This esteemed position also designates you as the statutory President of the General Council of the Bar (GCB), and we are eager to collaborate with you to fulfill the statutory mandates of the GCB as the arm that is given the responsibility to formulate ethical rules of conduct in the Nigeria's legal profession.

We are compelled to draw your attention to certain issues that are crucial for the success of the GCB. These matters have gained significance in light of the fact that the recent correspondence, dated 14th November, 2023 from the office of the Solicitor General of the Federation notifying members of a meeting, raised some concerns, the most prominent one being that no agenda was provided for the upcoming meeting on November 29, 2023. This and other issues at hand are of a pressing nature.

1. MODE OF INVITATION TO GCB MEETINGS

The GCB, as one of the statutory bodies established by the Legal Practitioners' Act, comprises members from both the official and private bars. Members of the private bar, including the twenty elected members of the Bar, pursuant to the LPA and NBA Constitution, were inaugurated by your predecessor. At our inauguration, all Council members provided their contact details.

MEMBERS

PROF. J. O. A. AKINTAYO ESQ, ISRAEL LAGBAMUE ESQ, RAPULUCHUKWU NDUKA ESQ,
M M MAIDOKI ESQ, OBI ANIZOBA ESQ, EBUKA NWEZE ESQ, ABDULAHI FASKIRI ESQ,
OLUKUNLE OGHENEVO EDUN ESQ, MERCY IJATO AGADA ESQ, ANNE AGI ESQ, DENNIS AGBAGA ESQ,
THEOPHILUS TERHIL IGBA ESQ, JOSHIJA ENEMALI USMAN ESQ, ANGAOR RAPHAEL NNAMDI ESQ, OKWUN-KALU DAVE NDARA ESQ

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It is therefore confusing that the notice for the upcoming meeting signed by the Honourable Solicitor General of the Federation, was directed to the President of the Bar rather than to the Council members directly, as per the details we supplied. We respectfully note that the President of the Bar is not a member of the Council, and direct communication between your office and members of Council would be more effective and appropriate.

Mr. President, the last GCB meeting saw the passage of standing rules, which included provisions for the mode of invitation of members to meetings. However, despite the clear wording of the standing orders, notification for our meeting was routed through the office of the President of the NBA. The GCB is a statutory body different from the NBA, and we believe that the Council should be treated as such. We also seize this opportunity to inform you that we have not received copies of the approved standing orders since they were approved at the last Council meeting. We believe that the office of the Honourable Solicitor General of the Federation should be in custody of the approved standing orders.

2. FUNDING OF GCB ACTIVITIES:

Funding for the GCB was a major issue during the inaugural meeting, leading to resolutions advocating for federal funding, similar to the Body of Benchers and the Legal Practitioners' Disciplinary Committee. To address this, the Council, with your predecessor presiding at the meeting, set up 2 sub committees of the Council – the Rules Committee and the Budget Committee. While the Rules Committee oversaw the drafting of the standing Orders which have now been passed and which amongst several provisions called for the Council to have its own fully-equipped, staffed and stand-alone secretariat, the Budget committee was tasked with preparing a budget for the Council activities. The Budget Committee concluded its work and at the last Council meeting, presented its budget to the entire Council and to your predecessor as President which included provisions for funding for the setting up the Council Secretariat and for logistics and hotel

accommodation for members of the Council to attend its meetings. This is necessary as members of the Council live in different states of the Federation.

Despite these resolutions, the necessary facilities, including a stand-alone Secretariat, have not been provided, nor have members been advised as regards their travel and hotel logistics. The President of the NBA has communicated the Association's inability to fund the travelling and accommodation expenses of NBA representatives (who represent more than One Hundred Thousand Nigerian lawyers), leaving us in a challenging situation. The Budget Committee's proposals for these expenses were presented at the last meeting but were not addressed in the recent invitation. It is instructive to state that while the States' Attorneys General who are statutory members of the GCB do have their travelling and hotel arrangements catered for, the NBA representatives to the GCB for the last meeting, paid for their travel and hotel logistics from their pockets and are yet to be reimbursed traveling and hotel expenses incurred in attending this said meeting of the Council.

The said resolutions we speak of and the communique issued at the meeting were handed over and we believe are in the custody of the office of the Permanent Secretary, Federal Ministry of Justice, as her office assumed interim charge of the Secretariat of the GCB. Indeed, our newly passed standing orders state that all members ought to receive a copy of the minutes of the previous meeting, and the agenda for the next meeting ought to be sent to members before the meeting. This has not been the case.

We believe distinguished President that you may not be aware of all these, having just assumed office.

Distinguished President, we recognize the complexity of the responsibilities entrusted to the GCB and the increase in disciplinary cases within the legal profession, it is our view that the

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intent of the LPA was to create a body independent enough to carry out the enormous responsibilities of checking indiscipline in the legal profession. However, operational challenges, including the lack of logistics support for members and the reimbursement for previous expenses, hinder our ability to fully contribute to the Council's objectives.

Honourable Attorney General and President, we present these concerns with the utmost respect and earnestly seek your guidance on how we can collaboratively address these operational challenges. We appreciate your attention to these matters and look forward to hearing from you at your earliest convenience.

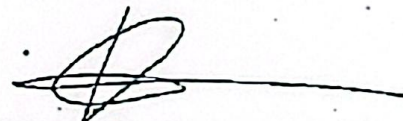
We also wish to appreciate the Honourable Solicitor-General of the Federation for her diligence in keeping the Council's secretariat alive in the interim.

Respectfully,



John Alkpoko-Martins

(Coordinator)



Victor C. Onwuere Esq

(Secretary)