



NIGERIAN BAR ASSOCIATION

LEGAL EDUCATION COMMITTEE

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COMMUNIQUE ISSUED AT THE END OF THE 2022 NIGERIAN BAR ASSOCIATION (NBA) LEGAL EDUCATION SUMMIT

1.0 Introduction

- 1.1 The Nigerian Bar Association (“**NBA**”), in collaboration with Afe Babalola University, Ado Ekiti (“**ABUAD**”) successfully held the 2022 NBA Legal Education Summit (“**Summit**”) on Tuesday, 29th and Wednesday, 30th March 2022, at the Alfa Belgore and Owolabi Halls of ABUAD, organized by the Legal Education Committee of the NBA. The theme of the Summit was “*Reimagining Legal Education in Nigeria*”. The Summit was a hybrid event and featured five (5) main plenaries with about thirty (30) speakers who led the conversation on transforming the systems for legal education and training in Nigeria.
- 1.2 The aim of the Summit was to examine the journey so far in the development of the legal education system in Nigeria, and to chart the course for a desirable future built on pedagogical innovation and transformative development. The Summit provided an opportunity for stakeholders, especially judges, legal educators, lawyers, corporate and individual consumers of legal services, as well as government and policy leaders, to discuss, debate, and identify innovative pedagogies for the future of legal education and training.
- 1.3 The Summit commenced on Tuesday, 29th March 2022 with a welcome dinner, which featured a debate session on the topic “The Proliferation of Campuses of the Nigerian Law School”. The Opening Ceremony was held on Wednesday, 30th March 2022. The Vice President of the Federal Republic of Nigeria, Professor Yemi Osinbajo, SAN, GCON, joined virtually and declared the Summit open. There were goodwill messages from the Governor of Ekiti State, His Excellency Dr John Kayode Fayemi, CON (represented by Rt. Hon. Funmi Afuye, Speaker, Ekiti State House of Assembly); Chief Emeka Ngige, SAN, Chairman, Council of Legal Education; and Hon. Chukwuemeka Nwajiuba, Hon. Minister of State for Education (represented by Prof. Enefiok Essien, SAN).
- 1.4 The Summit was also attended by the President of the Nigerian Bar Association, Mr. Olumide Akpata; the Executive Secretary of the National Universities Commission, who was represented; the Director General of the Nigerian Law School, Professor Isa Hayatu Chiroma, SAN; the Chairman of the NBA Legal Education Committee, Professor Dakas C.J. Dakas, SAN; the Founder and Chancellor, Afe Babalola University, Ado Ekiti, Aare Afe

COMMITTEE MEMBERS

Prof. Damilola Olawuyi, SAN, Co-Chairman; Mr. Ayi-Ekpenyong Imah, Secretary; Prof. Sylvester Shikyil, SAN; Prof. Momodu Kassim-Momodu; Prof. Agbo J. Madaki; Prof. Yusuf Dankofa; Dr. (Mrs.) Obioma Onyin-Ogelle; Mr Tobenna Erojikwe; Mr Goddy Umoh; Mr. Wale Irokosu; Mr. Adamson Adeboro; Mr. Tolu Aderemi; Mrs. Glory Ozoemenem

Babalola SAN, OFR; Vice Chancellors of various universities, Deans of various Faculties of Law, Law Teachers and Students.

- 1.5 The keynote address was delivered by Aare Afe Babalola, SAN, OFR, FNIALS, Chancellor and Founder, Afe Babalola University, Ado Ekiti. The keynote lecture comprehensively x-rayed the history of legal education in Nigeria, the challenges facing its contemporary relevance, and the ways forward in terms of enhancing innovation in legal curriculum, teaching, and institutional governance.
- 1.6 The keynote address was immediately followed by the Plenaries. Deliberations in the Plenaries covered four (4) essential topics, viz:
 - a. Reimagining legal education in Nigeria;
 - b. Designing the appropriate curriculum for the 21st century lawyer;
 - c. Contemporary legal education methodologies; and
 - d. Adaptive strategies for the future of legal education in Nigeria.

2.0 Recommendations

After extensive deliberations on the various topics in the Plenaries, the following resolutions and recommendations were made.

2.1 The Proliferation of Campuses of the Nigerian Law School (NLS)

- 2.1.1 The Summit condemned, in its entirety, the proliferation of campuses of the Nigerian Law School by the Federal Government of Nigeria.
- 2.1.2 The Summit recommended that instead of doubling the number of existing NLS campuses, the existing campuses should be better funded and improved with sophisticated teaching facilities, expert law teachers and excellent infrastructure for post-LLB training.
- 2.1.3 Post-LLB training should be decentralized to allow universities and private service providers, licenced and/or accredited by the Council of Legal Education, to also provide post-LLB training. This will aid in solving the funding and backlog problems bedeviling the NLS.
- 2.1.4 The two-tier system of legal education and training is no longer fit for purpose. Law students should be systematically exposed to legal practice and skills through clinical legal education at the universities.
- 2.1.5 Government is encouraged to introduce public private partnership to direct private sector funding to the NLS. This will greatly address some of the infrastructural challenges being faced at the NLS.

2.2 Funding of Legal Education

The Summit noted with dismay that legal education in Nigeria is poorly funded by government, and this contributes greatly to the falling standards and quality of legal education in Nigeria. When education is not properly funded, institutions of learning are ill-equipped with befitting structures,

modern, modern ICT infrastructure, teaching facilities and quality staff. In order to arrest this, government is therefore encouraged to provide sufficient resources for the improvement of legal education in Nigeria. Government is enjoined to make sufficient budgetary allocation to legal education as this will improve the standard and quality of legal education in Nigeria.

2.3 **Legal Education Infrastructure**

The Summit decried the dilapidated state of the infrastructure of the NLS and law faculties in public universities and therefore calls on the government to immediately renovate, repair and remodel legal education infrastructure, so as to reposition the NLS and law faculties in public institutions, to be able to compete favourably with their counterparts in private institutions and in other parts of the world.

2.4 **Entry Requirement for the Study of Law**

The Summit noted that the minimum entry requirements into Nigerian tertiary institutions to study law is still the Senior Schools Certificate Examinations (SSCE) or GCE Ordinary Level, and that there is nowhere in the developed world where School Certificate is still accepted as the minimum requirement into universities to study law. It was therefore resolved that entry level to study law in the universities should be a first degree in any relevant discipline.

2.5 **Recruitment of Law Teachers**

The presence of qualified and skilled lecturers in the law school and law faculties is a *sine qua non* to quality teaching. The Summit resolved that the process of recruiting law lecturers should not be politicized or tainted with nepotism, double standards, or favouritism. Government should ensure that only skilled and qualified lecturers are employed in the NLS and law faculties, as this will further improve the quality of legal education and training in Nigeria.

2.6 **Proliferation of Law Faculties**

The Summit expressed great concerns on the proliferation of law faculties, and decried the incessant establishment of illegal universities all over the country despite the stringent law that regulates the establishment of universities in Nigeria. The Summit noted that most of these universities operate law faculties that are not fit for purpose and well equipped to train aspirants to the bar properly. To guard against this, it was resolved that Council of Legal Education and NUC should ensure that constant verification is carried out on all law faculties and only faculties with the right facilities and qualified teachers should be accredited to offer law.

2.7 **Accreditation of Law Faculties**

2.7.1 The Summit condemned the practice whereby some faculties borrow law teachers from other law faculties in a bid to meet the accreditation requirements. The Summit noted that such practice is not only unethical and unprofessional, but is also responsible for the poor legal education in those institutions. Consequently, the Summit resolved that a comprehensive database of law lecturers should be established in order to curtail the ugly practice of borrowing faculty members by universities to cheat the accreditation system.

2.7.2 The Summit expressed concerns over the duplication of functions by Council of Legal Education (CLE) and Nigerian Universities Commission. The summit noted that both the CLE and NUC are empowered to accredit, inspect law faculties and also approve quotas for law faculties. The Summit therefore recommended for a common committee consisting of members of the NUC and CLE to be set up to perform these functions so as to avoid conflicts and avoidable duplication.

2.8 **Compulsory Pupillage**

2.8.1 The introduction and practice of compulsory pupillage is necessary for the training of quality lawyers in the country, as this will enable new wigs to learn from the experienced lawyers. In view of this, the summit strongly recommended and resolved that compulsory pupillage of 2 years should be introduced immediately as contained in the Legal Education Regulation Bill.

2.8.2 The Summit called for the Council for Legal Education, Nigerian Bar Association and Nigerian Universities Commission to urgently work out the modality for the enforcement of the compulsory pupillage, as it will ensure there are thoroughbred professionals in the legal profession.

2.9 **Curriculum Review**

2.9.1 The Summit noted that the current curricula for law students in the universities and law school are outdated, and as such, there is a great need to redesign the appropriate curriculum for the 21st century lawyer. In particular, the Summit recommended that in line with global changes, law curriculum should be immediately reviewed to capture practical and emerging areas of law such as technology, accounting and financial reporting, operations management, communication, entrepreneurship, cybersecurity, ADR/ Online dispute resolution, computerized billing, amongst others.

2.9.2 The summit specifically recommended that legal education in Nigeria should be designed to effectively train law students on effective legal project management (LPM). This will help a lawyer and his or her client to develop a complete understanding of the scope of a matter, a plan for how the work will be conducted, the budget for implementing the plan, a system for

continuous monitoring and communication as the plan is implemented and revised, and a process for evaluating the outcome and improving on it for the future.

- 2.9.3 The Summit noted that the current curriculum for legal education focuses more on legal methods, with little or no offerings on business methods, and therefore recommended for the curriculum to be redesigned to include more business courses, given that lawyers also require excellent business and entrepreneurial skills to succeed.

2.10 **Legal Education Pedagogy**

- 2.10.1 The Summit noted that the method of teaching law in Nigeria is archaic, and therefore recommended for a comprehensive review of the legal education pedagogies to accommodate more experiential and performance-based methods of teaching. The summit noted that our legal education methodology currently focuses more on teaching than training which has not allowed law students to absorb the entrepreneurial, practical problem-solving, and technology skills needed to practice law in an increasingly globalized legal market.
- 2.10.2 The Summit maintained that digitalization of legal education is no longer an option but a necessity given the current global trends and therefore recommended that law lecturers must be encouraged to accept and learn to engage students using technology and innovative methods.
- 2.10.3 While there has been an increasing emphasis on clinical education in universities, the Summit noted that such clinical opportunities tend to focus on public law (especially human rights, prison visit and free legal awareness to the public). Calling for such efforts to be intensified and sustained, the Summit also recommended the establishment of Legal Entrepreneurship Clinics that will offer complementary practical clinical legal education and training to law students on business incorporation, problem solving, interviewing, contract drafting, contract negotiation and review, alternative dispute resolution, legal project management, business strategy, marketing, and technology innovation amongst others.
- 2.10.4 The Summit further resolved that new teaching methods should be adopted by the NLS and universities, including but not limited to student-centered approach, Socratic method and clinical legal education. There must be clear lesson outcomes known to everyone, and teaching must be active and interactive. Students must be exposed to real-life experiences of the profession, and lessons must be designed based on an integrative approach that deals with legal education as both a liberal art and vocation.
- 2.10.5 The Summit also encouraged law faculties to provide cross enrolment opportunities for law students to enable them to benefit from computing, technology, accounting, business, and other social management courses in faculties and colleges across the University.

2.11 Law Teacher Training

- 2.11.1 Learning is an endless process and as such, law teachers require continuous training and retraining for improved knowledge and teaching skills. A teacher who is not versed in a subject cannot teach that subject effectively. In the light of this, law teachers are encouraged to constantly undertake professional courses and trainings at home and abroad to improve their expertise.
- 2.11.2 Law teachers should be encouraged to practice law and/or to take sabbatical in top-tier institutions across the world to teach law and in law firms to learn the practical aspects of law, as this will facilitate effective practical teaching of law by the law teachers. Quality and mandatory trainings should also be organised for law lecturers on contemporary pedagogies and on the best approaches to law teaching in the 21st century.
- 2.11.3 The Summit also resolved that an integrated pedagogy should be developed as a training guide for the training of current and incoming law teachers.

2.12 Law Teacher Welfare

The summit noted that the poor remuneration of law teachers has over the years adversely affected the standard and quality of teaching. Indeed, when teachers are not well paid, the level of dedication and job performance would be poor. The Summit therefore recommended that government and proprietors should take law teachers' welfare seriously and this includes providing all the necessities such as good remuneration, retirements benefits, good working condition etc. in order to make law teachers comfortable and teaching lucrative. A good welfare package will also attract better talent into law teaching.

2.13 Continuing Legal Education for Lawyers in Nigeria

- 2.13.1 The Summit noted that continuing professional development is key in maintaining and growing the knowledge and skills that lawyers need to service their clients better, and therefore commended the current NBA Institute of Continuing Legal Education (NBA-ICLE) for its tremendous efforts in training lawyers on various areas of law.
- 2.13.2 The Summit recommended that the current rules on Continuing Legal Education be implemented strictly to mandate lawyers to undergo continuing legal education and that any lawyer who fails to undergo continuing legal education should be prohibited from practicing.
- 2.13.3 As an adaptive strategy to upskilling lawyers in Nigeria, the Summit recommended that the NBA should adopt the outcome-focused CPD model as obtainable in the United Kingdom. This model allows lawyers/firms to work with the NBA to develop CPD programmes that are tailored to address the needs of their lawyers, firms and clients, while also allowing the NBA to

guide, supervise, receive compliance reports and sanction law firms/lawyers.

2.13.4 The Summit also recommended that the NBA-ICLE should partner with Faculties of Law to develop bespoke LLM and certificate programs that allow for online learning modules and for which brilliant young practitioners can have partial scholarship support from the NBA.

2.14 **Monitoring and Evaluation**

2.14.1 The Summit noted that there is no structure in place for monitoring and evaluation of performance in the law school and law faculties. The Summit further noted that the NUC has commenced the process of reviewing the law curriculum to include courses like ethics, legal clinics, problem solving and analytical skills, pro bono, entrepreneurship, transactional skill, and social engineering, and therefore recommended that the NBA should work with the Council of Legal Education to have in place a mechanism for monitoring and evaluation of law teaching in the NLS and faculties.

2.14.2 The Summit resolved that performance tracking of agreed activities in our law faculties and at the Law School should be encouraged, as this will help identify strengths and weaknesses, areas of improvement, and assist in the setting of benchmarks.

2.14.3 Law Faculties and the Law School to work with the NBA to jointly develop data collection methodologies and mechanisms for reporting progress and outcomes of assessment schemes and other evaluation of legal education programmes.

2.15 **Quality Assurance in Legal Education**

The CLE and NUC are enjoined to develop sustainable mechanism to ensure quality assurance in the legal education system in Nigeria.

2.16 **Maintaining of Standard in the Legal Education**

2.16.1 The Summit expressed grave concern on the falling standard in the legal education, and therefore recommended that the NBA, NUC and CLE must immediately develop sustainable mechanism to continually evaluate and improve the standard of the legal education system in Nigeria.

2.16.2 As an adaptive strategy for maintaining standard, the NLS and universities must also be actively encouraged and monitored to integrate standard practice of quarterly lectures organised in the form of Panel Discussion or visiting lectureships to bring in talented practitioners or other professionals to discuss niche areas of law, and to provide updated information on the legal practice issues and trends driving today's society.

2.17 **Adaptive Strategy for the Future of Legal Education in Nigeria**

The summit noted that learning law alone without knowing the actual practical aspect of the law is not sufficient to prepare lawyers for the future.

The Nigerian Law School and law faculties are therefore encouraged to expand/increase the opportunity for experiential learning through more of court and law firm attachment, externships, simulation-based courses and clinical programs that can make them more practice ready. The Summit recommended that law faculties should develop summer training programs that will expose law students to practical opportunities in law firms, business organizations, courts, and other related organizations.

2.18 Mentorship Programs

A mentoring program for young lecturers and lawyers was recommended. The CLE and NBA are encouraged to work collaboratively to implement this in the most efficient manner, as this will further enhance the skills and character of the young wigs.

2.19 Council of Legal Education (CLE)

The Summit expressed concerns over the role of the NLS in carrying out some of the functions of the CLE, and therefore recommended that the Council of Legal Education be institutionally separated from the NLS to enable the Council properly regulate and oversee the systems for legal education and training in Nigeria. The Council of Legal Education should continue to operate as a regulatory body with the power to supervise the NLS; the faculties of law in the universities; design, provide and periodically update the curricula for the education and training for law students; licence or accredit, regulate and oversee universities and other private institutions to provide post-LLB training; and independently set, administer, and assess bar final examinations.

2.20 Amendment of Extant Law

The Legal Education Act should be amended to incorporate reforms that are expedient for the effective improvement of the legal education in Nigeria.

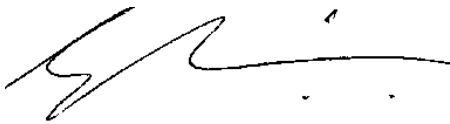
2.21 The Role of the NBA in Reforming the Legal Education

2.21.1 The Summit applauded the current NBA President, Mr. Olumide Akpata for constituting and empowering the NBA Legal Education Committee to spearhead this timely dialogue amongst practitioners, academia, judiciary, business stakeholders and students on the future of legal education in Nigeria after several years. The Summit noted the need to sustain and continue the work of the Legal Education Committee on this important initiative. Participants noted that the NBA Legal Education Committee has a strong role to play in the reformation of the legal education system, in line with the objectives contained in the NBA Constitution. The Summit therefore urged the NBA President to urgently set in place the necessary mechanisms needed to ensure that the Legal Education Committee continues its work as a standing committee of the NBA. The Legal Education Committee is also encouraged to regularly organize faculty training and


professional development programs for legal educators, in line with the NBA Constitution.

2.21.2 The Summit also called on the NBA to formulate a comprehensive and workable Legal Education Policy which will contain the NBA's position on the reformation of the legal education system in Nigeria and be submitted to the appropriate institutions responsible for implementation.

2.21.3 NBA to continuously highlight and checkmate the proliferation of universities and usurpation of the powers of NUC in the establishment of universities, the NBA is hereby advised to ensure that only universities which have turned out quality graduates for five years are allowed to run Law Programmes.



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