



NIGERIAN BAR ASSOCIATION

NATIONAL SECRETARIAT: Plot 1102, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja Nigerian Tel: +234 800 333 1111
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31 January 2024

John Aikpokpo-Martins, Esq

Chairman, NBA Section on Public Interest and Development Law (SPIDEL)

By email to: omisessy@yahoo.com

Dear Aikpokpo-Martins,

THE ACTIVITIES OF SPIDEL UNDER YOUR LEADERSHIP

I have had cause on several occasions to draw your attention to statements and publications issued at the instance of SPIDEL, with you as Chairman. I have also spoken to you about the need to respect the sanctity of our Constitution, and to maintain order and decorum in the Nigerian Bar Association (NBA). You have remained adamant and proceeded as though SPIDEL exists all by itself, independent of the NBA and its structures.

On 21 January 2024, I brought to your attention a blog post shared on social media titled **“NBA-SPIDEL Investigates Allegations by Justice Flora Azinge of Attempted Bribery by Unnamed Senior Advocate Nigeria [SAN].”** This is a matter in respect of which I had instructed the Chairman of NBA Kano Branch to write to the judge and demand the details of the senior counsel involved in the alleged attempt to bribe the Tribunal. I mentioned the action being taken by my office in my address before the Supreme Court on 27 November 2023. I equally addressed the matter at the last NEC meeting held on 7 December 2023.

The matter was also brought up by me before the National Judicial Council (NJC), and when one of my aides followed up on it with the Chairman of Kano Branch who was following up on it, we were informed that the matter was under investigation by security agency, and we decided to await the outcome of the investigation. You issued that statement without recourse to my office and in absolute disregard of the actions I had taken thereon.

Earlier this year, precisely on 19 January 2024, I drew your attention to another blog post circulated on social media titled **“NBA SPIDEL boss Aikpokpo-Martins reiterates call on Edo Government to swear in of 8 Edo Judges designate”**. This is a matter that was raised before the NJC at its last meeting. SPIDEL had no business going into it or issuing statements thereon without speaking with or writing to me. If you had attended the NEC meeting of 7 December 2023, you would have known that this matter is being handled at the highest level.

On Sunday 28 January 2024, I, again, brought to your attention via a WhatsApp message the Press Statement issued by the Publicity Secretary of SPIDEL, one Sadiya Saleh, titled **“NBA-SPIDEL FILES SUIT AGAINST NYSC, HANNATU MUSA MUSAWA & KENNY OGUNGBE”**. By Tuesday, 29 January 2024, I was inundated with telephone calls over the above-mentioned action. I had no prior knowledge of the case and I only got to know about it just as any other person on the streets. Of course, social media platforms reported it as **“NBA Sues Kenny Ogungbe, Hannatu Musawa, Culture Minister Over NYSC Certificate”**

NATIONAL OFFICERS:

Yakubu Chonoko Maikyau, OON, SAN President

Adesina Adegbite, FICMC, General Secretary; Linda R. Bala (Mrs), 1st Vice President; Chukwuemeka Clement Ugo, 2nd Vice President; Amanda Ego Demechi-Asagba, 3rd Vice President; Caroline Ladidi Anze-Bishop, Treasurer; Chinyere Gladys Obasi, Welfare Secretary; Akorede Habeeb Lawal, Publicity Secretary;

Daniel K. Kip, Assistant Secretary; Charles Ajiboye, FICMC, FCAI, ACIS Assistant Publicity Secretary

As if that was not enough, my attention was again drawn in the evening of 29 January 2024 of a letter you wrote (signed by you as Chairman with Funmi Adeogun, Secretary of SPIDEL), titled ***“The UNLAWFUL PRACTICE OF CONFISCATING THE PHONES OF LEGAL PRACTITIONERS VISITING DSS OFFICES THE PERFORMANCE OF THEIR PROFESSIONAL DUTIES: A DEMAND FOR IMMEDIATE CESSATION OF UNLAWFUL AND DISCRIMINATORY PRACTICE”***, wherein you threatened legal action against the DSS. I was reliably informed that a similar letter has been issued by you to the Inspector General of Police (IGP).

This action has in no small measure affected our work with the security agencies, particularly at a time when we need their intervention with security issues affecting our members. I woke up yesterday morning to the unfortunate news of the kidnap of one of our members from Keffi Branch and my usual recourse to the security agencies for their intervention was almost rebuffed on account of that letter. The subject matter for which you wrote that letter is one that the NBA Security Agencies Relations Committee (SARC) would have properly handled without recourse to your confrontational approach, which is jeopardizing our general interest beyond the alleged inconveniences you claim to address.

You will recall that when I spoke with you on 28 January 2024 and 29 January 2024, I told you that your actions are clearly beyond the mandate of SPIDEL, and that you have proceeded in a manner that undermines the office of the President of the NBA. I referred you to the NBA Constitution as the basis for what SPIDEL can or cannot do, as a Section of the NBA. You, however, insisted that you could do what you have been doing under SPIDEL, in the manner you have gone about it, and that you see nothing wrong with the actions of SPIDEL under your Chairmanship. You described what you have been doing as your work. I, then requested a meeting with the Executive Committee of SPIDEL on Thursday 1 February 2024 to discuss these matters and directed you to inform all the members. You undertook to do so and revert to me, but you have not done so as at the time of writing this letter to you.

This morning, 31 January 2024, I was greeted with yet another social media post titled ***“NIGERIAN BAR ASSOCIATION CHALLENGES FEDERAL GOVERNMENT’S VEHICLE OWNERSHIP LEVY”***. Like the previous posts, I did not know about this and there was no approval for it, and those other actions being taken by SPIDEL. While these actions may not be bad in themselves, SPIDEL, as a section of the NBA, cannot continue along this trajectory, ignoring our Rules and Procedure of dealing with matters of this nature.

Aside from the fact that the Constitution recognizes the President of the Bar as the Principal Spokesman of the Association, your actions are not such that SPIDEL can undertake in the manner adopted by you. As one who has served in several positions in the NBA, including being the immediate past 1st Vice President of the NBA, you are aware of these rules, but it appears that your actions are deliberate; to serve other motives other than the interest of the Bar. This cannot continue!

It is imperative to draw your attention to section 17(4) of the Constitution of the NBA 2015 (as amended in 2021) which provides that:

“No Section, Section Committee or any of their officers or other representatives, shall represent the Association or hold themselves out as representing the Association in any respect, or take any action in the name of the Association except as authorized by the National Executive Council or the Bye-Law.”

Needless to say, your actions have in several respects breached this, and other provisions of the Constitution.

You are therefore, hereby, reminded of the meeting as requested by me, with you and other members of SPIDEL EXCO by **10am on Thursday, 1 February 2024**. I requested that you as Chairman, should attend the meeting in person at the National Secretariat, while a Zoom link will be sent to you by which other members who are unable to attend in person can join virtually.

I further direct that you suspend all actions presently being undertaken by SPIDEL, particularly the matters stated above, until the scheduled meeting and further directives as may be approved by the National Executive Council. Also, henceforth, you shall not undertake any engagement with any third party without prior consultation and permission from me as President with the approval of the National Executive Council of the NBA.

Best regards


Yakubu Chonoko Maikyau, OON, SAN
PRESIDENT

TheNigeriaLawyer

