



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

COORDINATOR

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DATE: _____

9th March, 2024

The Trustees of the Nigerian Bar Association

Through:

Dr. Olisa Agbakoba, SAN,
Chairman, Board of Trustees,
Nigerian Bar Association.

Dear Sir,

UNWARRANTED ATTACKS ON NBA REPRESENTATIVES IN THE GENERAL COUNCIL OF THE BAR (GCB) AND MISUSE OF NATIONAL EXECUTIVE COUNCIL (NEC) FOR PERSONAL MOTIVES BY THE NBA PRESIDENT, YAKUBU C. MAIKYAU, OON, SAN.

We write as the NBA Representatives in the General Council of the Bar (GCB) to address the recent false accusations and misrepresentations made against us by the NBA President during the NBA-NEC meeting which held on the 29th of February, 2024 in Jos, Plateau State. Arising from the said meeting, the NBA President presented to the public, a communique from the same meeting wherein he misled the NBA NEC to make resolutions against us and terribly defamed us.

The contents of the Communique as it concerns us are as follows:

"9. NEC unequivocally condemns the letter written and signed by John Aikpokpo-Martins and Victor C. Onwumere on behalf of the "Representatives of the Nigerian Bar Association to the General Council of the Bar" addressed to the Attorney General of the Federation (AGF), requesting for funding by the Federal Government of the General Council of the Bar (GCB) in similar manner as the Body of Benchers and Legal Practitioners Disciplinary Committee (LPDC), as well as a request that the AGF should not communicate to the members of the Bar in the GCB through the NBA President.

MEMBERS

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

10. NEC further resolved that the NBA President should write to the Honourable Attorney General of the Federation to inform him to discountenance the said letter written by the so called 'Representatives of the Nigerian Bar Association to the General Council of the Bar' and notify the AGF of the non-existence of such body. Council further affirms that communications to members of NBA in GCB through the office of the President of the NBA is proper and does not derogate from the membership of NBA representatives in the GCB.

11. NEC condemned the assertion in the said letter that the NBA President refused to fund the expenses of NBA Members in GCB in view of the President's reference to the proof of payments made by NBA to GCB members for the expenses previously incurred by them; and directed investigation into the monies collected by Members of GCB from Ministry of Justice without the knowledge of or reporting to the NBA.

12. NEC prohibits and proscribes the existence and activities of "Body of Vice Chairmen of the NBA", 'Representatives of the Nigerian Bar Association to the General Council of the Bar', and any other Body or Forum not recognized by the NBA Constitution".

We have also been privileged to watch the video of the said NEC Meeting where the said accusations were made and to say we are shocked at the misrepresentation peddled by the NBA President against us is an understatement. (The link to the said video of the NEC meeting is provided here: <https://files.fm/u/8zyqphww7u>). It appears that the intent behind these statements was to discredit Mr. John Aikpokpo-Martins, one of the members of GCB, due to a pre-existing dispute related to suits initiated by the Section on Public Interest and Development Law (SPIDEL). In the treatment of that dispute, the President, Mr. Y. C. Maikyau SAN, misled the NBA NEC about the activities of GCB, ostensibly to elicit the predetermined resolutions, without regard to the reputation of the members of the GCB who he made scape-goats in the process.

While internal disagreements within the legal community are not uncommon, it is our sincere belief that such differences should be

addressed with a commitment to truth and integrity. Unfortunately, in this instance, the President has extended the scope of his dispute to make unfounded and untrue allegations against members of the General Council of the Bar (GCB), undermining the collective reputation of NBA Representatives in the GCB.

Our primary motivation in bringing this matter to your attention is to protect our integrity and to rectify any misconceptions that may have arisen as a result of Mr. Y. C. Maikyau's statements. Maintaining the integrity of the legal profession is of paramount importance to us, and it is imperative that the records are set straight.

We also respectfully urge you to call on the NBA President to provide clarifications regarding his conduct and the motivations behind the recent actions against NBA representatives in the GCB; and take appropriate measures to ensure that the NBA President refrains from leading the NEC recklessly without regard to the far reaching implications of its resolutions.

The office of the NBA President is highly esteemed, and witnessing its use for personal and possibly divisive purposes is disheartening. We trust that you will take the necessary steps to address these concerns and restore the dignity and impartiality of the NBA President's office.

ORIGIN

At the NBA NEC meeting of February 29, 2024, the NBA President highlighted a letter authored by NBA Representatives in the General Council of the Bar (GCB). This correspondence, addressed to the President of the GCB, Honourable Attorney General of the Federation, Prince Lateef Fagbemi, SAN, conveyed our warm welcome to our Council President and extended our congratulations on his appointment as the Attorney General of the Federation and consequently, the President of the General Council of the Bar.

Regrettably, the NBA President, not being a member of the GCB, somehow got a copy of this letter and presented it to NBA NEC—a body to which the letter was not addressed or directed. We wish to clarify that the letter in question was never directed to the NBA President, and as such, he could not have been aware of its contents through official channels.

Despite lacking knowledge of the specific matters discussed in the letter, he not being a member of the GCB, the President proceeded to move the NEC to adopt damning resolutions against us, NBA eps in the GCB, based on his subjective interpretation of its contents.

It is crucial to emphasize that these NEC resolutions were founded on a misinterpretation of the letter and do not accurately represent the issues addressed therein. As members of the GCB, we are fully aware of our challenges, and the letter was intended to provide valuable insights into these matters. Since our tenure in the Council, our objective has been to contribute to the strengthening and independence of the GCB, which has been comatose for far too long, addressing concerns we deemed appropriate. The letter in question was a means to communicate these concerns to our Council President. We fail to understand why this warranted such a public display by the President.

If there were any uncertainties about the letter's content, it would have been prudent for the NBA President to seek clarification directly from the concerned members of the GCB. Regrettably, this did not occur, and instead, the President chose to discuss the matter in the NBA NEC, making insinuations, casting doubts and taking swipes on the character and integrity of NBA Representatives.

We express our deep dismay at the misleading statements made by the NBA President during the meeting, which were further exacerbated by the adoption of resolutions based on inaccurate information. The proceedings cast a shadow on the sanctity of the NBA President's office, as it was used to mislead NEC members for personal motives.

We emphasize that our communication with our President of Council, the Honourable Attorney General of the Federation, is a matter within the purview of the GCB, and we reject any insinuation that such communications require the NBA President's permission. The GCB and the NBA are distinct entities, each with its own jurisdiction and the NBA President must be made aware of this.

We bring this matter to your attention with the hope that it will be thoroughly examined, and the inaccuracies corrected as it is clear that the NBA President is operating under the illusion that NBA Representatives who are members of the GCB are under his control.

Dear Trustees, we respectfully present hereunder, the true facts of the issues the NBA President purposely twisted on the floor of NEC, to mislead NEC.

1. LETTER TO THE GCB PRESIDENT, PRINCE LATEEF FAGBEMI, SAN

The NBA Representatives in the GCB indeed wrote a letter to the President of the Council dated the 24th of December, 2023. The primary objective of our letter, written and authorized by us all (including M. M. Maidoki, Esq) and signed by our Coordinator, Mr. John Aikpokpo-Martins, and our Secretary, Mr. Victor Onwere, was to apprise the newly appointed GCB President of pending matters and resolutions within the Council. Given his recent appointment and the absence of sent minutes at the time, we felt it was essential to bring him up to speed on crucial issues and resolutions. This necessitated our proactive communication. It was an earnest effort to ensure transparency, provide context, and facilitate the GCB President's understanding of key decisions made collectively by the Council during the tenure of the last Council President, Abubakar Malami, SAN.

With all of these being verifiable facts, we do not understand why the NBA President tried to pass off a resolution of the GCB mentioned in the letter as exclusively those of the NBA Representative. We assert that these resolutions were a product of collaborative efforts involving both the Attorneys General and the NBA Representatives sitting as the General Council of the Bar. If there were uncertainties about the letter's contents, we believe a request for clarification from us would have been more constructive.

We are also at a loss as to how the NBA President came to the conclusion that these resolutions were bad in themselves and something for which the members of the GCB should be castigated. He is not a member of the GCB and was not in the room when discussions on the issues in the letter were made and resolutions taken. If he was confused as to the contents, all he had to do was ask for explanation, particularly as we had in the past visited and had interactions with him, and appreciated his keen interest in the affairs of the GCB.

Despite the shocking denial of Mr. Maidoki on the floor of NEC, we restate categorically that ***ALL REPRESENTATIVES OF THE NBA IN***

THE GCB, including M. M. Maidoki, resolved to write the said letter and did write that letter and instructed the signatories to sign same. We believed we were speaking up on issues which will improve the Council and are happy to point out that the letter has yielded positive fruit.

2. FORMATION OF A 'BODY' UNKNOWN TO THE NBA:

During the NBA NEC Meeting, the NBA President made statements implying that the elected Representatives of the Nigerian Bar Association in the General Council of the Bar had formed an unrecognized Association. This assertion led to resolutions aimed at discrediting our representation and purportedly proscribing us and our activities.

NEC was further moved to resolve that the NBA President should write to the Honourable Attorney General of the Federation to discountenance the said letter written by the **"so called"** 'Representatives of the Nigerian Bar Association to the General Council of the Bar' and notify the AGF of the **non-existence of such body.** (Paragraph 9 of the NEC Resolution).

In the same vein, NEC under the direction of President Y. C. Maikyau was moved to resolve to prohibit and proscribe the existence and activities of 'Representatives of the Nigerian Bar Association to the General Council of the Bar', and any other Body or Forum not recognized by the NBA Constitution. (Paragraph 12 of the NEC Resolution).

In fact, on the floor of the NEC, the NBA President personally proposed these motions and where members were not moving them properly, he personally rephrased them to how he wanted them taken, to condemn us unreservedly, even without any attempt to hear from us. In one instance, he stated thus: ***"They have constituted themselves into a body known as Representatives of the Nigerian Bar Association to the General Council of the Bar with one called a Coordinator and a Secretary. That body is unknown to law. So you are saying that this body be equally proscribed and members of the NBA in the GCB should never present themselves or act under this auspices because this body has proscribed it. Is that the motion"?*** Of course the motion mover went on to move the motion the way the President demanded.

Mr. President further asked that a member of NEC "move a motion condemning the letter and directing the President to write that letter to

the AGF telling him that that body was never formed and NBA Reps to GCB never had the mandate of other members to write the letter". The motion was so moved.

Contrary to the President's representation, the term **"Representatives of the Nigerian Bar Association in the General Council of the Bar"** is explicitly defined in Section 10 (4) of the NBA Constitution (as amended). This term is not a creation of our own but is even so acknowledged on our certificates of return. As duly elected members of the General Council of the Bar, that is how the NBA Constitution describes us and we operate within the framework of the NBA Constitution in referring to ourselves as such.

In particular, Part V of the NBA Constitution's second schedule is headed: **"Election of NBA Representatives to the General Council of the Bar."** Our existence and role are firmly established by the Legal Practitioners Act and the NBA Constitution. Therefore, any assertion that we formed an unrecognized and/or unlawful body is totally misleading and incorrect.

The President's blatant misrepresentations and deliberate attempts to discredit the duly elected Representatives of the Nigerian Bar Association in the General Council of the Bar are not only disheartening but also alarming. The President's assertion that we, the elected members, formed an unrecognized body is a baseless and malicious attack on our integrity and the democratic process that elected us into our positions.

It is disheartening to witness the NBA President moving the NEC to take actions against a body recognized by the NBA Constitution. The resolutions, in paragraphs 9 and 11 of the NEC Communique, particularly those proscribing the Representatives of the Nigerian Bar Association in the General Council of the Bar, are in direct violation of the NBA Constitution.

The President's proposal and NEC's subsequent resolution to write to the Honourable Attorney General of the Federation to discredit the letter written by the **'so-called' 'Representatives of the Nigerian Bar Association to the General Council of the Bar'** is based on the false premise of the non-existence of such a body and is an appalling attempt to perpetuate misinformation and undermine the legitimacy of our role. Such actions go against the principles of fairness, justice, and the rule of

law that the NBA should champion. This contradicts the established recognition of our role by the NBA Constitution, raising concerns about the accuracy of information presented during the NEC meeting.

It is indeed highly troubling that the President, the custodian of the NBA Constitution, has chosen to exploit his position to mislead NEC members for personal vendettas. Clearly upset at seeing that the signatory to the GCB letter is the same Mr. John Aikpokpo-Martins of SPIDEL, he reckoned that was another opportunity for Mr. John Aikpokpo-Martins to upstage him and so thought it best to use NEC to discredit him, not minding the collateral damage to the GCB and without giving signatories of the letter or other members of the GCB, an opportunity to explain. The resolutions thus passed during the meeting, particularly those aiming to proscribe our existence and activities, are not only unwarranted but also a gross violation of the very constitution the NBA President is supposed to uphold.

In the course of his comments to NEC, the NBA President spoke from both sides of the mouth. On one hand, he contended that we formed a body unknown to law, yet in a perplexing turn, he claimed to have appointed the most senior member of the Bar to coordinate this body, which he referred to as 'unknown to law'. This is a stark inconsistency which raises critical questions about the President's understanding of the legal framework governing our roles and responsibilities.

If, as he alleges, we are an unrecognized body, the appointment of a coordinator becomes a paradoxical act. One must question the rationale behind appointing someone to coordinate a purportedly nonexistent entity. This incongruity not only underscores the lack of clarity in the President's position but also raises suspicions about the motives behind such conflicting statements.

The President owes us and the entire legal profession an explanation for this apparent contradiction. Clarification on his part is imperative to dispel any misconceptions and uphold the transparency and integrity expected of the NBA leadership. We believe that such clarification will contribute to a more informed and just assessment of the situation.

3. FLIGHT TICKETS AND REFUND:

In the course of the meeting, the NBA President decried the paragraph of our letter where we informed the AGF as President of the GCB, of the

NBA President's communication to us that the NBA would not be responsible for our flight or accommodation expenses. He denied ever making that statement and called on us to present any document where he stated so.

The NBA President further stated that he would not pay for someone who will be attending the meeting and that he "***thought that these were things we need to do to serve the Association***". He asked ***'Where did I say that I would not pay? I didn't!'***

To authenticate his claim, the NBA President brandished an invoice covering for refund of travel expenses to the members of the GCB for our first inaugural meeting while we were referring to subsequent meetings in our letter to the President of the GCB. This was supposed evidence that he caters to our logistics needs. Does he?

Sadly, the NBA President's denial of his statement regarding the responsibility for the logistics of NBA Representatives to the GCB is inconsistent with the facts.

Contrary to the President's claim, there is clear evidence of his reluctance to bear the travel expenses of the GCB members. Members of the GCB have had 3 meetings since inauguration of the Council and the NBA President refunded travel expenses **only once**. When we were invited for our first inauguration, all members bore the cost of their travel expenses to Abuja for the meeting without making any request of the NBA President.

At the end of our inaugural meeting/swearing in on the 9th day of January, 2023, NBA Reps to the GCB paid a courtesy visit to the NBA President at the NBA National Secretariat and among other issues discussed, the issue of the NBA being responsible for our travel and hotel logistics was thrown up. Mr. NBA President immediately retorted bluntly that the NBA would not be responsible for the expenses of GCB members as said members were members of a different statutory body who should cater to our logistics. He was categorical about it and repeated this several times. In fact he got upset when one of us tried to insist he should and other members had to apologize on behalf of that one member.

We left his office that day knowing that we were on our own.

As we left his office, some members were opportune to see the 1st Vice President, Mrs. Linda Rose Bala, who upon getting to know of the President's position, promised to speak to him. Upon the 1st Vice President speaking to him, he conceded to a refund of our travel expenses for that one meeting, again reiterating that there would be no further payments. An invoice was then sent to him through the 1st Vice President and members received the one and only refund of their travel logistics, many months after the meeting.

The invoice he presented during the NEC meeting, which showcased payment for flight tickets, thus only accounts for this **single instance** when he reluctantly refunded the part of the travel expenses. As the NBA President explicitly communicated that he would not bear the expenses for the GCB for subsequent meetings, no further demands were made of him. This unequivocal statement was made in the presence of over 10 GCB members who visited his office at the NBA National Secretariat. It is inconceivable that the President would deny making such a crucial statement, especially when numerous witnesses can attest to its occurrence.

Following the single reimbursement made after persistent efforts, the NBA President never catered for the logistics of members and members of the Council for all other meetings have borne their travel and accommodation expenses without complaint.

Despite this, the President had no qualms in leading NEC to condemn the assertion in the said letter that the NBA President has expressed his inability to fund the expenses of NBA Members in GCB. He also pulled out an invoice for refund of travel expenses for the 1st inaugural meeting of the GCB whereas the letter we wrote to the GCB President was after his remark to us and referred to subsequent meetings of the GCB and not that first meeting. The President was well aware of this, yet he misled NEC to believe that members were calling for refund of expenses for the 1st meeting! He also saw nothing wrong in NEC calling for ***'an investigation into the monies collected by Members of GCB from Ministry of Justice without the knowledge of or reporting to the NBA.'*** This is also perplexing to us that the NBA President seeks to investigate funds paid to members of a statutory body for their lodging for a meeting they all attended.

The NBA President's assertion that he never declared his refusal to be responsible for the logistics of NBA Representatives to the GCB, despite clear evidence to the contrary, is not only shocking but raises serious questions about transparency and integrity. We repeat that his statement that he would NOT be responsible for our expenses was made in the presence of over 10 of our members who visited him in his office at the NBA National Secretariat! Imagine our shock therefore when we watched him declare before NEC members that he never said so! A statement he repeated to our hearing several times! Unbelievable!

The President's attempt to distance himself from this prior statement during the NEC meeting, where he categorically stated that he never made such a declaration, is deeply troubling. Such contradictions erode the trust and confidence that NBA members place in the leadership's commitment to accountability, integrity and fair treatment.

4. ACCUSATIONS OF COLLECTING MONEY FROM THE OFFICE OF THE HONOURABLE ATTORNEY GENERAL AND CALLS FOR INVESTIGATION OF GCB MEMBERS.

The NBA President, during the NEC meeting, accused the NBA Representatives to the GCB of collecting funds from the office of the Honourable Attorney General of the Federation (HAGF) and insinuated that we were aiming to hide our meetings from him due to this alleged financial support. This accusation is entirely baseless.

During the second meeting of the GCB, there was a discrepancy in the treatment of NBA Representatives compared to the Attorneys General (AGs). While the AGs were notified of their lodging beforehand and accommodation provided for them, nothing was communicated to the NBA Reps about their lodging.

Recalling that the office of the Hon. Attorney General of the Federation, under the leadership of the erstwhile Attorney General, Alh. Abubakar Malami, SAN, provided one lodging for all members of the GCB (comprising the State Attorneys General and the NBA Representatives) at our 1st inaugural meeting and advised us of this in the notice of meeting, we urged our Coordinator, Mr. John Aikpokpo-Martins to reach out to the office of the Solicitor General of the Federation, usually in charge of meeting logistics, to point out this lapse. Mr. John Aikpokpo-Martins made several phone calls to the office of the Solicitor General

and he was informed that no accommodation plans were made for the NBA Representatives. When he reported to us, we thought this strange as we were made aware that all Attorneys General who had also been invited to the meeting had accommodation arrangements made for them. We therefore asked Mr. John Aikpokpo-Martins to communicate our displeasure at the shoddy treatment being meted out to us. After much back and forth for days, without any headway, NBA Reps to the GCB arrived in Abuja for the meeting on the eve of the meeting day. Those who arrived earlier, receiving no notice of lodging, had no choice but to make their own hotel arrangements upon arrival and at their cost. When other members about to fly into Abuja sent in messages inquiring as to where to go upon arrival, we were met with stoic silence. Then late that same day, and after sending in several messages, our coordinator was advised to send in the names of all NBA Reps to a staff of the Ministry of Justice. He did and we were advised of a hotel to check into.

When members arrived at the said hotel, what we saw is better seen than explained. The 'hotel' was in a terrible state, rooms were filthy, mouldy and generally unclean and there were cockroaches in most rooms. In front of one of the rooms was a huge smelly dustbin filled with waste! It was clear what had happened. Since we insisted on lodging being provided for us, we had been allocated the poorest of quarters while other Council members were lodged at the African Continental Hotel (Sheraton). Members were unhappy, but maturely left the premises without checking in and checked into hotels at their own cost while others like M. M. Maidoki who had checked in, upon noticing the poor state of the premises, checked out. As we left, we promptly informed the said Ministry Liaison of the unfortunate incident.

At the meeting the next day, NBA Representatives to the GCB reported the unfortunate incident to the Council. We sought to understand the cause of the discrepancy in treatment between us and the AGs as it is one Council, irrespective of the bloc you represent. We pointed out how terribly poor the quarters allocated to us were, so much so that we could not use same but made our own arrangements. The Solicitor General of the Federation apologized for the mishap, pointing out that it was as a result of the short notice to find us a place and we were assured that the cost of their hotel logistics would be refunded.

This meeting was held in May, 2023. In November, 2023, 6 months after this 2nd meeting, notices were sent for another meeting of the GCB and members again attended at their own cost. After this 3rd meeting, the Ministry of Justice reached out to one of us, Mr. Ebuka Nwaeze and asked for the account details of all NBA Reps to make the refund for the 2nd meeting which held over 6 months earlier. The said details were provided and all NBA Representatives in the GCB received the sum of N100, 000 as refund for their hotel accommodation for the second meeting, irrespective of the actual sum paid for hotel accommodation. No refund was made for our flight/travelling expenses. It is to this the NBA President speaks when he says we collected funds from the office of the HAGF and do not want him to know! How unfortunate!

Let us reemphasize that the Ministry of Justice initiated the refund process for hotel expenses without solicitation from us. Upon being refunded, we never reached out to the NBA to request for any refund, so we are puzzled as to why the NBA President is accusing us of financial impropriety and as to why, in paragraph 11 of the NBA NEC Resolutions, NEC is directing 'investigation into the monies collected by Members of GCB from Ministry of Justice without the knowledge of or reporting to the NBA'. Are NBA Reps to the GCB under any constitutional obligation to inform the NBA of hotel refunds? Under what section of the NBA Constitution are we supposed to make this 'report to the NBA'?

Members of the GCB are truthfully puzzled by this accusation of the NBA President and seek to know if all NBA representatives to statutory bodies report to the NBA when they are provided hotel logistics and if not, why the NBA President is making an exception of the NBA to GCB Reps? Particularly when neither the GCB nor the Ministry of Justice have alleged any financial impropriety on our part, yet NBA NEC has resolved to 'investigate' us!

We have always been transparent about our interactions and financial dealings, travelled for meetings at our own cost and borne the cost of our lodging. Any insinuation of clandestine financial dealings is both unfounded and damaging to our integrity.

The HAGF's office provided accommodation for all GCB members during the first meeting, but financial support was only extended for hotel expenses during the second meeting, and nothing was provided for

travel costs to this 2nd meeting or for the 3rd meeting to those who attended. NBA Reps to the GCB bore their travel costs to all these meeting without complaining and considered it as service to the legal profession. Sadly, even this sacrifice has been counted as nothing by the NBA President who has no qualms presenting us to NEC as fraudsters and deceiving NEC to believe we are surreptitiously collecting money from the office of the HAGF!

5. FUNDING REQUEST AND ALLEGATIONS

During the NEC meeting, the NBA President asserted that NBA Representatives to the GCB were singularly responsible for seeking funding for the GCB, implying a self-serving agenda. In fact, he used the preceding words: "*Hear me oh...*" to make it look more scandalous. This claim that we sought funding directly contradicts the truth. We wish to clarify that the request for federal funding of the GCB was a collective decision of the entire Council, which includes both AGs and NBA Reps. This collective stance was established through the joint efforts of various committees, including the Budget Committee and the Work Plan Committee of the GCB, where both AGs and NBA Reps actively participated.

The NBA President even though not a member of Council, was at our inaugural meeting himself when the Honourable Attorney General at the time, Abubakar Malami, SAN in his own opening remarks intimated members that there was a budget for the GCB in the Ministry of Justice and that there was a need for the Council to establish rules of engagement for its operation.

The NBA President was equally present when the Attorney General set up these two committees - **the Budget Committee** and the **Work plan Committees** in this regard. It is thus baffling how he has chosen to distort facts to create a misleading narrative. The collective efforts of these committees were aimed at strengthening the GCB and ensuring its operational efficiency. Any insinuation that NBA Reps were solely seeking personal funding is not only false but damaging to the integrity of the Council.

The work of the GCB Committees

The Work Plan Committee was chaired by the immediate past Attorney General of Lagos State, **Moyosore Onigbanjo, SAN**, with **Anne Uruegi Agi** as Secretary.

The Budget Committee had Mrs. **Mercy Agada** as Chairperson with **M. M. Maidoki** as Secretary. Membership of the two committees cut across the Official bar (made up of the AGS) and the private Bar (NBA Reps).

The Budget Committee met several times and as per its mandate, proposed a budget for the GCB. The Budget was proposed placing reliance on the statement of the then Attorney General of the Federation (Abubakar Malami, SAN) that the GCB had a budget subsumed under the budget of the Ministry of Justice. The NBA President, even though not a member of the GCB, was in attendance when this two committees were set up and populated. We are therefore shocked at how he has tried to misrepresent facts to make it look like members of the Bar to the GCB are the ones asking for funding from the HAGF. He was seated there in the room when the Committees were given their mandate.

The Work Plan Committee also met several times, deliberated and posited that before a proper work plan can be arrived at, there is need to come up with a strategic plan for the Council to enable it operate as effectively and efficiently as possible. Mr. Isaiah Bozimo, SAN, Attorney General of Delta State at the time and also a member of the Workplan Committee was tasked with preparing a strategic plan for the GCB. He went to work and presented a strategic plan which stated inter alia that to strengthen the Bar Council, efforts must be put in place to ensure that the GCB, its secretariat, and its procedures are institutionalised, sustainable and in the interest of the profession. The strategic plan was adopted as a working document.

To bring to life the strategic plan, the Work Plan Committee further created *The GCB Powers/Functions/Rules (enabling laws sub-Committee)/the sub-committee on Structures of the GCB*. Prof. John O. Akintayo was Chairman of the Powers/Functions/Rules sub-Committee while Mr. Kunle Edun was Chairman of the sub-committee on Structures.

All of these can be verified from the above mentioned persons.

The mandate of the **Sub-Committee on Structure** included a review of the structure, internal rules, functions, objectives, procedure for meetings of the Council, as well as to consider the setting-up of an independent Council Secretariat, amendment of Rules of Professional Conduct and Legal Practitioners Act, liaise with Federal Ministry of Justice for past records of the activities of the Council and to set up a time line for activation of the work plan etc.

This subcommittee on Structure was made up of AGs and NBA Reps. The Committee went to work and among other things, produced draft Standing Orders for the Council. Same was presented to the full Work Plan Committee, amended and adopted as a Committee document to be presented to the full house at its next meeting.

At our second Council meeting, there was a call for both reports to be presented. Mrs. Mercy Agada presented the Budget Committee report while Ms. Anne Agi presented the Work Plan Committee Report and Standing Orders. Both reports were adopted with slight adjustments. The Standing Orders presented by the Work Plan Committee were adopted by the house.

Source of Funding/Federal Funding:

As regards the Budget committee report, the Budget Committee, which comprised members from both the official Bar (AGs) and the private Bar (NBA Reps), proposed a budget for the GCB. Certain adjustments were made and the issue was how the Council will get funding for its activities. In fact it was members of the official Bar who pointed out that the budget committee report had not stated the source of the funds budgeted. Discussions then revolved around this source of funding and the Chairman of the Budget Committee, Mrs. Agada reminded the Council that at the setting up of both Committees, the Hon. Attorney General of the Federation notified members that the GCB had a budget subsumed under the budget of the Ministry of Justice and as such the budget was prepared based on this understanding. The Solicitor General was then called to comment.

The Solicitor General of the Federation, who was present during these discussions when Abubakar Malami, SAN, initially acknowledged the existence of some funding for the GCB at the Ministry of Justice, now claimed there were no such funds. Subsequently, discussions at the

Council meeting centered on how the body would be federally funded. These discussions were done by the full house, with the Council sitting as a whole, not just NBA Reps. This was referred to in the letter by us to the Council President and misinterpreted by the NBA President to NEC as ***"Our members asking for federal funding to fund GCB"***. One wonders why the President strove hard to convince NBA NEC that it was the NBA Reps who were advocating for federal funding for the GCB.

6. CLARIFICATION ON THE EMERGENCE OF MR. JOHN AIKPOKPO-MARTINS AS COORDINATOR OF NBA REPS IN GCB

It appears there might be some misunderstanding that we wish to clarify for better-informed discourse on how Mr. John Aikpokpo-Martins emerged as our Coordinator. Contrary to the NBA President's narrative to NEC, the facts are much more sacred.

During the inaugural meeting of the GCB, the Honourable Attorney General of the Federation (HAGF) directed both the Attorneys General (AGs) and NBA Representatives to nominate one of their own as a coordinator/spokesperson for their respective groups. A democratic and inclusive process ensued. At the NBA Corner, nominations were accepted, and a vote was conducted. By a simple majority, Mr. John Aikpokpo-Martins emerged as the elected coordinator for the Bar. Prof. Akintayo who was our most senior was in attendance when Mr. Aikpokpo-Martins was elected. No one informed us of any directive of the NBA President to the contrary.

Simultaneously, the State AGs had their own meeting in their corner, leading to the election of the former AG of Lagos State, *Moyosore Onigbanjo, SAN*, as their representative.

We would therefore like to clarify that Mr. John Aikpokpo-Martins was not appointed but was democratically elected to coordinate NBA Representatives in the GCB. His election was conducted openly, and all the NBA Representatives expressed confidence in his leadership.

Liaison with the NBA President

Since he was elected, Mr. John Aikpokpo-Martins has effectively liaised with the NBA President on matters concerning the GCB, providing regular updates and ensuring smooth communication. There have been

no reported issues with his leadership, and he has ably represented our interests.

On a few occasions when it became necessary to bring pertinent matters to the attention of the President, the collective decision of our body was to delegate this responsibility to Mr. John Aikpokpo-Martins, who effectively represented our concerns in his interactions with the President. It is therefore perplexing to witness the President now expressing discontent with Mr. Aikpokpo-Martins serving as our coordinator, considering that he had been duly mandated by the group to fulfill this role on our behalf.

Vote of Confidence on John Aikpokpo-Martins

We, the undersigned NBA Representatives in the GCB, pass a vote of confidence on Mr. John Aikpokpo-Martins' leadership. We appreciate his dedication, transparency, and effectiveness in coordinating our activities within the GCB.

As members actively involved in the GCB, we would like to state that we are puzzled by the notion or belief that someone external to our body, especially someone not a member of the GCB, could appoint or has appointed a coordinator for us. Our coordinator, Mr. John Aikpokpo-Martins, was elected through a democratic process during the inaugural meeting, and his leadership has been recognized and accepted by all the NBA Reps in the GCB. We believe that if there were any uncertainties about the election process or Mr. John Aikpokpo-Martins' role, seeking clarification on how Mr. Aikpokpo-Martins came to be our coordinator would have been more beneficial than making damaging assumptions.

7. STANDING ORDERS OF THE GCB, THE ISSUE OF NOTICE OF GCB MEETINGS BEING SENT TO THE NBA PRESIDENT AND THE ISSUE OF A GCB SECRETARIAT

During the NBA NEC Meeting of 29 February, 2024, the NBA President regarding the issuance of notices for GCB meetings expressed dissatisfaction that NBA Reps in the GCB pointed out as irregular the sending of their notice of meetings to him rather than directly to them via their emails as provided. He suggested that this might be an attempt to conceal financial transactions with the HAGF's office. Furthermore, he urged the meeting to make a resolution condemning the Representatives' letter to the AGF, which sought to ensure direct

communication between the AGF and GCB members and further maintained as good, notifications through him. **Our President considered it good practice that instead of members of a statutory body to receive notice of their meetings directly, such notices should go through him!**

The said NEC Resolution reads thus in paragraph 9:

“9. NEC unequivocally condemns the letter written and signed by John Aikpokpo- Martins and Victor C. Onwumere on behalf of the “Representatives of the Nigerian Bar Association to the General Council of the Bar” addressed to the Attorney General of the Federation (AGF), requesting that the AGF should not communicate to the members of the Bar in the GCB through the NBA President”.

Members of the GCB do not know what to make of this resolution. NBA GCB members find it puzzling that the NBA President deems it acceptable that duly elected NBA Reps in the GCB do not receive direct notices of meetings, while he, not being a GCB member, receives same to relay the notices to them. It is perplexing that the NBA President, instead of safeguarding his members, appears to be contributing to their weakening. It is one thing to desire to be equally notified about our meetings (which we are not averse to) but to clearly show offence that NBA Reps in the GCB are requesting that notice of their meetings be directly sent to them is another thing altogether. The fact that the NBA President has influenced NEC to pass a resolution on this issue, which is considered absurd raises grave concerns.

Furthermore, in the course of the NEC meeting, the NBA President informed members of NEC that NBA Reps in the GCB were even demanding for a stand alone Secretariat. Clearly, this was another of our grave sins.

Clarification on the Notice of Meetings, Standing Orders and the Issue of a Standalone Secretariat

To provide clarity, as explained above, the HAGF as President of the GCB had established the Work Plan committee, headed by the former AG Lagos, *Moyosore Onigbanjo*, SAN and which had Prof. Akintayo as a member, the Committee at the 2nd meeting of the Council which held on

the 15th day of May, 2023, formulated a comprehensive set of ***STANDING ORDERS*** with provisions for a Secretariat for the Council. While there was unanimous agreement on all other provisions of the Standing Orders and on the need for a functional Secretariat, there was a divergence of opinions on whether it should be led by a civil servant or a member of the private Bar, the President being from the official Bar. After extensive debates, it was decided that all provisions of the standing orders, except those related to the Secretariat, be adopted. The matter of the Secretariat leadership was deferred for further consideration at a subsequent meeting. In the interim, the office of the Solicitor General was to continue to administer the Secretariat.

The standing orders were then adopted and took immediate effect from that day, the 15th day of May, 2023. The office of the Solicitor General who was in-charge of the temporary secretariat was directed to produce and distribute copies of the standing orders to members. We are yet to receive the said copies.

Rule 5 of the newly adopted Standing Orders provides for notifications of dates of meetings and states that:

1. The Executive Secretary shall, at the request of the President, inform members of the Council of the date and venue of regular or ordinary meetings. This notification shall, wherever possible, be sent, at least ten days, before the meeting.

Rule 1 of the Interpretation Section states that "Council member" refers to a member of the Council by virtue of the provisions of the Legal Practitioners Act.

Members then took a resolution that the mode of sending the notice to them should be through their emails.

For every meeting of the Council after that, in compliance with the Standing Orders, all State Attorneys General were notified of their meeting directly to their emails; conversely, in violation of the provisions, NBA Reps in the GCB were not so directly informed of their meeting, instead their notices were sent to a non-Council member, in this case, the NBA President.

It is perplexing that despite our commitment to transparency and independence, the NBA President has taken offense at the NBA Reps in

the GCB's request for meeting notices to be sent directly to members rather than through him. Contrary to the expectation that the NBA President would be proud of his members for standing up for themselves, there seems to be hurt feelings over the expressed concerns.

To justify his accusations against us, the NBA President questioned whether our request to receive notices directly derogates from our responsibility to the NBA. He emphasized that we were elected and sent to represent the NBA's interests, implying that our desire for direct communication bypasses our duty to keep the NBA informed. In his words: **"The GCB is a different statutory body, yes, but does that derogate from the fact that you have a responsibility to NBA? We elected you, we sent you there, should you not COME TO TALK TO US?"**

One cannot help but wonder how the President formulates these questions and accusations. At no point have the NBA Reps in the GCB expressed a desire to withhold information from the NBA or 'refuse to talk' to the NBA. No one has invited us to any NEC Meeting to brief the Bar and we refused to. In fact, during one of our discussions, there was a suggestion that GCB members be part of the National Executive Council (NEC) to report directly. However, this idea was reconsidered due to constitutional implications, leading to the need for an amendment.

With all of the above being verifiable facts, the President's narrative to NEC is clearly fraught with misrepresentations, prompting speculation about the source of his anger. Is it because we requested that notices be sent directly to us, bypassing his involvement, that he resorts to finding ways of meting out a form of punishment to us? It is disheartening that our genuine concerns are met with such a response.

It is important to note that the President, not being a member of the GCB, lacks awareness of the discussions and proceedings within the Council. One cannot help but question his authoritative stance on matters that he may not fully comprehend.

The misrepresentation of facts by the NBA President and his reluctance to support adherence to the GCB Resolutions and Standing Orders particularly as it relates to notice of meetings is terribly worrisome.

Allegations of Financial Impropriety against NBA Reps to the GCB due to our insistence that Notice of Meetings be sent to us as per the provisions of our Standing Orders

The NBA President has levied accusations of financial impropriety against us, suggesting that our involvement in the General Council of the Bar (GCB) is an avenue for financial gain. In his statement, he questioned our objection to meeting notices being sent through the NBA President, who is not a member of the GCB, stating, ***"It's not a place to make money. Why would you want the President not to know what you are doing? Why would you complain about the fact that notice that you should come for a meeting is sent to your President, that your President is not a member of GCB?"***

The President's accusations reached a point where a resolution was passed, (Resolution 11), calling for an investigation into ***"monies collected by... [us] from the Ministry of Justice without the knowledge of or reporting to the NBA."*** This unfounded allegation has cast a shadow on our professional reputation, prompting us to question the motives behind the President's actions. Importantly, the Ministry of Justice has not raised any concerns about financial impropriety on our part, making the resolution by the NBA- NEC to investigate us for attending meetings of a different statutory body perplexing. It is essential to emphasize our strong objection to being unfairly accused of financial impropriety without any substantiated basis.

It is also crucial to clarify that we have never expressed a desire to conceal our activities from the President. Our primary concern lies in upholding the established standing orders of the Council and ensuring the independence of the GCB. ***We emphasize that it is not feasible to prevent the NBA President from being informed about our proceeding; as even though he is not a member, he attends our meetings, receives copies of correspondence addressed to our President, and is briefed on our responses, including our reactions to inaccuracies in our circulated minutes.***

8. MINUTES SHARING, ACCURACY AND TRANSPARENCY CONCERNS AS IT CONCERNS THE NBA PRESIDENT:

In addition to the issues mentioned above, there have been lapses in the sharing of meeting minutes. By virtue of **Rule 26 of the Standing Orders**, *"The Secretariat shall draft the minutes of the sessions of the Council and of its committees. It shall distribute them as soon as possible in a draft form to the members of Council or committee as may be applicable"*.

Despite the clear wording of Rule 26 of the GCB Standing Orders, NBA Reps in the GCB, had at the time of writing that letter, not received minutes of their meeting. Shockingly, minutes that were not sent to GCB members were forwarded to co-council members, the State Attorneys-General. These said minutes had a column for the signature of the NBA President! We were privileged to see a copy sent to the Attorneys General and so waited patiently in the hope that we will also receive same. We never did. Assuming we had also been sent the minutes, a Council member of the official Bar, an Attorney General, seeking to discuss an issue therein with one of us sent a copy to the said member which was shared with us all (NBA Reps) for discussions. At this point, we received another shocker, the said minutes which the Secretariat had failed to send to us,, had the NBA President's name as co-signatory, to a meeting of a statutory body he is not a member of.

Till date, the minutes of that 2nd GCB meeting which we saw by chance, was never sent to us.

Listing of the NBA President in minutes of GCB Meetings

The minutes of GCB meetings have listed non Council members as members in attendance, specifically the NBA President whose name is always usually inaccurately included as **No. 1** in the attendance column of the minutes of GCB meetings. We drew the attention of the Secretariat to this and insisted that for fidelity to the proceedings, when the attendance list is being prepared, it is appropriate to have only Council members under the Column for Council attendees and another column created, if need be, for visitors or observers. The proceedings of the GCB are official records of the Federal Republic of Nigeria and must be correct and factual for reference purposes.

Similarly, in the most recent set of GCB minutes sent to us (of our last meeting), **the NBA President's name was listed as No. 1, followed by the National Treasurer, Mrs. Caroline Ladidi Bishop as the 2nd Name, then the names of other GCB members followed.** This has raised significant questions about the integrity of the minutes and the process by which they are prepared. As neither the President nor the NBA National Treasurer are members of the GCB, we are perplexed as to how their names found a place in the GCB official attendance records of members.

Such inaccuracies not only compromise the integrity of the GCB proceedings but also raise concerns about the transparency and fairness of the entire process and we sought to have these straightened out. It now appears that the President is sorely displeased by this.

ABSENCE OF OUR STANDING ORDERS

Uncomfortable with the blatant disregard to our Standing Orders, we tasked Mr. John Aikpokpo-Martins to interface with the Solicitor General of the Federation (SGF) on the issue, so we could read through it to be sure what the provisions were concerning minutes and notices of meetings. He returned to say he had spoken to the SGF and her response was that we **should ask the NBA President.** Upon hearing this, we were more puzzled. Why will our standing orders be under the purview of someone who is not a member of the Council? Till date, the SGF has not released the standing orders to us. Perhaps it is still with the NBA President.

When notice of yet another meeting came, despite our complaints and established resolutions on the floor of Council and despite our Standing Orders, notifications for another meeting were received from the NBA Secretariat, leaving members concerned.

This event, the withholding of our Standing Orders, non-receipt of minutes of meetings, the NBA President being listed as a member of the GCB in our minutes, the NBA President being named as a signatory to the Minutes of our 2nd Council meeting, the reluctance of the GCB Secretariat to bear the cost for logistics of NBA members to meetings, whereas same was done for State AGs and series of other events prompted the drafting and dispatch of a letter addressed to our

President, the President of the General Council of the Bar/Attorney General of the Federation.

At this juncture, a new Honourable Attorney General of the Federation (HAGF) had assumed office, unfamiliar with the prior resolutions of the Council. Recognizing the need to appraise him of the unanimous resolutions by all council members (distinct from the NBA Reps) and to highlight the challenges faced, a collective decision was made by **ALL NBA Reps in GCB** to compose a letter to the new President. The intent was to ensure transparency and adherence to the established resolutions. It is unfortunate that the NBA President has misrepresented our intentions and misled NEC Members to do so too.

9. POSITIVE OUTCOME OF OUR LETTER TO THE GCB PRESIDENT

As a positive outcome of this letter the NBA President is complaining of, NBA Reps in the GCB, for the first time, received the minutes of the latest GCB Meeting directly in their emails. While these developments may be deemed as initial steps, they underscore the determination of NBA Members to strengthen the Council. Regrettably, these efforts face a setback due to the recent action of the NBA President, who advocated for NEC to discredit the GCB members and the aforementioned letter. Despite this, the letter has already proven beneficial for the betterment of the Council.

10. ATTEMPTS TO TREAT NBA REPS DISPARAGINGLY AT THE GCB AND THE PRESIDENT SEEING NOTHING WRONG WITH IT

It is disheartening that our NBA President appears indifferent to the unequal treatment meted out to his own members. While other Attorneys General receive meeting notices through their emails, our President advocates for a different, more controlled approach, seemingly asserting authority over our representation. These are unwarranted interference with the affairs of the GCB.

Efforts to diminish the standing of NBA Reps within the GCB have been apparent, ranging from the non-receipt of minutes and standing orders to the direct sending of meeting notices through the NBA President and reluctance to be responsible for our lodgings. The President's direct involvement in our affairs, signal a desire to be an integral member of the GCB.

11. GCB AND THE NIGERIAN LAW SOCIETY (NLS)

Perhaps the most curious and amusing accusation leveled against us is the NBA President's assertion that we are being used by the NLS to undermine the Nigerian Bar Association. He went as far as alleging that the GCB is being manipulated to serve certain interests and suggested that there is a clandestine influence by the NLS to destroy the NBA and in his words: "**Surreptitiously, it is coming through GCB.**"

This unfounded claim adds yet another layer to the assortment of allegations we have faced without an opportunity to address same or defend ourselves. It seems we are now, unjustly, being portrayed as an extension of the NLS.

12. PRESIDENT MAIKYAU, OON, SAN - UNDERMINING THE DIGNITY OF NBA REPRESENTATIVES TO THE GCB

The NBA President has successfully moved NEC to issue faulty resolutions about a matter they were not properly briefed on. NEC has been moved to authorize him to write to the President of the General Council of the Bar disowning us. How then can we work in that same Council effectively?

The act of belittling her own members in the General Council of the Bar (GCB) not only tarnishes our individual honor and integrity but also jeopardizes the collective ability to uphold and ensure the respect of the Council's resolutions. These steps and resolutions, compounded by previous challenges, has significantly exacerbated the situation.

By diminishing the standing and integrity of NBA representatives before the GCB, the President has created an environment where we as representatives will struggle to put across the yearnings of the members of the Bar before the Council. This detrimental impact on our credibility and influence compromises our effectiveness in ensuring that the GCB operates with the necessary autonomy and independence.

It is disheartening to witness actions that seem to hinder the thriving of the Council, especially when these actions emanate from the NBA leadership. The need for a united and respectful approach to address the challenges facing the GCB remains paramount, emphasizing the importance of preserving the dignity and efficacy of our representatives

in their crucial role within the Council. The NBA President has jeopardized all of these.

13. THE ROLE OF THE GCB AND THE NBA PRESIDENT'S ACTIONS

By the provisions of the Legal Practitioners Act and Section 7(2) of the NBA Constitution 2021 (as amended), the General Council of the Bar (GCB) is distinct from the NBA, with its own unique functions. Section 7(2) stipulates that, in unavoidable circumstances or emergencies where the NBA National Executive Council is unable to function, the GCB has the power to convene and constitute a caretaker committee. The President's attempt to bring the GCB under his control suggests a misunderstanding of its independent nature. The NBA representatives to the GCB serve a vital role in crisis situations at the Bar and must operate independently, not under the direct control of the NBA President.

It is crucial for the President to recognize and respect the autonomy of the GCB and its representatives. The NBA representatives are elected by all lawyers in Nigeria, just like the national officers, to act independently, in playing the roles assigned to the GCB by the relevant laws. They should be treated with respect, not subjected to orders and threats. The President's actions, especially misleading NEC on the decisions of the GCB, are concerning and go against the principles of upholding the integrity and proper functioning of both bodies.

Moreover, the President's assertion that he considers it acceptable to receive meeting notices on behalf of the NBA representatives, despite not being a member, raises questions about his appreciation of the separation between the NBA and the GCB. It is important for the President to be called to reconsider his approach, ensuring that his decisions and actions align with the distinct roles and functions of the GCB and the NBA.

14. CLARIFICATION ON ADVOCACY FOR GCB'S INDEPENDENCE AND SECRETARIAT ESTABLISHMENT

Our firm advocacy for the independence of the General Council of the Bar (GCB), including the establishment of a dedicated secretariat, is driven by a sincere commitment to strengthen the Council's functionality. It is important to clarify that our intentions are in no way aimed at undermining the GCB's autonomy, as inaccurately suggested.

Contrary to the President's assertions, our concern does not revolve around the issuance of invitations to events. Instead, our primary grievance lies in the disrespect shown to both members of the legal profession and the GCB itself when its resolutions are disregarded. If the decisions of the Council can be disregarded, it raises questions about the purpose of our involvement.

While we may be unable to restrain the Solicitor General's office from continuing to send meeting notifications to the NBA President, if they do wish, it is imperative that our standing orders are honored, and our notifications are transmitted directly to us as stipulated in the said Orders. Why that is a challenge is what we do not understand.

At this juncture, it is crucial for all members of the Bar to understand that the GCB resolution to establish a secretariat for the GCB is a step toward fortifying its independence. We therefore find it perplexing that our efforts to safeguard the Council's autonomy are misconstrued as a nefarious agenda. The President's contradictory accusations, first insinuating that we are a threat to the GCB's independence and then condemning the Council's desire for a dedicated secretariat, only contribute to his insincerity of purpose in this matter.

15. IMPROPRIETIES COMMITTED BY THE NBA PRESIDENT AT NEC

The actions of the NBA President, as presented to NEC, are unfortunate.

Firstly, he led NEC to believe it had the authority to pass judgment on the proceedings of a distinct statutory body, the General Council of the Bar (GCB), without having a comprehensive understanding of the facts.

Next, the NBA President orchestrated the condemnation and disregard of the Standing Orders of the GCB. The President persuaded NEC to affirm that communications to NBA representatives in the GCB through the office of the NBA President are proper and do not undermine their membership. This stance is not only inconsistent with the GCB's Standing Orders, but also raises questions about the President's respect for the autonomy of the GCB and the law.

Lastly, the President moved NEC to proscribe the existence and activities of the 'Representatives of the Nigerian Bar Association to the General Council of the Bar,' a body clearly recognized by the NBA Constitution.

This raises a significant constitutional concern as to how NEC was influenced to purportedly proscribe a body acknowledged by the constitution. This action constitutes a direct conflict with the NBA Constitution and the Legal Practitioners Act.

16. SUMMARY

- i. The NBA President played a vital role in ensuring the inauguration of the GCB by the former AGF, Abubakar Malami, SAN. That role, however, does not entitle the President to suppress, take over or interfere with the role of the elected members of the GCB. Thus, the President's insistence that our notice of meetings be sent through him is concerning. Our request for direct communication aligns with our responsibility to the Council.
- ii. The President's utterances at the NEC concerning the members of the GCB and the consequent NEC resolution teleguided by the President impugns the integrity of members of the GCB without any reasonable cause.

For the record, there is a great discrepancy between the events at the GCB and the narrative presented by the President during the NBA NEC meeting.

- iii. The effort by the President to target Mr. Aikpokpo-Martins unduly impaired the President's judgment in making needless accusations without any recourse to the members of the GCB for clarification as may be necessary.
- iv. A column being provided for the name and signature of the NBA President as a signatory to minutes of the GCB meeting and the reoccurrence of his name as a member of the Council in GCB minutes, raises concerns.

17. PRAYERS

We pray the Trustees to consider all the above facts and prevail on the President of NBA to refrain from interfering with the role of the NBA Representatives in the General Council of the Bar (GCB) and to take steps to remedy the very unfounded comments and allegations made without regard to the integrity and reputation of the Members of the GCB.

16.CLOSING

The NBA President Y. C. Maikyau, OON, SAN has proudly highlighted his role in the inauguration of the GCB. However, it seems that his perspective on the GCB has become skewed, viewing it as his "baby" and possibly feeling compelled to undermine it if he cannot exert full control. This sentiment raises concerns about potential actions that may compromise the integrity of the GCB.

The GCB operates distinctly from the NBA, and it is crucial to keep these entities separate and prevent the GCB from becoming collateral damage in NBA disputes. Our plea is for a resolution that safeguards the autonomy of the GCB and prevents it from being entangled in conflicts that do not concern its mandate.

Thank you for your understanding.

Sincerely,

1. LAWRENCE OBI ANIZOBA (JP)



2. JOHN AIKPOKPO-MARTINS



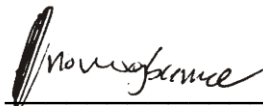
3. DENNIS E AGBAGA ESQ



4. VICTOR C. ONWERE



5. ISREAL LAGBAMUE



6. OLALEKAN IDOWU OLADAPO



7. MERCY IJATO AGADA (MRS)



8. EBUKA NWAEZE



9. ANNE URUEGI AGI



10. JOSHUA ENEMALI USMAN



NBA Representatives to the General Council of the Bar. (2022-2024)

**Cc: Past Presidents
Nigerian Bar Association**



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

COORDINATOR

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SECRETARY

VICTOR C. ONWERE ESQ
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DATE: _____

9th March, 2024

The Annual General Meeting
Nigerian Bar Association

Through:

The General Secretary,
Nigerian Bar Association,
Plot 1101, Muhammadu Buhari Way,
Central Business District,
Abuja.

Dear Sir,

UNWARRANTED ATTACKS ON NBA REPRESENTATIVES IN THE GENERAL COUNCIL OF THE BAR (GCB) AND MISUSE OF NATIONAL EXECUTIVE COUNCIL (NEC) FOR PERSONAL MOTIVES BY THE NBA PRESIDENT, YAKUBU C. MAIKYAU, OON, SAN.

We write as the NBA Representatives in the General Council of the Bar (GCB) to address the recent false accusations and misrepresentations made against us by the NBA President during the NBA-NEC meeting which held on the 29th of February, 2024 in Jos, Plateau State. Arising from the said meeting, the NBA President presented to the public, a communique from the same meeting wherein he misled the NBA NEC to make resolutions against us and terribly defamed us.

The contents of the Communique as it concerns us are as follows:

"9. NEC unequivocally condemns the letter written and signed by John Aikpokpo-Martins and Victor C. Onwumere on behalf of the "Representatives of the Nigerian Bar Association to the General Council of the Bar" addressed to the Attorney General of the Federation (AGF), requesting for funding by the Federal Government of the General Council of the Bar (GCB) in similar manner as the Body of Benchers and Legal Practitioners Disciplinary Committee

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 OGHENEOVO EDUN ESQ, MERCY IJATO AGADA ESQ, ANNE AGI ESQ, DENNIS AGBAGA ESQ,

THEOPHILUS TERKILE IGBA ESQ, JOSHUA ENEMALI USMAN ESQ, ANGAOR RAPHAEL NNAMDI ESQ, OKWUN-KALU DAVE NDARA ESQ,

(LPDC), as well as a request that the AGF should not communicate to the members of the Bar in the GCB through the NBA President.

10. NEC further resolved that the NBA President should write to the Honourable Attorney General of the Federation to inform him to discountenance the said letter written by the so called 'Representatives of the Nigerian Bar Association to the General Council of the Bar' and notify the AGF of the non-existence of such body. Council further affirms that communications to members of NBA in GCB through the office of the President of the NBA is proper and does not derogate from the membership of NBA representatives in the GCB.

11. NEC condemned the assertion in the said letter that the NBA President refused to fund the expenses of NBA Members in GCB in view of the President's reference to the proof of payments made by NBA to GCB members for the expenses previously incurred by them; and directed investigation into the monies collected by Members of GCB from Ministry of Justice without the knowledge of or reporting to the NBA.

12. NEC prohibits and proscribes the existence and activities of "Body of Vice Chairmen of the NBA", 'Representatives of the Nigerian Bar Association to the General Council of the Bar', and any other Body or Forum not recognized by the NBA Constitution".

We have also been privileged to watch the video of the said NEC Meeting where the said accusations were made and to say we are shocked at the misrepresentation peddled by the NBA President against us is an understatement. (The link to the said video of the NEC meeting is provided here: <https://files.fm/u/8zyqphww7u>). It appears that the intent behind these statements was to discredit Mr. John Aikpokpo-Martins, one of the members of GCB, due to a pre-existing dispute related to suits initiated by the Section on Public Interest and Development Law (SPIDEL). In the treatment of that dispute, the President, Mr. Y. C. Maikyau SAN, misled the NBA NEC about the activities of GCB, ostensibly to elicit the predetermined resolutions,

without regard to the reputation of the members of the GCB who he made scape-goats in the process.

While internal disagreements within the legal community are not uncommon, it is our sincere belief that such differences should be addressed with a commitment to truth and integrity. Unfortunately, in this instance, the President has extended the scope of his dispute to make unfounded and untrue allegations against members of the General Council of the Bar (GCB), undermining the collective reputation of NBA Representatives in the GCB.

Our primary motivation in bringing this matter to your attention is to protect our integrity and to rectify any misconceptions that may have arisen as a result of Mr. Y. C. Maikyau's statements. Maintaining the integrity of the legal profession is of paramount importance to us, and it is imperative that the records are set straight.

We also respectfully urge you to call on the NBA President to provide clarifications regarding his conduct and the motivations behind the recent actions against NBA representatives in the GCB; and take appropriate measures to ensure that the NBA President refrains from leading the NEC recklessly without regard to the far reaching implications of its resolutions.

The office of the NBA President is highly esteemed, and witnessing its use for personal and possibly divisive purposes is disheartening. We trust that you will take the necessary steps to address these concerns and restore the dignity and impartiality of the NBA President's office.

ORIGIN

At the NBA NEC meeting of February 29, 2024, the NBA President highlighted a letter authored by NBA Representatives in the General Council of the Bar (GCB). This correspondence, addressed to the President of the GCB, Honourable Attorney General of the Federation, Prince Lateef Fagbemi, SAN, conveyed our warm welcome to our Council President and extended our congratulations on his appointment as the Attorney General of the Federation and consequently, the President of the General Council of the Bar.

Regrettably, the NBA President, not being a member of the GCB, somehow got a copy of this letter and presented it to NBA NEC—a body

to which the letter was not addressed or directed. We wish to clarify that the letter in question was never directed to the NBA President, and as such, he could not have been aware of its contents through official channels.

Despite lacking knowledge of the specific matters discussed in the letter, he not being a member of the GCB, the President proceeded to move the NEC to adopt damning resolutions against us, NBA Reps in the GCB, based on his subjective interpretation of its contents.

It is crucial to emphasize that these NEC resolutions were founded on a misinterpretation of the letter and do not accurately represent the issues addressed therein. As members of the GCB, we are fully aware of our challenges, and the letter was intended to provide valuable insights into these matters. Since our tenure in the Council, our objective has been to contribute to the strengthening and independence of the GCB, which has been comatose for far too long, addressing concerns we deemed appropriate. The letter in question was a means to communicate these concerns to our Council President. We fail to understand why this warranted such a public display by the President.

If there were any uncertainties about the letter's content, it would have been prudent for the NBA President to seek clarification directly from the concerned members of the GCB. Regrettably, this did not occur, and instead, the President chose to discuss the matter in the NBA NEC, making insinuations, casting doubts and taking swipes on the character and integrity of NBA Representatives.

We express our deep dismay at the misleading statements made by the NBA President during the meeting, which were further exacerbated by the adoption of resolutions based on inaccurate information. The proceedings cast a shadow on the sanctity of the NBA President's office, as it was used to mislead NEC members for personal motives.

We emphasize that our communication with our President of Council, the Honourable Attorney General of the Federation, is a matter within the purview of the GCB, and we reject any insinuation that such communications require the NBA President's permission. The GCB and the NBA are distinct entities, each with its own jurisdiction and the NBA President must be made aware of this.

We bring this matter to your attention with the hope that it will be thoroughly examined, and the inaccuracies corrected as it is clear that the NBA President is operating under the illusion that NBA Representatives who are members of the GCB are under his control.

Dear Colleagues, we respectfully present hereunder, the true facts of the issues the NBA President purposely twisted on the floor of NEC, to mislead NEC.

1. LETTER TO THE GCB PRESIDENT, PRINCE LATEEF FAGBEMI, SAN

The NBA Representatives in the GCB indeed wrote a letter to the President of the Council dated the 24th of December, 2023. The primary objective of our letter, written and authorized by us all (including M. M. Maidoki, Esq) and signed by our Coordinator, Mr. John Aikpokpo-Martins, and our Secretary, Mr. Victor Onwere, was to apprise the newly appointed GCB President of pending matters and resolutions within the Council. Given his recent appointment and the absence of sent minutes at the time, we felt it was essential to bring him up to speed on crucial issues and resolutions. This necessitated our proactive communication. It was an earnest effort to ensure transparency, provide context, and facilitate the GCB President's understanding of key decisions made collectively by the Council during the tenure of the last Council President, Abubakar Malami, SAN.

With all of these being verifiable facts, we do not understand why the NBA President tried to pass off a resolution of the GCB mentioned in the letter as exclusively those of the NBA Representative. We assert that these resolutions were a product of collaborative efforts involving both the Attorneys General and the NBA Representatives sitting as the General Council of the Bar. If there were uncertainties about the letter's contents, we believe a request for clarification from us would have been more constructive.

We are also at a loss as to how the NBA President came to the conclusion that these resolutions were bad in themselves and something for which the members of the GCB should be castigated. He is not a member of the GCB and was not in the room when discussions on the issues in the letter were made and resolutions taken. If he was confused as to the contents, all he had to do was ask for explanation, particularly

as we had in the past visited and had interactions with him, and appreciated his keen interest in the affairs of the GCB.

Despite the shocking denial of Mr. Maidoki on the floor of NEC, we restate categorically that ***ALL REPRESENTATIVES OF THE NBA IN THE GCB***, including M. M. Maidoki, resolved to write the said letter and did write that letter and instructed the signatories to sign same. We believed we were speaking up on issues which will improve the Council and are happy to point out that the letter has yielded positive fruit

2. FORMATION OF A 'BODY' UNKNOWN TO THE NBA:

During the NBA NEC Meeting, the NBA President made statements implying that the elected Representatives of the Nigerian Bar Association in the General Council of the Bar had formed an unrecognized Association. This assertion led to resolutions aimed at discrediting our representation and purportedly proscribing us and our activities.

NEC was further moved to resolve that the NBA President should write to the Honourable Attorney General of the Federation to discountenance the said letter written by the ***"so called"*** 'Representatives of the Nigerian Bar Association to the General Council of the Bar' and notify the AGF of the **non-existence of such body.** (Paragraph 9 of the NEC Resolution).

In the same vein, NEC under the direction of President Y. C. Maikyau was moved to resolve to prohibit and proscribe the existence and activities of 'Representatives of the Nigerian Bar Association to the General Council of the Bar', and any other Body or Forum not recognized by the NBA Constitution. (Paragraph 12 of the NEC Resolution).

In fact, on the floor of the NEC, the NBA President personally proposed these motions and where members were not moving them properly, he personally rephrased them to how he wanted them taken, to condemn us unreservedly, even without any attempt to hear from us. In one instance, he stated thus: ***"They have constituted themselves into a body known as Representatives of the Nigerian Bar Association to the General Council of the Bar with one called a Coordinator and a Secretary. That body is unknown to law. So you are saying that this body be equally proscribed and members of the***

NBA in the GCB should never present themselves or act under this auspices because this body has proscribed it. Is that the motion"? Of course the motion mover went on to move the motion the way the President demanded.

Mr. President further asked that a member of NEC "move a motion condemning the letter and directing the President to write that letter to the AGF telling him that that body was never formed and NBA Reps to GCB never had the mandate of other members to write the letter". The motion was so moved.

Contrary to the President's representation, the term ***"Representatives of the Nigerian Bar Association in the General Council of the Bar"*** is explicitly defined in Section 10 (4) of the NBA Constitution (as amended). This term is not a creation of our own but is even so acknowledged on our certificates of return. As duly elected members of the General Council of the Bar, that is how the NBA Constitution describes us and we operate within the framework of the NBA Constitution in referring to ourselves as such.

In particular, Part V of the NBA Constitution's second schedule is headed: ***"Election of NBA Representatives to the General Council of the Bar."*** Our existence and role are firmly established by the Legal Practitioners Act and the NBA Constitution. Therefore, any assertion that we formed an unrecognized and/or unlawful body is totally misleading and incorrect.

The President's blatant misrepresentations and deliberate attempts to discredit the duly elected Representatives of the Nigerian Bar Association in the General Council of the Bar are not only disheartening but also alarming. The President's assertion that we, the elected members, formed an unrecognized body is a baseless and malicious attack on our integrity and the democratic process that elected us into our positions.

It is disheartening to witness the NBA President moving the NEC to take actions against a body recognized by the NBA Constitution. The resolutions, in paragraphs 9 and 11 of the NEC Communique, particularly those proscribing the Representatives of the Nigerian Bar Association in the General Council of the Bar, are in direct violation of the NBA Constitution.

The President's proposal and NEC's subsequent resolution to write to the Honourable Attorney General of the Federation to discredit the letter written by the **'so-called' 'Representatives of the Nigerian Bar Association to the General Council of the Bar'** is based on the false premise of the non-existence of such a body and is an appalling attempt to perpetuate misinformation and undermine the legitimacy of our role. Such actions go against the principles of fairness, justice, and the rule of law that the NBA should champion. This contradicts the established recognition of our role by the NBA Constitution, raising concerns about the accuracy of information presented during the NEC meeting.

It is indeed highly troubling that the President, the custodian of the NBA Constitution, has chosen to exploit his position to mislead NEC members for personal vendettas. Clearly upset at seeing that the signatory to the GCB letter is the same Mr. John Aikpokpo-Martins of SPIDEL, he reckoned that was another opportunity for Mr. John Aikpokpo-Martins to upstage him and so thought it best to use NEC to discredit him, not minding the collateral damage to the GCB and without giving signatories of the letter or other members of the GCB, an opportunity to explain. The resolutions thus passed during the meeting, particularly those aiming to proscribe our existence and activities, are not only unwarranted but also a gross violation of the very constitution the NBA President is supposed to uphold.

In the course of his comments to NEC, the NBA President spoke from both sides of the mouth. On one hand, he contended that we formed a body unknown to law, yet in a perplexing turn, he claimed to have appointed the most senior member of the Bar to coordinate this body, which he referred to as 'unknown to law'. This is a stark inconsistency which raises critical questions about the President's understanding of the legal framework governing our roles and responsibilities.

If, as he alleges, we are an unrecognized body, the appointment of a coordinator becomes a paradoxical act. One must question the rationale behind appointing someone to coordinate a purportedly nonexistent entity. This incongruity not only underscores the lack of clarity in the President's position but also raises suspicions about the motives behind such conflicting statements.

The President owes us and the entire legal profession an explanation for this apparent contradiction. Clarification on his part is imperative to dispel any misconceptions and uphold the transparency and integrity expected of the NBA leadership. We believe that such clarification will contribute to a more informed and just assessment of the situation.

3. FLIGHT TICKETS AND REFUND:

In the course of the meeting, the NBA President decried the paragraph of our letter where we informed the AGF as President of the GCB, of the NBA President's communication to us that the NBA would not be responsible for our flight or accommodation expenses. He denied ever making that statement and called on us to present any document where he stated so.

The NBA President further stated that he would not pay for someone who will be attending the meeting and that he "***thought that these were things we need to do to serve the Association***". He asked ***'Where did I say that I would not pay? I didn't!'***

To authenticate his claim, the NBA President brandished an invoice covering for refund of travel expenses to the members of the GCB for our first inaugural meeting while we were referring to subsequent meetings in our letter to the President of the GCB. This was supposed evidence that he caters to our logistics needs. Does he?

Sadly, the NBA President's denial of his statement regarding the responsibility for the logistics of NBA Representatives to the GCB is inconsistent with the facts.

Contrary to the President's claim, there is clear evidence of his reluctance to bear the travel expenses of the GCB members. Members of the GCB have had 3 meetings since inauguration of the Council and the NBA President refunded travel expenses **only once**. When we were invited for our first inauguration, all members bore the cost of their travel expenses to Abuja for the meeting without making any request of the NBA President.

At the end of our inaugural meeting/swearing in on the 9th day of January, 2023, NBA Reps to the GCB paid a courtesy visit to the NBA President at the NBA National Secretariat and among other issues

discussed, the issue of the NBA being responsible for our travel and hotel logistics was thrown up. Mr. NBA President immediately retorted bluntly that the NBA would not be responsible for the expenses of GCB members as said members were members of a different statutory body who should cater to our logistics. He was categorical about it and repeated this several times. In fact he got upset when one of us tried to insist he should and other members had to apologize on behalf of that one member.

We left his office that day knowing that we were on our own.

As we left his office, some members were opportune to see the 1st Vice President, Mrs. Linda Rose Bala, who upon getting to know of the President's position, promised to speak to him. Upon the 1st Vice President speaking to him, he conceded to a refund of our travel expenses for that one meeting, again reiterating that there would be no further payments. An invoice was then sent to him through the 1st Vice President and members received the one and only refund of their travel logistics, many months after the meeting.

The invoice he presented during the NEC meeting, which showcased payment for flight tickets, thus only accounts for this **single instance** when he reluctantly refunded the part of the travel expenses. As the NBA President explicitly communicated that he would not bear the expenses for the GCB for subsequent meetings, no further demands were made of him. This unequivocal statement was made in the presence of over 10 GCB members who visited his office at the NBA National Secretariat. It is inconceivable that the President would deny making such a crucial statement, especially when numerous witnesses can attest to its occurrence.

Following the single reimbursement made after persistent efforts, the NBA President never catered for the logistics of members and members of the Council for all other meetings have borne their travel and accommodation expenses without complaint.

Despite this, the President had no qualms in leading NEC to condemn the assertion in the said letter that the NBA President has expressed his inability to fund the expenses of NBA Members in GCB. He also pulled out an invoice for refund of travel expenses for the 1st inaugural meeting of the GCB whereas the letter we wrote to the GCB President was after

his remark to us and referred to subsequent meetings of the GCB and not that first meeting. The President was well aware of this, yet he misled NEC to believe that members were calling for refund of expenses for the 1st meeting! He also saw nothing wrong in NEC calling for '***an investigation into the monies collected by Members of GCB from Ministry of Justice without the knowledge of or reporting to the NBA.***' This is also perplexing to us that the NBA President seeks to investigate funds paid to members of a statutory body for their lodging for a meeting they all attended.

The NBA President's assertion that he never declared his refusal to be responsible for the logistics of NBA Representatives to the GCB, despite clear evidence to the contrary, is not only shocking but raises serious questions about transparency and integrity. We repeat that his statement that he would NOT be responsible for our expenses was made in the presence of over 10 of our members who visited him in his office at the NBA National Secretariat! Imagine our shock therefore when we watched him declare before NEC members that he never said so! A statement he repeated to our hearing several times! Unbelievable!

The President's attempt to distance himself from this prior statement during the NEC meeting, where he categorically stated that he never made such a declaration, is deeply troubling. Such contradictions erode the trust and confidence that NBA members place in the leadership's commitment to accountability, integrity and fair treatment.

4. ACCUSATIONS OF COLLECTING MONEY FROM THE OFFICE OF THE HONOURABLE ATTORNEY GENERAL AND CALLS FOR INVESTIGATION OF GCB MEMBERS.

The NBA President, during the NEC meeting, accused the NBA Representatives to the GCB of collecting funds from the office of the Honourable Attorney General of the Federation (HAGF) and insinuated that we were aiming to hide our meetings from him due to this alleged financial support. This accusation is entirely baseless.

During the second meeting of the GCB, there was a discrepancy in the treatment of NBA Representatives compared to the Attorneys General (AGs). While the AGs were notified of their lodging beforehand and accommodation provided for them, nothing was communicated to the NBA Reps about their lodging.

Recalling that the office of the Hon. Attorney General of the Federation, under the leadership of the erstwhile Attorney General, Alh. Abubakar Malami, SAN, provided one lodging for all members of the GCB (comprising the State Attorneys General and the NBA Representatives) at our 1st inaugural meeting and advised us of this in the notice of meeting, we urged our Coordinator, Mr. John Aikpokpo-Martins to reach out to the office of the Solicitor General of the Federation, usually in charge of meeting logistics, to point out this lapse. Mr. John Aikpokpo-Martins made several phone calls to the office of the Solicitor General and he was informed that no accommodation plans were made for the NBA Representatives. When he reported to us, we thought this strange as we were made aware that all Attorneys General who had also been invited to the meeting had accommodation arrangements made for them. We therefore asked Mr. John Aikpokpo-Martins to communicate our displeasure at the shoddy treatment being meted out to us. After much back and forth for days, without any headway, NBA Reps to the GCB arrived in Abuja for the meeting on the eve of the meeting day. Those who arrived earlier, receiving no notice of lodging, had no choice but to make their own hotel arrangements upon arrival and at their cost. When other members about to fly into Abuja sent in messages inquiring as to where to go upon arrival, we were met with stoic silence. Then late that same day, and after sending in several messages, our coordinator was advised to send in the names of all NBA Reps to a staff of the Ministry of Justice. He did and we were advised of a hotel to check into.

When members arrived at the said hotel, what we saw is better seen than explained. The 'hotel' was in a terrible state, rooms were filthy, mouldy and generally unclean and there were cockroaches in most rooms. In front of one of the rooms was a huge smelly dustbin filled with waste! It was clear what had happened. Since we insisted on lodging being provided for us, we had been allocated the poorest of quarters while other Council members were lodged at the African Continental Hotel (Sheraton). Members were unhappy, but maturely left the premises without checking in and checked into hotels at their own cost while others like M. M. Maidoki who had checked in, upon noticing the poor state of the premises, checked out. As we left, we promptly informed the said Ministry Liaison of the unfortunate incident.

At the meeting the next day, NBA Representatives to the GCB reported the unfortunate incident to the Council. We sought to understand the cause of the discrepancy in treatment between us and the AGs as it is one Council, irrespective of the bloc you represent. We pointed out how terribly poor the quarters allocated to us were, so much so that we could not use same but made our own arrangements. The Solicitor General of the Federation apologized for the mishap, pointing out that it was as a result of the short notice to find us a place and we were assured that the cost of their hotel logistics would be refunded.

This meeting was held in May, 2023. In November, 2023, 6 months after this 2nd meeting, notices were sent for another meeting of the GCB and members again attended at their own cost. After this 3rd meeting, the Ministry of Justice reached out to one of us, Mr. Ebuka Nwaeze and asked for the account details of all NBA Reps to make the refund for the 2nd meeting which held over 6 months earlier. The said details were provided and all NBA Representatives in the GCB received the sum of N100, 000 as refund for their hotel accommodation for the second meeting, irrespective of the actual sum paid for hotel accommodation. No refund was made for our flight/travelling expenses. It is to this the NBA President speaks when he says we collected funds from the office of the HAGF and do not want him to know! How unfortunate!

Let us reemphasize that the Ministry of Justice initiated the refund process for hotel expenses without solicitation from us. Upon being refunded, we never reached out to the NBA to request for any refund, so we are puzzled as to why the NBA President is accusing us of financial impropriety and as to why, in paragraph 11 of the NBA NEC Resolutions, NEC is directing 'investigation into the monies collected by Members of GCB from Ministry of Justice without the knowledge of or reporting to the NBA'. Are NBA Reps to the GCB under any constitutional obligation to inform the NBA of hotel refunds? Under what section of the NBA Constitution are we supposed to make this 'report to the NBA'?

Members of the GCB are truthfully puzzled by this accusation of the NBA President and seek to know if all NBA representatives to statutory bodies report to the NBA when they are provided hotel logistics and if not, why the NBA President is making an exception of the NBA to GCB Reps? Particularly when neither the GCB nor the Ministry of Justice have

alleged any financial impropriety on our part, yet NBA NEC has resolved to 'investigate' us!

We have always been transparent about our interactions and financial dealings, travelled for meetings at our own cost and borne the cost of our lodging. Any insinuation of clandestine financial dealings is both unfounded and damaging to our integrity.

The HAGF's office provided accommodation for all GCB members during the first meeting, but financial support was only extended for hotel expenses during the second meeting, and nothing was provided for travel costs to this 2nd meeting or for the 3rd meeting to those who attended. NBA Reps to the GCB bore their travel costs to all these meeting without complaining and considered it as service to the legal profession. Sadly, even this sacrifice has been counted as nothing by the NBA President who has no qualms presenting us to NEC as fraudsters and deceiving NEC to believe we are surreptitiously collecting money from the office of the HAGF!

5. FUNDING REQUEST AND ALLEGATIONS

During the NEC meeting, the NBA President asserted that NBA Representatives to the GCB were singularly responsible for seeking funding for the GCB, implying a self-serving agenda. In fact, he used the preceding words: "**Hear me oh...**" to make it look more scandalous. This claim that we sought funding directly contradicts the truth. We wish to clarify that the request for federal funding of the GCB was a collective decision of the entire Council, which includes both AGs and NBA Reps. This collective stance was established through the joint efforts of various committees, including the Budget Committee and the Work Plan Committee of the GCB, where both AGs and NBA Reps actively participated.

The NBA President even though not a member of Council, was at our inaugural meeting himself when the Honourable Attorney General at the time, Abubakar Malami, SAN in his own opening remarks intimated members that there was a budget for the GCB in the Ministry of Justice and that there was a need for the Council to establish rules of engagement for its operation.

The NBA President was equally present when the Attorney General set up these two committees - **the Budget Committee** and the **Work plan Committees** in this regard. It is thus baffling how he has chosen to distort facts to create a misleading narrative. The collective efforts of these committees were aimed at strengthening the GCB and ensuring its operational efficiency. Any insinuation that NBA Reps were solely seeking personal funding is not only false but damaging to the integrity of the Council.

The work of the GCB Committees

The Work Plan Committee was chaired by the immediate past Attorney General of Lagos State, **Moyosore Onigbanjo, SAN**, with **Anne Uruegi Agi** as Secretary.

The Budget Committee had Mrs. **Mercy Agada** as Chairperson with **M. M. Maidoki** as Secretary. Membership of the two committees cut across the Official bar (made up of the AGS) and the private Bar (NBA Reps).

The Budget Committee met several times and as per its mandate, proposed a budget for the GCB. The Budget was proposed placing reliance on the statement of the then Attorney General of the Federation (Abubakar Malami, SAN) that the GCB had a budget subsumed under the budget of the Ministry of Justice. The NBA President, even though not a member of the GCB, was in attendance when this two committees were set up and populated. We are therefore shocked at how he has tried to misrepresent facts to make it look like members of the Bar to the GCB are the ones asking for funding from the HAGF. He was seated there in the room when the Committees were given their mandate.

The Work Plan Committee also met several times, deliberated and posited that before a proper work plan can be arrived at, there is need to come up with a strategic plan for the Council to enable it operate as effectively and efficiently as possible. Mr. Isaiah Bozimo, SAN, Attorney General of Delta State at the time and also a member of the Workplan Committee was tasked with preparing a strategic plan for the GCB. He went to work and presented a strategic plan which stated inter alia that to strengthen the Bar Council, efforts must be put in place to ensure that the GCB, its secretariat, and its procedures are institutionalised, sustainable and in the interest of the profession. The strategic plan was adopted as a working document.

To bring to life the strategic plan, the Work Plan Committee further created *The GCB Powers/Functions/Rules (enabling laws sub-Committee)/the sub-committee on Structures of the GCB*. Prof. John O. Akintayo was Chairman of the Powers/Functions/Rules sub-Committee while Mr. Kunle Edun was Chairman of the sub-committee on Structures.

All of these can be verified from the above mentioned persons.

The mandate of the **Sub-Committee on Structure** included a review of the structure, internal rules, functions, objectives, procedure for meetings of the Council, as well as to consider the setting-up of an independent Council Secretariat, amendment of Rules of Professional Conduct and Legal Practitioners Act, liaise with Federal Ministry of Justice for past records of the activities of the Council and to set up a time line for activation of the work plan etc.

This subcommittee on Structure was made up of AGs and NBA Reps. The Committee went to work and among other things, produced draft Standing Orders for the Council. Same was presented to the full Work Plan Committee, amended and adopted as a Committee document to be presented to the full house at its next meeting.

At our second Council meeting, there was a call for both reports to be presented. Mrs. Mercy Agada presented the Budget Committee report while Ms. Anne Agi presented the Work Plan Committee Report and Standing Orders. Both reports were adopted with slight adjustments. The Standing Orders presented by the Work Plan Committee were adopted by the house.

Source of Funding/Federal Funding:

As regards the Budget committee report, the Budget Committee, which comprised members from both the official Bar (AGs) and the private Bar (NBA Reps), proposed a budget for the GCB. Certain adjustments were made and the issue was how the Council will get funding for its activities. In fact it was members of the official Bar who pointed out that the budget committee report had not stated the source of the funds budgeted. Discussions then revolved around this source of funding and the Chairman of the Budget Committee, Mrs. Agada reminded the Council that at the setting up of both Committees, the Hon. Attorney General of the Federation notified members that the GCB had a budget

subsumed under the budget of the Ministry of Justice and as such the budget was prepared based on this understanding. The Solicitor General was then called to comment.

The Solicitor General of the Federation, who was present during these discussions when Abubakar Malami, SAN, initially acknowledged the existence of some funding for the GCB at the Ministry of Justice, now claimed there were no such funds. Subsequently, discussions at the Council meeting centered on how the body would be federally funded. These discussions were done by the full house, with the Council sitting as a whole, not just NBA Reps. This was referred to in the letter by us to the Council President and misinterpreted by the NBA President to NEC as ***"Our members asking for federal funding to fund GCB"***. One wonders why the President strove hard to convince NBA NEC that it was the NBA Reps who were advocating for federal funding for the GCB.

6. CLARIFICATION ON THE EMERGENCE OF MR. JOHN AIKPOKPO-MARTINS AS COORDINATOR OF NBA REPS IN GCB

It appears there might be some misunderstanding that we wish to clarify for better-informed discourse on how Mr. John Aikpokpo-Martins emerged as our Coordinator. Contrary to the NBA President's narrative to NEC, the facts are much more sacred.

During the inaugural meeting of the GCB, the Honourable Attorney General of the Federation (HAGF) directed both the Attorneys General (AGs) and NBA Representatives to nominate one of their own as a coordinator/spokesperson for their respective groups. A democratic and inclusive process ensued. At the NBA Corner, nominations were accepted, and a vote was conducted. By a simple majority, Mr. John Aikpokpo-Martins emerged as the elected coordinator for the Bar. Prof. Akintayo who was our most senior was in attendance when Mr. Aikpokpo-Martins was elected. No one informed us of any directive of the NBA President to the contrary.

Simultaneously, the State AGs had their own meeting in their corner, leading to the election of the former AG of Lagos State, *Moyosore Onigbanjo*, SAN, as their representative.

We would therefore like to clarify that Mr. John Aikpokpo-Martins was not appointed but was democratically elected to coordinate NBA Representatives in the GCB. His election was conducted openly, and all the NBA Representatives expressed confidence in his leadership.

Liaison with the NBA President

Since he was elected, Mr. John Aikpokpo-Martins has effectively liaised with the NBA President on matters concerning the GCB, providing regular updates and ensuring smooth communication. There have been no reported issues with his leadership, and he has ably represented our interests.

On a few occasions when it became necessary to bring pertinent matters to the attention of the President, the collective decision of our body was to delegate this responsibility to Mr. John Aikpokpo-Martins, who effectively represented our concerns in his interactions with the President. It is therefore perplexing to witness the President now expressing discontent with Mr. Aikpokpo-Martins serving as our coordinator, considering that he had been duly mandated by the group to fulfill this role on our behalf.

Vote of Confidence on John Aikpokpo-Martins

We, the undersigned NBA Representatives in the GCB, pass a vote of confidence on Mr. John Aikpokpo-Martins' leadership. We appreciate his dedication, transparency, and effectiveness in coordinating our activities within the GCB.

As members actively involved in the GCB, we would like to state that we are puzzled by the notion or belief that someone external to our body, especially someone not a member of the GCB, could appoint or has appointed a coordinator for us. Our coordinator, Mr. John Aikpokpo-Martins, was elected through a democratic process during the inaugural meeting, and his leadership has been recognized and accepted by all the NBA Reps in the GCB. We believe that if there were any uncertainties about the election process or Mr. John Aikpokpo-Martins' role, seeking clarification on how Mr. Aikpokpo-Martins came to be our coordinator would have been more beneficial than making damaging assumptions.

7. STANDING ORDERS OF THE GCB, THE ISSUE OF NOTICE OF GCB MEETINGS BEING SENT TO THE NBA PRESIDENT AND THE ISSUE OF A GCB SECRETARIAT

During the NBA NEC Meeting of 29 February, 2024, the NBA President regarding the issuance of notices for GCB meetings expressed dissatisfaction that NBA Reps in the GCB pointed out as irregular the sending of their notice of meetings to him rather than directly to them via their emails as provided. He suggested that this might be an attempt to conceal financial transactions with the HAGF's office. Furthermore, he urged the meeting to make a resolution condemning the Representatives' letter to the AGF, which sought to ensure direct communication between the AGF and GCB members and further maintained as good, notifications through him. **Our President considered it good practice that instead of members of a statutory body to receive notice of their meetings directly, such notices should go through him!**

The said NEC Resolution reads thus in paragraph 9:

"9. NEC unequivocally condemns the letter written and signed by John Aikpokpo- Martins and Victor C. Onwumere on behalf of the "Representatives of the Nigerian Bar Association to the General Council of the Bar" addressed to the Attorney General of the Federation (AGF), requesting that the AGF should not communicate to the members of the Bar in the GCB through the NBA President".

Members of the GCB do not know what to make of this resolution. NBA GCB members find it puzzling that the NBA President deems it acceptable that duly elected NBA Reps in the GCB do not receive direct notices of meetings, while he, not being a GCB member, receives same to relay the notices to them. It is perplexing that the NBA President, instead of safeguarding his members, appears to be contributing to their weakening. It is one thing to desire to be equally notified about our meetings (which we are not averse to) but to clearly show offence that NBA Reps in the GCB are requesting that notice of their meetings be directly sent to them is another thing altogether. The fact that the NBA President has influenced NEC to pass a resolution on this issue, which is considered absurd raises grave concerns.

Furthermore, in the course of the NEC meeting, the NBA President informed members of NEC that NBA Reps in the GCB were even demanding for a stand alone Secretariat. Clearly, this was another of our grave sins.

Clarification on the notice of meetings, standing orders and the issue of a standalone secretariat

To provide clarity, as explained above, the HAGF as President of the GCB had established the Work Plan committee, headed by the former AG Lagos, *Moyosore Onigbanjo, SAN* and which had Prof. Akintayo as a member, the Committee at the 2nd meeting of the Council which held on the 15th day of May, 2023, formulated a comprehensive set of ***STANDING ORDERS*** with provisions for a Secretariat for the Council. While there was unanimous agreement on all other provisions of the Standing Orders and on the need for a functional Secretariat, there was a divergence of opinions on whether it should be led by a civil servant or a member of the private Bar, the President being from the official Bar. After extensive debates, it was decided that all provisions of the standing orders, except those related to the Secretariat, be adopted. The matter of the Secretariat leadership was deferred for further consideration at a subsequent meeting. In the interim, the office of the Solicitor General was to continue to administer the Secretariat.

The standing orders were then adopted and took immediate effect from that day, the 15th day of May, 2023. The office of the Solicitor General who was in-charge of the temporary secretariat was directed to produce and distribute copies of the standing orders to members. We are yet to receive the said copies.

Rule 5 of the newly adopted Standing Orders provides for notifications of dates of meetings and states that:

The Executive Secretary shall, at the request of the President, inform members of the Council of the date and venue of regular or ordinary meetings. This notification shall, wherever possible, be sent, at least ten days, before the meeting.

Rule 1 of the Interpretation Section states that "Council member" refers to a member of the Council by virtue of the provisions of the Legal Practitioners Act.

Members then took a resolution that the mode of sending the notice to them should be through their emails.

For every meeting of the Council after that, in compliance with the Standing Orders, all State Attorneys General were notified of their meeting directly to their emails; conversely, in violation of the provisions, NBA Reps in the GCB were not so directly informed of their meeting, instead their notices were sent to a non-Council member, in this case, the NBA President.

It is perplexing that despite our commitment to transparency and independence, the NBA President has taken offense at the NBA Reps in the GCB's request for meeting notices to be sent directly to members rather than through him. Contrary to the expectation that the NBA President would be proud of his members for standing up for themselves, there seems to be hurt feelings over the expressed concerns.

To justify his accusations against us, the NBA President questioned whether our request to receive notices directly derogates from our responsibility to the NBA. He emphasized that we were elected and sent to represent the NBA's interests, implying that our desire for direct communication bypasses our duty to keep the NBA informed. In his words: **"The GCB is a different statutory body, yes, but does that derogate from the fact that you have a responsibility to NBA? We elected you, we sent you there, should you not COME TO TALK TO US?"**

One cannot help but wonder how the President formulates these questions and accusations. At no point have the NBA Reps in the GCB expressed a desire to withhold information from the NBA or "refuse to talk" to the NBA. No one has invited us to any NEC Meeting to brief the Bar and we refused to. In fact, during one of our discussions, there was a suggestion that GCB members be part of the National Executive Council (NEC) to report directly. However, this idea was reconsidered due to constitutional implications, leading to the need for an amendment.

With all of the above being verifiable facts, the President's narrative to NEC is clearly fraught with misrepresentations, prompting speculation about the source of his anger. Is it because we requested that notices be sent directly to us, bypassing his involvement, that he resorts to finding ways of meting out a form of punishment to us? It is disheartening that our genuine concerns are met with such a response.

It is important to note that the President, not being a member of the GCB, lacks awareness of the discussions and proceedings within the Council. One cannot help but question his authoritative stance on matters that he may not fully comprehend.

The misrepresentation of facts by the NBA President and his reluctance to support adherence to the GCB Resolutions and Standing Orders particularly as it relates to notice of meetings is terribly worrisome.

Allegations of financial impropriety against nba reps to the gcb due to our insistence that notice of meetings be sent to us as per the provisions of our standing orders

The NBA President has levied accusations of financial impropriety against us, suggesting that our involvement in the General Council of the Bar (GCB) is an avenue for financial gain. In his statement, he questioned our objection to meeting notices being sent through the NBA President, who is not a member of the GCB, stating, ***"It's not a place to make money. Why would you want the President not to know what you are doing? Why would you complain about the fact that notice that you should come for a meeting is sent to your President, that your President is not a member of GCB?"***

The President's accusations reached a point where a resolution was passed, (Resolution 11), calling for an investigation into ***"monies collected by... [us] from the Ministry of Justice without the knowledge of or reporting to the NBA."*** This unfounded allegation has cast a shadow on our professional reputation, prompting us to question the motives behind the President's actions. Importantly, the Ministry of Justice has not raised any concerns about financial impropriety on our part, making the resolution by the NBA- NEC to investigate us for attending meetings of a different statutory body

perplexing. It is essential to emphasize our strong objection to being unfairly accused of financial impropriety without any substantiated basis.

It is also crucial to clarify that we have never expressed a desire to conceal our activities from the President. Our primary concern lies in upholding the established standing orders of the Council and ensuring the independence of the GCB. ***We emphasize that it is not feasible to prevent the NBA President from being informed about our proceeding; as even though he is not a member, he attends our meetings, receives copies of correspondence addressed to our President, and is briefed on our responses, including our reactions to inaccuracies in our circulated minutes.***

8. MINUTES SHARING, ACCURACY AND TRANSPARENCY CONCERNS AS IT CONCERNS THE NBA PRESIDENT:

In addition to the issues mentioned above, there have been lapses in the sharing of meeting minutes. By virtue of **Rule 26 of the Standing Orders, "The Secretariat shall draft the minutes of the sessions of the Council and of its committees. It shall distribute them as soon as possible in a draft form to the members of Council or committee as may be applicable"**.

Despite the clear wording of Rule 26 of the GCB Standing Orders, NBA Reps in the GCB, had at the time of writing that letter, not received minutes of their meeting. Shockingly, minutes that were not sent to GCB members were forwarded to co-council members, the State Attorneys-General. These said minutes had a column for the signature of the NBA President! We were privileged to see a copy sent to the Attorneys General and so waited patiently in the hope that we will also receive same. We never did. Assuming we had also been sent the minutes, a Council member of the official Bar, an Attorney General, seeking to discuss an issue therein with one of us sent a copy to the said member which was shared with us all (NBA Reps) for discussions. At this point, we received another shocker, the said minutes which the Secretariat had failed to send to us,, had the NBA President's name as co-signatory, to a meeting of a statutory body he is not a member of.

Till date, the minutes of that 2nd GCB meeting which we saw by chance, was never sent to us.

Listing of the NBA President in minutes of gcb meetings

The minutes of GCB meetings have listed non Council members as members in attendance, specifically the NBA President whose name is always usually inaccurately included as **No. 1** in the attendance column of the minutes of GCB meetings. We drew the attention of the Secretariat to this and insisted that for fidelity to the proceedings, when the attendance list is being prepared, it is appropriate to have only Council members under the Column for Council attendees and another column created, if need be, for visitors or observers. The proceedings of the GCB are official records of the Federal Republic of Nigeria and must be correct and factual for reference purposes.

Similarly, in the most recent set of GCB minutes sent to us (of our last meeting), **the NBA President's name was listed as No. 1, followed by the National Treasurer, Mrs. Caroline Ladidi Bishop as the 2nd Name, then the names of other GCB members followed.** This has raised significant questions about the integrity of the minutes and the process by which they are prepared. As neither the President nor the NBA National Treasurer are members of the GCB, we are perplexed as to how their names found a place in the GCB official attendance records of members.

Such inaccuracies not only compromise the integrity of the GCB proceedings but also raise concerns about the transparency and fairness of the entire process and we sought to have these straightened out. It now appears that the President is sorely displeased by this.

ABSENCE OF OUR STANDING ORDERS

Uncomfortable with the blatant disregard to our Standing Orders, we tasked Mr. John Aikpokpo-Martins to interface with the Solicitor General of the Federation (SGF) on the issue, so we could read through it to be sure what the provisions were concerning minutes and notices of meetings. He returned to say he had spoken to the SGF and her response was that we **should ask the NBA President.** Upon hearing this, we were more puzzled. Why will our standing orders be under the purview of someone who is not a member of the Council? Till date, the SGF has not released the standing orders to us. Perhaps it is still with the NBA President.

When notice of yet another meeting came, despite our complaints and established resolutions on the floor of Council and despite our Standing Orders, notifications for another meeting were received from the NBA Secretariat, leaving members concerned.

This event, the withholding of our Standing Orders, non-receipt of minutes of meetings, the NBA President being listed as a member of the GCB in our minutes, the NBA President being named as a signatory to the Minutes of our 2nd Council meeting, the reluctance of the GCB Secretariat to bear the cost for logistics of NBA members to meetings, whereas same was done for State AGs and series of other events prompted the drafting and dispatch of a letter addressed to our President, the President of the General Council of the Bar/Attorney General of the Federation.

At this juncture, a new Honourable Attorney General of the Federation (HAGF) had assumed office, unfamiliar with the prior resolutions of the Council. Recognizing the need to appraise him of the unanimous resolutions by all council members (distinct from the NBA Reps) and to highlight the challenges faced, a collective decision was made by **ALL NBA Reps in GCB** to compose a letter to the new President. The intent was to ensure transparency and adherence to the established resolutions. It is unfortunate that the NBA President has misrepresented our intentions and misled NEC Members to do so too.

9. POSITIVE OUTCOME OF OUR LETTER TO THE GCB PRESIDENT

As a positive outcome of this letter the NBA President is complaining of, NBA Reps in the GCB, for the first time, received the minutes of the latest GCB Meeting directly in their emails. While these developments may be deemed as initial steps, they underscore the determination of NBA Members to strengthen the Council. Regrettably, these efforts face a setback due to the recent action of the NBA President, who advocated for NEC to discredit the GCB members and the aforementioned letter. Despite this, the letter has already proven beneficial for the betterment of the Council.

10. ATTEMPTS TO TREAT NBA REPS DISPARAGINGLY AT THE GCB AND THE PRESIDENT SEEING NOTHING WRONG WITH IT

It is disheartening that our NBA President appears indifferent to the unequal treatment meted out to his own members. While other Attorneys General receive meeting notices through their emails, our President advocates for a different, more controlled approach, seemingly asserting authority over our representation. These are unwarranted interference with the affairs of the GCB.

Efforts to diminish the standing of NBA Reps within the GCB have been apparent, ranging from the non-receipt of minutes and standing orders to the direct sending of meeting notices through the NBA President and reluctance to be responsible for our lodgings. The President's direct involvement in our affairs, signal a desire to be an integral member of the GCB.

11. GCB AND THE NIGERIAN LAW SOCIETY (NLS)

Perhaps the most curious and amusing accusation leveled against us is the NBA President's assertion that we are being used by the NLS to undermine the Nigerian Bar Association. He went as far as alleging that the GCB is being manipulated to serve certain interests and suggested that there is a clandestine influence by the NLS to destroy the NBA and in his words: "**Surreptitiously, it is coming through GCB.**"

This unfounded claim adds yet another layer to the assortment of allegations we have faced without an opportunity to address same or defend ourselves. It seems we are now, unjustly, being portrayed as an extension of the NLS.

12. PRESIDENT MAIKYAU, OON, SAN - UNDERMINING THE DIGNITY OF NBA REPRESENTATIVES TO THE GCB

The NBA President has successfully moved NEC to issue faulty resolutions about a matter they were not properly briefed on. NEC has been moved to authorize him to write to the President of the General Council of the Bar disowning us. How then can we work in that same Council effectively?

The act of belittling her own members in the General Council of the Bar (GCB) not only tarnishes our individual honor and integrity but also jeopardizes the collective ability to uphold and ensure the respect of the Council's resolutions. These steps and resolutions, compounded by previous challenges, has significantly exacerbated the situation.

By diminishing the standing and integrity of NBA representatives before the GCB, the President has created an environment where we as representatives will struggle to put across the yearnings of the members of the Bar before the Council. This detrimental impact on our credibility and influence compromises our effectiveness in ensuring that the GCB operates with the necessary autonomy and independence.

It is disheartening to witness actions that seem to hinder the thriving of the Council, especially when these actions emanate from the NBA leadership. The need for a united and respectful approach to address the challenges facing the GCB remains paramount, emphasizing the importance of preserving the dignity and efficacy of our representatives in their crucial role within the Council. The NBA President has jeopardized all of these.

13. THE ROLE OF THE GCB AND THE NBA PRESIDENT'S ACTIONS

By the provisions of the Legal Practitioners Act and Section 7(2) of the NBA Constitution 2021 (as amended), the General Council of the Bar (GCB) is distinct from the NBA, with its own unique functions. Section 7(2) stipulates that, in unavoidable circumstances or emergencies where the NBA National Executive Council is unable to function, the GCB has the power to convene and constitute a caretaker committee. The President's attempt to bring the GCB under his control suggests a misunderstanding of its independent nature. The NBA representatives to the GCB serve a vital role in crisis situations at the Bar and must operate independently, not under the direct control of the NBA President.

It is crucial for the President to recognize and respect the autonomy of the GCB and its representatives. The NBA representatives are elected by all lawyers in Nigeria, just like the national officers, to act independently, in playing the roles assigned to the GCB by the relevant laws. They should be treated with respect, not subjected to orders and threats. The

President's actions, especially misleading NEC on the decisions of the GCB, are concerning and go against the principles of upholding the integrity and proper functioning of both bodies.

Moreover, the President's assertion that he considers it acceptable to receive meeting notices on behalf of the NBA representatives, despite not being a member, raises questions about his appreciation of the separation between the NBA and the GCB. It is important for the President to be called to reconsider his approach, ensuring that his decisions and actions align with the distinct roles and functions of the GCB and the NBA.

14. CLARIFICATION ON ADVOCACY FOR GCB'S INDEPENDENCE AND SECRETARIAT ESTABLISHMENT

Our firm advocacy for the independence of the General Council of the Bar (GCB), including the establishment of a dedicated secretariat, is driven by a sincere commitment to strengthen the Council's functionality. It is important to clarify that our intentions are in no way aimed at undermining the GCB's autonomy, as inaccurately suggested.

Contrary to the President's assertions, our concern does not revolve around the issuance of invitations to events. Instead, our primary grievance lies in the disrespect shown to both members of the legal profession and the GCB itself when its resolutions are disregarded. If the decisions of the Council can be disregarded, it raises questions about the purpose of our involvement.

While we may be unable to restrain the Solicitor General's office from continuing to send meeting notifications to the NBA President, if they do wish, it is imperative that our standing orders are honored, and our notifications are transmitted directly to us as stipulated in the said Orders. Why that is a challenge is what we do not understand.

At this juncture, it is crucial for all members of the Bar to understand that the GCB resolution to establish a secretariat for the GCB is a step toward fortifying its independence. We therefore find it perplexing that our efforts to safeguard the Council's autonomy are misconstrued as a nefarious agenda. The President's contradictory accusations, first insinuating that we are a threat to the GCB's independence and then

condemning the Council's desire for a dedicated secretariat, only contribute to his insincerity of purpose in this matter.

15. IMPROPRIETIES COMMITTED BY THE NBA PRESIDENT AT NEC

The actions of the NBA President, as presented to NEC, are unfortunate.

Firstly, he led NEC to believe it had the authority to pass judgment on the proceedings of a distinct statutory body, the General Council of the Bar (GCB), without having a comprehensive understanding of the facts.

Next, the NBA President orchestrated the condemnation and disregard of the Standing Orders of the GCB. The President persuaded NEC to affirm that communications to NBA representatives in the GCB through the office of the NBA President are proper and do not undermine their membership. This stance is not only inconsistent with the GCB's Standing Orders, but also raises questions about the President's respect for the autonomy of the GCB and the law.

Lastly, the President moved NEC to proscribe the existence and activities of the 'Representatives of the Nigerian Bar Association to the General Council of the Bar,' a body clearly recognized by the NBA Constitution. This raises a significant constitutional concern as to how NEC was influenced to purportedly proscribe a body acknowledged by the constitution. This action constitutes a direct conflict with the NBA Constitution and the Legal Practitioners Act.

16. SUMMARY

- i. The NBA President played a vital role in ensuring the inauguration of the GCB by the former AGF, Abubakar Malami, SAN. That role, however, does not entitle the President to suppress, take over or interfere with the role of the elected members of the GCB. Thus, the President's insistence that our notice of meetings be sent through him is concerning. Our request for direct communication aligns with our responsibility to the Council.
- ii. The President's utterances at the NEC concerning the members of the GCB and the consequent NEC resolution teleguided by the President impugns the integrity of members of the GCB without any reasonable cause.

For the record, there is a great discrepancy between the events at the GCB and the narrative presented by the President during the NBA NEC meeting.

- iii. The effort by the President to target Mr. Aikpokpo-Martins unduly impaired the President's judgment in making needless accusations without any recourse to the members of the GCB for clarification as may be necessary.
- iv. A column being provided for the name and signature of the NBA President as a signatory to minutes of the GCB meeting and the reoccurrence of his name as a member of the Council in GCB minutes, raises concerns.

17. PRAYERS

The Annual General Meeting is requested to consider and set aside the decision of the NEC made on the 29th day of February 2024 at Jos, relating to the NBA Representatives in the General Council of the Bar (GCB) as the NEC has no vires to howsoever interfere with the resolutions and acts of the GCB.

18. CLOSING

The NBA President Y. C. Maikyau, OON, SAN has proudly highlighted his role in the inauguration of the GCB. However, it seems that his perspective on the GCB has become skewed, viewing it as his "baby" and possibly feeling compelled to undermine it if he cannot exert full control. This sentiment raises concerns about potential actions that may compromise the integrity of the GCB.

The GCB operates distinctly from the NBA, and it is crucial to keep these entities separate and prevent the GCB from becoming collateral damage in NBA disputes. Our plea is for a resolution that safeguards the autonomy of the GCB and prevents it from being entangled in conflicts that do not concern its mandate.

Thank you for your understanding.

Sincerely,

1. LAWRENCE OBI ANIZOBA (JP)



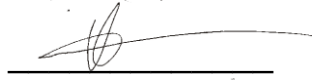
2. JOHN AIKPOKPO-MARTINS



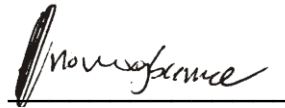
3. DENNIS E. AGBAGA ESQ



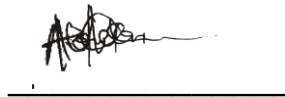
4. VICTOR C. ONWERE



5. ISREAL LAGBAMUE



6. OLALEKAN IDOWU OLADAPO



7. MERCY IJATO AGADA (MRS)



8. EBUKA NWAEZE



9. ANNE URUEGI AGI



10. JOSHUA ENEMALI USMAN



NBA Representatives to the General Council of the Bar. (2022-2024)

**Cc: Past Presidents
Nigerian Bar Association**