



TOBENNA EROJIKWE

**TO BUILD A COURAGEOUS
AND RESILIENT BAR WHERE
NO LAWYER IS LEFT BEHIND**

My Leadership Programme of Action for the Nigerian Bar Association

'Each generation must out of relative obscurity, discover its mission, fulfil it or betray it' – Frantz Fanon.

Introduction

Distinguished Learned Colleagues,

My name is Tobenna Erojikwe. I was called to the Nigerian Bar in October 2000. I practised law in Nigeria before travelling to England where I practised as a Solicitor of the Superior Courts of England and Wales for a period of 10 years before my return to Nigeria to continue my practice here.

My experiences practising in two jurisdictions and the exposure that I have had in the many roles that I have played in the legal profession; particularly at the Branch and National levels of the Nigerian Bar Association have led me to the conclusion that the legal profession in Nigeria is nowhere near where it should be in terms of structure, standards, reputation, influence, and member-career satisfaction.

With the above factors considered, I am of the firm view that the Nigerian Bar Association at this time requires decisive leadership in order to move the profession in a direction of travel that makes it fit for purpose in an increasingly competitive and globalised world.

With the above in mind and after serious consideration of all the issues

I, **Tobenna Erojikwe**, hereby present myself as a candidate for the office of **President of the Nigerian Bar Association** (“NBA” or “Association”). It is my very firm view that the only institution in Nigeria with the wherewithal to ensure that there is the level of equality, equity and fairness required to make meaningful progress as a country and to catapult Nigeria from an underdeveloped/developing to a developed country is the NBA.

I am fully convinced that if we get the NBA to perform as optimally as we can, then, we have a real chance of resolving many of the contradictions that our country has become. A disciplined and principled fact

NBA would inevitably lead to a functional and respected Judiciary as that arm of Government is exclusively run by members of the legal profession. This is reinforced by the fact that never before in our country’s history has the

Judiciary and indeed the entire legal profession come under the level of attack to its credibility as it has come in recent times.

On a very important note, my involvement in the NBA has shown me that the issue with the NBA is not about the lack of knowledge of the problems or the inability to identify the solutions but rather, the lack of will to decisively implement the provisions of various statutory instruments that regulate this profession as well as the seeming inability or reluctance to implement its own decisions.

My administration of the NBA will primarily seek to implement previous resolutions that have been passed on various issues in

in the NBA including

- Resolutions on Access to Finance,
- Legal Practitioners' Remuneration,
- Justice Sector reforms,
- Legal Education reforms,
- The Rules of Professional Conduct for Legal Practitioners ("RPC") 2023, amongst others.

In accordance with the eligibility requirements of the NBA Constitution 2015 (as amended) ("NBA Constitution"), I am a full member of the NBA; I am in private legal practice; I fulfil the post enrolment requirement, having been a member of the Bar since October 2000; I have been a member of the National Executive Council of the NBA since May 2019; I have been privileged to serve as the Chairman of the Governing Board of the NBA Institute of Continuing Legal Education ("NBA-ICLE") for the past three (3) years; and I hail from Anambra State, in the eastern geographical zone to which the NBA Constitution has zoned the office of the President from August 2024 to August 2026. I am therefore eligible to contest and serve the NBA in this capacity.

LIFE AND CAREER

My life and career as a lawyer have been focused on contributing to capacity building and what I call the "democratisation of knowledge"; to the defence of human rights; the promotion of the rule of law and the creation of a profession where standards count and where principles matter.

LIFE AND CAREER

My vision for the NBA is **“To Build a Courageous and Resilient Bar where No Lawyer is Left Behind.”**

My Direction of Travel for the NBA

The mission of my leadership of the Nigerian Bar is to transform the NBA into a modern association that employs international best practices to achieve its objectives with a view to making its members competitive in an increasingly globalised world. To achieve this, my administration of the NBA will be based on three fundamental pillars namely:

1. Restoring the dignity of the Nigerian Bar by promoting the rule of law at all times regardless of whose ox is gored;
2. Advancing Structural Reforms, Administration and Governance and tech initiatives towards a Digital NBA; and
3. Promoting Empowerment, Inclusion and Equity.

The above heads broadly cover all that I aim to do in the course of the 2 years of my administration. I intend to aggressively pursue the implementation of the ideas, principles, standards, and structures under the above headings in fulfilment of the aims and objective of the Association as stipulated in Section 3 of the NBA Constitution

It is my strong conviction that a quick and full operationalisation of all the organs of the NBA including sections, fora, institutes and committees manned by the right personnel for the implementation of past and new resolutions as well as the propagation and promotion of new ideas will completely transform the NBA very easily within a period of 9 months.

This manifesto contains the promises I believe are most crucial for my administration to focus on, in transforming the profession into the noblest and most effective group of professionals in the country, impacting all members and ultimately impacting the Nigerian society.

Restoring the dignity of the Nigerian Bar by promoting the rule of law at all times regardless of whose ox is gored

In our quest to restore the dignity of the Bar, it is imperative that the leader of the Bar in a society such as ours must lead from the front. It is my assurance to every lawyer in Nigeria and indeed every Nigerian citizen that the Bar will act in accordance with the basic tenets of its existence, and nobody will ever be in doubt about the position of the Bar in all matters concerning the rule of law. I also pledge that the positions taken in my administration would be based on

the truth and on the noble principles that have guided, or at least ought to have guided, the Bar all these years. This is consistent with my firm belief that leaders of the Bar at this time ought to have a strong voice and a voice for the truth.

It is within this context that I hold the view that, largely speaking, our activities no longer reflect the basic tenets of our Association as provided in our constitution.

We must, I think, therefore take a step back and reflect on whether or not we are still cognisant of our motto and whether we are working in the spirit and light of the objects of our Constitution. Are we still the watchdog that we ought to be? Do we still fight against impunity wherever we find it? Are we still the promoters of the Rule of Law? Have we, by our actions and/or inactions not contributed to the erosion of the Rule of Law and the infringement of the rights of the downtrodden? These and more are questions that go to the root of our existence as an Association.

Whether we answer in the affirmative or otherwise, the way that we are perceived by society and clients is reflective of the value placed on us. Getting our true consciousness back will undoubtedly affect our prestige, our self-worth and our self-esteem. It therefore follows that the restoration of our dignity will enhance the respect that we command, and the regard placed on us by

our clients. Ultimately, these factors justify and contribute to our entitlement to respectable fees.

It is therefore an existential issue, and in our enlightened self-interest to restore the dignity of the legal profession in Nigeria.

Rule of Law, Administration of Justice, and Independence of the Judiciary

The rule of law is the bedrock upon which our democratic society is built, and as lawyers, it is our solemn duty to uphold, strengthen, and defend it at all times, without fear or favour. You can rest assured that I will be an unwavering advocate for comprehensive judicial reforms that enhance the efficiency, transparency, and accountability of our judicial system, restoring public confidence in the administration of justice.

This will involve aggressive advocacy in addressing long-standing issues such as case backlogs, corruption, and undue delays, which have eroded the public's trust in our legal institutions. We will work tirelessly to streamline processes, leverage technology, and implement best practices to ensure that justice is dispensed in a timely, fair, and impartial manner, without undue impediments or obstructions.

Access to justice and legal aid must be recognized as a fundamental right for all citizens, regardless of their socioeconomic status, ethnicity, religion, or personal circumstances. To this end, we will work in concert with relevant organisations, authorities, and stakeholders to expand and strengthen legal aid services and pro bono initiatives across the nation.

This will involve leveraging technology, streamlining processes, and fostering strategic partnerships to ensure that no individual is denied

access to justice due to financial constraints, a lack of resources, or any other barrier.

I also pledge, to the greatest extent possible, to fiercely protect and preserve the independence of the judiciary, shielding it from undue interference, influence, or intimidation from any quarter; be it political, corporate, or otherwise. The separation of powers and respect for the judiciary are essential pillars of our democratic system, and we will be uncompromising in our defence of these principles. This will involve promoting awareness and education on the crucial role of an independent judiciary in upholding the rule of law, protecting individual rights, and ensuring a fair and impartial administration of justice, free from external pressures or biases.

In our pursuit of judicial reforms and enhancing the administration of justice, we will actively engage with stakeholders across the legal spectrum, including judges,

prosecutors, defence attorneys, and legal scholars, to identify areas for improvement and collaboratively develop actionable strategies. This inclusive approach will ensure that our reform efforts are guided by diverse perspectives and address the unique challenges faced by different sectors of the legal community.

Moreover, we will advocate for increased investment in judicial infrastructure, technology, and resources to support the efficient and effective delivery of justice. This may include upgrading courtroom facilities, implementing electronic case management systems, and providing ongoing training and professional development opportunities for judges, court staff, and legal practitioners.

To further bolster public trust and confidence in our legal system, we will establish robust mechanisms for transparency and accountability, fostering an environment of openness and public scrutiny.

This would involve publishing regular performance reports, facilitating public forums for feedback and dialogue, and implementing whistleblower protections to encourage the reporting of misconduct or unethical practices within the legal profession and judicial system.

Justice Sector Reform

Building upon the valuable insights and recommendations from the Justice Sector Summit organized by the NBA and the Justice Research Institute (JRI) in collaboration with National Judicial Council (NJC), the United Nations Office on Drug and Crime (UNODC) and the Justice Reform Project (JRP) which held on the 25th January 2022 (the “Summit”), I pledge to champion the implementation of the comprehensive reforms to enhance the performance, accountability, and independence of our nation's justice sector.

Judicial Appointments and Selection

One of the most unfortunate developments in recent times in Nigeria is the level of criticism that has been heaped on the judiciary even from

within, which clearly shows that the judiciary management must be a huge source of worry for every Nigerian citizen. So, ensuring the integrity and competence of our judicial officers is paramount to upholding the rule of law and promoting public confidence in our legal system. The lack of transparency and the unfortunate allegations of nepotism that have trailed judicial appointments in recent years are not characteristics that should be associated with the judicial sector in Nigeria. To this end, I will advocate for the implementation of the Summit's recommendations on judicial appointments and selection, as

outlined in the draft Working Paper commissioned by the (UNODC) and KAS, as well as the proposals put forth by the NBA and Access to Justice.

Specifically, we will work towards establishing a transparent, merit-based process for the appointment of judges, free from political interference or undue influence. This will involve reviewing and revising the guidelines and criteria used by the NJC, ensuring that they prioritise integrity, character, legal expertise, and a demonstrated commitment to upholding the principles of justice and fairness.

Furthermore, we will advocate for the adoption of the NBA's proposed amendments to the judicature provisions in the 1999 Constitution, which aim to strengthen the independence and accountability of the judicial appointment process.

Judicial Administration, Budgeting, and Funding

Efficient and effective judicial administration is crucial for the timely delivery of justice and the proper functioning of our legal system. To address the challenges in this area, we will support the implementation of reforms that promote transparency, accountability, and adequate funding for our judicial institutions.

Recent news reports indicating a review of judicial officers' salaries is a positive step towards attracting and retaining top legal talent in the judiciary. We will closely monitor this development and advocate for competitive remuneration packages that not only reflect the crucial role played by our judges and magistrates but also insulate them from financial pressures that could compromise their independence and impartiality.

I will work closely with relevant stakeholders to develop and implement robust budgeting and resource allocation mechanisms that prioritise the needs of the judiciary, ensuring that our courts and legal institutions have access to the necessary infrastructure, technology, and human resources to carry out their duties effectively.

Additionally, we will advocate for the establishment of strong accountability measures and independent oversight mechanisms to ensure that judicial funds are properly managed and utilized for their intended purposes, free from corruption or misappropriation.

Overall, I advocate in collaboration with other stakeholders the recommendation of the Summit on budgeting, Funding and accountability in the judiciary.

Accelerating the Speed of Justice Delivery

Delays in the justice delivery process not only undermine public trust but also have far-reaching consequences for individuals, businesses, and the overall economic and social fabric of our nation. To address this critical issue, we will draw upon the recommendations of the Summit and the JRI 2020 Webinar Rapporteur Report to devise practical solutions.

This will involve implementing measures to streamline court procedures, leveraging technology to enhance efficiency, and exploring alternative dispute-resolution mechanisms to alleviate the burden on our courts. We will also advocate for increased resources and capacity-building initiatives to support our judicial officers and court staff, enabling them to manage caseloads more effectively and deliver timely judgements.

Court Monitoring Scheme

The NBA had invested a substantial amount of money in developing a court monitoring scheme for the performance monitoring and evaluation systems to track and measure the speed and quality of justice

delivery, holding all stakeholders accountable for their respective roles and responsibilities. My administration will invest heavily in this scheme with a view to having empirical data on the solution.

Collaboration and Stakeholder Engagement

Achieving lasting and meaningful reforms in the justice sector requires a collaborative and inclusive approach involving all relevant stakeholders. As such, I pledge to foster open dialogue and active engagement with representatives from the judiciary, legal profession, civil society organisations, and the general public.

We will establish platforms for regular consultations, feedback sessions, and public forums, ensuring that the voices and perspectives of all stakeholders are heard and considered in the reform process. This inclusive approach will not only promote transparency and accountability but also enhance the legitimacy and public acceptance of the reforms we implement.

Advancing Structural Reforms, Administration and Governance and Tech-initiatives towards a Digital NBA.

Reform of the NBA Administrative Structure – Secretariat Reform

It is crucial to mention that many past administrators have spent a considerable amount of time and resources reviewing the NBA's

administrative structure. Interestingly, the conclusion has been the same

- the manner the NBA secretariat is currently structured is not fit for purpose and should be restructured to ensure continuity of programmes, implementation of policies and effective service delivery to the members of the association and the public.

As presently structured, there is too much concentration of powers on the leadership of various arms of the NBA including the office of the president which is the position that I seek to occupy. This is why I am interested in a new governance framework for the Association and a supporter of the harmonised version of the draft Legal Practitioners Bill. In order to be as competitive as we should be, we must separate our representative functions from our regulatory functions. We must invest in processes that regulate our existence and pay attention to the provisions of the Legal Practitioners Act and Rules of Professional Conduct and adhere to them.

To this end, I will immediately harmonise the various reports that have dealt with the issues of the secretariat including the Prof. **Chidi Odinkalu Committee Report of 2013, Legal Profession Regulation Review Committee Report of 2017, Dr Joe Abah Committee Report, PWC Report and the KPMG Diagnostic Report.**

Due to the fundamental nature of the proposed changes, a lot of will and courage is required to achieve these objectives. It is my guarantee that I will immediately begin the implementation of the reforms

proposed in order to make our secretariat fit for purpose and able to attract the level of collaboration that similar associations across the globe are able to attract. My administration will invest in the training and retraining of secretariat staff so that they would be properly equipped to drive the agenda of the NBA in seeking to create a secretariat that would help the Association and its members actualise the set objectives.

My administration will insist that integrity and accountability standards for officers of the Bar are kept and served. My administration intends to leverage transparency and accountability in its implementation of the solutions and reports already identified and proffered to solve the Association's challenges, such that subsequent administrations can access all decision materials and the rationale for same, in order for them to clearly see the path we have created and where we were headed.

Institutional and Regulatory Reforms

As mentioned, we will treat as a priority the passing of a harmonised version of the draft LPA by aggressively engaging with the National Assembly to make sure the Bill is passed as law. I consider it unfortunate that the process of amending or completely replacing the LPA, 1975 has been going on since 2016 or even before. I therefore commit to ensuring that all stakeholders work together towards achieving this goal.

In my view, there is no way we can achieve an association that truly caters for its members and provides the requisite safeguards without a

legislative framework that clearly deals with the training of would-be lawyers and the re-training of those within the profession. As professionals, members of the Association must provide guarantees as to their integrity and independence such that prospective clients and clients that seek our services are confident of the value of the services provided and adequate recompense in the case of professional negligence or any similar ethical malpractices.

My administration will deal with the proposed bill with the urgency that it demands and will immediately start putting in place structures and awareness campaigns that ensures the adherence of members of the Association.

Additionally, whilst it's the case that the RPC still requires some amendments, our priority will be to fully implement the provisions of the RPC as written. It is unfortunate that the NBA itself has made no plans to implement these aspects of the RPC that are written in its purview to execute including the issue of practice licences which ought to be a prerequisite to practice. This is a fundamental precept of our own rules and the NBA itself must take rules proposed by it and indeed rules that have statutory flavour more seriously than any other organisation.

Also, the rules that require the NBA Branches to keep a record of all the law firms in each branch would have to be immediately institutionalised to aid regulation and monitoring.

NBA Finances

In my time in the NBA, one of the things that I find most worrisome is the way and manner in which all arms of the NBA embark on funding drives from governments and agencies that it should, by its Constitution, hold accountable. I have, to my greatest embarrassment heard many government officials complain about the NBA being a “beggar organisation”.

The way and manner in which we embark on fundraising in the Association is unsustainable and greatly acts to erode the reputation and integrity of the profession as well as diminishing its integrity. The Association must learn to cut its coat according to its cloth. We will be focused and realistic with regard to the management of funds of the Association and will only spend on things that add value to the career of members. There is evidence that the Association can have considerable net positive balances, and this is what we must strive to do in order to maintain our dignity as an Association.

My administration will also review the assets of the association and seek to sweat them in the most efficient manner that optimises revenue generation and gives value to individual members of the Association.

We will restructure our Sections, Fora and Institutes such that they are able to access donor funding from credible international multilateral agencies for the execution of mutually beneficial projects. We will also

properly structure the NBA-ICLE to enable it to raise funds by providing services to third parties for a fee. We have already tried this model and we are confident in its potential for success.

NBA Branches

My experience working in England, especially as a solicitor in the public sector, imbued me with the ideology that development is most sustainable and effective when it is local.

My administration of the NBA will focus on further empowering the 128 branches of the NBA to achieve their full prospects without having always to look to the national level or other third parties for support. The reformed NBA secretariat under my leadership will have, as one of its core functions, to build organic growth through support, training and development, knowledge transfer and inter-association technology sharing where applicable, hosting of National events at the various states without bias, ensuring balance representations from branches on key matters affecting the Association and operating an open-door policy with all members through their branches amongst others.

Tech Initiatives Towards a Digital NBA

A core mandate of my administration would be to focus on transforming the NBA into a digital-first organization that leverages technology to empower its members, streamline operations, and champion the digital transformation of the Nigerian legal system. More specifically, my administration shall leverage on the following:

1. Digital Identity & Database Management:

Augment the NBA Member Database and Identity Management System: Building on the initial steps taken, we will complete the implementation of a robust identity infrastructure. This initiative will include digital ID cards for all members, promoting a more environmentally friendly and efficient alternative to physical IDs. This system will facilitate seamless authentication of members across digital platforms, ensuring secure and efficient access to NBA services.

2. Digital Infrastructure:

For digital infrastructure, my administration aims to improve the NBA App by improving same to provide members with easy access to NBA resources, case management tools, and a platform for networking and mentorship. The platform will in addition be configured to host the NBA Virtual Conference with capabilities for near in-person experiences. This would include an integrated payment system

that allows members to pay dues as well as obtain electronically generated stamps and seals.

3. Digital Platforms & Services:

The creation of an E-Learning and Continuing Legal Education platform will afford members of the Association exclusive access to invaluable learning materials and resources at the tip of their fingers. The E-learning platforms would include developing (and or integrating any existing platforms) and curating a range of online courses and resources in partnership with leading legal education providers.

This platform will also offer members the opportunity to enhance their skills and knowledge in various legal and business domains, with a focus on emerging practice areas such as Fintech, Cybersecurity, and Data Governance. The creation of a Virtual Legal Assistance Platform to provide virtual services to lawyers is also key. The Virtual Legal Assistance platform would serve to connect members of the profession with potential clients and offer legal advisory services online. This initiative aims to expand the reach of legal services to underserved communities, promoting access to justice.

4. Digital Ecosystems:

In the long run of my administration, we think it relevant to establish an NBA tech hub to encourage and support legal tech startups, offering resources, mentorship, and networking opportunities with investors. This hub will serve as

a breeding ground for innovative legal solutions, positioning the NBA as a leader in legal tech innovation in Africa.

5. Advocacy for Digital-Friendly Legal Policies:

Lead advocacy efforts to reform legal frameworks, making them more conducive to digital innovation. This includes pushing for laws that facilitate e-governance, digital courts, and the recognition of digital assets in legal proceedings.

6. Strategic Partnerships:

Collaboration and partnership with Tech Firms and Academic Institutions to access cutting-edge technology and research. These collaborations will support our digital infrastructure projects and provide members with access to the latest legal tech developments.

Promoting Empowerment, Welfare, Inclusion and Equity

Recent NBA Administrations correctly focused on enhancing the welfare of members of the Association. It is now time, in my view, to take it to the next phase by creating platforms of upliftment, investing in members and increasing social mobility. These are fundamental ideological principles that should be in place in order to catalyse growth and make the best of the God-given talents of every member of the Bar.

My administration will ensure that beyond the customary welfare talks, members of the Association are truly empowered to make a good living

It is also important to note that the security and safety of members of our Association must be at the core of any successful administration. This is because our collective prosperity can only be achieved when our weakest links are strongly supported and given the assistance, they need to solve their problems. It is with this mindset that I commit to ensuring adequate remuneration, access to funding, health care and better working and living conditions for members of the NBA.

Lawyers' Earning Capacity & Remuneration

Commendably, the NBA moved from a point where the remuneration of members was not a topic of discussion at any formal gathering to a point where a comprehensive remuneration report was produced indicating the anomalies in the earning capacity of lawyers.

We are presently at a point where we have the new Remuneration Order 2023 (the “Remuneration Order”) and a White Paper on the Minimum Wage (the “White Paper”). I am delighted to have been involved in the conversation and indeed instrumental, alongside the Policy Development and Project Implementation team which I chaired during the Olumide Akpata administration of the NBA, to the Terms of Reference that led to the Remuneration Order and the White Paper. As far as the Remuneration Order goes, my view is that it is an embarrassment that despite being afforded the privilege of the protection of our fees via a statutory instrument,

we are still having discussions about the enforcement of the Remuneration Order.

I will provide the leadership required to make the issues of lawyers' fees a thing of the past. My administration will implement the provisions of the Order to the letter to the extent that any lawyer found culpable of infringing the Remuneration Order will face the Legal Practitioners Disciplinary Committee (“LPDC”) in accordance with the provisions of the Remuneration Order. It is my strong conviction that if people do not abide by the Remuneration Order voluntarily, they must be made to do so compulsorily.

Remuneration of Lawyers in Employment

On 9th June 2022, the National Executive Council (“NEC”) of the NBA approved a white paper regarding the remuneration of young lawyers. The white paper recommended that the minimum wage scale should be made a part of the RPC.

The NBA Remuneration White Paper Committee Report had previously determined as a conclusive finding that most young lawyers and lawyers in employment with law firms do not earn a living or fair wage, and many law firms do not pay a living or fair wage based on current economic realities. The Committee also found that many law

firms do not comply with employer benefit regulations like Pay-As-You-Earn (“PAYE”), Pensions, Health Insurance, Group Life Insurance, and Housing contributions for employees as statutorily provided.

Sadly, the recommendations of the committee which included making it compulsory for law firms and employers to comply with the minimum remuneration scales for their employees and other employment benefit regulations have not yet made it to the regulation phase.

As the adopted recommendations outlined in the White Paper have become binding resolutions of the NBA National Executive Committee

(NBA-NEC), I am firmly committed to taking all necessary measures to rigorously enforce the implementation of the minimum remuneration scale across the legal profession. My administration at the NBA will see to it that the remuneration scale for lawyers is adopted and imbued with the force of law for the protection of every member of the profession.

We will also seek a review of the amounts recommended in the White Paper such that the figures proposed are in conformity with the economic realities of the day. My administration will invest in the training of lawyers on business development and management so that these law firms can grow their businesses in a more sustainable way.

Protection of Lawyers’ Businesses

On 13th February 2024, Nigerian lawyers woke up to the news that foreign, United Kingdom (“UK”) qualified lawyers would be permitted to practice law in Nigeria. Fortunately, this was confirmed not to be the true position.

However, it had been the product of the outcome of a conversation between the legal profession in Nigeria and their counterparts in the UK.

It is important that, as professionals, we understand the significance of the continuing interests of the UK and other foreign-based firms in Nigeria. One must make the point that a huge chunk of legal spending by the Nigerian government and certain business interests is already paid to English lawyers and accounts for a significant proportion of the UK Gross Domestic Profit (“GDP”).

Interestingly, most of the work carried out by English law firms in Nigeria is transaction-related for which the Nigerian government claims that Nigerian lawyers lack expertise. It is also interesting that out of 240,000 legal practitioners in England, 210,000 are transaction lawyers based in every area of transactional practice.

This is an area that the NBA and indeed the legal community must pay serious attention to. We must press for a full implementation of the Local Content Act as far as oil and gas matters are concerned and also ensure that there is legislation which gives power to Nigerian lawyers to warehouse every Nigerian government transaction and be the ones to instruct foreign counsel where necessary. This will ensure that

income is retained in Nigeria and that Nigerian lawyers acquire relevant skills to deal solely with such transactions in future.

My administration will take a clear, decisive and unequivocal position on the issue of encroachment in our industry by foreign law firms. We will engage with the Federal Government and seek the enactment of legislation that ensures that all government transactions are first briefed to Nigerian lawyers. On a related note, my administration will aggressively tackle encroachment into our legal practice by non-lawyers such as accountants, Estate agents etc.

We will aggressively seek the implementation of statutes to protect our space and push for other legislation to protect our income where necessary.

See below a few examples:

a. Local content adherence in the oil and gas as well as other projects as mandated in applicable laws and regulations e.g. the NCDA (popularly known as the Local Content Law) requires oil and gas companies to ensure that their total spend on foreign firms is also paid to Nigerian firms on an equal basis.

b. Capital Markets: It is preposterous that current Security Exchange Commission (“SEC”) Rules provide for ridiculously low fees for lawyers in equity, fixed income, and M&A activities, compared to other capital market operators such as issuing houses. In more developed jurisdictions, the lawyers drive these activities. Indeed,

it is unlawful for an issuing house to prepare a prospectus or Information Memorandum because it is clearly a legal document [an offer document].

In the United States (“US”), the lawyers prepare these documents and just have issuing houses and banks include financials.

Finally, on this note, we should be extremely vigilant about guarding against incursion into legal work by non-lawyers including banks, accountants and others.

Young Lawyers

One of the shocking discoveries I made upon my return to Nigeria, after ten years of practice in the UK, was seeing that young lawyers were worse off than when I left. The conditions of employment of many lawyers in employment and especially the young ones, were poor and in many cases, young lawyers were not treated with dignity. From that moment, I became committed to seeing the improvement of a lot of younger colleagues and to investing my time and resources in career development activity within the Bar.

Since my return to Nigeria, I have organised, in my private capacity, organised fully funded training for young lawyers at no cost whatsoever to them. As Chairman of the Continuing Legal Education (“CLE”) Committee of the Lagos Branch, I drew up a blueprint of programmes that provided mentorship and training opportunities to young lawyers

for free. Under the various schemes, we provided over 100 free training sessions paired over 200 young lawyers with mentors from across the globe and also funded the acquisition of international certifications.

Now, as Chairman of the Institute of Continuing Legal Education (ICLE), I have continued to lead in the facilitation of free training programmes and the ICLE has now admitted over 700 members under its mentorship scheme.

As President of the NBA, I will work hard to ensure that the NBA puts in place policies that aid career progress and development.

I will begin the conversation by setting up a clear post-education qualification framework that enhances training and development. We will further develop a sustainable mentorship framework that will help enhance the career growth of our younger colleagues. The draft Legal Practitioners Bill makes provisions for pupillages, continuing legal education and development and adequate recommendations for lawyers in employment. I am a firm believer in the role of professional bodies in shaping the careers of their members and this can be done by creating the right policies and institutional framework.

As mentioned elsewhere in this manifesto, my administration will invest heavily in career development initiatives for the benefit of young lawyers. The NBA-ICLE will organise at least 7 CPD hours of training for young lawyers, for free, every month. My administration will enhance the scope of the current NBA-ICLE mentorship initiative and will seek to further institutionalise it. We will better equip the Career Development Centre to help source employment opportunities for our

lawyers by insisting on the implementation of various laws in Nigeria where the services of lawyers have been made a legislative requirement.

It is my belief that any individual who provides a service must receive adequate recompense for the service delivered. The notion that “nobody can pay a lawyer” is an aphorism that illustrates that you can never sufficiently pay a lawyer for their services and is not an excuse to not adequately pay a lawyer.

Further, not paying appropriate salaries to younger colleagues would have no effect other than to reduce their self-esteem and completely erode their dignity and this cannot be in any way positive for the profession or its development.

As President and leader of the NBA,

I will address the peculiar issues that affect young lawyers, who account for about 60 per cent of our profession. I shall lead from the front in all matters affecting young lawyers and shall as a matter of priority do the following:

a. Immediately start the implementation of the White Paper, especially the elements dealing with the minimum wage scale and its inclusion within the RPC;

b. Set aside 5 percent of the income of the NBA for investments in relevant career developments, scholarships and sponsorships for young lawyers;

c. Provide adequate funding for the mentorship programme of the NBA-ICLE; and

d. Seek to have the harmonised version of the LPA bill enacted as it contains far-reaching provisions that deal with career development, pupillage, and remuneration.

Lawyers with Disabilities

The NBA's Lawyers with Disabilities Forum has taken commendable strides in addressing the unique needs and challenges faced by lawyers with disabilities, and we must build upon this foundation to create a truly inclusive and barrier-free legal profession.

As President, I pledge to be a vocal and unwavering advocate for the implementation of accessible facilities and reasonable accommodations in courtrooms, law firms, and legal institutions across the nation.

We will collaborate closely with relevant authorities, disability rights organizations, and stakeholders to ensure strict compliance with accessibility standards and regulations, ensuring that no lawyer is hindered from fully participating in their professional duties due to physical, sensory, or cognitive limitations.

Furthermore, we will develop and rigorously implement comprehensive inclusive policies and practices within the legal profession, actively encouraging and incentivizing law firms and legal institutions to adopt inclusive hiring and retention practices. This will involve robust training and awareness programmes to educate employers, colleagues, and the broader legal community on disability etiquette, creating an inclusive work environment, and fostering a culture of understanding, empathy, and support for our colleagues with disabilities.

All NBA programmes will have dedicated slots for lawyers with disabilities to feature in.

In recognition of the vital role that technology plays in empowering lawyers with disabilities, we will proactively facilitate the provision of cutting-edge assistive technology and resources to support their professional endeavours. This will involve collaborating with leading technology providers, experts, and disability rights advocates to identify, procure, and implement suitable assistive solutions, ensuring that every lawyer has access to the tools, software, and hardware they need to thrive in their careers, overcome barriers, and reach their full potential. Professional development and networking opportunities tailored to the unique needs, aspirations, and experiences of lawyers with disabilities will be a top priority. We will foster an environment of inclusivity, empowerment, and mutual support by organising specialised workshops, conferences, and mentorship programmes that cater to the specific challenges and ambitions of this esteemed community. Furthermore, we will advocate for the inclusion of disability rights and

accessibility education in law school curricula, fostering a culture of awareness and understanding from the very beginning of a lawyer's professional journey.

Aged and Aging Lawyers

Our aged and ageing lawyers are the pillars upon which our noble profession stands, and it is our sacred duty to ensure their financial security, continued engagement, and overall well-being in their twilight years. To this end, I propose the establishment of a robust, sustainable, and equitable retirement and pension scheme, born out of close collaboration with relevant authorities, stakeholders, and subject matter experts. This scheme will be meticulously designed to provide a reliable financial safety net for our senior lawyers, allowing them to retire with dignity, peace of mind, and the assurance that their years of dedicated service have been duly recognized and rewarded.

Furthermore, we will develop a comprehensive suite of specialised continuing legal education (CLE) programmes tailored to the unique

needs, interests, and aspirations of our aged and ageing practitioners. These programmes will not only facilitate the continuous professional development of our seasoned legal minds but will also serve as a platform for them to impart their invaluable knowledge, wisdom, and experience to the next generation of lawyers through structured mentorship initiatives. By fostering this intergenerational exchange, we will ensure

that the rich tapestry of our legal heritage is preserved and enriched for generations to come.

Recognising the unique health challenges that often accompany the later stages of life, we will work hand in hand with reputable healthcare providers and leverage the existing NBA-NHIA health insurance scheme to offer accessible, affordable, and comprehensive healthcare services designed specifically for the needs of our aged and ageing lawyers.

In addition to the initiatives outlined earlier, we will establish a dedicated support network for our aged and ageing lawyers, providing

them with a platform to voice their concerns, share their experiences, and actively contribute to shaping the policies and programmes that affect their lives.

Medical/Health Insurance

In the last four years, the NBA has been implementing the National Health Insurance Scheme (“NHIS”) with a high level of efficiency. It provides for primary, secondary, and tertiary care for members. It has invested in paying for 3000 members’ health insurance for free and has also been procured for the sum of N50,000, which is considerably reasonable.

In addition to the policies that are already in place, my administration shall seek to grow the health insurance fund and shall invest a minimum of N20 million in the health-care fund.

Medical/Health Insurance

It is very commendable that the NBA was able to negotiate a N2 million payment to families of deceased colleagues and has indeed

continued to make these payments in respect of lawyers who paid their practising fees in the year of their demise.

In light of the economic downturn and the devaluation of the naira, my administration shall seek an upward review of payouts to the sum of N3 million. I will also seek an increase in the amount paid to members who are terminally sick or victims of accidents resulting in partial incapacitation. **Stamp and Seal**

For a number of years, we presumed we had gotten it right with the stamp and seal issue and that it had become seamless and members could get their seals without hassle.

From my investigation and knowledge, the amount spent on stamp and seal does not justify the purpose for which it was originally made. Whilst some will say it has served its purpose, I think it is time to move to a digital imprint stamp that would be available to members for free.

Access to Finance

On 9th June 2022, NBA-NEC passed a resolution to invest the sum of N1.5 billion in two banks to wit: N1 billion to Access Bank and N500

million to First Bank. This was done for the benefit of members who could borrow up to N2 million at a 9% interest rate.

To the extent that the funds are still available, from the first day, I will commence the implementation of this resolution as well as seek the approval of the NEC to convert these funds to a more stable currency.

Continuing Professional Development

The importance of developing a legal professional cannot be overstated. This is the core of my work in the NBA for the past seven years and my administration will ensure that members of the bar continue to undergo capacity development to enable them to compete with their

contemporaries in other jurisdictions.

It is an accepted theory of the evolution of successful professional associations that the most important function of such associations is to ensure that would-be members of the association receive the competence training required for a successful career in the profession and that they continue to be properly trained and groomed in knowledge and skills as they advance in their respective careers.

I saw and experienced firsthand the value of Continuing Professional Development (“CPD”) in my time practising in England where, as is the case in most countries, there is a structured continuing professional

development regime which regulates training and professional development and makes the same a prerequisite to practice.

Whilst we are aware of the ongoing debate regarding whether there is a conflict between the LPA and RPC regarding the provisions of the RPC on CPD, we shall immediately commence the implementation of the CPD provisions in the RPC.

To ensure that the implementation of the provisions does not occasion further hardship on members, we will ensure that, through the NBA-ICLE and other collaborations, we have enough free training programs in all relevant areas of law.

We will also award CPD points to mentors and mentees in the NBA mentorship program. We will pursue the agenda for continuing professional development relentlessly in order to maintain the integrity of the profession and to equip and position our members for the very challenging future that they must confront with the growing influence of globalisation, the African Continental Free Trade Agreement (AfCFTA) and the disruptive effect of technology.

We will focus on free practical training and actual shadowing events and will work with already identified critical partners to achieve this objective. We will invest heavily in the Institute of Continuing Legal Education and ensure that it's well-resourced to provide the services that our association and members so badly deserve.

My administration will collaborate with all the Branches to ensure that training needs are met at little or no cost to the members. We will invest in the Career Development Centre at the NBA-ICLE with a view to ensuring that the NBA leads the way in getting members prepared and ready for employment and also helps in pairing prospective employees with prospective employers.

The Law Firm Mentorship Initiative: Fostering Excellence and Sustainable Growth

At the heart of our profession lies a rich tapestry of knowledge and experience, woven by generations of legal professionals who have dedicated their lives to the pursuit of justice. It is our responsibility to ensure that this invaluable wisdom is not lost but rather passed down to the next generation, ensuring the continued growth and sustainability of our legal community.

To this end, we propose the establishment of the "Law Firm Mentorship Initiative," a comprehensive program designed to provide institutional guidance and support to start-up law firms, enabling them to learn from the expertise and best practices of our most established and respected legal practices.

Through this initiative, we will facilitate partnerships between experienced and successful law firms and their newly formed counterparts, fostering a collaborative environment where knowledge can be shared, challenges can be addressed, and collective growth can be achieved.

Over the course of a one-year mentorship period, seasoned professionals from established firms will guide and advise their mentee firms on a wide range of topics critical to the effective and efficient management of a thriving legal practice. This will include, but is not limited to:

- 1. Business Strategy and Planning:** Guidance on developing a comprehensive business plan, identifying growth opportunities, and navigating the legal marketplace with a strategic mindset.
- 2. Practice Management:** Insights into optimising workflows, leveraging technology, and implementing best practices for case management, client relations, and overall operational efficiency.
- 3. Financial Management:** Mentorship on financial planning, budgeting, billing practices, and sustainable revenue models to ensure the long-term financial health of the firm.

4. Ethical and Professional Conduct: Reinforcing the importance of adhering to the highest ethical standards, maintaining professional integrity, and upholding the values that define our noble profession.

5. Work-Life Balance: Guidance on achieving a healthy balance between professional responsibilities and personal well-being, promoting sustainable practices, and preventing burnout.

This mentorship initiative will not only benefit the participating start-up firms but will also contribute to the overall growth and development of our legal community. By fostering an environment of collaboration

and knowledge-sharing, we can collectively raise the bar for professional excellence, ensuring that our members are equipped with the tools and insights necessary to navigate the ever-evolving legal landscape.

Furthermore, this initiative will promote intergenerational collaboration, bridging the gap between experienced professionals and the next generation of legal practitioners, ensuring that the wisdom and

best practices of our most seasoned members are passed down and preserved for generations to come.

Through the Law Firm Mentorship Initiative, we aim to cultivate a culture of continuous learning, innovation, and sustainable growth within our legal community. By empowering our members with the knowledge and support they need to thrive, we can collectively elevate the standards of our profession and solidify our position as a leading force for justice and the rule of law in our great nation.

Harassment and Abuse of Lawyers

The safety, dignity, and well-being of our legal professionals are sacrosanct, and we must take a firm, uncompromising, and zero-tolerance stance against any form of abuse or harassment within our ranks. To this end, I propose the development and implementation of a comprehensive set of robust policies and reporting mechanisms to address these issues, backed by effective enforcement and accountability measures that leave no room for ambiguity or leniency.

These policies will clearly define and delineate what constitutes abuse and harassment, whether physical, verbal, emotional, or sexual in nature. They will outline strict consequences for perpetrators, including potential disbarment or criminal prosecution in severe cases, and provide a safe, confidential, and trauma-informed reporting process for victims to come forward without fear of retaliation or stigma.

Furthermore, we will collaborate closely with law enforcement agencies, security experts, and relevant authorities to ensure the creation and maintenance of safe and secure work environments for lawyers, including courtrooms, law firms, and other legal settings. This will involve implementing rigorous security protocols, conducting regular risk assessments, providing self-defence training, and equipping our members with the knowledge and tools necessary to mitigate potential threats and respond effectively in emergencies.

Additionally, we will initiate far-reaching, multi-pronged advocacy and awareness campaigns to raise public consciousness about the unacceptable nature of abuse and harassment against legal professionals by security agencies or other persons. These campaigns will involve strategic partnerships with media outlets, civil society organisations, educational institutions, security agencies and other stakeholders to amplify our message and foster a culture of respect, professionalism, and zero-tolerance for such reprehensible acts within our ranks and throughout society at large.

To ensure the effective implementation and enforcement of our robust policies against abuse and harassment, we will establish a dedicated task force comprised of legal experts, law enforcement officials, mental health professionals, and representatives from relevant stakeholder groups. This task force will be responsible for conducting regular audits, monitoring compliance, and recommending necessary updates or revisions to our policies and procedures based on emerging trends, best practices, and feedback

from affected individuals. Further, the clearly outlined protocols will be taught to lawyers on how to respond to abuse or attempted abuse by security agencies, especially in the course of carrying out their duties and such recommended responses will be used to set the law in motion against the perpetrators of the abuse.

Conclusion

In ending, I restate my earlier observation that the issue with the NBA is not about the lack of knowledge of the problems or the inability to identify the solutions but rather, the lack of will to decisively implement these solutions. I have also stated above that what the Bar requires at this time is the decisive leadership required to implement these policies and programmes and move the profession in a direction of travel that makes it fit for purpose in an increasingly competitive and globalised world. I am firm in my belief that I can and, with your support and cooperation, will provide that decisive leadership.

What I bring to the table is my unique mix of cognate experience,

significant exposure and cross-border practice which holds great potential for the Nigerian Bar. I also pride myself in having the will to dislodge and disrupt where necessary.

The potentials that the NBA holds are so palpable and all it takes to unlock them is decisive leadership. This is what the administration promises. I, therefore, pledge to transform the NBA into a modern association that employs international best practices to achieve its objectives with a view to making its members competitive in an increasingly globalised world. This, my administration will actualise through sustained efforts to restore the dignity of the legal profession in Nigeria; advancing necessary reforms towards the entrenchment of a Digital Bar; and above all, promoting empowerment, inclusion and equity.

TobennaErojikwe
April 2024



**We can, and we will make the Bar Resilient and
Courageous in a manner that ensures No
Lawyer is Left Behind. This is our mission.
It is now to fulfil it.**



TobennaErojikwe