



**SPEECH BY**

**THE HONOURABLE, THE CHIEF JUSTICE OF  
NIGERIA**

**HON. JUSTICE KUDIRAT MOTONMORI  
OLATOKUNBO KEKERE-EKUN, GCON**

**AT THE SPECIAL SESSION OF THE SUPREME  
COURT OF NIGERIA**

**TO MARK THE COMMENCEMENT OF THE  
2024/2025 LEGAL YEAR**

**HELD AT**

**THE MAIN COURTROOM OF THE SUPREME COURT**

**ON MONDAY, 30<sup>TH</sup> SEPTEMBER, 2024**

**AT 2:00 P.M.**

## **PROTOCOL**

It is with great pleasure that I welcome you to this session marking the commencement of the 2024/2025 legal year, which also serves as my first official address just a few hours after being sworn in as the substantive Chief Justice of Nigeria. Reflecting on the 2023/2024 legal year, it was a period of intense challenges, notably marked by the judiciary's handling of all petitions arising from the 2023 general elections with a depleted number of 10 Justices. These cases highlighted the judiciary's pivotal role in safeguarding Nigeria's democratic integrity. The judiciary also determined high-profile cases involving constitutional issues, economic crimes, and public interest litigation, while advancing reforms aimed at improving justice delivery. Through collective efforts and divine grace, we overcame these obstacles and upheld the rule of law. As we embark on this new legal year, I am confident we are well-prepared for the challenges ahead and remain committed to enhancing the administration of justice in Nigeria.

In keeping with the traditions of the Supreme Court of Nigeria, this auspicious occasion is enriched by the swearing-in of members of the Nigerian Bar Association who have excelled in their practice and are now conferred with the coveted rank of Senior Advocate of Nigeria. As we celebrate the successes of

the past legal year, we also extend our congratulations to these distinguished legal practitioners, who were rigorously assessed by the Legal Practitioners' Privileges Committee (LPPC) and found worthy of the prestigious rank of Senior Advocate of Nigeria.

However, while this is an occasion for celebration, it is equally important to engage in sober reflection. Although our journey has not been entirely smooth, the challenges we faced have provided us with opportunities to learn and improve. In areas where we have excelled, we will strive to raise the bar; and in those where we have fallen short, we will assess ourselves critically and move forward with renewed determination. That said, the Supreme Court and the entire Nigerian judiciary as a whole have fared well in the past legal year, thanks to the prayers, advice, and support of well-meaning Nigerians. As the new legal year unfolds, we look forward to building a judiciary that will be the pride of Nigerians both at home and abroad.

The 2023/2024 legal year, which concluded on Friday, 19<sup>th</sup> July 2024, was marked by several significant milestones. On Monday, 26<sup>th</sup> February 2024, the Supreme Court made history with the appointment of 11 new Justices, marking the first time in recent years that the Court reached its full complement.

These appointments provided much-needed reinforcement to the 10 Justices who had been handling the entire workload of appeals. Shortly after the legal year ended, my predecessor, Hon. Justice Olukayode Ariwoola, GCON, retired on Thursday, 22<sup>nd</sup> August 2024, having attained the constitutional retirement age of 70. I was subsequently appointed in an acting capacity on Friday, 23<sup>rd</sup> August 2024.

In the last legal year, the Supreme Court handled 1,124 cases, invoking both its appellate and original jurisdiction. These included 435 Civil Appeals, 269 Civil Motions, 219 Criminal Appeals, 102 Criminal Motions, 89 Political Appeals, and 10 Originating Summons. A total of 247 judgments and rulings were delivered, including 74 Political cases, 92 Civil cases begun by Originating Summons, and 81 Criminal cases. This remarkable success is attributed to the dedication and teamwork of my fellow Justices and court staff. The Supreme Court of Nigeria remains one of the busiest in the world, a testament to the upsurge in litigation, which has kept our docket full.

Our workload is intense; we work from Monday to Friday, holding daily sittings. Wednesdays are reserved for chamber sittings to consider non-contentious matters, while Fridays are

dedicated to delivering judgments and rulings. I am deeply grateful to Almighty God for giving us the strength to accomplish so much. However, I encourage litigants to embrace alternative dispute resolution mechanisms to ease the burden on our courts. The culture of litigating every disagreement and appealing every lost case, no matter how trivial, contributes significantly to the backlog of pending appeals in the Supreme Court and Court of Appeal. This trajectory is unsustainable for a nation striving for economic development and human capital growth. Educating Nigerians on the benefits of alternative dispute resolution is a collective task for all stakeholders in the justice sector. In this regard, concerted efforts are being made to ensure that the Supreme Court Mediation Centre becomes operational to make the desired impact in the new legal year.

The Corruption and Financial Crime Cases Trial Monitoring Committee (COTRIMCO), chaired by Hon. Justice Suleiman Galadima, CFR, JSC (Rtd.), has been instrumental in expediting the trial of corruption and financial crimes in the country. Working in collaboration with anti-graft agencies, COTRIMCO has facilitated a significant rise in the dispensation of corruption cases. Between 2<sup>nd</sup> January 2024, to 2<sup>nd</sup> August 2024, the Economic and Financial Crimes Commission (EFCC), with

COTRIMCO's support, secured 2,387 convictions, while the Independent Corrupt Practices and Other Related Offences Commission (ICPC) filed 54 cases and secured 11 convictions. While holding the judiciary accountable where we fall short, we should also commend the courts in deserving cases for their commendable performance in handling these cases.

This is a new dawn and a new era in the Nigerian Judiciary. I wish to assure my fellow Nigerian citizens that we are committed to working more diligently to improve public perception of the Nigerian Judiciary. Over the years, various factors have contributed to the negative image of the judiciary. However, we are determined to change this narrative and make the judiciary a source of pride for all Nigerians. When the legal compass of a nation falters, everything suffers, including public and international perception. The attitude of some of us in the justice sector is sometimes less than salutary, and that has, to a large extent, contributed to the current image deficit of the country's legal system. Forum shopping by some of our legal practitioners is rampant. It is such acts that often give rise to the emergence of conflicting orders by courts of coordinate jurisdiction. I would like to state clearly that henceforth, there will be consequences for any act of indiscretion that could bring the judiciary to disrepute. We have rules and ethics guiding the

practice of our noble profession, and we must work assiduously to abide by them and always do what is right in the eye of the law. Under my leadership, the judiciary will adhere to the principles of honesty, transparency, and integrity. I call upon all judicial officers and members of the Bar to join me in achieving this goal.

The independence of the judiciary is always a topical issue. Let me categorically state that the Nigerian judiciary is largely independent in conducting its affairs and rendering decisions without interference. At the Supreme Court, for instance, our judgments are free from external influence. While it is essential for the judiciary, as the third arm of Government, to maintain good working relationships with the executive and legislative branches, this should not be misconstrued as subservience.

The issue of the salaries of judicial officers which has, for a very long time, occupied the front burner of national discourse, has now been addressed through the concerted effort of many stakeholders, culminating in the unanimous passage of the Judicial Office Holders Salaries and Allowances Bill by the 10<sup>th</sup> National Assembly. His Excellency, the President and Commander-in-Chief of Armed Forces, Senator Bola Ahmed Tinubu, GCFR gave his assent to the Bill on Tuesday, 13<sup>th</sup>

August, 2024. With this significant development, we now have in place the Judicial Office Holders (Salaries and Allowances, etc.) Act, 2024. With this significant development, we now have in place the Judicial Office Holders (Salaries and Allowances, etc.) Act, 2024. This significant milestone has empowered every judicial officer in Nigeria to make more meaningful contributions to national development. Nevertheless, it is necessary to continuously review the welfare package to meet changing economic trends and address pressing infrastructural needs of the courts. While current judicial officers may benefit from the reforms, those who are transitioning out of service or have already retired are often left without adequate support, especially in terms of healthcare.

The lack of access to proper medical care has had a profound effect on both serving and retired judicial officers, many of whom face severe health challenges with limited assistance. This issue is equally concerning for those who are nearing retirement, as they confront the reality of insufficient healthcare provisions once they leave active service. The rising number of deaths among serving judges/justices as well as retired justices/judges soon after retirement underscores the gravity of this situation. Addressing these gaps by ensuring access to comprehensive healthcare and improved



infrastructure for both serving and retired/retiring judicial officers and staff is crucial to preserving the dignity and well-being of those who have dedicated their lives to serving the judiciary.

It is imperative for the Judiciary to uphold the tenets of the Constitution, which remains the supreme law of the land. The rule of law, as the cornerstone of every functional democracy worldwide, should be strictly adhered to in all our undertakings. We must emphasize the importance of this principle to citizens at all levels, encouraging them to actively walk the path of legality and justice. The rights of every Nigerian must be vigilantly safeguarded against oppression and impunity, utilizing the full array of legal instruments at our disposal. Furthermore, obedience to court orders is non-negotiable. No individual or institution, irrespective of their standing, will be permitted to treat the judgments of our courts with levity or disregard. The Judiciary stands resolute in ensuring that the sanctity of our legal decisions is upheld. All hands must be on deck in fostering an unwavering commitment to the full enthronement of the rule of law. Disobedience to court orders or non-compliance with judicial directives is a direct affront to democracy and an invitation to anarchy. As such, it is critical that we respect and observe all the features of an enduring

democracy, for in doing so, we maintain the delicate balance that sustains our society. Let us, therefore, work collectively and tirelessly to ensure that Nigeria continues to abide by the rule of law, upholds the best democratic practices, and remains vigilant in the protection of her citizens' rights.

No doubt, the effective administration of justice has always been a pivotal concern in our legal landscape, and recent efforts to modernize the system are crucial in addressing its persistent challenges. Central to these efforts is the enactment of the Administration of Criminal Justice Act (ACJA) of 2015, which has been domesticated in various states in Nigeria. However, despite its potential to modernize the administration of justice in the criminal justice sector, key provisions remain underutilized, and its full impact has yet to be realized.

One major area of concern is the recurrent practice of arraigning suspects in court without proper preliminary investigations. In many cases, efforts to gather evidence are only initiated after the trial has begun. This backward approach to criminal prosecution significantly delays the process and undermines the delivery of justice. It is unacceptable that in 2024, we continue to see such practices, which contribute to

the overwhelming backlog of cases in our courts and ultimately erode public confidence in the justice system.

The ACJA, however, provides solutions to these problems if fully implemented. For instance, Section 15 (4) mandates that a suspect's extra-judicial statement must be made in the presence of a legal practitioner of the suspect's choice, or where the suspect is unable to secure one, in the presence of an officer of the Legal Aid Council. Additionally, the Act requires that the entire process be video-recorded. These provisions are designed to ensure transparency and fairness in the treatment of suspects, reducing the risk of coerced confessions or procedural abuses. Unfortunately, many law enforcement agencies and prosecutorial bodies have not yet embraced these critical safeguards. The failure to adopt these measures exacerbates delays and inefficiencies, resulting in prolonged detentions and frequent adjournments due to inadequate evidence. Full compliance with these provisions of the ACJA would not only streamline the investigative and prosecutorial process but also enhance the credibility and integrity of the criminal justice system.

The effective implementation of the ACJA/ACJLs must be prioritized. Law enforcement agencies, prosecutors, and judicial

officers need to be properly trained and equipped to adhere to the requirements of the Act. In addition, mechanisms for accountability must be established to ensure compliance with these provisions. Beyond the ACJA, other critical aspects of our criminal justice system, including reforms in policing, the legal process, and the protection of individual rights, must be pursued with urgency and determination. These reforms are essential to creating a more efficient, transparent, and just criminal justice system that reflects the needs of a modern society.

It is my intention to strengthen our processes, provide speedy and qualitative administration of justice, reinforce our structures from the Supreme Court to other courts of record, and reduce corruption to the barest minimum in the system. The Code of Conduct for Judicial Officers will be strictly enforced. Similarly, the requisite ethical standards will be expected of the Bar. Staff of the judiciary will also be expected to strictly comply with the Code of Conduct applicable to them. I must reiterate that the task of cleaning the Augean stable is a collective one and my commitment to it is unwavering. I assure you that I will pursue it vigorously.

The Supreme Court Rules, 2024, which came into effect on 1<sup>st</sup> August, 2024, introduce innovative provisions to enhance the efficiency of justice delivery. For instance, the rules provide for automatic extension of time to file certain processes in the first instance for the same period without penalty and in the second instance with the payment of a penalty in default. Thereafter, no further extension of time will be allowed except in an appeal against death penalty. This innovation eliminates applications for extension of time to file processes, which hitherto unnecessarily clog the court's docket.

The period provided for the filing and exchange of briefs has been reduced, while greater responsibility is placed on legal practitioners in certain regards to ensure the speedy hearing of appeals. A notice of non-contention must be filed where a party does not intend to contest the grant of an application. Where service of a process is effected on a legal practitioner who has ceased to appear for a party, failure to inform the court expeditiously would be deemed an act of professional misconduct. Furthermore, where costs have been awarded against counsel personally as a result of abuse of court process, he shall file a certificate of compliance within 90 days of the order, failing which he will not have right of audience in any superior court of record until he complies. Where costs are

awarded by the lower court, they must be paid into an escrow account in a commercial bank in the name of the Chief Registrar. A certificate of compliance duly verified by the Registrar of the court below must be compiled along with the record of appeal. Failure to comply shall be deemed as failure to comply with the conditions of appeal with the necessary consequences thereto.

We have also made significant strides in modernizing our operations through technological innovations. We have now successfully automated the Enrolment Unit of the Supreme Court of Nigeria in March, 2024. All Lawyers called to the Nigerian Bar can now enrol online. Prior to the automation of the Enrolment exercise, physical presence of all lawyers at the Supreme Court of Nigeria for enrolment was a recurrent feature. However, with the new development, the enrolment exercise has now become seamless and less cumbersome as it can be done with ease from the comfort of the applicant's respective homes.

My Lords, Distinguished Invited Guests, Ladies and Gentlemen, I wish to reiterate that the rank of Senior Advocate of Nigeria comes with immense prestige and greater responsibilities. Those conferred with the rank automatically become members

of the Inner Bar and revered Apostles of the Temple of Justice. It is an honour no conferee can afford to take for granted. The Legal Practitioners' Privileges Committee painstakingly screened and holistically assessed all the documents submitted by the applicants before arriving at its decision. Even though we know that there is no human system that is infallible, at least, concerning the efforts put in place by the Committee, I can say with all sense of responsibility that they have done a good job.

The 2022 Guidelines for the Conferment of the Rank of Senior Advocate of Nigeria require very high standards of merit from all the applicants vying for the award. Every requirement contained in the guidelines was strictly observed before arriving at the final list. There were 127 applicants for the 2024 exercise. Out of this number, 114 are legal practitioners and 13 are academics. The total number of qualified applicants after the preliminary screening was 98. After conducting the specified screening and filtration exercises, which include a number of appearances in superior courts, recommendations by Hon. Justices of the Supreme Court and Hon. Judges of superior courts, Chambers inspections; approval on eligibility and integrity of the candidates from the Nigerian Bar Association, Body of Senior Advocates of Nigeria, and of course, the general public, among others, the LPPC approved

87 successful candidates who, by all standards, can be regarded as eminently deserving of the rank of Senior Advocate of Nigeria. Out of this number, 86 are advocates while 1 is from the academia. This is, indeed, a great feat.

On behalf of my learned brother Justices of the Supreme Court and members of the LPPC, I congratulate the 87 successful Senior Advocates that have just been sworn-in. Your success did not come on a platter of gold. You have worked for it. You deserve every privilege, honour and pride that comes with it. As Senior Advocates of Nigeria, you carry on your shoulders a lot of responsibilities. From this moment, your behaviour and general conduct will now be publicly scrutinized by all those who come in contact with you. Watch your utterances, watch your actions and watch your company, as you now have an even higher responsibility to assist the court in attaining justice, equity and fairness. You must display enormous integrity, self-discipline, leadership and high standards of advocacy.

The conferment of the rank on you today authorises you to use the letters, "SAN" as a life-time appellation after your names. Similarly, it has conferred on you the uncommon privilege of wearing the silk gown and full-bottomed wig. In addition, you now have the enviable privilege of sitting at the inner bar of



our courtrooms across the country and also having your cases mentioned first in all courts. However, you are reminded that the rank of SAN is a privilege and not a right, conferred after due deliberation by the LPPC. It is a privilege that can be withdrawn if it is abused. As holders of the esteemed rank, a higher level of integrity, ethics and accountability is expected of you. The young lawyers equally need your mentoring and guidance while the court needs your erudition, advocacy and positive contribution to effective justice delivery.

It is apposite at this stage to note that the review of the requirements for the rank of SAN will be a continuous process in order to ensure that the highest standards are maintained. The docket of the Supreme Court is unnecessarily clogged by legal practitioners seeking to attain the rank by making up the required number of judgments from the court whereas many of the appeals do not contribute to our jurisprudence. I also seize this opportunity to comment on the mode of dressing by some of our lawyers, especially the younger ones, which does not reflect the honour and dignity of the legal profession.

I must unequivocally state that any lawyer who does not adhere to the prescribed dress code for legal practitioners will not be permitted to appear in court. Such disregard for

professional decorum undermines the prestige and global respect that the legal profession commands. I call upon the leadership of the Bar to take proactive measures to properly guide and mentor the younger lawyers. They must be continuously educated on the essential standards of our profession, especially regarding dress code and ethical conduct. It is equally important to remunerate your juniors appropriately, as fair compensation is crucial to nurturing talent and ensuring job satisfaction. This responsibility is the first task I am assigning to both the new Senior Advocates and the leadership of the NBA, which, incidentally, is assuming its role at the same time as I take up this mantle. I am confident that together, we will succeed in restoring the dignity and reputation of both the judiciary and the legal profession in our country.

The Nigerian Bar Association has consistently demonstrated its commitment to the pursuit of justice in our nation. The leadership of the Association has fostered a strong and mutually beneficial relationship with the Bench, and this is highly commendable. On this occasion, I wish to congratulate the immediate past executive for the numerous milestones achieved during their tenure. One notable achievement is the seamless deployment of modern technology to register all

participating lawyers across the country for the 2024 Annual General Conference, following the successful online election in July 2024, which resulted in the election of Mazi Afam Osigwe, SAN, as the 32<sup>nd</sup> President of the Association. This process has once again provided the Nigerian society with a valuable lesson – we are capable of effectively utilizing technology to elect our leaders with transparency and efficiency.

I was particularly impressed by the turnout and active participation of legal practitioners at the recently concluded 64<sup>th</sup> NBA Annual General Conference, held in Lagos in August 2024. The remarkable assembly of such a large number of lawyers under one roof is indeed a noteworthy accomplishment. I extend my heartfelt congratulations to the immediate past NBA President, Mr. Yakubu Maikyau, SAN, and his team. The quality of resource persons and the thought-provoking papers presented at the conference, centered on the theme, "Pressing Forward: A National Posture for Rebuilding Nigeria," have undoubtedly reignited our collective resolve to build a prosperous society. I also extend my warm congratulations to the newly elected President of the NBA, Mazi Afam Osigwe, SAN, and wish him a successful and impactful tenure. We look forward to continued cooperation and collaboration, building upon the solid foundation laid by the immediate past executive.

Finally, I wish to express my sincere gratitude to everyone present today for attending this special session to mark the commencement of our new legal year. I deeply appreciate your presence, despite your undoubtedly demanding schedules. I would like to extend my sincere appreciation to the Hon. Minister of Justice and Attorney General of the Federation, Prince Lateef Fagbemi, SAN; the Chairman of the Body of Senior Advocates of Nigeria, Professor Alfred Bandele Kasunmu, SAN; the President of the Nigerian Bar Association, Mazi Afam Osigwe, SAN; and the spokesperson for the newly conferred Senior Advocates of Nigeria, Mr. Lateef Olaseinde Karim, SAN, for your insightful and thoughtful remarks in this gathering.

Thank you all for your invaluable time and presence.

**HON. JUSTICE K.M.O. KEKERE-EKUN, GCON**  
Chief Justice of Nigeria and Chairman, Legal  
Practitioners Privileges Committee