



**THE COMMUNIQUE OF THE 5<sup>TH</sup> ANNUAL INDUCTION PROGRAMME FOR  
THE NEWLY APPOINTED SENIOR ADVOCATES OF NIGERIA, HELD ON  
THURSDAY, 10 NOVEMBER 2022 AT THE LAGOS CONTINENTAL HOTEL 52A,  
KOFO ABAYOMI STREET, VICTORIA ISLAND, LAGOS**

## **INTRODUCTION**

The 5th induction programme was organised by the Continuing Legal Education Sub-Committee of the Body of Senior Advocates of Nigeria (BOSAN) for the newly appointed Senior Advocates of Nigeria. It was one of the pre-swearing in activities for the new members before their conferment on 28 November, 2022. It was the 5th in a row since the recommendation and directive were made in 2018. The programme served as an orientation for the newly appointed senior advocates and as a platform to provide insights into the expectations from the new members of the Inner Bar. The Induction Programme was attended by the newly appointed Senior Advocates of Nigeria (SANs), a few old senior advocates and Hon. Justices who were part of the facilitators and the Induction Committee members. The facilitators were Hon. Justice Mojeed A. Owoade, JCA (Rtd), Hon. Justice Olayinka Faji, Chief Folake Solanke, SAN, OON, CON (represented), Mr. Louis Mbanefo, SAN, Mr. Ademola Akinrele, SAN, Mrs. Miannaya Essien, SAN, Mr. Julius Oladele Adesina, SAN, Prof. Fabian Ajogwu, SAN, OFR, Mr. Y.C. Maikyau, SAN, OON (**absent**), Mr. Olumide Sofowora, SAN and Prof. Oluyemisi Bamgbose, SAN. The theme of the Induction Programme, ‘**The Senior Advocate of Nigeria, Legal Ethics and Professionalism in the Practice of Law**’ was enriched with presentations by the erudite facilitators and active interactive sessions on the following perspectives:

1. Excellence and Professionalism in the Practice of Law
2. Legal Practice as a Senior Advocate of Nigeria
3. Accountability and Discipline of Senior Advocates of Nigeria
4. General Introduction and the Role of Legal Ethics and Professionalism in the Practice of Law.

The following were the observations and recommendations from the induction programme:

## **OBSERVATIONS**

1. Senior Advocate of Nigeria is a rank of distinction. The conferment is a rare point and the peak of the profession.
2. Senior Advocates of Nigeria have duty to supervise their juniors in Chambers and to vet any document leaving the chambers.
3. The standard of decorum for members of the Inner Bar is higher
4. The privilege of calling matters first is not an opportunity for senior advocates to waste the time of the court.
5. The Legal Practitioners' Act, LFN 2004 requires that to be conferred with the rank of senior Advocate of Nigeria, a person must have practiced law for not less than 10 years and must have achieved distinction.
6. There is a presumption that inductees are excellent scholars, having gone through stringent evaluation standards designed to scrutinize and select the best to be added to the noble rank.
7. Senior Advocates play significant role in the profession and in the society. Such roles require high ethical standards and a commitment to justice, integrity, and the rule of law.
8. Where Legal Practitioners fail in any of their duties to the bar, bench or client, there would be disciplinary sanctions such as suspension of the rank, striking out of name from the roll of Legal Practitioners. Non-performance in the profession will result in irrelevance in the rank, embarrassment, and lack of confidence by lawyers, law students and even judges.
9. The introduction of brief writing killed advocacy. It is one of the salient points of Nigeria's departure from the English system.
10. The percentage attendance of BOSAN meetings is dropping.
11. The exhibited sound knowledge of the law, level of industry, impeccable dressing and discernment which the past senior advocates put into cases made many aspired to be Senior Advocates.
12. There is need to revive the culture of oral argument which in the past had been one of the attractive things about the profession. Senior advocates should be reformative.
13. Senior advocates are legal practitioners and so are bound by the rules of professional conducts.
14. Senior advocates are precluded from communicating with the judge through letters or memorandum.
15. The rules on courtroom decorum require that lawyers should be attired in a dignified manner
16. The right to mention matters does not extend to hearing.
17. The court allows mentioning cases out of turn to avail junior counsel the opportunity to learn from the senior advocates, among other reasons.
18. Some senior advocates engage in paid adverts, on social media; take pictures with full regalia even before swearing in.
19. Conferment as a Senior advocate is a rare point and the peak of the legal profession
20. The rights referred to in the Legal Practitioners' Act are only excisable in courts or tribunal, not in the market or village meetings.

21. The rank of Senior Advocate of Nigeria bestows leadership. Senior advocates are seen as role models to the juniors.
22. Members of the inner bar have greater responsibility to work within the code and the rules.
23. The attitude of some senior advocates has complicated the challenges of the administration of justice.
24. Being a professor and a senior advocate requires a great deal of balance of responsibility to the academic institution and to the legal profession.
25. It is the responsibility of senior advocates in the academics to do legal research on new areas of law to assist the court and other colleagues in making sure that there are books and authorities reflecting new areas.
26. There is a strict liability rule against advertisement. So, it is not a defence that they were not consulted before the advertisement.
27. The rank of senior advocate of Nigeria is a privilege which can be withdrawn within appropriate circumstances.
28. BOSAN is not particular about the number of inductees, what they are concerned about is that the quality of the rank does not diminish.
29. The profession is adversely against senior advocates addressing the press on matters they are handling. They can just explain what happened in court, but not go to the extent of making their case, before the press or criticising the judge.

## **RECOMMENDATIONS**

1. The BOSAN should engage the judiciary more on matters affecting the practice of law.
2. Senior advocates should be epitome of good practice and law and always set the pace.
3. Senior advocates should do more pro bono work to assist those who do not have the benefit of counsel.
4. To assist the courts, senior advocates should consider the idea of helping judges with master recorders so as to make the work of judges easier.
5. The BOSAN should have a code of conduct and a feedback mechanism between BOSAN and the judiciary.
6. Senior advocates should leverage and also have a proactive attitude towards arbitration and enforcing arbitral laws.
7. They are expected to school young lawyers in the practice of law and the act of consultation with clients, including the supervision of documents drafted by them and presentation of cases.
8. Senior advocates should be a pool from which judges should be appointed, similar to what is obtainable in England where most judges have been made Queen's Counsel
9. Senior advocates should not aid or abate corruption by frustrating the process or the fight against corruption. They are to maintain discipline and the highest level of integrity.
10. They should have good relationship, show respect and have good fellowship with their colleagues both at the inner and outer bars

11. Members should make it a point of duty to attend meetings of the body of senior advocates.
12. They should apply humour in presentation and don't take everything too seriously
13. Senior advocates must learn the art of persuading the court, with sound arguments and presentations.
14. Where there is need to concede, it should be done right away rather than waste the time of the court, as this helps build the reputation of the senior advocate before the court
15. Senior advocates should defend the profession and change the perception of the public that the judiciary is corrupt.
16. They should change the attitudes likely to complicate the administration of justice
17. Senior advocates and lawyers generally need to act with honesty and always strive to create positive and good impression, first about themselves and then about the profession.
18. They should engage in research - for teaching, to address challenging areas of law, initiate projects and formulate policies for government.
19. They should engage in review of rules and law textbooks to keep the court, practitioners and the law students abreast of legal development and to avoid errors in judgments.
20. They should explore new areas of law such as sports law, entertainment law, construction law, FinTech, water law, medical law, climate law etc.
21. Senior advocates should outsource legal research to experts and legal team of experts in the area to be abreast with development.
22. They should embrace ICT, invest in journals, law reports and in legal research tools, and use research engines such as Google Scholar, Law Pavilion, Research Gate, Academia, Lexis and Nexis, West Law etc in their research.
23. They should improve knowledge, teaching and supervision by making conscious personal investments in conferences and workshops.
24. Senior advocates should show the court more respect, present intelligent argument and justify the expectation of the judge that allows them to call their cases out of turn
25. Senior advocates must dress appropriately as members of the Inner Bar of a regulated profession. Dressing is one of the hall marks of a senior advocate as he is often judged by how he dresses or appears.
26. Where a senior advocate appears late in court, he should give an apology and explain reasons for his lateness. They should teach the juniors the value of time as punctuality is very important.
27. Altercations in the court room between judges and senior advocates as to seniority and privileges should be completely avoided to the hearing of juniors, as this diminishes the rank.
28. They must not be seen robed until they are conferred with the rank.
29. They must not grant interviews in their official attire.
30. Senior advocates should ensure adequate remuneration of junior lawyers in line with the number of hours specified under the Labour Law.
31. Overtime should not be a daily thing as the junior lawyers also have a life outside the office and practice.
32. Every practitioner should maintain a client's account and ensure integrity and good character



33. Senior advocates have the discretion to demand for honorarium for their presentations and lectures. Intellectual research is demanding
34. A senior advocate should not sell his privilege of mentioning his cases out of turn to any lawyer despite the age. This should however be done with a high level of respect.
35. It is the responsibility of a new senior advocate to notify his employer, and discuss the need to increase fees owing to the conferred rank.
36. Where a judge consistently ignores senior advocates from mentioning their cases, appropriate reports can be made.
37. Senior advocates are to refrain from using interlocutory applications, jurisdictional application and interlocutory appeals based on jurisdiction to slow down or frustrate the administration of justice.

