

**COMMUNIQUE ON THE BOSAN INDUCTION PROGRAMME FOR THE NEWLY  
APPOINTED SENIOR ADVOCATES OF NIGERIA**

**WEDNESDAY, DECEMBER 02, 2020 AT THE LAGOS CONTINENTAL HOTEL  
VICTORIA ISLAND, LAGOS**

**THEME:**

**LEGAL ETHICS AND PROFESSIONALISM IN THE PRACTICE OF LAW**

**INTRODUCTION**

The induction programme, organised by the Body of Senior Advocates of Nigeria is one of the pre-swearing in activities for the newly appointed Senior Advocates of Nigeria before their conferment on December 14, 2020. It was the third in a row since the recommendation and directive were made in 2018. The ceremony served as an orientation for the newly appointed members. It also served as a platform to provide insights into the expectations from Senior Advocates and to remind them of the Rules of Professional Ethics, conduct and professionalism in the legal profession.

Perspectives of the induction programme include:

- Excellence and Professionalism in the Practice of Law;
- Accountability and Discipline of a Senior Advocate of Nigeria;
- General Introduction and the Role of Legal Ethics and Professionalism in the Practice of Law; and
- Legal practice as Senior Advocate of Nigeria

**OBSERVATIONS**

The following observations were made at the induction programme:

1. There are instances where lawyers go to clients 'places to render advice or take instructions.
2. Some lawyers fabricate facts or evidence and encourage clients to breach the law.
3. There are cases where senior advocates sue justices just to delay the process.
4. Some senior advocates chase after profits to the detriment of the profession, the law and justice.
5. Electronic-filling of processes have significantly created a complex and competitive marketplace that is more diverse, dynamic and multifaceted.

6. In most cases of abuse of election and pre-election matters, the suits are brought and maintained by members of the inner bar even with the threat of the award of costs personally to the counsel. There are many instances where advocates deliberately abused court processes in their capacity as members of the inner bar.
7. Nigeria demonstrates antithesis to technological advances especially in the legal profession.
8. Often times, there are unreasonable expectations from conferees.
9. The profession is currently operating in a turbulent era with methods and means of practice in a constant state of flux.
10. African scholars represent 2% of citations in legal discourse across the world

## **RECOMMENDATIONS:**

The following recommendations were made:

1. An advocate owes a duty to the court and allegiance to the cause of truth and justice.
2. It is not enough that a negligent lawyer is only following his client's instruction. A lawyer has a responsibility and the discretion to understand cases and decide which of the cases he would bring to the court.
3. As a lawyer, he has the duty to represent his clients within the bounds of the law no matter how much he is paid.
4. A senior advocate must have regard to junior lawyers, pay them timeously and adequately, allow days of holidays, designate opening and closing time for the chambers. This is without prejudice to overtime possibilities with commensurate remuneration attached to it.
5. Senior advocates must recognise that young lawyers have lives outside their work.
6. The junior lawyers must respect members of the inner bar and their seniors because that is how the bar was preserved for them to inherit.
7. There is an apparent rift between the outer bar and the inner bar.
8. Senior advocates are to make the work of the judges less cumbersome through regular and updated research on law, review of books and publications, analysis of judgments, etc.
9. Senior advocates should publish in order to stay relevant. They should also explore new areas.
10. The senior advocates should be able to monitor and mentor young lawyers, allow them to participate in actual court proceedings even with notable figures in the society as clients on either side of the parties.
11. The SANs must keep to time and teach the juniors in their chambers to do the same.
12. A SAN must be a reference point of integrity and should be corruption free.
13. Learned silks must be familiar with the evolving methods of dispute resolution other than litigation. They should be able to provide clients with more contemporary solutions to their legal problems without running fowl of court rules of procedure.

14. The SAN must be abreast with changes that occur within the profession as well as the rules of court and practice directions. He must be conversant with technology platforms to be able to execute matters considering the current realities of post COVID-19 pandemic.
15. Rule 32 of the RPC enjoins practitioners to deal with the court “candidly and fairly”. Senior advocates should not engage in activities that are considered undignifying (R. 27 RPC 2007). There have been cases of withdrawal or suspension of privileges associated with the rank due to conducts lacking in dignity.
16. A lawyer should withdraw his service if his client insists on breaching the law and if it persists, the lawyer should terminate their relationship.
17. Both the justices and the senior advocates are key players in the temple of justice. A SAN must therefore not by his demeanour desecrate the temple;
18. Senior advocates usually are well remunerated in matters they appear in. They should however not chase after profits at the detriment of the profession, law and justice.
19. A senior advocate must spend his time and resources on research to ensure that he is equipped with the right knowledge and opinion on any issue.
20. A lawyer will not excel in practice without scholarship; hence library inspection should form a crucial and fundamental part of the selection process.
21. There must be a synergy between the possession of good character and good knowledge of the law.
22. Members of the inner bar must take steps to ensure that they are not left behind in the advancement of technology and attendant changes foisted on the profession as a result post COVID-19 pandemic.
23. Senior Advocates, especially the newly elevated ones must begin to reflect on how to move Nigerian and African legal research forward to occupy its place in the global legal plane.