

**REPORT OF THE 6TH ANNUAL MANDATORY INDUCTION PROGRAMME FOR THE NEWLY
APPOINTED SENIOR ADVOCATES OF NIGERIA, HELD ON WEDNESDAY, 22 NOVEMBER 2023
AT IDERA HALL, RADISSON BLU ANCHORAGE HOTEL, 1A, OZUMBA MBADIWE ROAD,
VICTORIA ISLAND, LAGOS.**

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1.1 General Introduction

The Body of Senior Advocates of Nigeria (BOSAN) is a platform that brings together all Senior Advocates in Nigeria towards achieving the same objectives in the Judiciary including to maintain the highest standards of professional ethics, conducts, etiquette and discipline; to ensure and maintain the dignity of the rank of Senior Advocate of Nigeria (SAN); and to promote the independence of the judiciary, the rule of law and the highest professional standards of legal practice. The Annual Induction Programme is one of the pre-swearing in activities organised by the BOSAN for the newly appointed members of the Inner Bar before their conferment. The theme for the 2023 induction programme was **‘Legal Ethics and Professionalism in the Practice of Law.’** It was the sixth in a row since the recommendation and directive were first made in 2018.

1.2 The Objectives

The Induction programme was a recommendation by the Chief Justice of Nigeria in 2018, as an orientation for the newly appointed Senior Advocates of Nigeria on their leadership roles in the legal profession, professional ethics and conduct as members of the Inner Bar. It also serves 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.

1.3 The Organising Team

The induction ceremony had a team and a faculty with the following members:

a. Facilitators:

- i. Hon. Justice Mojeed Adekunle Owoade, JCA (Rtd)
- ii. Hon. Justice Ayokunle Olayinka Faji
- iii. Chief Folake Solanke, SAN, OON, CON (absent)
- iv. Mr. Louis Mbanefo, SAN
- v. Mr. Ademola Akinrele, SAN, FCI Arb
- vi. Dr. Eyimofe Atake, SAN
- vii. Mrs. Miannaya Essien, SAN, CArb, FCI Arb
- viii. Mr. Oladele Adesina, SAN, FCI Arb
- ix. Mr. Osaro Eghobamien, SAN
- x. Prof. Fabian Ajogwu, OFR, SAN

- xi. Mr. Olumide Sofowora, SAN
- xii. Prof. Oluyemisi Bamgbose, SAN, FCI Arb

b. Induction Programme Co-ordinator:

- i. Prof. Olanrewaju A. Onadeko, SAN - Induction Programme Co-ordinator

2.0 Summary of Sessions

2.1 Opening Preliminaries

The orientation programme commenced at 9:35am and was anchored by the induction programme co-ordinator, Prof. Olanrewaju Onadeko, SAN.

Prof. Onadeko, SAN formally welcomed everybody present at the event and called on Prof. Fabian Ajogwu, SAN to address appointees on the essence of the Induction Programme and some expectations required of appointees.

Prof. Fabian Ajogwu, SAN welcomed appointees and noted that the reason for the programme is to discharge the recommendation of the then chairman of the Legal Practitioners Privileges Committee and Chief Justice of Nigeria at the time, Justice Walter S. N Onnoghen, who required that the Induction Programme should be a pre-condition to be sworn in as Senior Advocate of Nigeria. He congratulated appointees for attaining the peak of their profession and noted that the programme is designed to acquaint appointees with the expectations of members of the Inner Bar and the Bench on how to wear the rank, dignity of the rank, standards, professionalism, excellence, dress code, decorum, duties, discipline, and ethics of a Senior Advocate. He noted further that the programme afford appointees the opportunity to learn from the experiences of other members of the inner bar. On behalf of the Induction Committee, the Learned Silk congratulated and welcomed them to the Inner Bar and encouraged them to engage the facilitators, interact and share experiences.

2.2 First Session Sub- Theme: Legal Practice as a Senior Advocate of Nigeria

This session had three facilitators who discussed the sub theme from different perspectives.

The first discussion was on the topic ‘**The Relationship of Senior Advocates with the Courts**’ by Mrs. Miannaya Essien, SAN.

Mrs. Miannaya Essien, SAN welcomed all appointees and noted that it is important to start the proceedings with the relationship of Senior Advocates with the court because appointees

were chosen based on the recommendation of the courts. She noted that the rank of Senior Advocate is a privilege conferred on members of the legal profession who have been found by the Legal Practitioners' Privileges Committee (LPPC) to have distinguished themselves in line with the criteria set out in the guidelines of the LPPC.

Learned Silk stated that with the privilege, there are certain rights that accrue by virtue of the conferment, such as sitting at the inner bar or on the front row. She observed that to be able to discuss her topic, there will be need to consider the role of Senior Advocates in the administration of criminal justice, bearing in mind the symbiotic role the bench and the bar has in the administration of criminal justice. She noted that judges and justices have an indispensable role to play in the appointment of Senior Advocates, and at all times the court expect them to be an ambassador to ensure compliance with the Rules of Professional Conduct (RPC). Furthermore, Learned Silk stated that Senior Advocates are required to strive to impress the court with their intellects, diligence, advocacy and the manner they conduct their research.

Learned Silk drew the attention of inductees to the provisions of the RPC on their relationship with the courts as provided in Rules 30-38, and enjoined inductees to comply with these rules. She explained the rights and privileges that come with the rank of Senior Advocate and explained that these rights are only exercisable in court. She enjoined inductees to be respectful to the court even in instances where the court did not recognise them and desist from trial publicity. Finally, Learned Silk, stated that inductees as Senior Advocates have the primary duty to uphold the sanctity of the court and to act as officers of the court, bearing in mind that the privileges of the rank can be withdrawn when they flout the rules.

The second presentation was on the topic **'The Senior Advocate of Nigeria: A Rebuttable Presumption of Excellence and Scholarship in Legal Practice? A View from the Bar?'** by Mr. Osaro Eghobamien, SAN.

Mr. Osaro Eghobamien, SAN, distinguished between a person that is fit to practice, a fit and proper person and a lawyer with professional and personal integrity. He noted that the criteria to be admitted into the bar requires that one should be fit and proper, while the criteria to be admitted to the inner bar requires that one has high professional and personal integrity. Learned Silk also discussed adherence to the strict qualifying criteria of an SAN, and he considered some case studies and issues that arise when these strict criteria are flouted. He enjoined inductees to abide by the process and provide materials for judges in order to enable

them administer the law. While urging inductees to be upright in character, Learned Silk drew a correlation between how the public perceives the rank and the process of appointment as Senior Advocates. He admonished inductees to be careful in their dealings considering that the public is watching and a misdeed of a Senior Advocate tarnishes the whole body. He observed that the justice system in Nigeria is broken and enjoined inductees to be proactive in thinking of ways to solve and fix Nigeria's broken system of administration of criminal justice. Finally, He urged inductees that as legal practitioners, they should not only know the law, but also know what is wrong with the law, prescribe change and participate in the change process.

The third presentation was on the topic '**The Client-Attorney Relationship**' by Mr. Olumide Sofowora, SAN.

The Learned Silk stated the general principles on lawyers-client relationship on the rights, duties and responsibilities provided by the RPC, 2023, and informed inductees that having attained the status of Senior Advocates, they become leaders and mentors in the profession, and it is necessary that a higher standard of conduct guide and direct their action in their relationship with their clients. He stated that the lawyer-client relationship is a fiduciary relationship and the client reposes trust and good faith in the conduct of the lawyer.

Learned Silk, admonished inductees, to act with utmost respect in their relationship with their client and should not make personal gains from the information acquired in the course of their relationship with their clients. He admonished appointees to avoid conflict of interest in dealing with their client's affairs and act honestly with due skill and diligence and to communicate fairly and honestly, follow client's instructions and act in the best interest of the client. He stated further, that as Senior Advocates, when engaged in a matter, they should diligently assess the client's case and make an honest determination on its merit whether there is indeed a legal claim, the best way to pursue the legal claim and the probable result of any action taken and should refrain from making promises and outcome that are beyond their control.

As regarding fees, Learned Silk stated that Senior Advocates owe their clients a duty of disclosure and should inform clients up-front on what they will charge; legal services they will render and expenses that will be expended for their service. He noted that while clients are expected to take responsibility for all the expenses, however, the lawyer may in good faith advance the cost of the expenses as a matter of convenience and the client is expected to

reimburse the lawyer. He stated further that though professional rules discourage a lawyer from suing for his fees, a lawyer may however take legal action for his fees one month after the delivery of his bill.

Learned Silk also discussed the duty of confidentiality and urged inductees to discontinue their relationship with their client where there are conflicts of interest. He also urged inductees to adequately prepare when handling client's matter. Furthermore, he admonished inductees that while holding money for their client they should not mingle the funds with theirs, but hold it in a separate account, should not expend the money without the permission of the client and adequately account for it. He enjoined inductees to have integrity even in managing client's money and property and communicate with their client by giving them regular and written updates on the progress of their matter. He also enjoined Senior Advocates to be patient in assisting the client in understanding the law and the legal processes. Finally, he explained that as Senior Advocates they have a duty of trust and fiduciary relationship with the society.

2.3 Second Session Sub- Theme: Excellence in the Practice of Law

The first presentation in this session was made by Hon. Justice Mojeed A. Owoade, J.C.A (Rtd), on the topic **‘Understanding the Culture and Demands of Continuous Excellence at the Inner Bar: Court of Appeal Perspective.’**

Hon. Justice Owoade started by congratulating the newly appointed Senior Advocates for attaining the rank. He stated that Senior Advocates owe a duty to guide the court and present all facts available to the court. In this regard, he alluded to the election petition of Imo State where the Supreme Court declared Hope Uzodinma who came fourth during the election as the winner of the election sacking Governor Emeka Ihedioha who had been sworn in. The judgement according to His Lordship, elicited comments such as "Number four became Number one," even among lawyers which ought not to be so. He enjoined the inductees to refrain from falling into temptation that can make them fall short of integrity. He touched on acquisition of new skills as well as training for economic stability. He reminded the inductees of the new Court of Appeal direction about timelines stressing that timelines should not be taken for granted. The place of sound knowledge and technology was also emphasised by His Lordship. He enjoined them not to ever take opponents for granted. He enjoined them to be diligent, well comported, improve and gain mastery in brief writing and lift up their standards of scholarship. He admonished the inductees to never say in the open court that they will

appeal as this is disrespectful to the court. He counselled the inductees not to negotiate appearance in open court and that in whatever jurisdiction they find themselves they must appear with someone. His Lordship reiterated the importance of being always prepared in an adversarial system and that the courts are getting impatient due to the overwhelmingly full dockets and enjoined the bar and the bench to collaborate to sort things out. According to him, a Senior Advocate should be able to hold a position as a professor at a university or as a Judge in the High Court without the need for further qualifications, similar to the Queen's Counsel (QC) in England, who is able to hold both positions interchangeably.

In conclusion he enjoined the new Senior Advocates not to take for granted salient points of his speech in order not to be embarrassed.

Hon. Justice Olayinka Faji, J, took the second presentation in this session on the topic **‘The Senior Advocate of Nigeria: A Rebuttable Presumption of Excellence and Scholarship in Legal Practice? A View from the Bench’**

Hon. Justice Olayinka Faji, a Federal High Court Judge, gave perspectives from the bench on the topic. According to him, 90% of Senior Advocates display scholarship, excellence and are good materials. He noted that the rank is a privilege and distinction that can be withdrawn. He stressed the importance of mentorship in the profession and made reference to being mentored by Mr. Otunba Olajide Oduba SAN who recently passed and in whose honour a one-minute silence was observed. He stated that mentoring means changing lives and parenting young lawyers and he encouraged inductees to do the right thing in all circumstances. He pointed out that they should be impeccable in their dressing. He enjoined the inductees to be fair to other lawyers and be ready to assist one another as well as the courts. He pointed out the overwhelming caseloads that judges currently face in courts and urged, counsel to be patient with the bench in view of these overwhelming case loads. Justice Faji informed all that the new complex of the Federal High Court is being fitted with state of the art technology in order to enhance delivery of justice in the system. In conclusion, he stated that, the new Senior Advocates are the salt and light of the world.

The third presentation was on the topic, **‘The Relationship of Senior Advocates with Lawyers’** by Mr Ademola Akinrele, SAN.

The Learned Senior Advocate went down memory lane to 1999 when he was conferred with the prestigious title of SAN along 12 others. According to him, he felt a sense of responsibility and a burden of legacy had been passed from one generation to another. He

stated further that legacies can be squandered, maintained or improved upon. He traced the history of the profession to learned silks such as Chief Williams, Mr. Kehinde Sofola who learnt from the masters such as Chief Sapara Williams, Sir Alex Taylor, and Sir Adeyemo Alakija. He enjoined the inductees to read widely because they are ambassadors of the body of Senior Advocates. He stressed the importance of humility at the bar and the bench making reference to personal experiences where out of courtesy he allowed an older lawyer who was not a Senior Advocate to mention his case before him subject to the court's convenience. He further stated that inductees should deal with lawyers with respect and that litigation should not be seen as a duel between lawyers representing their clients. He stressed the importance of preparation by Senior Advocates for any matter they are handling because all eyes are on them because the next generation of Senior Advocates are watching and learning from them. The place of humour was also emphasised by the Learned Silk in conducting matters in the court. He enjoined Senior Advocates to appreciate younger lawyers by appreciating their efforts when they make good argument or where they put so much effort in a matter. He noted that there is an ethical challenge in the practise of the legal profession and that the habit of negatively talking about the happenings in the legal profession publicly should stop and that problems should be resolved internally. The importance of mentoring young lawyers and juniors in the office was a focal point as well. According to him, there must be transmission from one generation to another so that the quality and high standards of the profession can continue. He admonished the inductees to be careful of success as it can be a dangerous thing because the struggle that brought them to the height of the profession may not be there again. He further stated that alertness and the relationship of trust with their colleagues will stand them in good stead. He reiterated that their reputation and trust reposed in them by their colleagues are very important and should not be taken lightly. He enjoined them to be weary of temptations, and lawyer-client relationship that can cause them to derail. In conclusion he admonished the inductees to prepare for old age and retirement by investing wisely in order to sustain the legacy that would be passed on to the next generation.

2.4 Third Session Sub- Theme: Accountability and Discipline of Senior Advocates of Nigeria

The first presentation in this session was taken by Mr. Louis Mbanefo, SAN on the topic **‘The Duty of Senior Advocates to the Society.’**

The Learned Silk started by congratulating the inductees for scaling the difficult hurdle of being selected as Senior Advocates. He thereafter took them through the historical origin of the conferment of the rank of Senior Advocate of Nigeria stating that Justice Fatai Williams introduced the conferment of Senior Advocate of Nigeria in 1975. He also discussed the requirements of being an SAN which are similar to the requirements of attaining a Queen's Counsel (QC). According to him, reputation is more highly priced at the bar than in any other profession, so it is important that the confidence and respect of judges and fellow Learned Silk are earned. He compared legal practise by Senior Advocates called to the English bar then and the new generation of Senior Advocates appointed now and noted that there is a departure from strict adherence to principles and ultimate practise of law. The Learned Silk further stated that the advocate's duty to his client and his community is paramount and the need for cooperation between the bar and the bench cannot be overstated. He stated further that a Senior Advocate should not argue with the judge and enjoined inductees to respect the office of the judge. On the issue of duty to the community, he noted that there is need to improve the image of Senior Advocates and lawyers generally in the community because the image of lawyers is somewhat diminished. According to him, the duty of the Senior Advocate to the community is to maintain integrity and dignity and that a sense of community must be created. He also touched on dressing and comportment and its importance to the legal profession stressing that the inductees must endeavour to comport themselves well in court and also dress accordingly. The Learned Silk reiterated the noble status of Senior Advocates by stating that the best lawyers ought to take silk rather than the bench and that everyone who takes a silk should be a judge. In conclusion he emphasised the importance of leadership from the Senior Advocate in order to solve the problems within the justice system and Nigeria as a whole.

The second presentation was made by Dr. Eyimofe Atake, SAN on the topic **‘Professional Misconduct and Discipline of Senior Advocates of Nigeria’**.

Dr. Eyimofe Atake, SAN started by congratulating inductees on their elevation. He noted that inductees as part of a noble profession should uphold standards which have dropped seriously over the years. He pointed out some issues which have affected the standard of practice in the legal profession as: ambience chasing, backbiting, chase of fame and survival of the fittest for money. Learned Silk discussed misconduct and categories of misconduct. He enjoined inductees not to be dishonest, not to involve in fraud of any kind, show respect not only to their colleagues and the judge, but also to junior colleagues and address the court with

absolute candour. He enjoined inductees further to respect client's trust when dealing with client's money and property and always account for money received. He narrated his traumatising experience with a Senior Advocate, who acted in bad faith in his relationship with him as well as his client. He noted that the Senior Advocate was reprimanded by the Supreme Court in strong words. He admonished inductees not to put themselves in precarious situation where they breach the trust conferred on them.

Learned Silk concluded by enjoining inductees to mind their steps, watch the gaps, and be generally watchful of the steps they take as Senior Advocates. He encouraged them to be careful not to do a wrong thing or accused of misconduct, because any act of misconduct will tarnish their image as Senior Advocates, and will be a bad reference point.

The Third presentation was made by Mr. Dele Adesina, SAN on the topic **'Accountability, Discipline, Leadership and Regulation of Senior Advocates of Nigeria.'**

Learned Silk started by congratulating inductees, their families and associate in chambers. He traced the history of the conferment of the status of SAN to 1975, and also traced the period when Queen's Counsel (QC) was imported into Nigeria as well as when it stopped after the Republican period. He mentioned early recipients of the rank of Senior Advocate of Nigeria, and talked about the Rules of Professional Conduct, which he urged inductees to be conversant with. He enjoined inductees to provide leadership in terms of decorum, comportment, language and learning when appearing before an administrative or quasi – administrative body. He also enjoined inductees to seek to do things differently as new generation of Senior Advocates.

Learned Silk observed that our society is getting impatient with the administration of criminal justice system which they consider as ineffective, inefficient and dysfunctional because of the delay in the administration of criminal justice. He urged inductees to advise their client appropriately against litigation and explore other means of settlement like arbitration when advising their clients. He also encouraged inductees to take in the added responsibility of finding creative solutions to the challenges in the administration of criminal justice such as delay in the administration of justice, congestion in the court, generalisation of corruption in the nation and the judiciary, inadequate funding, endless preliminary objections etc. He enjoined inductees to have the qualities of truth speaking, high sense of honour, and observe fiduciary relation. Finally, he urged inductees that by the conferment of the rank, they are leaders, mentors, role models of the profession and should strive to live up to the position.

He also urged them as new set of leaders to put public interest above self-interest, render selfless service to humanity, strive to rescue the bar and champion the cause of the renewal of hope, trust and confidence imposed on the judicial system.

Prof. Oluyemisi Bamgbose, SAN made the fourth presentation on the topic, **‘Advocacy through Legal Research.’**

Prof. Bamgbose, SAN joined other speakers to congratulate the inductees and appreciated BOSAN for the invitation to speak. The Learned Silk started by considering the provisions of section 5 (2) of the Legal Practitioners Act (LPA) Cap L11, 2004 which gives power to the Legal Practitioner’s Privileges Committee (LPPC) to make guidelines. She noted that award of the rank of Senior Advocates is primarily for lawyers in full time practice, have distinguished themselves as advocates and have made significant contributions to the development of law and the legal profession in Nigeria as provided in section 1(a, b, c) LPPC Guideline 2022. This includes Academics as provided in Section 2(e) LPPC Guidelines 2022. She pointed out the five-fold duties of a Senior Advocate as duty to the legal profession, duty to the client, duty to the Judiciary, duty to the State as well as duty to the Public. She reiterated the importance legal research to a Senior Advocate as without legal research, a legal practitioner cannot adequately meet the needs of the persons his or her services are offered to. She reminded the inductees that since much has been given to them much are expected from them in every sphere of life. Furthermore, she noted that it is the responsibility of Senior Advocates in the academics to do legal research on new areas to assist the court and other colleagues and in these regard she enjoined them to make use of both primary and secondary sources of research.

She also mentioned that Senior Advocates must publish for the benefit of students as well as the progress of the legal profession, especially because it is now publish and be relevant rather than publish or perish. Prof. Bamgbose suggested as a way forward that inductees should outsource legal research to experts and legal team of experts, invest in legal research tools and use research engines such as Google Scholar, Law Pavilion, Research Gate, Academia, in their research. She enjoined them to invest in journals and law reports and embrace technology. They should make conscious personal investments in conferences and workshops to improve knowledge, teaching and supervision.

Prof Oluyemisi Bamgbose, SAN concluded by pointing out that the effects of non-performance include irrelevance in the rank, embarrassment, lack of confidence by lawyers,

law students and even judges that use a research work not well conducted by a Senior Advocate. On a final note, she stated that the courts are but a flowing river and it is the duty of a legal practitioner (advocate and academic) to guide the flow of the river.

2.4 Fourth Session Sub- Theme: Ethics and Professionalism in the Practice in Law

This session had a presentation by Prof. Fabian Ajogwu, OFR, SAN on the topic '**Ethics of the Legal Profession and Professionalism**'.

The erudite Professor and Senior Advocate of Nigeria stated that there is something in being professional and in being validated by one's profession. He noted that conferment as a Senior Advocate is a rare point of the legal profession and the peak of the profession and that what is required of the Senior Advocate is to work in line with ethics, discipline, professionalism and everything else that is expected of a higher member of the profession. He noted that the oath of Senior Advocate of Nigeria requires that a Senior Advocate upholds the dignity of the rank, and this comes with a lot of responsibility and leadership. He enjoined inductees to speak with courtesy, even when disagreeing with the opinion of others. Learned Silk enjoined inductees to take cognisance of some benchers who the law gives precedence over them such as Attorney General of the Federation, Attorney General of States, SAN (in accordance with their seniority), etc. He urged them to carry the dignity of the rank, uphold the Constitution at all times, and to abide by the oath they will swear as Senior Advocates. He admonished inductees not to cheapen themselves knowingly or unknowingly. Furthermore, he enjoined them not to breach the law for their clients and should not be bound by the dictates of their clients. He implored inductees to render service in an ethical and professional way and stay away from bribery, corruption and undue influence from client.

Furthermore, Learned Silk implored inductees to take issues of conflict of interest seriously and be careful when handling client's money, especially when clients entrust some other funds in their care. He also addressed the word 'carriage' which relates to the way Senior Advocates dress. He stated that Senior Advocates must dress appropriately as members of the inner bar of a regulated profession. He noted that proper dressing is one of the hallmarks of a Senior Advocate as they will be judged by how they dress or appear. The Learned Silk also addressed the inductees on lateness to court. He also admonished inductees to protect the inner bar especially in instances where they are giving out their indulgence. Where inductees are bringing someone into the inner bar, it should be out of leadership. In instances where the

court room is congested and full, and fellow lawyers are standing, Learned Silk urged inductees to first seek the permission of fellow Senior Advocates (considering that such is about to give out their collective right) and the court. He noted that altercations in the court room between judges and SANs as to seniority and privileges should be completely avoided to the hearing of juniors, as this diminishes the rank. Courtesy to the opposing counsel, irrespective of age remains the hallmark of leadership and finesse.

Going further, Prof. Fabian Ajogwu, OFR, SAN emphasised the rule against advertisements, adding that it is a strict liability rule. They must not be seen robed until they are conferred with the rank on the appointed date. They must not grant interviews in their official attire and must show respect to colleagues. He emphasised that the rank of Senior Advocate of Nigeria is a privilege which can be withdrawn within appropriate circumstances. He noted that the standard of decorum for members of the inner bar is much higher. He enjoined members to embrace the tenets of professionalism which includes knowing when to say no, what to do and what not to do.

3.0 Summary of Interactive Session

At the end of each session, there was an interactive session where questions, observations and contributions were entertained from the newly appointed Senior Advocates of Nigeria.

On the question on how to balance the trend of court awarding cost against counsel with the new status of Senior Advocates who seek to break new grounds of the law, Mrs Miannaya Essien , SAN, noted that it is a welcome development considering that most counsel file frivolous cases already knowing the position of the court on the matter. She noted that counsel should be made to pay cost because they determine the action of their clients through the advice they give.

On the question of what steps BOSAN is taking in organising similar forum for older Senior Advocates, who were not opportune to go through the induction process, Mr. Olumide Sofowora, SAN, noted that BOSAN has taken proactive steps, one of which is the organisation of a Webinar in October, 2023. He noted that, the Webinar dealt with the relationship between a Senior Advocate and other lawyers. The Webinar had about 99 participants which were not limited to SANs alone, but also lawyers of the outer bar. He noted that BOSAN intends having it frequently (every quarter or in every 2 months) so as to enable Senior Advocates refresh their memories.

On the question of the possibility for BOSAN to partner with schools of leadership e.g. the Lagos Business School where people can learn more about leadership, Mr. Olumide Sofowora, SAN, stated that as professional organisation and as leaders of the bar, there is no need to partner with Lagos Business School, because they are not business people. He noted that, the likelihood might be considered in future, but at present, it is appropriate to teach members of the body the best of the ethics that they require to show having become Senior Advocates.

On the question of how feasible it is to constantly have a bench and bar forum, in all jurisdictions, Mrs Miannaya Essien SAN, stated that the bench and bar forum is very useful, but is unsure on how it can happen on a wider sense. Hon. Justice Olayinka Faji, also observed that it will be a great idea when it is consistently held.

On the question of how a Senior Advocate should navigate the need to uphold high ethical standards and the desirability to maintain cordial relationship between colleagues and court particularly when confronted with professional misconduct, Mrs Miannaya Essien, SAN responded that a Senior Advocate should be bold and prepared at all times to identify misconduct and speak up against it.

On the question of how to apply the rule of taking instructions from the office especially in relation to corporate organisations like banks, Mrs Miannaya Essien SAN, explained that the rule exist not to cheapen the lawyer before the client. She explained that lawyers need not visit clients to take instructions. They can take instructions by email or phone calls and where the client really sees the need to see the lawyer; such will come and visit the client in the office.

On the question of how to revamp our broken legal system, Mr. Osaro Eghobamien, SAN explained that there is need to deal with the systemic failure, and deal with fundamental issues affecting the system. He explained that Senior Advocates should be proactive and think of solutions to fix the broken system of administration of justice and legal system.

On the question of the appropriateness of addressing members of the press on a matter pending in court, Mrs Miannaya Essien SAN noted that it is wrong to engage in trial publicity and members of the inner bar should desist from engaging in this practice.

On the question whether members of the inner bar can address themselves as learned friends or learned brother, Mrs Miannaya Essien SAN and Mr. Osaro Eghobamien, SAN opined that it is colloquial to use both words. The word learned colleagues will be more appropriate.

On the question of whether the court slavishly obey its rules, and in others instances, the court is reluctant in observing its rules, Hon. Justice Majeed Owoade, JCA responded that it depends on the circumstances, as there are decisions where the court has obeyed its rule and there are others where the court has advised itself not to be slavish to its rules, especially in instances where the rules are mere technicalities.

On the question on what BOSAN is doing to fix the broken state of the legal profession, and what they can do to address the systemic challenges currently experienced. Mr. Oladele Adesina, SAN, responded that BOSAN is helping out in solving the problem by x-raying the problem through programmes it puts together to provide an enabling environment where the problems are discussed in a bid to proffer solutions. He also observed that leadership and lack of adequate enforcement of our code of practice are other problems of the legal profession. While observing that a lot of frivolous litigations are brought by Senior Advocates, he enjoined inductees to reduce frivolous litigations and understand that the focus is on BOSAN to re-shape the destiny of legal practice in Nigeria.

By way of observation, John Agada Elachi Esq observed that trial publicity is very rampant these days in the practice and mostly, it is members of the inner bar that engage in this practice.

Also, Mr, Lawrence Balogun Folade , Esq observed that though there have been several judges and bar forum, he is worried on the impact of this forum on the relationship between judges and lawyers especially considering that some judges still address lawyers condescendingly. He advised that judges need to respectfully address lawyers and be willing to correct themselves when they talk down on lawyers.

On the question of permitting congratulatory messages on social media, especially where the SAN is not aware of such messages, Prof. Fabian Ajogwu, SAN, responded that it is contrary and demeaning to the profession to put up adverts. Where other persons put up adverts on behalf of inductees on the day of swearing in, the question will be whether the inductee was robed in the advert. Where such is the case, it will suggest that such picture was taken before swearing-in, and this will attract appropriate sanctions. According to him, the position will

not be different if the congratulatory message came before or after the swearing in, as this will suggest that the inductee was robed before he took the oath of SAN.

Closing Formalities

Prof. Olanrewaju Onadeko, SAN noted that the communiqué and proceedings of the induction will be forwarded to the inductees. He also noted that Chief Folanke Solanke, CON, SAN, has sent in her paper and address of exultation about the dos and don'ts of the inner bar. Prof. Olanrewaju Onadeko noted that her contribution will be sent to inductees electronically.

Certificates and plaques were issued to the newly appointed Senior Advocates of Nigeria as well as the facilitators by Mr. Louis Mbanefo, SAN and Dr. Eyimofe Atake, SAN. Prof. Olanrewaju Onadeko, SAN again congratulated the inductees and wished them a successful swearing-in ceremony on the 27th of November 2023.

Chief Fabian Ajogwu, SAN gave the vote of appreciation. The Learned Silk further congratulated the inductees and thanked all facilitators. He appreciated the Induction Ceremony Committee for their efforts and for the success of the induction. He urged inductees to send in their feedbacks to BOSAN.

Mr. Felix Ota Offia, Esq gave a vote of thanks on behalf of the inductees. He appreciated BOSAN for a well-organised programme and hoped that they include a tour around the city in their line of event in subsequent years.

The ceremony ended at 6:11pm

5.0 List of New Appointees

1. FELIX OTA OFFIA, ESQ
2. LAWRENCE BANKOLE FALADE, ESQ
3. KINGSLEY OSABUOHIEN OBAMOGIE, ESQ
4. FOLASHADE ABOSEDE ALLI, ESQ
5. ABIOLA ISIAQ OYEBANJI, ESQ
6. BOMO OLAKUNLE AGBEBI, ESQ
7. DANIEL OSINACH URUAKPA, ESQ
8. OSELOKA GODWIN OSUIGWE, ESQ
9. BABATUNDE ADEOYE, ESQ
10. BABASEYI SIGISMUND JOSEPH, ESQ
11. EMMANUEL MOSES ENOIDEM, ESQ
12. KEHINDE OLUFEMI AINA, ESQ
13. NGOZI CHIDO OLEHI, ESQ
14. AARON CHILEOKWU OKOROMA, ESQ

15. IBRAHIM DALHATU ANGULU, ESQ
16. OLAYIWOLA EMMANUEL AFOLABI, ESQ
17. SULE SHU'AIBU, ESQ
18. ABIODUN OLANREWAJU OLALERU, ESQ
19. ALFRED OLUFEMI ATTEH, ESQ
20. KAZEEM ADEKUNLE SOBALOU, ESQ
21. SHEHU WADA ABDULLAHI, ESQ
22. BAMIDELE OLAWOYE IBIRONKE, ESQ
23. OLUWASEYILAYO AKINKUNMI OJO, ESQ
24. FUNMI FALANA, ESQ
25. FELIX TAMARAUDENKEMEFA OKOROTIE, ESQ
26. SEUN OLUWAGBENGA AJAYI, ESQ
27. FRIDAY RAMSES AKU ONOJA, ESQ
28. AGADA JOHN ELACHI, ESQ
29. BOLA RASAQ GOLD, ESQ
30. PAUL KASIMANWUNA MADUEMENE, ESQ
31. RAFIU OYEYEMI BALOGUN, ESQ
32. OLUWOLE ALADEDODE, ESQ
33. PAULYN OSOBHASE ABHULIMEN, ESQ
34. JONATHAN GUNU TAIDI, ESQ
35. TOCHUKWU JUDE ONYIUKU, ESQ
36. OLUKAYODE ABRAHAM AJULO, ESQ
37. CHRISTOPHER ADAPAR UMAR, ESQ
38. CHIBUEZE OGECHI OGBONNA, ESQ
39. YEMI ADEWALE M'SBAUDEEN ADESINA, ESQ
40. OMOYEMI LATEEF AKANGBE, ESQ
41. OLUMIDE AKINWALE OLUJINMI, ESQ
42. MUSA ADAMU ALIYU, ESQ
43. FIDELIS CHUKWUNONYE MBADUGHA, ESQ
44. ONYEMAECHE CHUKWUDI ADIUKWU, ESQ
45. IKECHUKWU PHILIP ONUOMA, ESQ
46. YAKUBU PHILEMON, ESQ
47. JOHNNY UNGWUGWAYE AGIM, ESQ
48. ALIYU LEMU IBRAHIM, ESQ
49. ISAIAH BOZIMO, ESQ
50. PRISCA OZOILESIKE, ESQ
51. YAHAYA DAN'ASABE DANGANA, ESQ
52. ADEDAYO SAMUEL ADEDEJI, ESQ
53. ADEOLA OLUWASEUN ADEDIPE, ESQ
54. CHIKAOSOLU OJUKWU, ESQ
55. MUSA AHMED ATTAH, ESQ
56. AYOTUNDE FOLUSO OGUNLEYE, ESQ
57. OLAYEMI BADEWOLE, ESQ

ACADEMIC

58. PROF. BABATUNDE ADETUNJI ONI

COMMUNIQUE

INTRODUCTION

The 6th 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 27th November 2023. It was the 6th 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 (absent), Mr. Louis Mbanefo, SAN, Mr. Ademola Akinrele, SAN, Mrs. Miannaya Essien, SAN, Mr. Julius Oladele Adesina, SAN, Prof. Fabian Ajogwu, SAN, OFR, Dr. Eyimofe Atake, SAN, Mr. Osoro Eghobamien, SAN, Mr. Olumide Sofowora, SAN and Prof. Oluyemisi Bamgbose, SAN. The theme of the Induction Programme, **‘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. Legal Practice as a Senior Advocate of Nigeria
2. Excellence in the Practice of Law
3. Accountability and Discipline of Senior Advocates of Nigeria
4. 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. The broken or fractured system of legal practice in Nigeria. The institution meant to uphold the justice of the law is collapsing gradually, so also is the system meant to uphold discipline.
3. Senior Advocates’ attitude of castigating the administration of criminal justice system without identifying what is wrong with it.
4. The rule that requires legal practitioners open a separate bank account on behalf of his client, and not make withdrawals unless permitted by the rule is observed more in breach.

5. Senior Advocates with bad character paint a bad image of the body of lawyers and the profession in the society.
6. There is less interaction between the bar and the bench.
7. Recent trends of the Supreme Court award of cost against counsel
8. Attitude of Counsel, particularly members of the inner bar addressing the press when they have pending cases in court
9. Senior Advocate's attitude of visiting clients in their office to take instruction cheapens the lawyer and belittles the profession.
10. Lawyer's attitude of shying away from reporting misconduct in a bid to maintain close relationship with colleagues and the court
11. Lack of preparation and low quality of briefs of some Senior Advocates
12. Attitude of some Senior Advocates who speak low and condescendingly about the court.
13. Lack of integrity of some lawyers who engage in shoddy practice
14. Some lawyers are not conversant with timelines in the Court of Appeal Rules in all matters.
15. Intense work load on judges especially Federal High Court Judges with increasingly full dockets, hence occasioning impatience from judges who are pressed of time.
16. Attitude of lawyers criticising the legal profession and running it down on social media, newspapers and at international forum.
17. Some Senior Advocate's attitude of holding different, inconsistent positions in their argument all in a bid to win their client's case thereby misleading the court and junior colleagues.
18. Some Senior Advocate's knowledge of the law is archaic, redundant and out of date.
19. Attitude of Senior Advocates engaging in advertisement or wearing their robe before conferment.
20. 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.
21. 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.
22. The right to mention matters out of turn does not extend to hearing of matters.
23. The Court allows mentioning cases out of turn to avail junior counsel the opportunity to learn from the senior advocates, amongst other reasons.
24. Members of the inner bar have greater responsibility to work within the code and the rules of the profession.
25. There is a strict liability rule against advertisement. So, it is not a defence that they were not consulted before the advertisement.
26. The rank of Senior Advocate of Nigeria is a privilege which can be withdrawn within appropriate circumstances
27. Attitude of some Senior Advocates in making arbitral awards a new cause of action.

RECOMMENDATIONS

1. Senior advocates should be epitome of good practice and law and always set the pace.
2. Senior Advocates should be proactive in thinking about solutions to help fix the broken system of the administration of criminal justice and the legal system.
3. Senior Advocates should not only know the law, but should know what is wrong with the law, prescribe change and participate in the change process.
4. Senior Advocates should have integrity in keeping client's money and property and should not spend client money on his personal needs even if he can pay back.
5. The Legal profession should remove bad character in its midst.
6. Need for more avenues to engage the bar and the bench in a forum, where lawyers and judges can interact and share their concerns.
7. The recent trend by the Supreme Court in awarding cost against counsel is a welcome idea considering that a lot of counsel file frivolous cases that are geared towards wasting the time of the court. Cost should be awarded against counsel because counsel advise clients and clients depend solely on the advice of the counsel to take necessary steps and actions.
8. Senior Advocates should desist from addressing the press. It is unethical, wrong and attracts disciplinary measures.
9. Senior Advocates should not cheapen themselves by visiting their clients to take instructions but distinguish themselves through their carriage and by the unique services they have to offer.
10. Senior Advocates should be willing, bold and courageous to report misconduct regardless of the cordial relationship they want to maintain.
11. Senior Advocates should be diligent in writing their briefs. Their briefs should be of high standard and quality and show high intellect at all times.
12. Senior Advocates should refrain from joining the public in speaking low of the court and of the judicial system.
13. Senior Advocates should not let temptation make them fall short of their integrity, dignity and standard. They should stay away from shoddy practice of the law.
14. Senior Advocates should acquire new skill, engage in trainings, invest in technology, law reports, 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. They should expand their scope of practice, and be conversant with the law and trans-border practice. They should invest in conferences and workshops e.g. International Bar Association.
15. Senior Advocates should be conversant with Court of Appeal practice which provide timelines as codified in Court of Appeal Handbook, Court of Appeal Acts, Court of Appeal Rules, 2021, Court of Appeal Dispute Resolution Rules, 2021, Court of Appeal Fast Track Practice Direction, 2021, Court of Appeal Practice Direction on Cost, 2021, Court of Appeal Covid-19 Practice Direction, 2021, Court of Appeal Practice Direction on Pre-election, Election, Political Parties Leadership Matters, 2021.

16. BOSAN should take the initiative to look at the rules of court to see where things are not properly done.
17. Senior Advocates, and other members of the outer bar should be patient with the court, desist from making frivolous applications and wasting the time of the court.
18. Lawyers should desist from criticising their profession or bringing down the reputation of the court in whatever medium, but make conscious effort to contribute their quota to the betterment of the profession through mentorship and passing on good virtues to the next generation.
19. In their relationship with junior counsel, colleagues and older counsel, Senior Advocates should act with respect, courtesy, and commend counsel when they perform better in their argument and reasoning.
20. Need for an internal mechanism of peer review of Senior Advocates, so as to serve as a check on them in cases where they act unprofessionally. This will preserve public perception of holders of the rank.
21. To be able to fix the broken system of legal practice, there is the need for leadership, and adequate enforcement of our rules of practice. The onus is placed on Senior Advocates to reshape the destiny of legal practice.
22. Senior Advocates should desist from disregarding or criticising the judge or making derogatory comments of the Judex. Senior Advocates should respect the office of the judge.
23. In addressing the court with candour, Senior Advocates should not just mention cases in favour of their matter, but should also mention cases against their matter and distinguish between these cases.
24. Senior Advocates should foster interdisciplinary collaboration and support legal tech start ups.
25. Senior Advocates should engage in continuous legal education and intensive research work in new areas of law and deliberate research work in topical areas in focus.
26. Senior Advocates should establish a research, mentorship and effective leadership team.
27. Senior Advocates should engage in pro bono work in the Universities, and their alma mater. They should mentor, lecture, motivate, and inspire students of law especially against the background of declining standards.
28. Senior Advocates should not be seen in their robes, until they are conferred with the rank, nor grant interviews in their official attire.
29. Senior advocates should leverage and also have a proactive attitude towards arbitration and enforcing arbitral laws and award.
30. 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.
31. Senior advocates should not aid or abet corruption by frustrating the process or the fight against corruption. They are to maintain discipline and the highest level of integrity.
32. They should have good relationship, show respect and have good fellowship with their colleagues both at the inner and outer bars.
33. They should apply humour in presentation and don't take everything too seriously

34. 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.
35. Senior Advocates should outsource legal research to experts and legal team of experts to be abreast with recent developments of the law.
36. Where a Senior Advocate appears late in court, he should apologise and explain reasons for his lateness. They should teach the juniors the value of time as punctuality is very important.
37. Billing is important. Senior Advocates should bill well to reflect their new status.

