

KEYNOTE ADDRESS BY THE HONOURABLE, THE CHIEF JUSTICE OF NIGERIA AND CHAIRMAN, BOARD OF GOVERNORS OF THE NATIONAL JUDICIAL INSTITUTE, HON. JUSTICE MAHMUD MOHAMMED, *GCON*, AT THE OPENING CEREMONY OF THE 15TH NATIONAL SEMINAR ON BANKING AND ALLIED MATTERS FOR JUDGES, HELD AT THE STUDIES SEMINAR HALL, ALOYSIUS KATSINALU BLOCK, NATIONAL JUDICIAL INSTITUTE, ABUJA, 28-29 OCTOBER 2015

PROTOCOL

It is indeed a privilege to be called upon to deliver the Keynote Address on this auspicious occasion of the Opening Ceremony of the **National Seminar on Banking and Allied Matters for Judges, 2015**. This is a collaborative seminar established by the National Judicial Institute (NJI) and the Chartered Institute of Bankers of Nigeria (CIBN) for the enhancement of the capacity and professional capability of our Judges and Bankers where Banking and Allied Matters are concerned.

Over the last fifteen years, this Seminar has become a much anticipated event on the calendar of the Institute and has historically afforded a great opportunity for the Judiciary and Banking Industry to dialogue on issues of mutual importance to both sectors. The theme for this year's Seminar, "*evaluating the impact of the Judicial Reforms on the Banking Sector*" is evidence of such synergistic drive towards dialogue and the sustained adherence to best practices and a strong commitment to ethical behaviour. Suffice it to say, ethics

and morals are the foundation of both our professions and the need to embody truth and honesty in the functioning of both the Judiciary and Banking Industry has become a *sine qua non*.

It is interesting to note that the CIBN's ethos includes the need to "*jealously guard, preserve and positively ensure that Banking is based upon the twin principles of 'Trust and Honesty' "*. No doubt imbibing these values are not without their challenges. I am also sure that despite the numerous problems associated with a developing banking industry and the Nigerian economy in general, the Nigerian Banking Industry remains a robust beacon of our Country's resilience and ability to thrive and prosper in the face of many challenges.

The Nigerian Judiciary is similarly founded upon the principle of Justice as embodied in our logo- "*Ubi Jus Ibi Remedium- where there is a right, there is remedy*". Like the twin principles of "Trust and Honesty", the need to act truthfully and honestly lies at the heart of our ethics. Indeed, our legitimacy and, by extension, our authority is based almost entirely on the need to do Justice in a manner that will not only be lawful but also just.

As we all are aware, the past decade has witnessed the development of the electronic banking system in Nigeria, culminating in the cashless/ cash-lite policy of the Central Bank and the recent introduction of the Treasury Single Account (TSA) by the Government. This electronic transformation of the economy has necessitated the development of various new transaction types. Indeed, the method of withdrawal and transfer of money has been revolutionised. Terminology has changed and personnel have become younger. Likewise, the capacity of our Judges has continued to evolve and I am

glad that the National Judicial Institute's collaboration with the Chartered Institute of Bankers of Nigeria has been instrumental in facilitating this capacity building.

My lords, distinguished ladies and gentlemen, as with any innovation, the introduction of electronic banking platform or e-banking in Nigeria has been accompanied by teething challenges, which are economic, technical and security related in nature. Other challenges of particular interest include the rise of electronic fraud and money laundering, which are perpetrated through the banking system and further accentuated by international banking. All these challenges continue to raise legal questions between the banks and customers, especially when they are occasioned by any weakness in cyber security or lacuna in our laws.

Although the Judiciary is largely perceived as being ultra-conservative and not technology savvy, the Nigerian Judiciary has been quick to properly position itself to meet the challenges posed by the dynamics of the digital age. This has been done by streamlining the rules and procedures of Court so as to embrace and encourage quick methods of dispute resolution as well as new technology. Not only are courts becoming more automated but our rules of court have also evolved to include IT solutions and alternative dispute resolution mechanisms, among other strategies that enhance justice administration. For instance, our recently gazetted Supreme Court (Amendment) Rules 2014 formally allows for the e-service of court documents.

In addition, our focus has shifted towards a more conciliatory approach to dispute resolution as embodied in the proliferation of Multi-Door Courthouses and the planned Mediation Division of the

Supreme Court. The aim is to ultimately create a favourable atmosphere for the judicious, timely and cost effective resolution of disputes and I hope that this Seminar will promote a discourse on ways in which these innovations can be better applied to adjudications involving the Banking Industry.

I have gone through the programme for the Seminar and I find the topics to be salient and well selected to provide stimulating intellectual discussion on the theme of this event. To do justice to these topics the organizers have carefully selected highly knowledgeable and experienced Chairmen of Sessions and Resource Persons to take us through the Seminar. I therefore urge all the participants to take full advantage of this Seminar and participate actively in the proceedings.

My lords, distinguished ladies and gentlemen, I must at this point acknowledge the originators of this Seminar Series. The idea was well conceived as the dialogue between our sectors continues to be relevant till date. Special appreciation must likewise go to the Governing Council of the CIBN for continuing to sustain its collaboration with the Nigerian Judiciary via the National Judicial Institute. I also wish to extend our gratitude to the industrious Administrator of the National Judicial Institute, Hon. Justice R. P. I. Bozimo, *OFR*, for organizing this Seminar and the other programmes of the Institute. I finally wish to thank the Chairmen of Sessions and Resource Persons for accepting our invitation to come and share their knowledge and experience with us in spite of their other engagements.

My lords, distinguished ladies and gentlemen, it is now my singular honour and privilege to declare the 15th National Seminar on Banking and Allied Matters for Judges, 2015, open.

I wish you all a fruitful and beneficial Seminar and a pleasant stay in Abuja, our Nation's beautiful capital city.

Thank you and May God bless us all.

**Mahmud Mohammed, *GCON*
Chief Justice of Nigeria &
*Chairman, Board of Governors of the National Judicial Institute***