

**KEYNOTE ADDRESS DELIVERED BY THE HONOURABLE,
THE CHIEF JUSTICE OF NIGERIA AND CHAIRMAN,
BOARD OF GOVERNORS OF THE NATIONAL JUDICIAL
INSTITUTE, HON. JUSTICE MAHMUD MOHAMMED, *GCON,*
FNJI, AT THE OPENING CEREMONY OF THE 2016
REFRESHER COURSE FOR JUDICIAL OFFICERS ON
CURRENT TRENDS IN LAW AND ADMINISTRATION OF
JUSTICE, HELD AT THE ANDREWS OTUTU OBASEKI
AUDITORIUM OF THE NATIONAL JUDICIAL INSTITUTE,
ABUJA ON 14 MARCH, 2016**

PROTOCOL

It is my delight to welcome you all to the 2016 Refresher Course for Judicial Officers on *Current Trends in Law and Administration of Justice*, organized by the National Judicial Institute. The Refresher Course is one of the Institute's most important events and a curtain-raiser to its annual calendar of Conferences, Programmes and Workshops. The Course also provides us with an invaluable opportunity to click the "*refresh*" button thereby invigorating our commitment to and enthusiasm for our noble calling to serve on the Bench.

As arbiters of justice, all Judicial Officers are responsible for the effective dispensation of Justice. This duty can only be performed optimally when our Judges remain up to date with current developments and trends in jurisprudence.

The theme of this year's Course "*Promoting Judicial Performance through Innovations and Reforms*" is not only meticulously formulated, but also germane because reforms are indispensable to the development of the Nigerian Judiciary, as are innovations that will enhance the quality of justice delivery.

In the globalised environment of the 21st Century, the Nigerian Judiciary must strive to achieve parity with best global practices in the dispensation of justice. We must ask ourselves hard questions and go beyond empty rhetoric. We must claim ownership of our evolution from where we are to where we want to be. As an arm of Government, the Judiciary cannot sit on the sidelines and watch others chart its course. We must be at the helm, steering our affairs towards a justice system, which the people of our dear nation deserve. No doubt, this requires our collective and individual determination to strive for excellence and the will to work towards the implementation of pragmatic steps aimed at achieving excellence in the administration of justice. The Judiciary can only mature when it holistically embarks upon continuous reform and positive innovation in the discharge of its statutory responsibility to uphold and protect the rights of citizens, preserve the rule of law and ensure adherence to due process.

In this modern world, the type and source of evidence has become more complex, hence the need for continuous professional development cannot be over-emphasized. We must be prepared as Judicial Officers to effectively and properly apply new laws and

anticipate emerging trends in the adjudication of cases and judicial administration. We must also adjudicate without fear or favour, but with the requisite understanding of relevant information and properly adduced evidence before us.

My lords, ladies and gentlemen, you will agree with me that the only constant in life is change. As society evolves, we must also continue to be dynamic in order to adequately address the conflicts that will inevitably arise. To this end, I have moved steadfastly and purposefully towards establishing various programmes and policies necessary to ensure speedy case disposition, streamlined case processing, and transparent administration of justice. Although we may not shout about achievements from the roof tops, I am proud to say that the Judiciary has continued to work assiduously to examine various areas of the law and implement procedural innovations and rule changes that have led to an improvement in the effectiveness and efficiency of Court processes.

The rapid development of Technology has opened up new opportunities that were unthinkable only a few years ago. The proliferation of devices such as the mobile phone, as well as increased use of different e-applications, has helped facilitate easier access to justice. As I am sure your lordships are aware, the Judiciary is not left behind in these innovations. The Nigerian Case Management System (NCMS) software is one e-solution that is being developed as we take decisive steps towards a paperless adjudication system. Our

Nigerian Case Management System (NCMS) software was recently lauded and adopted by Chief Justices of the Caribbean Community Member States, which is no doubt an attestation of its quality and functionality. In addition to the development of the NCMS, a unique and exclusive Legal Email System was designed and is being rolled out to facilitate electronic communication between lawyers and the Supreme Court. We anticipate that the successes achieved will soon be replicated in other jurisdictions. Indeed, the Supreme Court will soon stop sending or accepting manual and paper hearing notices and processes, to and from all lawyers practicing before the Court. Similarly, the Supreme Court infrastructure is being upgraded and the courtrooms retrofitted with modern court technology hardware to enable state of the art paperless operations to be tested, in advance of its eventual rollout to other jurisdictions in Nigeria.

In recent times, the Judiciary has witnessed a renewed effort in terms of reforms and implementation of new ideas such as the introduction of new Court Rules and Procedures that will enhance the introduction of Alternative Dispute Resolution. It is my hope that discussions during this Course will focus upon this valuable tool of justice delivery. These efforts underpin the commitment of the leadership of our Judiciary towards an improved system of justice delivery and the drive towards a multi-track justice system that will meet the ends of justice for court users.

Another development which I am excited about is the passage of the Administration of Criminal Justice Act into Law. The purpose of the Act is clearly stated as follows:

“The purpose of this Act is to ensure that the system of administration of criminal justice in Nigeria promotes efficient management of criminal justice institutions, speedy dispensation of justice, protection of the society from crime and protection of the rights and interests of the suspect, the defendant and the victim”.

My lords, as you all are well aware, the Judiciary has had to endure intense, largely unjustified and grossly uninformed criticisms regarding delay in the administration of justice. However, I am proud that the Judiciary was well ahead of the curve when the *2013 Practice Directions on Serious Crimes* were adopted as the Directions were aimed at reducing criminal trial delays. Nonetheless, the new Act strengthens our resolve as it provides that applications for stay of proceedings shall no longer be heard in respect of a criminal matter before the court. This unprecedented provision puts a stop to the delays occasioned by interlocutory applications to stay proceedings pending appeal on preliminary matters when the substantive issues are yet to be tried on the merits. Upon arraignment, the trial of the defendant shall proceed from day-to-day until the conclusion of the trial, while each party is entitled to only five adjournments not exceeding two weeks each. Where the trial is still not concluded, the interval for adjournments will be reduced to seven days each. As such,

the Act provides a chance for all Judges to ensure speedy dispensation of justice and I expect that the provisions will be fully utilized. I must similarly urge your lordships to treat cases related to economic crimes and corruption with the necessary urgency that the previously mentioned 2013 Practice Directions mandate us to apply. Judges must also be stringent in applying the law strictly in order to render justice in a satisfactory manner to all parties whether they are the state, the accused or the victim.

The negative effects of corruption have been experienced by every Nigerian in one way or the other. It also bears reminding that the Judiciary has been judged harshly and on the receiving end of allegations of corruption in its operations. At this crucial time in our nation's history, we must show the red card to corruption, while joining hands as patriotic citizens to campaign for zero-tolerance for corrupt practices within our courts. We must not forget our noble duty as Ministers in the Temple of justice to uphold the Rule of Law impartially and without fear. In order to establish and sustain public confidence in the judicial process, Judges must live above board, shun corruption, and avoid corrupt practices and misconduct. It bears reminding that your lordships have sworn to adhere to your Oath of Office as contained in the 1999 Constitution and the Code of Conduct for Judicial Officers, 2003. Indeed, let me re-iterate that where any Judicial Officer is found culpable of corrupt practice, you can be rest

assured of the preparedness and resolve of the National Judicial Council to sanction such Judicial Officer appropriately.

I had the privilege of going through the programme of this year's Refresher Course and I am convinced that the topics slated for discussion are relevant and insightful. It is my hope that this Course will generate robust discourse and interventions that will serve as a pathway to achieving the much needed upgrade required to improve the administration of justice in Nigeria.

The Chairmen of Sessions and Resource Persons are erudite personages who are well renowned in the law and boast a wealth of knowledge and experience. I wish to convey my appreciation to them for accepting our invitation to take on various assignments despite their busy schedule. I urge your lordships to listen attentively and participate actively during the course of this programme.

My Lords, distinguished participants, ladies and gentlemen, permit me to also express my gratitude to the Administrator of the National Judicial Institute, Hon. Justice R.P.I Bozimo, *OFR*, the management and members of staff of the Institute for organizing this very important Workshop for the Judiciary.

I must also thank all our invited guests, and members of the Press for demonstrating their support for the Judiciary through their presence at this Opening Ceremony.

Having rendered a few remarks, it is now my singular honour and privilege to formally declare the 2016 Refresher Course for Judicial Officers on *Current Trends in Law and Administration of Justice*, Open.

I wish us productive and fruitful deliberations ahead and thank you all for your attention.

May God bless all of us.

Mahmud Mohammed, *GCON, FNJI*
Chief Justice of Nigeria &
Chairman, Board of Governors of the NJI