

OPENING REMARKS DELIVERED BY THE HONOURABLE, THE CHIEF JUSTICE OF NIGERIA, HON. JUSTICE MAHMUD MOHAMMED, GCON, ON THE OCCASION OF THE NIGERIAN BAR ASSOCIATION ANTI-CORRUPTION COMMISSION SEMINAR ON “*THE FIGHT AGAINST CORRUPTION IN NIGERIA: THE WAY FORWARD*”, HELD AT THE CONGRESS HALL, TRANSCORP HILTON HOTEL ABUJA ON 24 JUNE 2015, AT 10:00 AM

PROTOCOL

I am indeed honoured and delighted to be invited by the leadership of the Anti-Corruption Commission of the Nigerian Bar Association (NBA), to deliver these opening remarks. I would specifically like to thank the President of the NBA, Mr. Augustine Alegeh, SAN, Chairman of the Commission, Dr. Theo Chike Osanakpo, SAN, and Mrs. May Agbamuche-Mbu, the Chairperson of the Planning Committee, for the invitation extended to me, to attend such an important event.

My Lords, Ladies and Gentlemen, there can scarcely be any forum that is more appropriate for deliberation on “*The Fight against Corruption in Nigeria: The Way Forward*”, which is indeed apt at this point in our Nation’s history, as we chart a new path towards development, transparent governance, and respect for the Rule of Law because we are all aware, corruption remains at the heart of the ills that be-devil this great nation.

May I start by observing that allegations about corrupt Judicial Officers and Staff now make headline news on a more frequent basis. On the allegations,

senior members of the Legal Profession are also being accused of allowing themselves to be used as conduit pipes for the corruption in the Judiciary. Although I will not behave like the proverbial ostrich and hide away from the reality that some Judges and Judicial Staff are indeed complicit in corrupt practices, however, I must assert that corruption within the Judiciary is only imbibed by a minute minority. I believe that the Nigerian Judiciary is comprised largely of Judicial Officers who are hardworking, dedicated, intellectually astute, possess the highest standards of morals and ethics, and are committed to their role as dispensers of Justice.

To put this into context, the Nigerian Judiciary is made up of a hierarchy of courts beginning from the Customary and Area Courts at the base and the Supreme Court at the apex. We have the Magistrates Courts, Federal and States High Courts, National Industrial Court, Sharia Court of Appeal, Customary Court of Appeal and the Court of Appeal in the middle. The number of Judicial Officers serving in our Superior Courts of Record- High Courts, Customary Courts of Appeal, Sharia Courts of Appeal, National Industrial Court, Court of Appeal and Supreme Court are over 1020 as at the end of 2014. In our lower courts, the figure is about 7000 Judges and Magistrates. Therefore, corruption in the Judiciary having regard to the number of Judges and the number of those accused of corruption, the percentage is very low.

While the Judiciary has been in the spotlight of recent public scrutiny, we continue to take active steps towards sanitizing the Bench. Where petitions are received in respect of Judicial Officers, they are promptly investigated via internal procedures put in place by the National Judicial Council and where found culpable such Officers are disciplined in accordance with the said established procedures. Under my tenure as the Chairman of the National Judicial Council, we have not shirked this responsibility but faced it head on.

Between 2009 and 2014, out of the 1020 Judges currently serving in the Superior Courts, over 64 Judges were disciplined as appropriate by the NJC and some of them are no more within our ranks.

It is however sad to note that the public officials and persons who benefit from corrupting Judicial Officers are never investigated, apprehended or even prosecuted, even though the Judiciary disciplines its own. The basic question, my lords, ladies and gentlemen is, how can we stop corruption when the scale is seemingly tilted in favour of the beneficiaries?

While trying to improve discipline within the Bench, the leadership of the Judiciary has also taken steps to enact new Guidelines that will see a more transparent recruitment process, thus ensuring that only persons that are intellectually sound with integrity are appointed as Judicial Officers *ab initio*.

It is important to highlight that the Bench is a product of the Bar and unless we work in synergy to ensure that only fit and proper persons remain in our midst, it will be impossible to expect a different Bench when its origin remains the same. I hereby call on the leadership of the Bar to expunge from its ranks, such persons whose conduct may be unfit, improper, dishonest or otherwise unethical. The time has surely come for us all to take concrete, meaningful and lasting action to exorcize the pernicious ghost of corruption from the most noble of professions.

The theme of this event reflects the fact that we must tread the path of decisiveness in the fight against corruption. The event also offers us all the chance to devise means that will restore integrity and probity to our profession while upholding our Judiciary's reputation, respect and dignity. We must not forget that our authority hinges on independence, integrity and impartiality. In the era where Nigerians expect transparency in governance, we must work

assiduously to ensure that we arrive at lasting solutions for the stability and growth of the Nation.

I am aware that we have an assemblage of eminent legal minds, senior Judges, members of the Public Service, press and the public. I also note that experts and seasoned persons have been selected to chair sessions at this seminar. I urge that we listen attentively during all presentations and take active part in the deliberations as the fight against corruption in Nigeria is a critical issue in which we all have an interest.

On a final note, I believe that if we strive in tandem, then in the end, the efforts that we make in our small but critical section of the society will doubtless create a domino effect of positive change that is so sorely required in Nigeria. I am also optimistic that success depends on us working together towards developing intelligent initiatives, which will result in tangible and pragmatic solutions to ending corruption and ridding ourselves of its menace within our ranks.

It is therefore my expectation that when we look back at this event, we will indeed recognize its importance as being the beginning of the end of corrupt practices in our beloved Profession, while strengthening our resolve to fight against corruption nationally.

My Lords, Distinguished Ladies and Gentlemen, having given resonance to a few words of advice, I wish you all beneficial deliberations and a favourable, lasting outcome.

Thank you all.

Hon. Justice Mahmud Mohammed, *GCON*
Chief Justice of Nigeria