



NIGERIAN BAR ASSOCIATION

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REMARKS BY THE PRESIDENT OF THE NIGERIAN BAR ASSOCIATION, MR YAKUBU CHONOKO MAIKYAU, OON, SAN, ON THE OCCASION OF THE INAUGURATION OF THE GENERAL COUNCIL OF THE BAR ON 9 JANUARY 2023

PROTOCOLS

1. It gives me pleasure to welcome you all to this epoch-making event, the inauguration of the General Council of the Bar (GCB). I congratulate my brother the Honourable Attorney-General of the Federation and Minister of Justice, Mr. Abubakar Malami, CON, SAN, who, as President of the General Council of the Bar, has today made history by approving and convening this meeting to inaugurate the Council. The GCB is the establishment of the Legal Practitioners Act, CAP L11 LFN 2004. Section 1 provides:

“(1) There shall be a body to be known as the General Council of the Bar (in this Act referred to as “the Bar Council”) which shall be charged with the general management of the affairs of the Nigerian Bar Association (subject to any limitations for the time being provided by the constitution of the Association) and with any functions conferred on the Council by this Act or that constitution.

(2) The Bar Council shall consist of-

- a) the Attorney-General of the Federation, who shall be the president of the Council;*
- b) the Attorneys-General of the States; and*
- c) twenty members of the Association.*

(3) The persons mentioned in paragraph (c) of subsection (2) of this section shall-

(a) be elected to serve on the Bar Council at elections in which all members of the Association are entitled to vote in such manner as may be provided by the constitution of the Association; and

(b) hold office for such period as may be determined by or under that constitution, and not less than seven of those persons shall be legal practitioners of not less than ten years' standing.

(4) The quorum of the Bar Council shall be eight, and the Council may make standing orders regulating the procedure of the Council and, subject to the provisions of any such orders, may regulate its own proceedings; and no proceedings of the Council shall be invalidated by any vacancy in the membership of the Council, or by the fact that any person took part in the proceedings who was not entitled to do so. Practice as a legal practitioner.”

NATIONAL OFFICERS:

Yakubu Chonoko Maikyau, OON, SAN President

Adesina Adegbite, FICMC, General Secretary; Linda R. Bala (Mrs), 1st Vice President; Chukwuemeka Clement Ugo, 2nd Vice President; Amanda Ego Demechi-Asagba, 3rd Vice President; Caroline Ladidi Anze-Bishop, Treasurer; Chinyere Gladys Obasi, Welfare Secretary; Akorede Habeeb Lawal, Publicity Secretary; Daniel K. Kip, Assistant Secretary; Charles Ajiboye, FICMC, FCAI, ACIS Assistant Publicity Secretary

2. I congratulate the statutory members of the Council; the Attorneys General of the states and members of the Nigerian Bar Association (NBA), who have been elected as representatives of the Association on the Council at the election held on 16 July 2022.
3. The LPA under the superintendency of the Honourable Attorney General and Minister of Justice has conferred the GCB with specific duties and functions as mentioned in Sections 7, 12(4) and 20 thereof. To the extent that the Council is made subject to the Constitution of the NBA by the LPA, the functions of the Council are not at large. I urge all members to familiarize themselves with the LPA and the Constitution of our noble Association (as amended) which remains the principal legal framework governing the operation of our Association.
4. Section 7 of the NBA Constitution sets out the limits of the powers of the GCB. Section 12(4) provides:
“It shall be the duty of the bar council to make rules from time to time on professional conduct in the legal profession and cause such rules to be published in the gazette and distributed to all the branches of the association.”

This, I believe, is one of the core functions of the GCB. It is by the operation of this provision that members of the legal profession are able to earn the confidence of the public to provide the desired leadership which we are primarily called to provide.

5. As you are aware, this function was last performed in 2007, when the then Attorney-General of the Federation and Minister of Justice, Chief Bayo Ojo, SAN, as President of the Bar Council issued the Rules of Professional Conduct that is currently in operation. Attempts to constitute the Council since then have proved abortive.
6. The omission to constitute the GCB over the years has created a yawning gap in the regulatory structure of the legal profession. This gap could be seen in the fact that the Rules of Professional Conduct do not appear to be adequate in tackling the contemporary challenges facing the profession and the society at large.
7. There is the absolute need to provide regulations that will guide the conduct of legal practitioners towards the fight against corruption, money laundering, terrorism, economic crimes, and other criminal activities. We must, while maintaining the privileges conferred on the legal practitioner by statutes, self-regulate our conduct as to make us accountable in the fight against the menaces that have bedeviled our nation, in respect of which we equally have the bounden duty to provide leadership.
8. With the inauguration of the GCB today, my administration has set in motion the process of reinventing the ethical standards of our profession. Unless we take the bull by the horn and rejig our rules of ethics and internal regulatory mechanisms, our profession may become an endangered specie.

9. This Council is therefore charged with the urgent task of updating the Codes of Professional Ethics applicable to legal practitioners. This must be done in the light of good and contemporary practices in other jurisdictions.
10. While we firmly subscribe to the fight for accountability and probity in all spheres of our society, we will not fail in our sacred duty to defend the rule of law and protect the independence of the Bar; our noble profession must be shielded from unwarranted incursions. We will leave no stone unturned in defending the capacity of the profession to protect the rights of all persons who suffer one form of injustice or the other.
11. I, therefore, while congratulating you on your inauguration, urge you to discharge the responsibility of your office with all sense of responsibility and commitment to the restoration of the dignity of our profession.
12. I thank you all for your attention.


Yakubu Chonoko Maikyau, OON, SAN
PRESIDENT



