

# **THE MANIFESTO FOR #ALLINCLUSIVEBAR**

ARTHUR OBI OKAFOR, SAN, FCI Arb, FICMC.

## **Mission:**

To advance the Legal Profession in Nigeria and enhance the welfare of lawyers through the running of an all inclusive Bar with efficient services, unmatched collaborative opportunities and partnerships, as well as globalized practice and professional development.

## **Vision:**

*A revitalized Bar Association with purposefully innovative leadership that accords with international best practices, anchored on professionalism, discipline and rule of law, and above all, always accessible to all members.*

## **THE #ALLINCLUSIVEBAR AGENDA:**

**In furtherance of the functions and duties ascribed to the office of the President of NBA by Section 8 (5)(a) of the Nigerian Bar Association Constitution (as amended, 2015), the #AllinclusiveBar team shall faithfully seek to achieve the following for the Nigerian Bar Association;**

### **1.0 AN ALL INCLUSIVE, RESPONSIVE AND TRANSPARENT ADMINISTRATION:**

To demonstrate the inclusiveness of the **#ALLINCLUSIVEBAR**, we shall, once elected, proceed on the following:

#### **1.1 MEMBERSHIP DIRECTORATE:**

Create a new Directorate at the NBA Secretariat to be known as Membership Directorate. This Directorate, with competent and motivated staff, shall be exclusively saddled with day to day interaction with all branches and members of the Bar for timely treatment of all

enquiries/correspondences, as well as maintaining a verifiable branches'/members' database.

**1.2** Whilst recognising and preserving deserving respect for the seniors and leaders of the Bar, we shall enthrone a system where every lawyer, old, young, women and physically challenged would have a sense of ownership and participation at the Bar. This we pledge to demonstrate in the following ways, including but not limited to;

i. **Inclusiveness of Women and Younger Lawyers and at NEC/Branch Executive Committees:**

We shall propose an amendment to the constitution to increase the participation of younger lawyers at both National and branch administration, to wit;

a. Currently, the Chairman and Secretary of the Young Lawyers' Forum are members of NEC by virtue of their positions. With the proposed amendments, we plan to replicate same at the branches by **allowing Chairmen and Secretaries of the branch YLF become statutory members of the Executive Committees of their respective branches.**

b. Creation of additional 10 slots at NEC for lawyers of 7-9 years post call. Lawyers in this age bracket are not countenanced in the current constitution with regard to NEC membership. Since NEC membership is minimum 10 years post call and young lawyers (1-7) are represented by their Chairman and Secretary, there is need to create these additional slots to cater for both the young lawyers and lawyers in this identified middle age bracket.

c. Appointment of more women into NEC, Committees or other statutory positions.

ii. **Inclusive Bar Conferences and Events:**

Organising world class conferences at substantially affordable rates is not rocket science. As Chairman of the NBA Criminal Justice Reform Committee, we delivered a widely adjudged successful 5<sup>th</sup> Criminal

Justice Reform Conference at much subsidised rates, while offering scholarships to many lawyers, especially young lawyers and the physically challenged. We pledge to replicate this capacity at our Annual General Conferences to encourage maximum participation of lawyers, old, young physically challenged.

- a. We pledge a substantial reduction across board on conference fees, while we promise to deliver world class conferences, superb in quality and in content.
- b. In the #ALLINCLUSIVEBAR, **Young Lawyers will only pay 50% of the current 2018 AGC Fees for the 2019 and 2020 Annual General Conferences** respectively.
- c. **Physically challenged lawyers** who are of good standing at their respective branches SHALL BE EXEMPTED from payment of all conference fees.

iii. **Membership of NEC, Committees and Statutory Appointments:**

- a. To ensure that every branch of the NBA is carried along in the #ALLINCLUSIVEBAR, all appointments shall be evenly spread across all branches and each NBA branch will have at least one representative in either NEC (excluding the branch statutory NEC members), Committees, Statutory Bodies, Sections/Fora, etc.
- b. To improve lawyers' participation at the branch levels, thereby strengthening membership base and earning capacity of branches, every member of the NBA must be of good standing with his/her respective branch to qualify for any Bar appointment or recommendation for judicial appointment.
- c. Inclusion of more women in NEC and committee appointments.

iv. **Re-awakening the NBA Corporate Counsel Forum:**

The goal here is to reconnect with our members in the corporate world (public and private sectors). Corporate/In-house Counsels should be encouraged to deepen their participation in the affairs of the NBA. Such

relationships will enhance partnerships, membership growth and networking.

- v. We will propose a constitutional amendment to allow corporate counsels and law officers hold certain elective offices in the NBA. They will also be considered in NEC and committee appointments.

- vi. **Re-awakening the NBA Women Forum:**

This is to encourage more participation of women in Bar administration and activities.

1.3 **IT-Based Innovative Secretariat:**

To effectively drive the #ALLINCLUSIVEBAR agenda, we shall introduce IT-based innovations, including but not limited to;

- a. Establishment of **Official NBA Call Centre:**

Establishment and maintenance of a **24 Hour State-of-the-art NBA Call Centre** facility is extremely necessary with the incessant membership growth of the NBA to enable members get prompt answers to inquiries and complaints and more especially make the Secretariat easily accessible to members and the public from any part of the world.

- b. **NBA MOBILE APP:**

We shall develop and launch an interactive 'Mobile App' free for all lawyers for easy and first hand access to NBA products and services.

- c. **Total overhaul of the NBA Portal** in line with International best practices for optimum utilization and accessibility, and to enable more web-based interactions and E-payments.

**2.0 LEADING THE BAR AT A TIME OF GRAVE NATIONAL CHALLENGES**

- 2.1 The Legal Profession and the majority of members of the Nigerian Bar Association face grave economic, social and political challenges that have affected the profession and the practice of law. The profession and its members have been badly affected by the economic downturn in the country, insurgency, human rights abuses, rising separatist agitations

and general insecurity in the country. As the country moves towards the 2019 general elections, we will be faced with additional security challenges and possible violence arising from intense political activities.

- 2.2 At a time of these grave national challenges, the Nigerian Bar Association requires and desires a courageous, balanced and focused leadership to meander through the turbulent period. Such leadership must command the respect of a broad spectrum of the Nigerian society. It must show character, charisma, defined vision, insatiable quest for welfare of lawyers, the rights of Nigerian masses and above all, must be an uncompromising voice in defence of the Rule of Law.
- 2.3 The #ALLINCLUSIVEBAR is offering to provide that needed leadership if you support our vision.

### **3.0 PUBLIC INTEREST ADVOCACY AND ROBUST HUMAN RIGHTS PROGRAMME:**

#### **▪ THE BAR AS THE VOICE OF THE VOICELESS:**

- 3.1 It is in recognition of the cardinal role of the NBA in the society as the voice of the masses that the Association is expected to always speak and act in the overriding public interest. The #ALLINCLUSIVEBAR shall strive to raise this voice in the following ways and more, to wit;
  - i. Develop a very comprehensive public interest advocacy programme with a view to contributing to legal, political, economic and social reforms in Nigeria.
  - ii. Re-awaken and strengthen the **NBA Section on Public Interest and Development Law (SPIDEL)**, being the key platform for driving the NBA public interest advocacy agenda.
  - iii. Restructure and re-strengthen the NBA Human Rights Institute (**NBA-HRI**) to become more responsive.
  - iv. Offer leadership and coordination to all Civil Society Organizations in Nigeria.
- 3.2 Promote the independence and institutional efficiency of Anti-corruption institutions.

3.3 We shall rise to defend the Constitution and promote the Rule of Law in the fight against corruption.

3.4 To make our role as the watchdog of the society real and attainable, we will regularly consult Bar leaders and Past Presidents to getting them refocus on the affairs of the Nigerian Bar Association and offer needed advice from time to time. There shall be periodic and timely Press Releases on the State of the Bar and State of the Nation with the inputs of Bar leaders.

3.5 **POLICE BRUTALITY AND HOSTILITY TO LAWYERS:**

To preserve the nobility and dignity of legal profession in Nigeria, this rising ugly development must be quickly nipped by the NBA.

3.5.1 In the #ALLINCLUSIVEBAR, no lawyer will be harassed, assaulted and/or brutalised in the course of his duty as counsel. We shall engage the police hierarchy and other security agencies to making them understand that lawyers are ministers in the temple of justice and ought to be accorded maximum respect.

3.5.2 Human Rights Committees of all the branches of NBA shall be specially empowered to take decisive steps and report timeously to National, any case of police brutality/hostility to any lawyer in the course of client representation.

3.5.3 Lawyers will also be encouraged to discharge their professional duties with utmost dignity and professional discipline.

4.0 **FREE ISSUANCE OF NBA STAMPS ON PAYMENT OF BPF:**

4.1 **The** introduction of the NBA Stamp is a commendable innovation in legal practice that needs to be well harnessed for the protection of the Legal Profession in Nigeria against quacks and impostors. The NBA Stamp regime has very tremendously helped in combating the hitherto worrisome menace of fake lawyers in Nigeria. It has also propelled the growth of NBA Membership strength and database both at branch and

National levels and thereby enabling a more effective regulation of lawyers.

- 4.2 However, many lawyers especially the younger ones have expressed dissatisfaction with the extra cost burden of the NBA Stamps. Under my watch, the **#ALLINCLUSIVEBAR** shall **PRODUCE AND ISSUE THE NBA STAMPS AT NO EXTRA COST TO LAWYERS**. To achieve this, we intend to seek collaboration with sponsors/donor agencies.
- 4.3 On prompt payment of the Annual Bar Practicing Fee, every lawyer, on application, shall be issued with a pack of the NBA Stamps to enable him/her practice for the licensed year, however some seniors with higher volume of cases may apply for extra packs of stamp at a token cost.

## **5.0 IMPROVED BRANCH CAPACITY AND GOVERNANCE DISCIPLINE:**

The **#ALLINCLUSIVEBAR** will not succeed at the centre without the support of the branches, hence, the branches need to be re-strengthened to function more effectively and professionally. We shall strive to:

- i. Facilitate a reliably feasible increase in the branch percentage ratio of BPF remittances.
- ii. Design a reward system to encourage branches with improved practising fees payment statistics
- iii. Create policies that will enhance branch earnings and help increase membership base of branches.
- iv. Assist branches in developing laudable programmes for members' capacity building.
- v. Enthroned financial prudence and administrative discipline in branch governance through a well structured oversight function.

## **6.0 PROFESSIONALIZING THE NATIONAL SECRETARIAT:**

- 6.1 We shall professionalize the Operations of the National Secretariat by ensuring adequate training and capacity building for the staff, defined organogram and fine tune the administrative structure of the Secretariat.
- 6.2 We shall institute a well structured staff training policy, while ensuring that verifiable performance monitoring indicators are put in place for optimum output.
- 6.3 We shall sustain the ongoing reforms aimed at repositioning the NBA to favourably compete with Bar Associations globally.
- 6.4 We will strengthen existing directorates and create additional two, to wit; Membership Directorate and International Affairs Directorate. **The International Affairs Directorate** will be saddled with the responsibility of establishing institutional synergy and collaboration with regional and International organizations, Bar Associations & Law Societies across the globe with the aim of positive partnerships, trade missions and expanding the frontiers of legal practice in Nigeria.

## **7.0 DEEPENING THE BAR AND BENCH SYMBIOSIS:**

- 7.1 The #ALLINCLUSIVEBAR will not compromise the independence of the Judiciary. With a firm belief that the Bar speaks for the Bench, we will continue to advance the interests of the judiciary on improved and acceptable working conditions.
- 7.2 We will re-strengthen the NBA Bar/Bench Forum and ensure the operation of same across branches nationwide.
- 7.3 We shall expose judicial graft and incompetence whenever and wherever it rears its head.
- 7.4 We shall support the CJN in the ongoing Judicial reforms and advocate for a robust and more inclusive National Judicial Council where the NBA must be involved in all critical decisions of the Council, including appointments and discipline of judicial officers.

## **8.0 GLOBALISATION AND EMERGING AREAS OF PRACTICE**

- 8.1 In this globalised and IT-driven legal practice age, the #ALLINCLUSIVEBAR pledges to reawaken the NBA as a leading Bar Association in Africa, and will take critical steps at advancing the practice of Nigerian lawyers to compete with their counterparts, globally.
- 8.2 We shall lead the search for new and emerging markets in the legal profession and innovatively focus on new areas and new ways of doing legal business
- 8.3 Lead the diversification and globalisation of our profession and open new vistas that allow for specialization and more resources for our members.
- 8.4 In conjunction with the National Universities Commission (NUC) and Council of Legal Education, encourage the introduction of new courses across faculties of Law on emerging areas of law, like; Sports, Telecommunications, Betting, Cyber crime, Capital markets, Immigration and Trans-border crimes, etc.
- 8.5 We will strengthen the regime of Arbitration and ADR by empowering young lawyers with the requisite skills in these areas as a way of enhancing their practice and decongesting our courts.

## **9.0 CAPACITY BUILDING AND IMPROVED WELFARE OF LAWYERS**

- 9.1 In the #ALLINCLUSIVEBAR, we shall give serious attention to capacity building and improved welfare and earnings of members, with special emphasis on the younger lawyers. We shall also endeavour to protect the job of lawyers. We pledge the following;
  - i. Ensure that only private legal Practitioners prepare legal mortgages, land instrument and other legal documents in Nigeria.
  - ii. Take steps at regulating fees/charges for all legal documentations. This uniform remuneration is overdue and very critical at sustaining the dignity of the Profession and protecting the job of lawyers. **We shall**

**set up a committee once inaugurated, to advice on the implementation modalities of this particular agenda.**

- iii. Comprehensive review of the NBA Life Assurance Policy with a mindset to raising the assured indemnity by atleast 50% to 100% for a more meaningful operation of the scheme.
- iv. We will study, review and implement upon collation of members' views, certain aspects of the **Monday Ubani-led NBA Welfare Committee Report** as presented at the 2018 Ilorin NEC. (See my website for details)
- v. Establishment of a State-of-the-art E-Library at the National Secretariat, free for all lawyers. The NBA E-Library can be accessed electronically through the NBA portal, where lawyers who have paid their BPF and branch dues can be issued with codes to access e-law reports free of charge.

## **9.2 Protecting Legal Practice And Combating Unauthorised Practice Of Law In Nigeria:**

In the #ALLINCLUSIVEBAR, NBA will no longer play the ostrich when quacks and persons from other professions invade the legal territory and take over our practice and briefs that can cushion the side effects of emerging economic realities.

- 9.2.1 Certain briefs that can put money in the pockets of lawyers, especially, the younger members of the Bar have been gradually eroded. We pledge to decisively deal with these issues and holistically reclaim our territories and restore our briefs.
- 9.2.2 Banks, MDAs, Organisations and other public/private institutions must steer clear of the jobs reserved for lawyers. We shall invoke the RPC and discipline In-house Counsels who connive with their employers in this breach and encroachment of lawyers' briefs.

9.2.3 We shall propose an amendment to the Legal Practitioners Act to criminalize the encroachment on jobs reserved for lawyers as well as the illegal use of the NBA Stamp and Seal.

### **9.3 Re-focusing Continuing Legal Education to Specialised Training and Career Opportunities for Young Lawyers:**

In the #ALLINCLUSIVEBAR, we intend to form strategic partnerships with organisations such as Coursera, EDX, CITN, etc, with a view to supporting lawyers, especially young lawyers participate in courses online. This will make continuing legal education more affordable and less stressful.

9.4 Restructure and Strengthen the NBA Institute of Continuing Legal Education to effectively meet the needs of lawyers.

9.5 Provide free CLE training for Young Lawyers during NYSC, with emphasis on Rules of Professional Conduct and Rules of Court.

### **10.0 MENTORSHIP AND EMPLOYMENT CREATION FOR YOUNG LAWYERS:**

Absence of a well structured mentorship, unemployment and/or underemployment are recurrent challenges facing the young lawyers in the practice of law in Nigeria. The #ALLINCLUSIVEBAR will prime these challenges and pursue strategic short/long term remedies to this menace. To demonstrate our fidelity hereof, we shall, if elected;

- i. Constitute an **Action Plan Committee on Mentorship, Employment and Remuneration of Young Lawyers**. This committee would submit a blueprint within a reasonable timeline for NEC deliberation/action at our first NEC meeting.
- ii. Inspire hope and confidence in the younger members of this noble profession by giving them opportunities to associate, explore and favourably compete with their counterparts in the continent and other parts of the globe.

- iii. Institute a robust Young Lawyers' Exchange Program with Regional/International Bar Associations/bodies.
- iv. We will collaborate with financial institutions to provide loans for young lawyers that may decide to go into partnership or explore other complex and competitive opportunities in other branches of the law.
- v. Strengthen the NBA-YLF to become for efficient and responsive to the basic yearnings and aspirations of members.

### **10.1 Encouraging Partnerships amongst Young Lawyers.**

The world is changing all over, young people are creating values, we believe legal practitioners in Nigeria should not be left behind. They should be encouraged to meet up and exceed the standards of young people everywhere.

10.1.1 One of the major ways we intend to empower young lawyers is to provide an enabling environment for them to form partnerships, manage their own firms and manage their destiny. Subject to the recommendation of the committee here above mentioned, we intend to set up a unit at the NBA Secretariat, whose duty shall be to provide young lawyers with the needed technical support to establishing partnerships.

10.1.2 **We shall guide these partnerships to have a well structured affiliation with flagship partnership firms across Nigeria.**

### **11.0 CRIMINAL JUSTICE REFORM AGENDA:**

11.1 Vigorous drive for the domestication of administration of Criminal Justice Act, (ACJA) across various states of the federation.

11.2 As the Chairman of NBA Criminal Justice Reform Committee, my committee held a very successful Criminal Justice Reform Conference in the city of Asaba sometime in April this year. Such conferences are necessary for appraising the state of our criminal justice system. The

#ALLINCLUSIVEBAR will improve on these conferences and ensure the implementation of its outcome for a more robust criminal justice system and administration in Nigeria.

11.3 We shall partner Legal Aid Council, Nigerian Prisons Service and other stakeholders in the Criminal Justice Sector, as well as International partners/donor agencies for a continuous Prison reforms agenda and reform of Criminal Justice System in Nigeria.

11.4 Through the NBA-HRI, we can access funds to support vocational training of Prisoners to make them useful members of the society upon their release from custody; a Reformatory rather than Retributory system.

11.5 We shall support Branch Human Rights Committees in providing Pro-Bono Services for detainees at Police Stations/other detention facilities and Awaiting Trial Detainees at Prisons.

## 12.0 **RAISING THE BAR ON PROFESSIONAL DISCIPLINE**

12.1 In the #ALLINCLUSIVEBAR, cases of Professional misconduct/indiscipline shall be taken very seriously and exhaustively dealt with.

12.2 We shall review the existing disciplinary mechanisms of the NBA for a more robust disciplinary process/system.

12.3 We shall develop various CLE Programmes with emphasis on Professional Ethics across regions/branches.

12.4 We shall organise periodic seminars for Young Lawyers across regions/branches on the Rules of Professional Conduct.

13.5 We shall organise periodic seminars for Young Lawyers across regions/branches on the Rules of Professional Conduct.

13.6 In collaboration with the NUC and Council of Legal Education, we shall advocate the inclusion of Professional Ethics into Nigerian Universities' Law Faculty syllabus.

### **13.0 TRANSPARENCY AND FINANCIAL PRUDENCE**

We pledge to run an all inclusive, transparent and financially prudent administration. We will study the diagnostic report of NBA as already prepared by KPMG with regard to ensuring prudent financial management of NBA finances and shall not operate outside AGM/NEC approved budgets.

### **CONCLUSION:**

Respected colleagues, past administrations of the Bar, including the outgoing administration, have all done well in their various capacities, laudable reforms and efforts at charting a positive path for our dear NBA and the Legal Profession in Nigeria. I commend in a special way, the initiators of the NBA House project. Together with my #ALLINCLUSIVEBAR team, we pledge to do all it will take to maintain that edifice as the pride of this noble Association.

Gentlemen, it is said that the biggest room in the world is the room for improvement. We promise to improve on all initiatives of past administrations and collectively deliver the NBA of your dreams, if you support the #ALLINCLUSIVEBAR vision and vote **ARTHUR OBI OKAFOR, SAN** as President of NBA in the forthcoming NBA General Elections.

***May God bless our vision for #ALLINCLUSIVEBAR ...***

THANK YOU.

**ARTHUR OBI OKAFOR, SAN, FCIArb, FICMC.**