



NIGERIAN BAR ASSOCIATION

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REPORT FROM THE PRESIDENT OF THE NIGERIAN BAR ASSOCIATION ON THE INDUSTRIAL ACTION BY THE JUDICIARY STAFF UNION OF NIGERIA (JUSUN)

Dear Colleagues,

As you are already aware, on 6th April 2021, Courts across Nigeria were shut down due to the strike action by members of the Judiciary Staff Union of Nigeria (“JUSUN”) who are pressing home their demands for full financial autonomy of the Judiciary. As at today, the strike is set to enter its 8th week.

No doubt, the strike action has taken its toll on our members whose activities revolve around the court system. The situation is unfortunate but as you will note from my narrative below, whilst the Nigerian Bar Association (“NBA”) did not agree with the timing of the strike, we could not have stood back once the strike action began. This is because of the primacy of the issue in dispute and its connection with our core objectives as an Association.

Hence, as you would recall, just before the strike took effect, I had, in my statement of 5th April 2021 pleaded with members of JUSUN to reconsider proceeding with the strike action at the time, given that the Judiciary was particularly affected by the Covid-19 pandemic-enforced lockdown last year, and was just beginning to return to something that seemed like normalcy. While acknowledging the merits of the grievances of JUSUN, I had also pleaded with the leadership of JUSUN to re-think the timing of the strike given the economic threat it posed to many of our members, as well as members of the public who earn a living from, or use, the court system.

As it turned out, those entreaties were not heeded by the leadership of JUSUN which had made up its mind to embark on the strike for good measure and for the benefits that it portends for our Judiciary. After further consultations with a cross-section of members of the Bar and a reconsideration of the situation by the National Officers of the Nigerian Bar Association (“NBA”), the NBA resolved to support the demands of JUSUN the kernel of which resonates with the NBA’s core mandate of promoting the Rule of Law.

Following this, I had directed Chairmen of our various Branches to proceed on call-to-action visits to the Governors of their States in, and about the Federation, and to make a demand for the enforcement of the financial autonomy of the Judiciary. Those efforts no doubt, helped to put the issue on the front-burner of public discourse and elicited the intervention of all relevant stakeholders.

As part of the larger strategy of resolving the industrial dispute, I set up an advisory team, led by the 1st Vice President, John Aikpokpo Martins, to interface with JUSUN and all other relevant stakeholders towards resolving the labour impasse and to facilitate the prompt reopening of our courts. That team has since been engaging with all relevant stakeholders, participating in all the negotiation meetings (held at the instance of the Honourable Minister of Labour & Employment) as well as meeting, on a weekly basis, with the JUSUN team with a view to providing them with necessary guidance and advice as they considered their position vis-à-vis the aforementioned negotiations.

NATIONAL OFFICERS:

Olumide A. Akpata **President**

Joyce Oduah, **General Secretary**; John Aikpokpo Martins, **1st Vice President**; Debo Adeyemo Kazeem, **2nd Vice President**; Mercy Ijato Agada, **Treasurer**; Olakunle Edun, **Welfare Secretary**; Raphael Nnamdi Anagor, **Financial Secretary**; Dr. Rapuluchukwu Nduka, **Publicity Secretary**; Uchenna Nwadialo, **Assistant Secretary**; Ferdinand Naza, **Assistant Publicity Secretary**

As the strike enters its 8th week, I am happy to inform us that there is finally some light at the end of this avoidable tunnel. Following an all-stakeholders conciliation meeting held on Thursday 20th May 2021, an action plan was agreed to by all the parties for the immediate implementation of the financial autonomy of the Judiciary, particularly in the States.

The highlights of that agreement include:

- that the State Governors shall commence the implementation of the agreement reached, pursuant to the aforementioned negotiations, by immediately remitting to the Judiciary, in their respective States, the allocation due for the month of April 2021;
- that JUSUN will suspend the strike immediately upon receipt of the said allocation by the various State Judiciaries; and
- in order to institutionalize this commitment, a Fund Management Law detailing the modalities for implementation of effective financial autonomy for the Judiciary will be enacted by all States of the Federation within 45 days from the date of agreeing the action plan.

In light of the foregoing and in the expectation that all the parties will continue to exhibit utmost *bona fides*, we can, with cautious optimism, anticipate that the strike action will be suspended in a few days and all courts in the land will consequently be reopened.

While commending our members for their remarkable perseverance during the JUSUN strike action, I must also empathize with members of the public who have had to bear the social and economic cost of the protracted strike action in one way or the other. In these extremely perilous times, the hardship that this strike action has occasioned, for members of the public as well as for Lawyers, can only be better imagined. I am however confident that when the objective of this strike action is achieved, posterity will remember us all kindly for enduring this hardship in the interest of a worthy cause that will, ultimately, better the lot of our Judiciary and by extension our nation Nigeria.

It is difficult to think of the independence of the Judiciary when that institution, which remains the last line of defence for our democracy and indeed the last hope for the common man, is not financially independent and autonomous. Let us therefore give ourselves a pat on the back for rising to the occasion when it mattered most, not only in the interest of our esteemed profession, but also in the interest of our democracy and Nigeria at large. We all agree that there are many issues with the Judiciary in Nigeria, but I am convinced that resolving the issues around financial autonomy and independence of the Judiciary would be a decent start towards the journey of overhauling that institution.

While I continue to solicit your patience and support, please be assured that my team and I will continue to follow up, on the stated commitments, with all the relevant stakeholders with a view to ensuring that the strike action is called off as proposed.

I thank you for your attention.



OLUMIDE AKPATA
President
22nd May 2021