



NIGERIAN BAR ASSOCIATION

NATIONAL SECRETARIAT: Plot 1102, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja Nigerian Tel: +234 800 333 1111
www.nigerianbar.org.ng

22nd July 2022

Chief Wole Olanipekun OFR, SAN
Chairman, Body of Benchers
Plot 688, Institute & Research District
FCC Phase III
F.C.T Abuja.

Dear Learned Silk,

RE: PETITION AGAINST MS. ADEKUNBI OGUNDE BY THE NIGERIAN BAR ASSOCIATION FOR ALLEGED PROFESSIONAL MISCONDUCT

I write presently with respect to the above-mentioned subject.

Permit me to bring to your attention a Petition recently filed by Nigerian Bar Association ("NBA"), with the Legal Practitioners Disciplinary Committee ("LPDC"), against one Ms. Adekunbi Ogunde for engaging in conduct incompatible with her status as a legal practitioner and in flagrant disregard of our Rules of Professional Conduct which both the NBA and the Body of Benchers (BOB) are by their respective mandates bound to enforce as part of the disciplinary objectives of the legal profession. (Please find enclosed the Petition dated 19 July 2022).

Ms. Ogunde, the subject of the Petition, as it turns out, is a Partner at the Law Firm of **Wole Olanipekun & Co.** where you are a Founding Partner and remain involved in the day-to-day running of the Firm. This dynamic creates an undeniable shared and intertwined professional relationship between your goodself and the said Ms. Ogunde. Indeed, in the said Petition, we have also asked the LPDC to "**...consider whether the Partners of the Firm of Wole Olanipekun & Co. are not liable to be disciplined by this august body seeing that the Respondent has the ostensible authority to act as a Partner and indeed acted for and on behalf of the said Firm.**"

As you know, the LPDC is a Standing Committee of the BOB whose processes come under the supervision of the Chairman of the BOB - an office which you currently occupy.

Against the backdrop of your partnership relationship with Ms. Ogunde, vis-a-vis the prosecution of the petition by the LPDC, it is clear, albeit unfortunate, that you have been put in a situation where your continued occupancy of the office during this period would conflict, or be reasonably interpreted to conflict, with or influence the processes of the LPDC, by fair-minded observers and right thinking members of the public, both within and outside our profession. By reason of your close professional ties and involvement with Ms. Ogunde, it would be an infraction of the salutary principles of

NATIONAL OFFICERS:

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natural justice for the said Petition to be heard by the LPDC while you continue as Chairman of the BOB, of which the LPDC is a committee.

As Lord Denning put it "***Justice must be rooted in confidence; and confidence is destroyed, when right-minded people go away thinking that the Judge is biased***".

Consequent upon the above, I am constrained to invite you to recuse yourself from chairmanship of the BOB henceforth and to allow for the emplacement of an interim leadership of the BOB, in order to enable the LPDC carry out this particular assignment, amongst others, without coming under an undue suspicion of impartiality.

As a beacon of Rule of Law and due process, the NBA must continue to demonstrate that it is committed to the vision of its founding fathers, especially in its internal affairs. This situation, therefore, puts our foundational ethos as an Association on the line, and I trust that as a former President of the NBA and a very respected senior member of the Bar, you will take the honourable path of stepping-aside in the interest of justice, fairness, and posterity.

I am pained that I have to make this call, but in the circumstance, it is in the best interest of our Association and of the legal profession in Nigeria.

Thank you and be assured of my highest consideration.

Yours faithfully,



OLUMIDE AKPATA
President

