

**ADDRESS BY THE CHIEF JUDGE OF THE FEDERAL  
CAPITAL TERRITORY(FCT) AND CHAIRMAN FCT  
JUDICIAL SERVICE COMMITTEE HON. JUSTICE  
I.U.BELLO DELIVERED AT THE COMMENCEMENT OF  
THE 2016/2017 LEGAL YEAR HELD ON THE 25<sup>TH</sup> OF  
OCTOBER 2016**

In the name of Allah, the most gracious, the most merciful, today marks the beginning of a new legal year. Today is the harbinger of another era, in our avowed commitment to ensuring that, the wheel of justice grinds ceaselessly in the inexorable journey of dispensing justice, to the glory of God and the benefit of mankind.

It is therefore with great joy and pleasure that I wish you all a happy new legal year. It is my sincere wish that the 2016/2017 Legal Year will be a great year of fulfillment and great success for all of us, personally and in our professional lives. I pray that this year will proceed and end with

characteristic achievements and more positive impact through service delivery for all.

I am addressing this propitious occasion for the second time as Chief Judge, and I have indeed enjoyed the privilege. But beyond the ceremony, it is an important occurrence in our yearly calendar and it is usual to cease the opportunity to do some stock taking, and also, to reflect on matters of critical importance to the administration of justice in the FCT and our avowed commitment to ensuring the sustenance of the fundamentals of a free, just and egalitarian society which is the rule of law.

It has been said, and I agree that, "***the rule of law is the oxygen of democracy — and the avenue to seek redress forms part of the definition of any modern human society***". Consequently, we are not underrating the belief and dependence of the society on the court's ability to

stand as the last line of defence. Therefore, in this year and as we have always done , we shall continue to enforce the law without fear or favour for, this is the groundwork of the rule of law and the foundation of our society. The city of Abuja is no doubt a reflection of the larger Nigerian society, rich in all her elements of human diversity, expressed by differences in culture, race, tribe religion, tongue and other idiosyncrasies but, united in one purpose of pursuing a decent life for family, and expanding business opportunities under the confidence of the law's protection. I pledge that the court is ready, able and willing to provide the needed platform for dealing with competing interests when they clash, to provide guidance on due process and fundamentally ensuring the protection of rights and individual freedoms.

In this year, more than ever before, the court will not relent in its duties. As a judiciary, we will intensify and continue, to improve on the administration of justice by strengthening judicial integrity and developing new strategies that we believe will not only broaden but also, deepen access to justice for all classes and stratum of society. Be assured that, no one will be shortchanged in our courts and whether vulnerable or not, none shall be allocated the shorter end of the stick. Furthermore, we will do the needful to institutionalize and build on the established culture of performance by improving within our limits, the working conditions of our staff. We are no doubt concerned about the need to support the welfare of our workforce, as this we believe, will stimulate productivity. In this vein, there is in motion from the highest echelon of the judiciary to pursue to logical conclusion, the process which I spoke about last year

in my speech. Now that the apex policy making body is neck-deep in it, I am sure the promise land is in sight.

## **RETURN OF CASES**

As usual, in the course of the 2015/2016 legal year, our courts were at their best. In consonance with our core mandate, we dealt with cases as they came and in the process, handed down various decisions. Naturally, some of these might not have been very popular certainly; our determinations cannot go down well with all concerned. We find solace however, in our belief that the paramount duty of a court is not to make decisions that go down well with everyone. Rather, we have a charge to make determinations according to the law and nothing else. In a more practical sense, the table below reflects our actual output.

## **HIGH COURT**

	Cases Filed 2015/2016	Cases Brought Forward 2014/2015	Total	Cases Disposed	Cases Pending
High Court	6,961	15,673	22,634	9,895	12,739
Magistrate Court	5,931	11,016	16,947	7,695	9,252
AMDC	81	18	99	67	32

As indicated above, in the 2015/16 legal year, 6,961 cases were filed in the High Court's registry. Adding 15,673 brought forward from the previous year, in total, we contended with

22,634 cases. Of this number, 9,895 were completely disposed. The magistracy recorded 16,947 in its docket in the 2015/2016 legal year. 5,931 were filed as fresh cases while 11,016 were carried over from the previous year. In total 7,695 were disposed with 9,252 pending. The Abuja Multi-Door Courthouse dealt with 99 cases and disposed 67.

The prevailing situation as indicated by the numbers above is illustrative of the fact that we have all worked tirelessly in the year to ensure that expectations of the judiciary are met. Thank you all for a job well done. This is not a job for which you might earn medals but I am happy that at the end, no medal is better than the satisfaction of the public with our services.

To my brother Judges and our Magistrates, you have discharged your duties creditably. You presided over your courts

with significant strength, determination and goodwill. You spearheaded dialogue by recommending amicable settlements where the facts, admitted the use of ADR procedures. By so doing, you have improved access to justice in great leaps and history will score you positively. I remain grateful for your cooperation. In my appreciation of your industry, it is noteworthy that a lot of you had to be away on national assignment as chairmen and members of various elections petition tribunals. I had gone through such experience, it has the effect of placing on hold the cases pending before your courts. You are then accused of delaying such cases. You had to put up with deprivation of benefits such as the companionship of spouse and family members, all these for a pitiable allowance paid to you and when you fall ill, you are on your own. All the same, I shall continue to enlist and solicit your support in the coming years.

We have done little to improve on your comfort and welfare. Recall that in this year, we purchased new official and utility cars for Judges and pool vehicles for Magistrates. I promise that these are initiatives that I intend to build on and continue if our resources permit. I encourage you therefore, my brothers, at all times in the handling of cases to continue as you have done to give a fair consideration to the viewpoints of all parties for this is the fulcrum of our legal system. It is this dispassionate determination that indicates to the public that the court has acted not only fairly but judicially and judiciously.

These are indeed trying times for the judiciary of this country. I am bold to say that the Judiciary is determined to eradicate corruption within its fold and seeks the support of relevant agencies. However, this should be within legal limits and in line with laid down rules and procedure.

Even in the face of our challenges, I am proud to note that, the judiciary in the FCT is a conglomeration of dedicated judicial minds, full of resources and best described as hardworking,honest and impeccable. This is the team that I have the honour to lead; a team that spared nothing in applying the best of itself to the task at hand. Your efforts will never be forgotten for justice is said to be the greatest interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands, and so long as it is duly honored, there is a foundation for general security, general happiness, and the improvement and progress of our race (DANIEL WEBSTER, speech, Sep. 12, 1845).

My brothers, as we celebrate our successes, we should not lose sight of the pending cases and expectations yet to be

met. Let us double our efforts to increase our disposals in the New Year as I equally call upon all stakeholders especially lawyers and prosecutors to join hands with us to fast-track justice delivery. In this vein, I enjoin each and every one of my brother Judges, Khadis, Magistrates, Area and Customary Court Judges, to make as our New Year resolution, ***"THE TASK TO CLEAR MY DOCKET IS THE GOAL"***.

I am still not satisfied however, with the use of Alternative Dispute Resolution (ADR) at the Abuja Multi-Door Courthouse. In this regard, I call upon my brothers, lawyers and court users who are yet to appreciate and embrace ADR to please do so in view of the many advantages it offers including speed, reliability and cost effectiveness. We intend to further expand access to ADR services already available. As such, we are working to establish the FCT Court of

Arbitration. This court is designed to be a premier destination for accessing Arbitration services in a world class environment and meeting international standards of best practices in the industry. The Bill for its establishment is ready and this dream will soon become a reality.

It is important that our courts and all the activities that daily go on herein are open for all to see. Openness and access to courts and its proceedings are veritable tools in objectively testing the effectiveness of the system. This breeds transparency and shows that we have nothing to hide. To further this objective, we are embarking on partnerships and collaborations that will help us take a critical look at our operations through different eyes. In collaboration with Partners West Africa, we have commenced an assessment of court activities. We hope that the feedback we receive at the

end of the exercise will improve our integrity and strengthen the justice system. Further, in conjunction with the Justice for All Programme(J4A) of the British Council, we are working at developing an improved complaints system in our lower courts and also to strengthen the performance evaluation at that level. All this we hope, will give us feedback which we hope to employ in making access to justice more efficient in areas we find deficiencies.

### **2014/2015IN REVIEW, 2016/2017 IN FOCUS**

As we look forward to the prospects of another fulfilling year, we cannot afford to forget the highlights of the 2015/2016, particularly that the judiciary was challenged on many fronts. Even then, we were able to achieve the commissioning of three Magistrate Courts in Zuba, Lugbeand Mpape. With this commissioning justice is moving closer to those who need it

most. Recall that during the 2014/15 legal year, we had managed to commission two judicial divisions in Gwagwalada and Bwari. They are now fully off the ground and operating optimally. Our dream of opening another division in the Nyanya/ Karu axis is still alive and well. Also, I had unveiled the High Court Complex at Zone 5 and named same after the pioneer Chief Judge of the FCT Hon. Justice Dahiru Saleh, CFR. That project has stalled due to the lack of adequate funding. We are still committed to finishing it as soon as funds are made available. Through our estate unit, we achieved the renovation of 7 courts while work on the High Court building in Jikwoyi is 70% completed. We have completed work on the probate registry that was gutted by fire. It now wears a new look and full services have since resumed there. I am compelled to again call for the adequate funding of the judiciary so that our service delivery could be enhanced.

Consistent with the determination to continuously improve on our workforce, we continued in our culture of training and retraining of Judges, Magistrates and Staff. These trainings which held locally and internationally, were geared at improving work capacity and, developing various skills relevant to the advancement of staff competencies. It is on this note that I cannot but specifically single out for mention, the tremendous support of the United Nation Office on Drugs and Crime (UNODC). It is to their credit that we have had various levels of capacity building workshops for our Judges, Magistrates and staff. They also enriched our library greatly by providing us volumes of books on various aspects of corruption and financial crimes. We certainly look forward to more collaboration in this year.

Further on matters concerning our staff, I am glad to state that 274 senior staff and 64 junior staff were promoted to their next ranks while 97 junior staff got promoted to the senior cadre. Equally, within the period under review, the appointments of 48 staff were confirmed and another 10 retired from our services after dedicatedly serving this court and I have since wished them well in all future endeavors. I am deeply indebted to the staff of this court. You have all played your part and I assure you that we shall continue to play ours.

Also during the 2015/16 year, Prisoners Rehabilitation and Welfare Action (PRAWA) with the support of the UK's Department for International Development (DFID) under the Justice for All (J4A) programme on Speeding up Criminal Justice for Awaiting Trial Persons supported the court to

establish a Witness Support Unit. This unit provides help and support to witnesses to assist them through the sometimes difficult process of giving evidence in court. The establishment of the unit "is geared towards improving the quality and availability of information and support services for court witnesses, and also to facilitate the provision of care and direct support services to vulnerable witnesses. The essence of this project is to enhance witness attendance to court, given that a significant cause of delays in the criminal justice process is the non-attendance of witness to give evidence in court." It is open to all witnesses and I urge counsel to always bring this to the notice of their witnesses, should they require help and assistance.

Besides our commitment to develop our human resources, in this New Year, our revised civil procedure rules will come into

play. The rules are reformed to accommodate the use and deployment of ICT, discourage unnecessary and unwarranted adjournments, reduce delays in the trial process and expand access to ADR. For this reason, the rule makes provision for the holding of a **"SETTLEMENT WEEK"**. During this week, suits, that could be resolved through ADR, are so classified and determined accordingly using any of the "Doors" available at the Multi-Door Courthouse. The central objective is to ensure that age-long cases are done away with and, for the in-coming cases; the path to speedy determination would be paved and well enhanced. I am not in doubt that so doing will equally enhance the integrity of the justice system.

The administration of criminal justice is a central function of the Courts in any society. Consequently, it is essential that punishment is not systematically assessed by citizens as

unjust or, that they are primitively based on inaccurate or incomplete data or, a fundamental misunderstanding of the incidence of a particular crime. To achieve some consistency in sentencing therefore, I have signed the sentencing guidelines for courts in the FCT. One of the main objectives behind the guideline is to assist the Courts in the exercise of their sentencing powers, to achieve greater consistency and predictability, in the sentences they impose by, providing clearer guidance on sentencing and on sentencing methodologies. In addition to attaining uniformity in sentencing, the guidelines will be accessible to interested members of the public wishing to know the basis upon which Court sentences are made by clear statements of principles. Further to these, the guidelines also dwell on alternative sentence proposals already contained in the Administration of Criminal Justice Act 2015. This guideline will provide the basis

upon which the relevant sections of the Act touching on non-custodial sentences will be activated.

I have also signed the Court's Practice Direction for use by the enforcement department. Following series of complaints arising from that unit, it has now been made a department headed by a Director. With these two moves, I am sure that our enforcement department is now positioned to better meet the needs of all and sundry.

I paid a visit to the Nigerian Prison Service facilities in Keffi, Kuje and Suleja. During those visits, I exercised my powers under the Administration of Justice (Release from Custody) Special Provisions Act. As much as the exigencies of office will permit, regular visits will be an essential feature of this year. Instructively, the visit brought us face to face with a myriad of challenges faced by the service from poor funding to overcrowding and so many other plights of awaiting trial

inmates. Unlike other agencies involved in the administration of justice, the Nigeria Prison service hardly gets assistance from other organs of government. Apparently, its allocation is grossly inadequate, to address the enormous problems and challenges confronting the institution occasioned by many years of neglect.

In order to ensure that imprisonment in Nigeria is not seen as another hell on earth, it is important that our Prisons are modeled to reflect best practices so that, inmates are engaged in a number of meaningful trades and activities which can even generate substantial income to the service itself. Moreover, with the skills acquired, released inmates can go back to society to become useful citizens again.

On our part, we will continue to address those aspects that are within our powers. As a measure to address overcrowding, I have encouraged Judges, Magistrates and

Area Court Judges to be fair and firm but, at the same time more liberal in the grant of bail so that the prisons will be decongested. It is in this light also, that I made the point during my visit to the prison in Suleja and Kuje respectively that I will setup some panels of Judges that will address the backlog of cases within specific time frames in criminal trials. Adequate time shall be given the prosecution, to prepare and present their cases, within a time frame and same shall apply to the defence. I therefore call for the cooperation of all prosecuting agencies and, defence lawyers on this our clear intention. I must say emphatically that, there will be no hesitation to strike out any matter where there is no commitment to diligent prosecution. All hands should be on deck to put a complete end to the malaise confronting the justice system as the court cannot saddle them alone.

Special mention should be made of the relationship we enjoy with the Prison Service and I acknowledge the cordial relationship enjoyed from the command at all levels.

## **CONCLUSION**

Offering appreciations is said to be more than good manners. It is good spirituality and so, I find this time appropriate to specially appreciate and profoundly thank everyone of you once more. In your own little way as Judges, Magistrates, members of the Bar, court users, journalists, civil society organizations, members of staff etc. You have had an impact on the overall output of our work during the 2015/2016 legal year. No matter how great or small your engagement with the court, it does not pale to insignificance. Your individual acts of support and even criticisms, in some cases, applauds and cynicisms in others, continuously jolt us to the realization that

what the court does is always under scrutiny and subject to constant watch. The appraisals whether negative or positive has pushed us to strive for excellence. How else could the High Court of the FCT be the cynosure of all eyes if not for this?

On a more specific note I must appreciate the cooperation we have enjoyed from the other arms of government, the executive, through the Minister of the FCT and the Office of the Attorney General. We have also enjoyed a perfect relationship with both chambers of the National Assembly and for this we remain grateful. This relationship has shown that, government is one and that working together in no way lessens the sanctity of the doctrine of separation of powers rather, that all arms must work to further the common good of the country. I must thank also, the Chairman of the Independent Corrupt Practices Commission (ICPC), Economic

and Financial Crimes Commission (EFCC) and the FCT Police command, the Commissioner of Police, their officers and men for their support to the judiciary. I had meaningful engagements with the Commissioner of Police in the course of the year and he graciously acceded to my request to increase the number of his men on our judge's protection unit and to expand the capacity of our enforcement team. Finally on this note, it must be stated that the police has its own challenges which if addressed will improve their efficiency in investigations and prosecution. I therefore call on government to invest more in the Police by the training of officers and men and the establishment of more forensic laboratories.

I will be failing in a fundamental duty if, I do not also liberally appreciate the support of the ever vibrant and virile Bar. There is a genre of relationship that exists between the Bar and the Bench that does not occur in any other profession.

This unique relationship has its own challenges and, sometimes leaves each side with bruises at the end of the battle. Undaunted by our differences, we forge forward together because the future of this country greatly depends on this symbiotic relationship. We must balance our relationship by mutual respect for each other and dedication to duty. The lawyer must see himself as an acolyte in the holy temple of justice serving in the court with the judge seated as the priest. Neither can carry out his assigned role alone no matter how schooled, no matter how learned. Furthermore may I use this opportunity to call on the Bar to ensure that there is access to justice for the public. This will necessarily entail that cost of legal services are not prohibitive, that the legal process is conducted in a simplified and abridged manner that speedy disposal of cases is encouraged and finally that lawyers are available when needed. Having

said that, I hope this year, the Bar will strive to cover the gap existing between the need for legal services and those who are unable to pay for lawyers. It is a prominent feature of our prisons that inmates suffer untold hardship due to the fact that they are unable to afford counsel. More pro bono service is advocated to cover this opening. Lawyers should understand that they have a responsibility to use their position and skills to help ensure that none is without legal services.

It is believed that if you are thankful for what you have; you'll end up having more. So I will not forget to extend our appreciation to agencies through whom we were able to close some of the gaps we had in funding. I begin with the European Union funded support to anti-corruption agencies through the United Nation Office on Drugs and Crime (UNODC), the British Council through its Justice for All (J4A)

component, Partners West Africa and PRAWA. Their interventions have greatly assisted us in the area of training and personnel development as well as facilitating the development of an efficient court system.

All achievements begin with an idea. And it is now time to appreciate those, whose innovations put those ideas in front. I have worked dedicatedly with the Hon. Grand Khadi, the President of the Customary Court of Appeal and members of the FCT Judicial Service Committee (JSC) who have helped tremendously with the administration of the FCT judiciary. Together with the Chief Registrars and the Secretary of the FCT JSC, my work has been made easy. The time we spent working has made all the difference and contributed to how far we have come. Accept my appreciations.

In the course of all this interactions, we might have had our differences, bruised some egos and strained some nerves but I am consoled by the story of how the porcupines survived the ice age and I am compelled to share it here. ***"When the Ice Age came, porcupines had to find a way to survive. At first they decided to group together to keep warm and protect one another. Unfortunately, their spiky quills made it uncomfortable to stay in such close proximity, so they dispersed. Of course, this left them exposed to the elements and they started to freeze to death until they realised that they needed to make a significant choice. Stay apart and die, or tolerate and accept their fellow porcupines' thorns and survive. Wisely, they chose to stay together, knowing that the small wounds that they received from each other was worth it in the end"***. That is precisely our case,

we all have differences but together we are stronger, more vibrant and more relevant. My call is that we continue with this unity in the 2016/17 legal year and in the years ahead.

Finally My Lords, distinguished ladies and gentlemen, our projections to make 2016/2017 a fruitful and fulfilling year is not chimerical but realistic. To succeed, I enlist your support as always. Let us not lose sight that the work we are engaged in, is the cornerstone on which this great country rests. As we step into the 2016/2017 legal year, I wish that we all enjoy successes and overcome our challenges. It is for me a great honour and privilege to serve as Chief Judge while working with all of you to build a just and egalitarian society. Thank you for the patience of listening to me and happy 2016/2017 legal year.