

ADDRESS BY THE CHIEF JUDGE OF THE FEDERAL CAPITAL  
TERRITORY(FCT) AND CHAIRMAN FCT JUDICIAL SERVICE COMMISSION  
HON. JUSTICE L.H. GUMMI, OFR DELIVERD AT THE COMMENCEMENT OF  
THE 2012/2013 LEGAL YEAR

On behalf of all of the other heads of courts and management of the FCT Judiciary, I am delighted to extend a warm welcome to you all on this opening of the 2012/2013 Legal Year and to say that the FCT Judiciary is honored by your presence here today. Importantly I recognize the presence of our royal fathers and those of you who though not lawyers have year after year joined us to commemorate the commencement of our legal year in this jurisdiction, and for our colleagues at the Bar, it is right that I acknowledge the age long alliance that keeps us together as it is in the unity we enjoy that we are able to do justice. On behalf of the FCT Judiciary I say thank you for being here today and for striving always to establish and maintain these strong links of friendship.

As always, this occasion is an important one for the Judiciary. It provides us with the opportunity to say a few words about the work we have done within the past year and the course of action we want to undertake in the present. In so doing, I will touch on a few of those things what we have done to make the administration of justice smoother in terms of improving our infrastructure and manpower, but, I will come back to that in a minute or two.

Within these minutes of digression I would like us to delve into a matter of national importance that, more so now than ever before, is of critical concern to us all and is the essential underpinning of a free, just and stable society that is the due administration of justice and the rule of law. Today we in the judiciary once

more restate the commitment of the FCT judiciary to providing society with first class services that ensures the satisfaction of court users and the sustenance of the rule of law. We shall never get tired of proclaiming the Rule of Law because it is the fundamental basis of society and the judiciary is its watchdog. As we all know, the Rule of Law requires that laws are not only enacted but must be made public, consistently enforced, and even-handedly applied. For us therefore, the promise of government and all citizens to be subject to law and legal principle can only be kept by the court. Recognizing the universal importance of this age long legal mantra our work in the past and even in the future is tailored to build a strong judiciary that can achieve and maintain the Rule of Law. For all those whose rights are breached, employments terminated, houses demolished, contracts abruptly brought to an end; just to mention a few, the judiciary is saying to you today that it is you who stand at the centre of every definition of liberty. We also say that it is for you that the courts are here and our gates and doors are forever wide open. Once more we give you the assurance that the judiciary in the FCT is completely blind to the parties and only sees the facts and circumstances of the case presented for a judicial determination. The struggle for a constitutional government is not only a struggle for good laws, but also for intelligent, independent, and impartial courts. It is your confidence that gives us these attributes and we will not disappoint you.

In the coming year, making the courts as efficient and responsive as they can be will remain our major focus, and to do this we are enlisting the support of all stakeholders to maintain this focus and vision. A myriad of small things can go wrong sometimes to make our work slow and difficult. Some are things that I and my Brother Judges and Khadis, may be keenly aware of; others will be evident

only to a different professional with a different role in the litigation process. But together they give rise to significant delays, cause major stress to litigants and witnesses, and prevent cases from being dealt with efficiently. At the end, it cost the parties, system and even taxpayers – money. My call therefore is that everyone who has a role in our courts needs to perform that role to the best of their ability and at the right time. In the spirit of the just concluded Olympics I will take sports as a theme to illustrate the effectiveness of what I mean. Take a look at the Jamaican relay team. Usain Bolt was widely reported to have put an exclamation point on his performance at the London Olympics with the performance of the team in the men's 4x100 relay. They won a gold medal and set a world record. Running the anchor leg in the men's 4x100-meter relay, Bolt helped the Jamaican team win the gold medal in 36.84 seconds, a new world record.

Bolt received the baton from teammate Yohan Blake and then left behind Ryan Bailey of the United States to reach the finish line ahead of the field. The United States won the silver in 37.04 seconds, a new national record. Canada finished the race third but was disqualified, giving the bronze to Trinidad and Tobago instead. While we all know Bolt and Blake most of us do not know Nesta Carter. He ran the opening leg for Jamaica, followed by Michael Frater (who I am sure we also don't know). Neither sprinter had previously competed during the London Games. Frater passed the baton to Blake and he to Bolt who finished on point. Supposing any of them had underperformed, it would have affected the entire team as in the case of Canada whose team's elation became consolation. They finished 3<sup>rd</sup> but were disqualified after third-leg runner Jared Connaughton stepped on the border of his lane before passing the baton to the anchor leg. It

was a heartbreaking apology due to the misfeasance of a team member after all others had put up spectacular performances. Why am I saying this? Let us commit in this year to individually put our best into anything we do. Commit yourself to ensuring that you will not be the one to clog the wheel of justice. Be conscious that other people depend on you and your underperformance affects the overall result. I had earlier indicated that the work of the court does not end with judicial officers alone. We all have roles to play whether as prosecution, defence team, police, prison staff, court staff etc. We all need to know what we are aiming for, we all need to study every aspect of what we do, and we all need to make those adjustments that mean we are absolutely at the top of our game if the administration of justice is to be all it can be. Our activities are interrelated and this makes working together as a team inevitable because the productivity ratio if we consciously work together, on the same task (in this case ensuring justice), is always greater than playing the “lone ranger”. After all, TEAM has been recently understood to mean;

T – Together

E – Everyone

A – Achieves

M – More

During the last legal year, we in the judiciary have had the opportunity to reflect on and continue to undertake the transformational work that would enable us to discharge our role and responsibility as a central pillar of the society. In playing our part in this team, we had over the years increased the number of Customary Courts in the FCT to 39 and within the past year, we swore in additional Nine (9)

Chairmen and Twenty-five (25) members and we yet feel this number is grossly inadequate. Proposals have been made in the mid- term plan of 2013-2014 to establish Twenty (20) additional Customary Courts to take justice further down to the people, and we are at the same time building three (3) new ultra-modern courts at Takushara and Kurudu(both within the Abuja Municipal Area Council) and Chikuku(in Kuje Area Council) so that infrastructure can match manpower. Also, within the 2011-2012 Legal Year, concerted efforts were made to make rules of court for the enforcement of the original jurisdiction on chieftaincy matters conferred on the Customary Court of Appeal Abuja by Act No.5 of 2011 called the Federal Capital Territory (FCT), Abuja Nigeria Customary Court of Appeal Rule as Amended in 2012. This has now consolidated the rules of practice and procedure of the court in both its appellate and original jurisdiction into one volume with two parts i.e. Appellate and Original jurisdiction.

The Customary Court of Appeal within the year also commenced the stenographic recording of its proceedings. This not only lessened the work of the court but cut down the time within which records of proceedings could be produced and obtained to about Twenty Four ( 24) hours. We hope to deploy this project to the Customary Courts soon. This notwithstanding, as a stop gap measure, computer units, printers and 60KVA power generating plants have been provided to all our ultra modern customary court buildings to temporarily ease the pressure of records compilation and transmission.

Unfortunately also within the same year in review armed robbers unleashed coordinated attacks on some of the Customary Court buildings and a total of nine (9) 60 kva power generating sets have been exhumed from the generator houses built at each of the courts. This was in addition to the outright vandalism of

other properties of the court like chairs, office tables, air conditioners refrigerators etc. In one instance, two of the four security guards on duty were brutally killed in cold blood while one has been rendered permanently incapacitated from gunshot injury. This callous and dastardly act was taken up at the highest executive and judicial levels and the police have made inroads with the arrest of about nine (9) suspects who are still being interrogated.

In view of this and other numerous security challenges bedeviling us, we crave your indulgence as you will witness a higher level of security alertness in and around the High Court within this legal year. But, we will try as much as possible to minimize contact between our security personnel and court users and to achieve this we have installed a 30 camera CCTV system to cover the entire High Court premises. This is in addition to the Bomb film protection already installed alongside handheld explosive detector systems for use in our major courts. For the multi-level car park, a vehicle x-ray machine has been installed. The FCT Police Command has graciously approved the deployment of four (4) policemen each to the residence of our judges and additional men as court duty orderlies. Where contact with our security team is inevitable we encourage you to cooperate with them. We will train them to be as civil and restrained as possible but the possibility of a little friction can never really be completely ruled out. This is just the little we can do. On your part always consider yourselves as your own first line of defense. Be conscious of your surrounding and report any strange and suspicious movement promptly.

There were several initiatives this past year that were aimed at reducing delay and improving the quality and effectiveness of our services. Of major significance is electronic filing (e-filing). We promised last year to commence e-filing of court

processes. We are happy to report that we are almost set to deliver on that promise. Work on it is about 90% complete. When fully deployed, e-filing will offer many benefits to counsel and clients alike. Counsel can file papers at any time from any place via the system. Multiple counsel working on a case can view the file simultaneously, and do so from different locations. Storage of papers is simplified and expenses reduced. Fees can be paid on-line. The system provides immediate e-mail notice of all filings, including filing of all orders, judgments, and decisions, which will be available on-line. The system is easy to learn and simple to use. Where necessary, documents can be filed in a secure status, with online access restricted to counsel on the record. As at today we have trained all our Judges and thirty-eight (38) other staff on the operation of the e-filing platform.

To complement the e-filing, we have initiated and almost completed the High Court E-library project. Accessible from anywhere in the world, the list, titles, subjects, and authors of all the documents physically present in all the four (4) libraries of the High Court can be found online. It shall also contain a database of those in the court's archives. Under the e-library project, all court rulings and judgments will be accessible online in printable and audio format. You will also be able to get access to our cause lists. Another remarkable feature will be the link to other sites through our e-library website. Notably for ease of research, you will be able to access the Federal High Court, Supreme Court, Court of Appeal, and the Nigerian Law School websites. For historical relevance, the site has a gallery link where both audio and visual audio materials from the courts numerous occasions and other important national events can be accessed. Finally we have made provisions in the project for online enquires. Test run has started on

[www.fcthighcourtelibrary.com](http://www.fcthighcourtelibrary.com) and you can view it and let us have your comments and feedback. Approval has now been given for the library formerly headed by a Deputy-Director to be upgraded to a full department. It will now be headed by a Director. This move will definitely reposition the Library to serve you better as the head of the library has become a member of the management team.

In total, twenty-four (24) fresh appointments were made into the senior staff cadre during the 2011/2012 legal year and one- hundred and forty-four (144) senior staff were promoted to the next level. Conversely thirty (30) new junior staff were recruited while one hundred and twenty-two (122) were promoted. Another sixty –one (61) junior staff had their cadres converted to the senior cadre. Additionally eight (8) and fifty-two (52) senior and junior staff respectively had their acting appointments confirmed.

We shall continue in this year with this culture of rewarding honesty, hard work and discipline with awards, accolades and promotions and no staff will be denied his or her due. This is in line with fundamental principles of management and the place of motivation in improving output. Well, for the lazy and those staff with shifty characters the Judiciary of the FCT is not the place for you and I promise you good measure for the pressure you put on us. Within the last year one staff had his appointment terminated and if there are still more like him; they are bound to follow. Also during the year we can report that one staff retired after years of meritorious service to the High Court while another one voluntarily resigned and I have since wished both of them well in their future endeavors.

Through our training unit, we have so far sent two (2) Judges on foreign training and arrangements made for twenty (20) others while the management team and several staff have benefited from local and in-house trainings.



Complimentary to these, we are making modest improvements to our infrastructure with the building of 8 additional High Courts in Jabi District Abuja. That project is nearing completion and will be commissioned in the course of the 2012/2013 legal year.

		2010	2011/2012
1	General Form Affidavits	18,592	223,108
2	Declaration of Age	7,870	94,436
3	Declaration of Marriage	6,108	73,300
4	Change of Name	6,027	72,324
	Total	38,597	463,168

Fig. 1 Affidavits

Not too many people were happy when we introduced our reforms in respect of affidavits. We insisted that all deponents must appear in person and pay the prescribed fee at the bank. This seemingly tough measure has increased the revenue accruable to the court, but that is not even the most important achievement. We are extremely proud, that most diplomatic missions now turn down forms not accompanied with affidavits sourced from the High Court of the FCT. We remain eternally grateful to all of you who joined us to insist on doing the right thing and thereby becoming a part of this success story. Figure 1 above shows that in 2010 before we introduced this reform on record, only 38,597 affidavits comprising of general form affidavits, declaration of age, declaration of marriage and change of name were sourced. However after introduction, within the same duration in the 2011/2012 legal year, a total of 463,168 affidavits were obtained from the High Court.

The rush for our affidavits understandably puts our staff under pressure. This we hear has sometimes led to confrontations. We are addressing this issue and changes are eminent.

That is not all. For those whose challenges are determinable by the special jurisdiction of the Sharia Court of Appeal, 8 new office buildings were constructed within the legal year to house Area Courts. By the increase, access to these courts has been made much easier. Twenty – Three (23) others were renovated and improved upon. For khadis, 8 Prado SUVs have been mobilized for their ease of movement and 16 Kia Ceratos Saloon Cars as for utility vehicles for Area Courts and Departments and 1 Toyota Corolla for the same purpose. Under our staff welfare initiative the Sharia Court acquired an 18 Seater Bus to compliment the fleet carrying staff to and from work. For use as heavy duty vehicles two (2) Hilux Toyota Car and one(1) Honda truck were purchased. The special jurisdiction of the Sharia Court of Appeal and the Area Courts requires a lot of grassroots movement so, for areas not accessible by cars, the court procured fifty (50) Jincheng motorcycles.

Success in the work place means providing quality work and great customer service. To achieve this, you need skilled staff that are full of ideas, know the job and understand priorities. That means they need quality training and in keeping with this the Sharia Court of Appeal in the 2011/2012 legal year embarked on massive training for staff. It is worth reporting that all the Khadis and 230 staff were trained locally and internationally.

## RETURN OF CASES

### HIGH COURT

	Cases Filed 2011/2012	Cases Brought Forward 2010/2011	Total	Cases Disposed	Cases Pending
High Court	20,217	8,814	29,031	22,733	6,298
Magistrate Court	10,567	10,120	20,687	7,157	13,530
AMDC	80	46	126	95	31
Probate	3,049	350	3,399	3,180	219

### SHARIA COURT OF APPEAL

	Cases Brought forward from 2010/2011	Cases Received 2011/2012	Cases Disposed	Cases Pending
Sharia Court of Appeal	51	300	280	71
Area Courts	1,626	4,651	4,447	1,870

## CUSTOMARY COURT OF APPEAL

	Cases brought forward from 2010/2011	Cases received 2011/2012	Cases disposed 2011/2012	Cases pending at the end of 2011/2012
Customary Court of Appeal	58	55	77	36
Customary Courts	195	383	379	199

Within the 2011/2012 legal year, a total of 29,031 cases as against 17,000 in the previous year were before the High Court for determination. Of this number, 8,814 were carried over from the 2010/2011 legal year. Actual cases filed within the 2011/2012 amounted to 20,271 comprising of 4,537 Writ of Summons, 15,196 motions, 167 criminal cases, 257 petitions and 60 foreign judgments. Of the number received 22,733 were disposed while 6,298 are still pending. I note with pride that the total number of cases disposed in the 2011/2012 legal year is even considerably higher than the total number of cases received in the previous year. Additional to this, three (3) Magistrate Appeal Court sessions were held where 144 cases were heard on appeal as against 95 the previous year. I must say that our judges have worked extremely hard within the 2011/2012 legal year. Your work and industry is indeed commendable.

The Magistrate Courts this year received a total of 10,567 cases comprising 5,741 criminal case and 4826 civil matters. Out of these, 3,640 criminal cases and 3517 civil cases were disposed representing 63% and 73% respectively. In percentage terms a total of 68% of the cases received by the Magistrates Court were disposed. In any exam, 68% is a pass mark and the magistrates equally deserve commendation.

At the Sharia Court of Appeal, a total of 351 cases were recorded in the 2011/2012 legal year. While 280 of these cases were disposed 71 are still pending. The clearance rate at the Sharia Court of Appeal like in the High Court is equally higher than the previous year. This is indicative of only one fact; our Khadis have done more work than they did last year even in the face of increasing work load.

The Area Courts within the year under review had to contend with a total of 6,277 cases. This is lower than the 7,924 cases received in the previous legal year. 4,447 were disposed while 1,870 are still pending for determination. In actual numbers, the total number of cases disposed by the Area Courts is lower than the number in the previous year. While the percentage disposed of is well over 50%, I will encourage our Area Courts to sit up and do more in the coming legal year. Considerable investment has been made by us to justify this demand off you.

The disposal rate at the Customary Court of Appeal is equally applaudable .113 cases were received out of which 77 of them representing about 70% were disposed leaving 36 pending. At the Customary Court level, 578 cases were recorded within the 2011/2012 legal year as against 1811 received in the previous year. While 379 of the cases received were disposed, 199 are pending. In percentage terms this represents a pass mark. But considering the drop in the

number of cases received and the swearing in of new Chairmen and members a better performance would not have been out of place. Secondly it will be appropriate to determine the reason for the sharp drop in the number of cases received by the Customary Court and machineries will be put in motion to that effect.

The low patronage at the Abuja Multi-Door Courthouse (AMDC) still gives a cause for concern. While the number of cases filed in our courts are increasing exponentially, cases filed at the AMDC only increased by two (2). This is sad in an era where in other jurisdictions around the world including Britain whose legal system we have largely inherited, the thrust of dispute resolution is first to try settlement and if it fails the parties are free to engage in litigation. May I remind our colleagues at the Bar that your rules of professional conduct now make it mandatory that you advise your clients on the availability of Alternative Dispute Resolution (ADR) options. Obviously most of you do not heed to the provisions of this rule. I am seriously considering the option of issuing a practice direction to ensure strict compliance with the rules of professional conduct.

Having dealt with the return of cases, I find it appropriate at this time to say a word or two about those institutions with which we have worked closest within the 2011/2012 legal year even as we look forward to the 2012/2013 legal year with courage and the optimistic feeling that the best is yet to come.

### **NATIONAL ASSEMBLY**

We have always set ourselves significant challenges, but they are challenges designed to ensure that the justice system is the best it can be. The job of each of us is to play our part in making that happen. As we have worked together during

the past year, I have been very pleased to see the growing and productive relationships between the judiciary and the other key stakeholders in the justice system and in particular the elected institutions. On behalf of My Brothers; the other Heads of Court, I express our profound gratitude to the National Assembly for their understanding and support. I thank specifically the Chairman of the Senate and House committees on Judiciary and Legal matters who are always so willing to listen to our plights and address our concerns. We shall continue to solicit your understanding and support in this year. It is noted that some of the reforms we may embark upon will require legislative intervention to achieve maximum impact this is of course in addition to budgetary concerns. We hope that as always your doors will remain open when we come calling. We look forward to continuing productive dialogue with you in the spirit of the mutual cooperation that has generally pervaded our interactions in recent times.

### **FEDERAL MINISTRY OF JUSTICE**

During the year, we had occasions to work closely with the Federal Ministry Justice and our deepest thanks go out to the Attorney General and Minister for Justice Mr. Mohhamed Bello Adoke for his continuous support to the Judiciary and his dogged determination and commitment to upholding the rule of law. I must equally commend the staff of your office who daily run in and out of our courts defending and prosecuting actions. This task is not an easy one but like Oliver Twist we ask for more, and that is; prompt response from the office of the Director of Public Prosecutions when files are sent for advice.

## FEDERAL CAPITAL TERRITORY ADMINISTRATION(FCTA)

We must equally show some appreciation to our landlords; the FCTA and the Hon. Minister Sen. Bala Abdulkadir Muhhamed **CON**. We have enjoyed considerable support from you this year even against the odds of the bitter pills we sometime give you to swallow in our judgments. You have shown maturity and respect for the rule of law by not allowing judicial determinations determine the cooperation we have enjoyed with you. We shall continue to do all that is possible to continue to work with you in this year to make the FCT a better place for all of us.

## NIGERIA POLICE

I had earlier acknowledged the Police for graciously approving the deployment of four (4) men each to man the residence of our judges to provide security around the clock. This move is indeed a welcomed development .The Police in the face of so many challenges have done their best to keep us safe and we must appreciate them for that and for the guard of honour mounted today as well. What I am not particularly happy about was an incidence that occurred not too long ago. Staff of our execution unit had gone out to enforce a garnishee order. Incidentally the judgment debtor was the Police. While the execution was ongoing, the Policemen attached to the team were abruptly withdrawn leaving our staff all on their own. Probably the order withdrawing them was a mere coincidence but if it wasn't, then it should not be so. The police has a duty to enforce the law and the same standard should be deployed even where it has to enforce the law against itself. We hope we do not see a repeat of this kind of incidence again.



## **NIGERIA PRISONS SERVICE**

I paid a visit to the Nigerian Prison Service (Kuje Prison) within this year where I exercised my powers under the Administration of Justice (Release from Custody) Special Provisions Act. While I would have loved to visit other prisons, the exigencies of office did not permit. The visit brought us face to face with the realities of the challenges faced by the Nigerian Prison Service. These challenges ranged from overcrowding to poor funding. We shall tackle headlong those aspects that are within our powers to assist in decongesting the prisons. I have always encouraged judicial officers and magistrates to grant bail under liberal conditions that can easily be met. I am sure that while we wait for whole scale reforms in our prisons, this will reduce the number of awaiting trial inmates who form the bulk of detainees.

## **NIGERIA BAR ASSOCIATION (NBA)**

I congratulate the Bar for the successful conduct of their elections and the emergence of Mr. Okechukwu Emmanuel Wali (SAN) as President of the association. The Presidency of the Bar is no small task and pretenses should not be made about the enormity of work ahead for the present executives. From rejuvenating confidence in the profession to instilling discipline at the Bar, from encouraging professionalism to being a major crusader for social justice the expectations off the Bar is almost limitless but we pray today that God grants its leadership the wisdom to traverse murky waters and take decisions that will make the Bar stand out as an institution to be reckoned with.

The Abuja branch of the Bar (Unity Bar) has always been an indispensable ally of the judiciary and on our part we assure the Unity Bar that the bond of this fraternity can only get stronger. Our utmost thanks go out to its leadership that has struggled to maintain a cordial relationship with the Bench. It is noted that the Unity Bar has never failed to speak out in defense of the Judiciary when the occasion so demanded. It is even more gratifying to note that the Bar did not hesitate to take up its concerns about the working of the court system and the administration of justice with the appropriate quarters and we also did not bat an eye to address them. This to us in the judiciary is how the Bar and the Bench should work. The unique situation in which we have found ourselves makes it practically impossible for the Bar to work without the Bench and vice versa. Any unnecessary friction will therefore negatively affect the administration of justice. The Unity Bar is therefore urged to continue to give us the necessary support required to oil the machinery of justice. May I urge though that in the coming year the Bar should do more to encourage continuing education among its membership. This call stems from a declining standard we have sadly noticed in the quality of advocacy in our courts. Understandably, the property market in Abuja has gone viral creating a boom for so many lawyers who had keyed into it. But the sacred standards to which lawyers are held entails that a lawyer ought to do more than just making money. The true test of democracy, freedom, liberty and all those words we so frequently use to describe the society of our dreams lies in the courts. The lawyer no matter how wealthy, who lacks the basic skills of advocacy to my mind is like salt that has lost its taste. Of what use is it? Finally I congratulate the following members of the Unity Bar for their sterling achievements this year. For assuming the exalted status of Senior Advocates of Nigeria we salute the following;

1. Prof Yemi Akinseye George (SAN)
2. Selekewei Larry (SAN)
3. Chief Ogwu James Onoja (SAN)
4. Dr. Garuba Usman Tetengi (SAN)
5. Mrs. Joy Okungbowa Adesina
6. Mr. Rotimi Oluseye Oguneso

To these ones we say congratulations, but then, a word of advice. If people are going to remember you for anything, it is likely to be the big mistake that you made. I shall go back to my sports theme and this time football. As a football player, you could score dozens of goals and help your team to win numerous championships. But this is not what people will remember. They will instead remember the penalty kick that you squandered in the dying minute of the game. If only you had converted that kick, the championship would have been assured. But you missed the chance. It has often been said that getting to the top is the easier thing. Staying there is the real challenge. It takes a lot of determination and patience to get to the top where you are today. Today we see you all as iconic legal practitioners who are held in very high regard. You are the impeccable respected lawyers who have set very high standards. You will be respected in your churches and mosques. Staying there is not easy. In all that you do therefore, remember the struggle that has brought you thus far and in all your dealings transact with integrity, honesty, truth and humility. With these virtues on your mind you can never go wrong and no one will accuse you of squandering a penalty kick.

We equally congratulate Mr. Emaka Obegolu former Secretary of the branch and former National Publicity Secretary who has now become the National Secretary

of the Nigerian Bar Association. We are proud of your achievements and assure you of our continuous support.

## JUDICIAL OFFICERS

To my Brother Judges and Khadis. Our returns show that in the last legal year, you have worked hard and put in your best. I know that the fast and efficient disposal of cases and reducing the backlogs in our dockets are important and necessary tasks, but the work of a judicial officer presumes that we must be on a quest for something much more fundamental and that I hope will be the legacy we will leave behind. I would like to take this opportunity to call upon all of you my brothers to continue to maintain the dignity and integrity of your office. We should at all times conduct ourselves in a manner befitting our position in society. Always bear in mind, that your conduct, be it in your private or official capacity is subject to public scrutiny. Where we are found wanting in conduct, confidence in the judiciary diminishes. Permit me to share a quote from Justice Murray Gleeson, former Chief Justice of Australia that I think sums it up well.

*“Confidence in the Judiciary does not require a belief that all judicial decisions are wise, or all judicial behaviour impeccable, any more than confidence in representative democracy requires a belief that all politicians are enlightened and concerned for the public welfare. What it requires, however, is a satisfaction that the justice system is based upon values of independence, impartiality, integrity, and professionalism, and that, within the limits of ordinary human frailty, the system pursues those values faithfully.*

*Courts and judges have a primary responsibility to conduct themselves in a manner that fosters that satisfaction. That is why judges place such*

*emphasis upon maintaining both the reality and the appearance of independence and impartiality. In addition, built into the infrastructure of our institutional arrangements, there are rules and conventions designed to secure and maintain the same confidence."*

As Judges, we are accountable to no one but the law which must be administered without fear or favour, affection or ill will; that will build confidence

Finally, No head of court that is determined to succeed can or should seek to manage every aspect of the court's business for which he is responsible alone. We are fortunate to have an invaluable source of administrative experience and knowledge in our Chief Registrars and the Secretary of the Judicial Service Committee. My colleagues and I truly acknowledge your sacrifices and appreciate the support you have always given us. We shall continue to enlist your help in the management of the courts and in the implementation of the reforms.

## CONCLUSION

A justice system in which all the participants work together, giving their best to make the system as good as it can be, is a justice system that will have the confidence of the public. We are committed to continuing to work with all of you during the year ahead to identify and put in place those steps and measure that will lead to excellence. That is a task which none of us can do alone. As we build this new vehicle, there will no doubt be fine details of design to be discussed and argued over; but please be in no doubt as to the direction in which the vehicle will travel. Let us therefore brace ourselves to our duty and so bear ourselves that if the FCT Judiciary lasts for thousands of years, men will say: 'This was their

finest hour.’ As we build the judiciary of our dreams let’s turn from spectators into participants by recalling the inspiring words of Theodore Roosevelt who said:

*‘Far better it is to dare mighty things, to win glorious triumphs even though checkered by failure, than to remain with those poor spirits who neither enjoy much nor suffer much because they live in the gray twilight that knows not victory nor defeat.’*

We have too much to do to sit on the sidelines. We need you to step out of the gray twilight into the bright sunshine so that we can all see the dawn of a new day.

My Lords, Ladies and gentlemen, I have the honour to Chair an extraordinarily talented and committed judiciary. Despite what may sound at times like a gloomy prognosis I am very optimistic about the future of the judiciary and the foundation that we have laid. If together we aspire, then together we shall achieve. With these few words, finally I say thank you so much for your patience and the courtesy of listening to me. I wish you all a prosperous, rewarding and fulfilling 2012/2013 Legal Year!!!

Hon. Justice L.H. Gummi, *OFR*  
Chief Judge of the FCT and Chairman FCT JSC