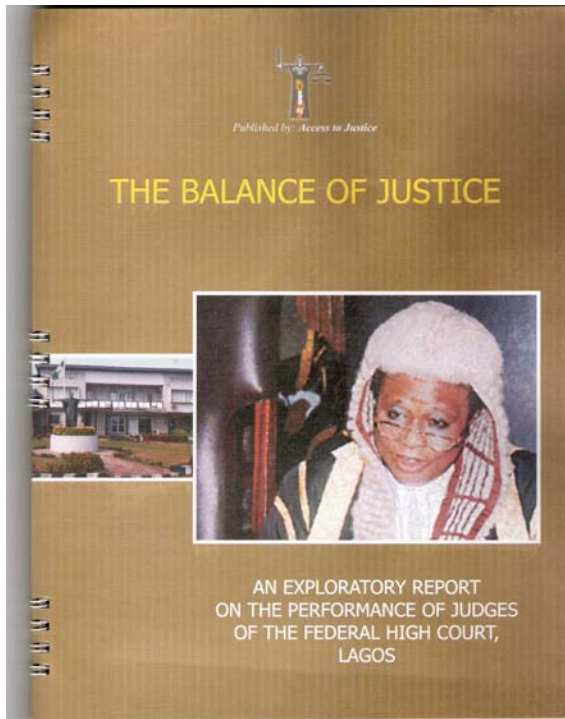


Access to Justice' Report Put Federal High Court Judges in the Performance Spotlight



The Report

The Balance of Justice is a performance-related report on the Lagos Division of the Federal High Court and presents findings of a court observation exercise, conducted with a view to improving justice delivery services by stakeholders, particularly the Judges. Published by Access to Justice, *The Balance of Justice* offers insights into case management proficiencies of judges of the Federal High Court, provides vivid, empirical accounts of their adjudicatory technique, and how these impact the efficiency of the court system.

Methodology and Parameters

The 2 phased court observation exercise, conducted over a total of 6 weeks in the months of February, April and August 2005, draws from the view, world over, that the adjudicative work of judges should be

subject to public scrutiny, as a means of monitoring service delivery in the justice sector, with its tendency, to improve judicial attitudes to court users, improve case-flow management by Judges, and lead to the adoption of peer “best practices” models by Judges. This is moreso, seeing that public impressions about judges and their performance are increasingly assuming significance in the retention or promotion of Judges.

Performance inventories on individual judges were harmonized from the reports of trial lawyers engaged on this project who, by training and experience are reasonably familiar with courtroom ethics and procedures. A veteran judicial correspondent who joined the monitoring team also made ancillary inputs to the inventories.

The initial two- week exploratory Court observation exercise was carried out in February 2005 by 6 observers- 4 Lawyers, a Law Intern and an experienced judicial correspondent, who were limited to a judicial performance index which included punctuality, time management, daily turnover, case management techniques and judicial disposition. The second phase of the court observation exercise carried out by 4 Lawyers was designed to test the accuracy and to strengthen (in some measure) the credibility of the findings and observations from the first phase by four additional weeks of observation in the months of April and July 2005.

Access to Justice concedes that while six weeks of monitoring may not be adjudged to be reasonably sufficient to report conclusively on judges’ adjudicatory or behavioural habits, they nevertheless provide useful glimpses from which each judge’s case management proficiency may be constructed.

Layout

The Balance of Justice presents factual insights into how judges of the Federal High Court, Lagos are perceived at work by users of the court system, and comprises of fact-based narratives, inventories, and analyses on the manner judges managed their time, the peculiarities of some of the judges and their adjudicative style and courtroom disposition. So doing, it seeks to provide the essential element of public scrutiny, as a vital complement to what the National Judicial Council is already doing to enhance judicial performance through monitoring. The analyses show how individual court-room management styles facilitate the efficient administration of justice or foist delays.

The 21 -page report contains a chapter each on the 13 judges of the Federal high Court, Lagos (Court 11 had no presiding judge at the time of the exercise) with emphasis on their conduct of proceedings, time management, courtroom disposition and recommendations on how each judge may improve efficiency.

At the time of the report, the judges of the Federal High Court, Lagos and their respective courtrooms are as follows:

1. Court 1- Hon. Justice Roselyn Ukeje (The Chief Judge)
2. Court 2- Hon. Justice Abdullahi Mustapha
3. Court 3- Hon. Justice Dan D. Abutu
4. Court 4- Hon. Justice R. Oyindamola Olomojobi
5. Court 5- Hon. Justice Abudu Kafarati
6. Court 6- Hon. Justice G.C Okeke
7. Court 7- Hon. Justice I.I Ejiofor
8. Court 8- Hon. Justice M.L Shu'aibu
9. Court 9- Hon. Justice B.B Aliyu
10. Court 10- Hon. Justice Marcel .I. Awokulehin
11. Court 11- No Presiding Judge
12. Court 12- Hon. Justice A.O Ogie
13. Court 13- Hon. Justice A.R Mohammed
14. Court 14- Hon. Justice Tijani Abubakar

The report also contains a chapter on General Observations and Recommendations aimed at strengthening perceived weaknesses in the administration of the Federal High Court, Lagos Division. Some of the recommendations targeted at tackling the perennial problem of oversize caseloads include the appointment of additional judges, introduction of effective case management and processing modules like “Front- loading” and “pre- trial conferencing”, and empowerment of judges for a more judicious use of installed electronic devices.

The report identifies “best practices” initiatives by some of the judges, which it recommends to be replicated in other courtrooms, and provides suggestions as to how their Lordships may strengthen efficiency in their courts. For instance, the report commends Justice Roselyn Ukeje, the Honourable Chief Judge’s docket management practice of scheduling cases on a date/ time basis and recommends it for replication by other judges. The report, which strives to be clear, factual, fair, unbiased and deferential to the dignity of the judicial institution, also commends the preference of some judges for written addresses, while it identifies the apparently heavy reliance of Judges on longhand in spite of the installation of

electronic devices in almost all the courts as contributing to significant delays in the adjudicatory process.

Conclusion

This is a well written report, which attempts to introduce a process of public scrutiny into judicial performance monitoring in Nigeria, with a view to using the information to advocate user- driven reforms in justice services delivery by the court. It represents objective analyses of the judicial performance of judges of the Federal High Court, Lagos Division.

It is the first, of a series of performance inquiry reports Access to Justice intends to publish relating to the Federal High Court, and overall, notwithstanding the limited scope of this exploratory exercise, and in spite of weaknesses observed during the exercise, one may reasonably say that judges of the Lagos Division of the Federal High Court are making measurable advancements in justice services delivery. We are persuaded that this report is so important to members of the public in general, and the targeted stakeholders (the Bar and the Bench especially), and will contribute to improving justice services delivery by judges of the Federal High Court.

Signed,

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