

**THE STATUTORY REPORT OF THE LEGAL AID
COUNCIL AT THE NIGERIAN BAR ASSOCIATION
ANNUAL GENERAL CONFERENCE HOLDEN AT ABUJA
FROM 25TH AUGUST TO 1ST SEPTEMBER 2023.**

It is with gratitude to God Almighty for yet another opportunity that I present the Legal Aid Council's Report for the preceding 2022 legal year to the Annual General Conference of the Nigerian Bar Association (NBA). May I use this medium to congratulate the President of NBA for steering the ship of our great Association for the past one year, hosting this August gathering of legal luminaries and equally felicitate with him for the successful 2022/2023 legal year.

The Legal Aid Council of Nigeria (LACON) is a Federal Government Parastatal supervised by the Federal Ministry of Justice with the mandate to provide free legal services to indigent Nigerians. The Council as a statutory body was established by the Legal Aid Act No. 56 of 1976 and was amended by the Legal Aid Act Cap 205, 1990, Laws of the Federation, this law was later repealed by the substantive Legal Aid Act 2011.

The extant 2011 Act expanded the scope of the mandate of LAC from primarily criminal defence to the rendering of Legal Aid and Access to Justice to indigent persons nationwide by preventing decongestion of detention facilities and custodial centres in Nigeria, assisting road traffic victims, Alternative Dispute Resolution (ADR) and providing legal representation and paralegal services in three broad areas:

- Criminal Defence Services,
- Advice and Assistance in Civil matters including legal representation in court and
- Community Legal Services

The Mission of the Council continues to be the leading and pro-active provider of free, qualitative and timely legal aid services in Nigeria, ensuring social justice and the emancipation of the oppressed, reprieve to the weak and vulnerable thereby giving voice to the voiceless.

We remain grateful for the privilege to once again address this high-powered assembly of our nation's distinguished lawyers effectively straddling diverse successful legal practice areas while providing access to justice to indigent and vulnerable persons in Nigeria. It is therefore on this premise that I present the Council's activities and achievements for the year's appraisal.

May I begin by expressing the Councils appreciation to the NBA President, Yakubu Chinoko Maikyau SAN, OON and other elected National Officers of the NBA for bringing on board some Lawyers in the employment of LACON into some committees of the NBA in addition to inviting the Director General (DG) of LACON to NBA NEC meetings. LACON feel highly honoured with this gesture.

Towards strengthening the relationship between LACON and NBA, the Chairman of the NBA Section on Public Interest and Development Law (SPIDEL) Mr. John Aikpokpo-Martins paid a courtesy call on the DG LACON on the 24th of July 2023 in company of his executives, wherein it was agreed that public interest litigation should be given special attention by LACON and NBA in the forthcoming legal year.

REVIEW OF 2022 PROJECTIONS ON LEGAL AID DELIVERY

Consequent to the projections we presented on the Council's efforts at the last Bar Conference on Legal Aid Delivery and Access to Justice, we are delighted to report significant achievements towards the set goals including but not limited to the following:

Pro bono services.

In furthering and strengthening this relationship between NBA and LACON, may I reiterate my request in the past years by calling on my colleagues in this profession to key into pro-bono services of LACON. I hereunder highlight the statistics of pro bono cases handled on behalf of LACON clients for year 2021 and 2022 for your awareness.

NUMBER OF PRO BONO CASES HANDLED			
YEAR	2021	2022	% INCREASE
	215	403	87.4

To this end, may we respectfully urge members of the legal profession to consider collaborating with LACON as a matter of necessity handling of pro bono cases. This request is respectfully predicated on considerations of the nature of services rendered by the Council in providing free legal services to the indigent in our society, the said demography being the larger percentage of our population and largely resident in semi-urban and rural areas of Nigeria and the Council's strategic relationship with NBA branches nationwide.

Pursuant to the foregoing, may we use this medium to thank some members of the NBA that have deemed it fit as part of their corporate social responsibility to register and have their names listed in our register of legal practitioners rendering pro bono services.

As at the time of this report, we have a total of over 1,671 private legal practitioners/corporate bodies registered as lawyers rendering pro bono services in partnership with the Council. Almost half of these lawyers are based in Lagos and Abuja.

At this juncture, may I use this opportunity to appeal to my colleagues receiving and handling probono cases on behalf of the council to stop abandoning such cases half way. LACON has discovered in the course of monitoring cases handled probono that some lawyers abandon the clients and the cases midway and this is good enough in the interest of justice and considering the image of the proffession. It came to the knowledge of the Council that the notice issued by the immediate past General Secretary on rendering of probono services moved a lot of our members to register with LACON in handling some of these cases with the believe that money will be paid by the Council in the course of or completion of the cases.

Kindly note that all cases assigned to private legal practitioners by the Council under this arrangement are strictly pro bono as funds have not been made available by the Federal Government of Nigeria (FGN) to pay for such services. Access to Justice Funds is provided for under Section 9 of the Legal Aid Act 2011, but it is yet to be activated with funds by the FGN, consequently we do not have the means to pay private legal practitioners who assist our clients on pro bono basis.

Access to justice should be of utmost priority to all members of our noble profession. It should not all be about money. Kindly support the poor by giving a little back to the society.

Paralegal services: The Council in its effort to expand the frontiers of paralegalism in Nigeria as provided under Section 17(3) of our Act 2011, is working with some donor agencies, paralegal service providers and selected private and public universities such as the RoLAC, Isa Wali Empowerment Initiative, Justice Empowerment Initiative, Attorney General Alliance-Africa, University of Lagos, Nnamdi Azikiwe University Awka, Bayero University Kano to mention a few to provide paralegal training/courses for persons towards rendering services such as legal office managers, legal secretaries, research assistants, court/detention facilities monitor and most especially Community Paralegals. LACoN is charged to undertake the regulation of such paralegals

by the granting of practice licenses and keeping a register of such licensees. Trained paralegals can be hired from this pool of capable licensees and be attached to law firms. Their services will be restricted by the supervision of legal practitioners or hiring law firm. It is my firm believe that this will significantly improve the efficiency of legal practice and the justice delivery sector most especially in the rural areas where larger percentage of Nigerians who are poor reside with absence of Lawyers in their communities .

I am glad to report that some Learned Senior Advocates of Nigeria, Professors of Law and Senior members of the Bar are keying into the training and use of Paralegals. In some developing countries such as Kenya, Uganda and developed Countries such as the United Kingdom Paralegals are given a prominent place. Nigeria cannot afford to lag behind in this direction.

LACON is making an arrangement to constitute Network of Paralegal Providers in the incoming legal year.

Reinvigorating, strenghtening and building new partnerships on the Police Duty Solicitors Scheme (PDSS): The Council continues to build new collaborations nationwide fueled by better understanding and synergy between the Council, Lawyers and the Nigeria Police Force. With the support of Partners West Africa (PWAN), PDSS was extended to Niger and Kaduna states in the course of this year.

Building synergy with all critical stakeholders and partners as well as sister agencies in the Justice system and the NBA: The Council remains committed to better working relationships with all critical stakeholders and partners towards achieving workable justice service delivery coordination by critically engaging Donor Agencies and Civil society towards an enhanced Access to Justice.

Speeding up Criminal Justice Project: The Legal Aid Council led by the Director General embarked on visits to correctional services centers across the country towards case loading and providing legal aid services to Awaiting Trial Persons (ATPs) that have stayed long in correctional custody. In October 2022, as a result of LACON intervention through enforcement of fundamental right applications before the Federal High Court in Lagos, 101 ATPs of Kirikiri Maximum Custodial Centre who have spent over 10 years in custody without trial were released.

Towards adding value to our criminal justice sector, LACON is taking steps to explore the benefits of S. 12(2)© of the Correctional Services Act 2019 by filling processes on behalf of condemned convicts who had spent more than 10 years on the death row to have their death sentences

commuted to life imprisonment most especially for such inmates that have good reports or recommendations from the Correctional services to have been of good behaviour while in their custody. Such persons could still be useful to the society.

One Stop Shop for Accident Victims (OSCAR): OSCAR is a department set up in LACON to access damages for Motor Vehicle Accident Victims. This is department not known to members of NBA and the public. May I use this medium to urge our colleagues to always refer their relations and other members of the public to LACON offices if they happen to be passengers that sustain injuries or death in a motor accident to enable LACON access damages on their behalf from Insurance Companies. LACON in collaboration with National Insurance Commission (NAICOM), Nigeria Police Force, Vehicle Inspection Office (VIO), Federal Road Safety Corps (FRSC), Hospital are working together to ensure that our citizens get justice through this medium especially in the FCT.

Between January 2022 to July 2023, LACON OSCAR department assisted our clients in the FCT to claim the sum of N10,784,346.81 (Ten Million, Seven Hundred and Eighty Four Thousand, Three Hundred and Forty Six Naira, Eighty one Kobo) from Insurance companies.

It is our desire to roll out this scheme in more States across Nigeria.

Capacity building in line with international best practices: Targeted training of LACON Lawyers and other supporting staff always produces desired results which is why the Council has continued to solicit for better funding or sponsored facilitation to support its efforts in the capacity building of its staff.

- Support from Donor Agencies and development partners in training LACON staffs cannot be underestimated. In year 2022 flowing into year 2023 the United Nations Office on Drugs and Crimes (UNODC) have trained more than 100 Legal Aid Officers on defence mechanism for defendants charged with terrorism offences, sexual and gender based violence offences among others.
- Worthy to be mentioned is Attorney General Alliance-Africa (AGA-Africa) who has trained about 110 staff (Lawyers and Non-Lawyers) within the Council.

Relationship with Judiciary: LACON report to this body will not be complete without expressing appreciation to the Judiciary in the past legal year. It is worthy of mention the magnanimity of the FCT Chief Judge who expressly granted waiver of Filing fees for all processes filed by LACON Probono lawyers in the course of handling cases on behalf of our

clients before the FCT Courts. May I use this opportunity to request for similar gesture from other Chief Judges of the states and Heads of Federal Courts.

Legal Aid Strategy (2023 – 2028): The last Legal Aid Strategy in Nigeria for 2017 – 2022 expired in December 2022. LACON is making effort to secure support of Donor Agencies or Development Partners to develop a new Legal Aid Strategy for 2023-2028. As soon as this support is received, NBA shall definitely be part of the stakeholders that will be invited to develop the strategy.

Tackling the decline in the Council’s infrastructure and enhancing as well as equipping our various offices nationwide. Despite the efforts of the Council in delivering services under its mandate, the work environment of most of its staff leaves much to be desired as they battle an increasing decline in infrastructure as many of the Council’s offices are underequipped, understaffed and lack basic logistics.

Logistics of the Council: While there has been some improvements in the Council’s logistics, it is far from been satisfactory owing to the sheer volume of the Council’s responsibilities which have been impeded by its lack of adequate logistics.

Here is an outline of the statistics of cases handled for the period under review:

STATISTICS OF CASES HANDLED IN 2022

Type of Cases	Cases Handled
<i>Criminal</i>	4,996
<i>Civil</i>	2,917
Total	7,913

PARTNERSHIPS

Legal Aid Council partnered with the following States' Government, Donors and Non-Governmental Organizations which provided both technical and/or financial assistance to the Council. Their activities with us have been most critical to our success over the years, they are:

- Enugu State Government
- Anambra State Government
- Rule of Law and Anti-Corruption (ROLAC)
- Partners West Africa of Nigeria
- Prisoners Rehabilitation and Welfare Action (PRAWA)
- European Union
- International Committee of the Red Cross
- United Nations Office on Drugs and Crime (UNODC)
- Network of University Legal Aid Institutions (NULAI)
- Isa Wali Empowerment Initiative (IWEI)
- Attorney General Alliance-Africa among others.

CHALLENGES

Legal Aid Council is beginning to surmount its challenges and it is hopeful of overcoming the leftover with the support and assistance of all three tiers of Government, relevant local and International stakeholders as well as concerned corporate bodies and well-meaning individuals.

Some of the challenges are:

- I. Recruitment of additional Legal personnel
- II. Inadequate funding
- III. Well-equipped libraries at the Headquarters, Zonal, State and LGA Offices
- IV. Improved Emoluments and financial implementation of the Legal Aid Council staff conditions of service.

CONCLUSION

The Legal Aid Council's management and staff hereby congratulate the President of the Federal Republic of Nigeria, His Excellency, President Bola Ahmed Tinubui GCFR, on his election and assumption as the President and Commander in Chief of the Armed Forces with the believe that his tenure will usher in advancement in legal aid delivery and the Nigerian Justice Service Delivery System.

The Council equally congratulate the Hon. Attorney General of the Federation and Minister of Justice, Prince Lateef Fagbemi SAN on his appointment as the Honorable Attorney General of the Federation and Minister of Justice, position of which really suites him. It is the Council believe that his coming on board as our principal will usher in better legal aid delivery in the justice sector and the Council shall remain grateful for his expected exemplary leadership.

The Council is deeply appreciative of the Nigerian Bar Association for their critical partnership with us on Pro Bono legal services and Legal Aid Delivery.

In concluding, I would like to personally thank all our Partners and stakeholders that have assiduously worked with us to guarantee that quality legal aid remains available and alive to the needs of indigent Nigerians.

Thank you.

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August 2023.

