

SPECIAL HIGH COURT SESSION MARKING THE COMMENCEMENT OF THE 2025/2026 IMO STATE JUDICIARY LEGAL YEAR

SPEECH DELIVERED BY: CHIEF CHRIS IHENTUGE, CHAIRMAN, NBA OWERRI BRANCH ON 30TH DAY OF OCTOBER, 2025

PROTOCOL:

Let me, on behalf of the Nigerian Bar Association, Owerri Branch and our sister Branches of Orlu, Okigwe, Mbano/Etiti and Mbaise, extend our warm congratulations to His Lordship the Acting Chief Judge and to the entire Judiciary of Imo State on the occasion of this Special High Court Session marking the commencement of the 2025/2026 Judiciary Legal Year. We are grateful for the opportunity to recommit together, to the solemn responsibility we all bear: the preservation and vindication of justice in our State.

We warmly welcome His Excellency, the Executive Governor of Imo State, Distinguished Senator Hope Uzodinma and appreciate his esteemed presence at this special session. The attendance of His Excellency is an encouraging signal that the Executive is ready to work in harmony with the Judiciary and the legal profession in advancing a justice system that truly serves the people.

1. The Theme - “Rekindling Judicial Excellence: The Bar, the Bench and the Burden of Restoration”

Again, I congratulate the Judiciary of Imo State for choosing a theme that is at once timely, measured, and unapologetically demanding: “Rekindling Judicial Excellence: the Bar, the Bench and the Burden of Restoration.” This theme recognizes three truths at once: that judicial excellence is not automatic; that it requires efforts from both the Bar and the Bench; and that restoration is not merely desirable but, in our present circumstance, very necessary.

In being honest with ourselves, we know that the confidence and trust in the justice sector have been strained. When citizens lose faith in the machinery of justice, the rule of law itself is weakened. To rekindle excellence we must accept

the burden of restoration. A burden that is collective, continuous and candid. It is a burden that the Bench and the Bar must carry together.

2. **The Interdependence of Bar and Bench:**

There cannot be a Bench without a Bar, and there cannot be a Bar without a Bench. The relationship is complementary, not adversarial by design. We speak, we argue, the Bench considers and adjudicates. The mutual respect between the two is the oxygen of our legal system.

It is therefore regrettable and harmful when that mutual respect frays. There are reports, some of them recent and disquieting, of judges, Magistrates and Chairmen of Courts speaking to counsel in ways that are derogatory; of lawyers kept in courtrooms from morning into hours with no notice whether their matters will be heard; of proceedings delayed by administrative weakness. Such conducts undermine the dignity of the profession and the dignity of the court and breed resentment and corrode public confidence in the Judiciary.

Members of the Bar must comport themselves with decorum, punctuality and professionalism. Equally, judges and court officials must treat counsel and by extension litigants with fairness and civility. This mutuality is not optional. It is the foundation for public faith in the justice system.

3. **Access to Justice: Infrastructure, Logistics and Administrative Support**

Access to justice is not merely the presence of a courthouse; it is the ability of citizens to reach, use, and trust that courthouse. Several practical, urgent deficits demand attention:

- i. Court Buildings and Chambers: Many of our courtrooms, magistrate complexes and rural courts remain in a state that is unworthy of a temple of justice. The repainting and the mounting of solar systems within the judiciary headquarters are commendable. However, a lot more needs to be done. For instance, the Pavilion where we are having this session today has seen welcome cosmetic improvements. But the interior still demands tiling and adequate ventilation; industrial fans or climate control will improve proceedings and comfort for all of us. The Magistrate Court

complex, Orlu road, remains dilapidated in parts; the courts outside Owerri are in far worse condition. These are not peripheral issues. A decrepit court is a signal to the citizenry that justice is low priority.

- ii. **Court Approaches and Access Roads:** Practical access includes the roads that lead to our courts. The rehabilitation that ends short of the court approach is a gap that frustrates litigants, lawyers and judges. The State government should prioritize completion of road works around the High Court complex and other Courts both within and outside Owerri.
- iii. **Official Vehicles for Judges:** Provision of official vehicles for judges should not be treated as a privilege. Some of our High Court Judges till date do not have official vehicles. This is an unfortunate and against the directive and policy of the National Judicial Council. Similarly, Magistrates and Customary Court Chairmen, lack reliable official transportation means. This hampers prompt court sittings, court inspections, and professional engagements. The inability of a judge to attend court promptly for lack of transport is a preventable cause of delay and injustice. We therefore urge the State Government to provide vehicles for these our High Court Judges, Magistrates and Customary Court Chairmen.
- iv. **Magistrates and Customary Court Chairmen:** The infrastructure and logistical support available to Magistrates and Customary Court Chairmen must be upgraded. Often, they are first point of contact with justice for rural citizens; yet they remain the most materially neglected.
- v. **Digitalization and Power:** The welcome installation of solar system is a step in the right direction. We should accelerate digital court records, e-filing and case management systems. Reliable power supply and basic IT are essential to reducing delay, improving record-keeping, and widening public access.

We must acknowledge that the strength of a democracy is measured, not by the size of its budget or buildings, but by the efficiency and integrity of its justice system. The Judiciary remains the last hope of the common man, but it cannot discharge that sacred duty without adequate tools. We therefore appeal to the

State Government to deepen its investment in the Judiciary - not as a favour, but as a constitutional responsibility.

Provision of official vehicles for judges, renovation of dilapidated courtrooms, digitalization of records, and general improvement in the working environment of Judges, Magistrates and Customary court Chairmen should receive urgent and sustained attention. When our courts function efficiently, the government itself earns credibility and the citizen's confidence in governance is renewed.

My Lords, and distinguished colleagues, with the relative peace and stability now restored across our State, the Bar respectfully calls for the full resumption of court sittings on Mondays in Owerri.

While the security situation had understandably necessitated earlier restrictions, we observe that virtually all other public institutions and civil servants have since resumed normal Monday operations. The continued suspension of court sittings on that day in the capital city has become counterproductive, causing delays in case management, congestion of dockets, and loss of valuable judicial time.

The Bar therefore appeals to the leadership of the Judiciary to direct that all courts in Owerri and its environs should resume Monday sittings forthwith, subject of course to any security advisories from the appropriate authorities. The people's confidence in justice delivery will be better served by the visible return of normalcy to the temple of justice.

We have also received appeals from our sister branches - Orlu, Okigwe, Mbano/Etiti, and Mbaise, requesting that courts which were temporarily relocated to Owerri due to earlier insecurity concerns be returned to their original judicial divisions. The relocation of those courts, though understandable at the time, has placed enormous hardship on litigants, witnesses, and lawyers who must now travel long distances for matters that should ordinarily be handled within their local jurisdictions. Access to justice must be physical, not symbolic.

We therefore appeal to the Acting Chief Judge and the relevant authorities to re-deploy those courts back to their rightful bases, as soon as practicable. It will ease the burden on the Owerri Judicial Division, restore efficiency, and reaffirm the Judiciary's presence across all parts of the State. However, this is highly subject of course to any security advisories from the appropriate authorities.

My Lords, the legal community was recently embarrassed by the sudden discovery of a legislative enactment known as the High Court (Amendment) Law 2022.

This Law, particularly its Section 42(2), purports to authorize the Chief Registrar to assign case files “where there is no substantive Chief Judge.” This provision is not only curious but flagrantly inconsistent with Section 271(4) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), which vests such powers exclusively in the Acting Chief Judge whenever the office of Chief Judge is vacant.

The Bar views this as a direct affront to the constitutional principle of judicial independence and the proper hierarchy of judicial authority. We therefore call on the Imo State House of Assembly to urgently repeal this offending provision in the interest of constitutional order. Should the anomaly persist, the Bar will have no choice but to invoke appropriate legal processes to challenge it and restore the supremacy of the Constitution.

Our position is not born out of confrontation but of conscience to ensure that the law remains supreme, and that no administrative convenience or political influence is permitted to erode the sacred autonomy of the Judiciary.

4. Court Staff Conduct, Extortion and Administrative Integrity

The Bar has received disturbing complaints about certain court staff whose conduct falls well below accepted standards. Extortionate demands on lawyers and litigants, deliberate delay tactics, and general indiscipline by some court employees are corrosive. These practices victimize the poor - those who can least afford them, and we must address them decisively.

To that end, the Bar proposes:

- A transparent internal disciplinary mechanism for court staff, to ensure complaints are investigated quickly and fairly.
- Capacity-building and continuous professional training for court staff on ethics, customer service and case administration.
- Introduction of anonymous reporting channels where lawyers and litigants can lodge complaints without fear of victimization.

5. Police Practice of Magisterial Remands and the Fear of Executive Influence

Another area of concern is the practice whereby suspects are frequently remanded by the police in apparent circumvention of timely judicial oversight. The tendency to use magistrates as passive endorsers of remand orders without prompt hearing or bail consideration is troubling and in some cases, may be symptomatic of a larger problem: the fear of judicial officers to make bold orders when necessary, sometimes out of apprehension of executive pressure.

Judicial independence must be lived, not merely declared. Judges must be supported institutionally to perform their duties without intimidation. The Bar calls for:

- Clear protocols and timelines for remand hearings to reduce prolonged pre-trial detention without judicial scrutiny.
- Stronger safeguards to protect judicial officers from external pressure.
- True judicial independence.

6. Appointments, Seniority and Fitness for Office

The Bar recommends that the appointment of a Chief Judge ought to respect seniority, as obtainable in Federal Courts, Appellate Courts and other states of the Federation. A transparent, predictable convention on seniority reduces rancour, discourages politicization, and strengthens institutional continuity.

But seniority alone is not enough. Before appointment to the Bench, a thorough assessment must be conducted. This assessment must ensure that candidates are:

- Competent in law and practice;
- Physically and mentally fit for the demands of the office (including considerations of age and stamina where relevant);
- Person(s) of integrity, with no record of behaviour likely to bring the judiciary into disrepute;

We say this in the aftermath of events in recent months which tested our institutions and caused grave concern. It is better to be deliberate and thorough in appointment than forced to confront avoidable crises later.

7. Remuneration and Welfare of Judiciary Staff and Law Officers

The JUSUN delegation that met with His Lordship, the Acting Chief Judge in a meeting facilitated by the leadership of the NBA Owerri Branch on 23rd October, 2025, articulated legitimate grievances: outstanding salary arrears, non-inclusion in minimum wage increments, missing pension captures for retired staff, and lack of an approved salary table for judiciary workers. These are pressing problems.

Similarly, Law Officers in the Ministry of Justice have reported salary deductions and arrears that are demoralizing. We commend the Attorney-General for institutional improvements such as the establishment of a typing pool, but more must be done.

As stakeholders, we must draw attention of the State Government to the lingering welfare concerns of judiciary workers and Law Officers whose dedication under difficult circumstances keeps the wheels of justice turning. Addressing these issues is not just a matter of labour relations, it is an act of justice itself.

We trust that with the same political will demonstrated in other sectors, the administration of His Excellency, Distinguished Senator Hope Uzodinma, will see to it that the Judiciary and its supporting workforce receive the attention and dignity they deserve.

The Bar calls on the State Government to:

- Resolve outstanding salary arrears and ensure judiciary staff are included fairly in wage reform and incentives;
- Produce and implement an approved salary table for judiciary workers;
- Ensure prompt capture of retired staff into pension and benefits schemes; and
- Consider incentives for personnel in rural and underserved stations.

A well-remunerated, motivated judiciary staff is foundational to efficient administration of justice.

8. Training, Continuous Learning and Judicial Capacity Building

Rekindling excellence requires investment in human capital. The Bench and the Bar must commit to continuous professional development:

- i. Regular judicial and legal education programmes, including practical training on case management, alternative dispute resolution, cyber law, and forensic evidence handling.
- ii. Joint Bench–Bar seminars to improve communication, mutual understanding and working protocols.
- iii. Specific induction training for newly appointed judicial officers to equip them with administrative and ethical frameworks necessary for office.

9. Restoring Public Confidence: Practical Steps

Restoring confidence is not achieved by rhetoric alone. We propose concrete measures:

1. **Timely and Transparent Case Management:** The Judiciary must implement and enforce case management calendars, set firm timelines for hearings and judgments, and publish court sittings and status of cases where feasible.
2. **Discipline and Accountability:** A transparent disciplinary protocol for judicial officers and court staff, with safeguards for fairness and due process, will strengthen institutional trust.
3. **Alternative Dispute Resolution (ADR):** Expand ADR centres and sensitization to reduce backlog and provide quicker access to justice for non-complex matters.
4. **Legal Aid and Vulnerable Litigants:** Particularly for members of the Bar, increase legal aid coverage, including pro bono schemes among senior counsel, and ensure vulnerable citizens have meaningful access to representation.

10. Commendations

We commend the Acting Chief Judge and the Judiciary for steps already taken. This includes the painting and repairs to some facilities, the installation of solar power system, and the willingness to meet in good faith with JUSUN and stakeholders. We also commend the JUSUN leadership for bringing their concerns transparently to the table and suspending the strike in the interest of the judiciary and the people we all serve.

We are encouraged by the Attorney-General's reform plans in the Ministry of Justice as he recently disclosed to the leadership of the Bar in our meeting with him. The Bar is committed to continuing efforts to support judicial reforms. These signs are reasons for guarded optimism.

The Nigerian Bar Association, wishes to state clearly and respectfully, that our advocacy is never against any individual or arm of government. We are not adversaries; we are partners in the pursuit of justice. Our position on judicial independence, welfare, and due process stems from conscience, not confrontation. We owe it to the Constitution and to our professional oath to speak truth in season and out of season.

Our demand is always simple: that what is fair, right, and just be done, always and without fear or favour. The Bar will always support every initiative of the Executive that promotes transparency, strengthens institutions, and uplifts the dignity of our courts.

We look forward to a renewed and pragmatic partnership between the Government, the Judiciary, and the Bar. Let us together build a justice system where the poor can walk into court without fear, where judgments are delivered promptly, and where every arm of government operates in its constitutional space with mutual respect.

We are committed to the success of the current administration in the State. It is our desire that history will remember this administration as one that did not just build roads and structures, but rebuilt faith in justice.

11. Conclusion

The burden of restoration is heavy, but it is shared. Let us be candid: restoring public trust will require sustained action over months and years, not beautiful speeches only. The Bar stands ready to partner the Bench in practical, concrete

ways: in training, in disciplinary reforms, and in the day-to-day work of keeping the temple of justice clean and accessible.

I close with two reminders. First, the words that have guided generations of lawyers and judges: ***“Justice delayed is justice denied.”*** Let us therefore commit to procedures and resources that reduce delay. Second, a plea for humility and mutual respect - for no institution stands tall if those who serve it do not lift one another.

My Lord, the Acting Chief Judge, distinguished members of the Bench, colleagues of the Bar, and the people we serve - the path to rekindling judicial excellence lies in our hands. May we, together, answer the burden of restoration with courage, candour and consistent action.

As we stand at the dawn of a new legal year, we extend our hands of partnership to the Executive arm of government. The Bar will continue to offer constructive guidance and honest counsel. Our criticisms, when they arise, will never be borne out of malice but of conscience. We seek only that justice flows down like waters, and righteousness like a mighty stream.

God bless the judiciary of Imo State. God bless the Nigerian Bar Association, Owerri Branch. God bless Imo State.

Thank you.

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Chairman, NBA Owerri Branch

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