



# COMMUNIQUE FROM THE WEBINAR

ORGANISED BY:



TOPIC:

**COVID-19: JUSTICE SYSTEM IN  
NIGERIA AND THE NEED FOR  
INNOVATION AND TECHNOLOGY**

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# Covid-19:

JUSTICE SYSTEM IN  
NIGERIA AND THE NEED FOR  
**INNOVATION AND  
TECHNOLOGY.**

- 1.0 **Topic:** Covid- 19: Justice System In Nigeria And The Need For Innovation And Technology
- 1.01 **Date:** 1<sup>st</sup> of May, 2020.
- 1.02 **Commencement Time:** 3:00pm
- 1.03 **Host:** ‘Kemi Pinheiro, SAN (Principal Partner, Pinheiro LP)
- 1.04 **Moderator:** Ajoke Ojikutu (Associate Partner, Pinheiro LP)
- 1.05 **Distinguished Panelists:**
1. **Dr. Oladapo Olanipekun, SAN** , Lead Partner, Esher & Makarios.
  2. **Professor Richard Susskind, OBE**, Founder of Remote Courts Worldwide and Author of “ *Online Courts and the Future of Justice (2019)*” .
  3. **Sanni Eniola**, CEO, First Hightower Infotech Ltd , company that developed and is supporting the Judiciary Information System (JIS) for Lagos State Government.
  4. **Phillip Hackett, QC**, the 36 Group.
  5. **Binaldonije**, Senior Counsel at General Electric , LLM Innovation, Technology and the Law.
- 1.06 **Closing time:** 5:00pm
- 1.07 **Registered Participants:** 1,030 (One thousand and thirty).
- 1.08 **Total participants at peak:** 581 (Five hundred and eighty-one).
- 1.09 **Technology Platform:** Zoom Application



## 2.0 Introduction

2.01 Necessity, they say, is the mother of all inventions. In view of the Covid-19 pandemic, it became glaring that our judicial system, which had been greatly affected due to the inability of the Courts to sit, was in dire need of an urgent intervention to enable access to justice remotely.

2.02 The failure to take advantage of technology in justice delivery system in Nigeria had become more evident. Identifying this need, the Law Firm of Pinheiro LP led by the very illustrious Senior Advocate of Nigeria, 'Kemi Pinheiro, organized a webinar, which was centered on the need to discuss elaborately the need for innovations and technology in the administration of Justice in Nigeria.

## 3.0 Overview

3.01 The webinar was a two (2) hour event, organized through Zoom application platform. Advert post for the event was sent five days before the event. One thousand and thirty (1,030) participants registered for the webinar. On the day of the event, Five hundred and eighty-one (581) registrants logged in and stayed active till the end of the event. The Host, Kemi Pinheiro, SAN, welcomed the registrants and the panelist and thereafter handed over to the Moderator. Each Panelist had a ten (10) minutes presentation which lasted for an hour with another round of questions for thirty (30) minutes before the Question and Answer session from participants to the panelist.

## 4.0 Presentation from Panelists

4.01 In commencing his discuss, Professor Richard Susskind, asked a very germane question on "whether the court was a place or a service?" And whether physical appearance was compulsory in the administration of justice? In reference to his book, "Online courts and the future of justice", he emphasized the need to deploy technology in resolving disputes which would increase the rate of access to justice.

4.02 Dr. Oladapo Olanipekun, SAN, discussed his thoughts on the fundamental changes that will occur in the legal profession in light of the technological innovations being proposed and commenced with his view on the relevance of lawyer's vis-à-vis the lockdown. He cited the provisions of sections 4, 5, and 6 of the 1999 Constitution of the Federal Republic of Nigeria As amended and stated that the Executive and Legislative arms of Government are in operation whereas the Judiciary has been inactive thus creating lack of access to justice to the public at large.



4.03 Sanni Eniola explained the modalities of the Judiciary Information System (JIS), the progress and challenges observed thus far. He explained that the JIS is a web based case management application which covers the entire work flow of the Lagos State High Court Judiciary. The JIS grants registered users an electronic filing platform with the recent inclusion of an e-payment option.

He stated that there was an initial challenge relating to affidavits which was rectified via the introduction of a video chat with the Commissioner for Oaths thus allowing online deposition.

4.04 Phillip Hackett, QC, in discussing the structures in place for remote hearings and filing in Court, began by stating that everything needed for remote hearing in the United Kingdom is already existing in the procedural laws, citing the case of Bank of Kazakhstan vs. Bank of New York Mellon, wherein Justice Teare of the High Court completed the hearing of a commercial case within five (5) days during the Covid-19 lock down. Witnesses were afforded the opportunity to give evidence from outside jurisdiction.

4.05 Bina Idonije stated the National Judicial Council (NJC) is not averse to the adoption of technological advancement as the NJC formulated the Judicial Information Technology Policy in 2012 based on the conclusion that to fully satisfy the yearnings of Nigeria for speedy and qualitative justice and justify the confidence of the public in the judiciary, the use of technology can no longer be discretionary.

### 5.0 Challenges

Some of the challenges posed by the panelist during the session.

5.01 Non-availability of technological infrastructures, internet bandwidth, power supply and technological illiteracy.

5.02 High risk of data manipulation associated with online court systems. Even though these challenges are not insurmountable, it was advised that the adoption of online court systems in Nigeria should be tailored to the peculiarities of the Nigerian judicial system.

5.03 The strength of a courts sanctions regime is key in remote hearing and a lack of proper sanctions regime will pose a threat to the success of remote hearings in justice delivery in Nigeria.



6.0

### Comments from participants

Below are a few comments and suggestions from the participants of the webinar:



**The major question that has been on my mind since the lock down is whether legal services are not essential services."**

**"The prominent challenge confronting Courts in Nigeria is clogging. In addition, not all cases can be heard and determined vide remote hearings."**

**"All said and done, we have a 'new normal' situation staring us in the face. A technologically driven Justice System is a task that must be done. With a collective will to see it happen, it is absolutely do-able."**

**"Can the judiciary organise a webinar to train lawyers on e-filing and also, some lawyers don't have their user I.D. up till now, how do we access the user I.D?"**

**"In Light of the provision of the Evidence Act on documentary evidence, can the Nigerian Judiciary Commence, at least, with the Paper Based Remote Court?"**



7.0

### Recommendations from Panelists

Main recommendations and conclusions arising from the session are as follows:

1. It is pertinent that our laws and policies are changed now to accommodate the use of digital systems in justice dispensation.
2. Training of judiciary staff on digital skills, and the modality of technological infrastructures and introduction of block chain technology for issues such as admissibility of evidence to aid transparency and immutability.
3. Emphasis be placed on adopting the use of technology so as to establish an efficient justice system.
4. The fundamental right of citizens should be the primary focus, thus the adoption of technological advancements should not be to the detriment or compromise of fundamental rights such as right to fair hearing.



# Covid-19:

## JUSTICE SYSTEM IN NIGERIA AND THE NEED FOR INNOVATION AND TECHNOLOGY.

5. A willingness to welcome novel developments is vital to the modernization and progress of the Nigerian justice system.
6. In rural areas, it was recommended that satellite justice centres equipped with internet, audio and visual facilities be created, to ensure availability of internet and infrastructures which are vital to the success of digital court systems.
7. A temporary practice direction be promulgated to solve the present issues as to remote court hearing.
8. Stakeholder feedback to be employed to create a feeling of relevance at all levels.
9. An imperative need to review and revamp the modus operandi of the Nigerian Law School curriculum in order to produce information technology inclined Lawyers.

8.0

### Conclusion

In conclusion, the silver lining of this dreadful global pandemic is that we are seeing a possible advancement in the use of technology to increase access to Justice. The Nigerian Judicial System should therefore take full advantage of this period by putting into place necessary practice directions or specific rules simplifying procedures for paper hearings, audio hearings and video hearings in civil and criminal proceedings.

# WEBINAR FEEDBACKS



## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



I must say your law firm hit the nail on the head in hosting this webinar. My time and data was well worth it.  
Kudos!



THE WEBINAR VIDEO AND SUMMARY  
CAN BE FOUND ON OUR WEBSITE.

## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



Your webinar was awesome. Your firm always goes a step ahead in making legal reform recommendations. I remember Pinheiro was a champion for IN REM criminal prosecution long before ACJA, the article on using BVN for garnishee proceedings was on point too. I see this idea of digitising legal proceedings coming to fruition in no distant time. Thanks my man. After lock down please call us for the reception.



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## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



This is the stuff international organisations are made of!!!!



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## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



I stayed glued to my computer. I could not have imagine doing that! Thanks.



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# WEBINAR FEEDBACKS



## FEEDBACK ON OUR FIRST #COVID19 WEBINAR

That was such an insightful symposium! Congratulations to you, the distinguished panelists and your staff. I look forward to all other symposia of this nature.

## FEEDBACK ON OUR FIRST #COVID19 WEBINAR

Thank you so much for putting together this insightful webinar. As a student of law, it helped me understand that the times are changing and as lawyers we ought to embrace such change. Indeed necessity is the mother of invention! Thank you once again, KP.



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## FEEDBACK ON OUR FIRST #COVID19 WEBINAR

Honestly, I was already tired of webinars but the quality of panelists caught my attention and they didn't disappoint. It's spot on that I think even the judiciary will emulate same soon. Well done, Team Pinheiro. Thank you for informing me about this spectacular seminar. It's worth the while.

## FEEDBACK ON OUR FIRST #COVID19 WEBINAR

The panelists were able to professionally address the issues with clarity. It definitely was a great session.



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# WEBINAR FEEDBACKS



FEEDBACK ON OUR  
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Webinar well  
put together.



  
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Yes o that was good,  
well coordinated. In  
short it was  
brilliant. Hope our  
short comings  
observed will be  
addressed.



  
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I enjoyed it a  
lot.



  
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I really enjoyed  
that. Thank you  
sooo much for  
inviting me.  
Bless you.



  
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# WEBINAR FEEDBACKS



## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



What a wonderful presentation!  
There are a few challenges outlined during the presentation that our judiciary needs to address for a smooth remote system of SOME of the court proceeding.  
Well-done, sir.



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## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



I just wanted to listen in and log out shortly of the webinar. However, it was so insightful and instructive that I stayed on to the very end.



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## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



I took part in the webinar.  
It was very insightful.



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## FEEDBACK ON OUR FIRST #COVID19 WEBINAR



# THANK YOU.



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