

**SPEECH BY HIS LORDSHIP, THE HONOURABLE THE CHIEF JUSTICE OF NIGERIA,
HON. MR. JUSTICE WALTER SAMUEL NKANU ONNOGHEN, GCON, AT THE
LAUNCH OF THE GLOBAL JUDICIAL INTEGRITY NETWORK, VIENNA, AUSTRIA
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JUDICIAL INTEGRITY'**

It is an honour to be at this important, perhaps historic occasion, and share my thoughts and experiences with you. What could be more important than the quest for justice in every society? What could threaten justice more than the want of integrity on the part of those charged with its administration? We must therefore appreciate UNODC for the decades of efforts at strengthening Judicial Integrity.

Why Judicial Integrity?

Judicial integrity entails an uncompromising adherence by judges and judiciaries to ethical and moral principles. It goes beyond judicial ethics or professional conduct; it underpins the rule of law, which, in its modern attributes, expects independent and impartial courts to interpret laws and adjudicate over disputes. Therefore, Judicial Integrity encompasses judicial independence, judicial accountability, judicial transparency, judicial ethics and the fair and effective enforcement of judgments.

We may therefore say that justice is anchored on Judicial Integrity. All the mechanisms and safeguards enshrined in laws, and rules for the administration of justice, will be futile in the absence of Judicial Integrity.

Recent initiatives to prevent corruption and promote Judicial Integrity in Nigeria

Indeed, even a false perception of want of Judicial Integrity is perhaps as damaging as the actual lack of it. Where the confidence that justice is being done wanes, society is deprived of the fruits of justice: peace, stability and progress. Consequently, not only the justice system, but the entire socio-economic system, becomes susceptible to existential challenges.

This realisation propelled me, immediately upon taking over as the Chief Justice of Nigeria, to initiate a Reform Agenda, taking a critical look at the judiciary, with a view to ensuring that Judicial Integrity not only abounds, but is also seen to abound.

We therefore set out to identify the mission critical areas, the rules, regulations and processes that impact on Judicial Integrity and shape the perception. We determined that, for the judiciary and judges to possess, and be seen to possess integrity, they must actually fight, and be seen fighting, to eliminate corruption within the ranks. They must also handle fairly, transparently and speedily, the trials of persons, within and outside the judiciary, who are accused of corrupt practices.

The established Anti-Corruption and Transparency Committee of the National Judicial Council is aimed at tackling corruption within the judiciary. The committee proposed and received approval for rolling out an elaborate Anti-Corruption and Transparency Mechanism. The measures complement the hitherto reactive mechanism, whereby the judiciary merely waited for complaints and investigated them. While enhancing the reactive mechanisms, we also adopted proactive measures, to actively detect incidences of corruption and plug potential opportunities.

The measures include the administration of random periodic Quality Ensuring Scan Tests (QUEST); development of Non-Adversarial Trigger Mechanisms for investigations; Community Engagement and Involvement; Whistle-blower Encouragement and Protection; Public dissemination of our revised Code of Conduct and Ethical Standards, to enable the public detect deviations, and report, etc.

To address the external facet, we designated specific courts to handle corruption and financial crime trials. I inaugurated the Corruption Trials Monitoring Committee (COTRICOM) also of the National Judicial Council to take a comprehensive look at the entire architecture of conducting corruption trials, diagnose the causes of delayed and failed trials and recommend corrective measures. The committee is now deep into the assignment.

Furthermore, the Reform Agenda also includes the review and enhancement of existing measures that impact on Judicial Integrity. We just amended the *Judicial Discipline Regulations* to ensure that, even where complaints against judicial officers are withdrawn, investigations may proceed, and any established misconduct is appropriately sanctioned.

Transparency, not only of trials but of all processes, particularly in the recruitment and advancement process, is key to entrenching integrity and sustaining public confidence. This informed the review and publication of the *Revised Guidelines and Procedural Rules for the Appointment of Judicial Officers*.

It would be difficult to attract and sustain confidence in the integrity of a judiciary that fails to perform effectively and efficiently, because the proof of the pudding, as is usually said, is in the eating. In this day and age, with a public accustomed to speedy transactions, courts must leverage technology to meet public expectations. The quest to automate our courts and processes moved to the front burner of the Reform Agenda. On the 2nd of February this year, we commissioned the first court that we retrofitted to leverage technology, for speedy and effective resolution of disputes. On the same day, I announced a deadline for the use of the manual service of court notices and processes on lawyers, as we completed a special electronic enabling platform for the legal system. More is on the way as we forge on to full automation.

Global Judicial Integrity Network: Expectations

It must be obvious at this stage, that for us in Nigeria, the Global Judicial Integrity Network could not have come at a better time. We see it as a welcome missing link in our ongoing efforts. Permit me to say again, that justice is anchored on Judicial Integrity, and also agree with Dr Martin Luther King Jr, that “injustice anywhere is a threat to justice everywhere”.

We in Nigeria have always been firm believers in collaboration and partnership with both national and international organisations, in our quest to enhance judicial capacity and integrity. The National Centre for State Courts (NCSC) of the United States has been invaluable in our efforts at automation. Above all, has been the UNODC, as a valuable partner and enabler, in many of our reform efforts. We were in the Judicial Integrity Group and part of the development of the *Bangalore Principles of Judicial Conduct*.

The Global Judicial Integrity Network is a logical and inevitable next step. It is time to develop global measures and mechanisms for the attainment and sustenance of the prescribed integrity.

Accepted global standards and measures have persuasive force. They empower national champions of Judicial Integrity, providing ready tools and weapons. Practices that erode Judicial Integrity often have powerful vested interests behind them. The force of universal standards and practices would

prove helpful to those struggling to enthrone or enhance Judicial Integrity at national levels.

Furthermore, lessons learnt by, and from other jurisdictions, may come in handy. The Network should be a valuable platform for the exchange of ideas in this regard. Expectedly, we may leverage modern technology to ease accessibility to these ideas and practices. This may complement the irreplaceable periodic physical networking meetings.

The Network has the capacity to open up limitless possibilities for beneficial collaboration amongst judges and judiciaries of the world. Collaboration may facilitate savings, due to economies of scale. Lots of resources, always scarcer for judiciaries than other arms of governments, are now wasted by judiciaries struggling to reinvent the wheel.

The Nigerian Judiciary just completed the development of its own electronic Nigerian Case Management System (NCMS). We partnered the NCSC in this and own the source code thereby, shifting the paradigm from expensive and often exploitative licenced-software provided by commercial vendors, hardly affordable or sustainable by developing nations. We are now in what may be termed a judiciary-crowd sourced model. Five Caribbean judiciaries have already joined us, and we welcome more.

Time will not allow me to list and elaborate on all the potentials of the Global Judicial Integrity Network. Judicial Integrity inevitably challenges vested interests. Seeking to entrench or defend Judicial Integrity often proves hazardous. Many have suffered setbacks for daring. A global network of support for its champions would surely prove valuable. Details and modalities may evolve in further discussions, but I seek to leave you with the thought.

Thank you very much for your time.

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