

MAIDEN EDITION OF ADEBAYO ADELODUN & CO QUARTERLY ROUND TABLE

THEMED
IMPACT OF ADJOURNMENT AT
THE INSTANCE OF THE COURT
ON THE ADMINISTRATION OF
JUSTICE IN NIGERIA

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Adebayo Adelodun, SAN, FCI Arb

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RESOURCE PERSONS

- (1) HON. JUSTICE H.A. GEGELE
- (2) BABATUNDE OLOMU, ESQ.,

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EDITORIAL NOTE/PREFACE

Administration of justice is the cornerstone of any civilized society, encompassing the rule of law, fairness, and equity. In Nigeria, the judicial system is tasked with upholding these principles amidst a complex landscape of legal, social, and economic challenges. One critical aspect that significantly affects the efficiency and effectiveness of this system is the phenomenon of adjournments, particularly those initiated at the instance of the court. This publication, "Impact of Adjournment at the Instance of the Court on Administration of Justice in Nigeria," seeks to delve into this issue with a view to illuminating its implications and offering potential solutions.

Adjournments, by their very nature, serve as a procedural tool to ensure that justice is not only done but seen to be done. They allow for the thorough preparation of cases, the availability of witnesses, and the accommodation of unforeseen circumstances. However, when adjournments become excessive or are foisted on litigants without justification, they can lead to significant delays, undermining public confidence in the judicial process and impeding effective administration of justice.

In Nigeria, the frequency and reasons for court-initiated adjournments have raised concerns among legal practitioners, scholars, and the general public. These adjournments can stem from a variety of factors, including but not limited to, the absence of presiding judges, administrative inefficiencies, and the backlog of cases overwhelming the Courts. Such delays have profound consequences, affecting the lives of litigants who seek resolution and redress through the Courts, and impacting the broader society that relies on the judiciary to uphold law and order.

The impetus for this publication arises from recognition of the critical need to examine and address the underlying causes and effects of court-initiated adjournments. By bringing together stakeholders and expert analyses, this work aims to provide an understanding of the scope and scale of this issue. It also seeks to explore the broader implications for the administration of justice in Nigeria, including the erosion of public trust, the economic costs of delayed justice, and the potential for judicial reforms to mitigate these challenges.

The paper presenters at our first roundtable leading to this publication have drawn on a diverse range of sources and perspectives to provide a balanced and thorough examination of the topic.

One of the key outcomes of the roundtable highlighted in this publication is the need for systemic reforms to address the root causes of court-initiated adjournments. These reforms may include measures to improve judicial accountability, enhance administrative efficiency, and increase the resources allocated to the judiciary. Additionally, the role of technology in streamlining court processes and reducing delays is examined, with particular attention to the potential benefits of digital case management systems and virtual court proceedings.

Delays in the judicial process disproportionately affect those who are already marginalized, such as the poor, less privileged, women, and children. By exploring the specific challenges faced by these groups, we underscore the importance of an inclusive approach to judicial reform that ensures access to justice for all members of society.

In presenting this publication, we acknowledge the dedication and commitment of the Nigerian judiciary and the broader legal community in striving to uphold the principles of justice and equity. The challenges posed by court-initiated adjournments are

not unique to Nigeria, and lessons can be learned from other countries that have successfully implemented reforms to reduce judicial delays. However, the unique socio-political and economic context of Nigeria necessitates tailored solutions that take into account local realities and constraints.

This publication is intended for a wide audience, including legal practitioners, policymakers, scholars, and students of law. It aims to foster informed dialogue and collaboration among all stakeholders involved in the administration of justice. By highlighting the critical impact of adjournments and offering practical recommendations for reform, we hope to contribute to the ongoing efforts to strengthen the Nigerian judicial system and enhance its capacity to deliver timely and effective justice.

Administration of justice is a dynamic and evolving field that requires continuous assessment and adaptation. The issue of court-initiated adjournments is a significant challenge that warrants urgent attention and action. We trust that this publication will serve as a valuable resource in the pursuit of a more efficient, fair, and just judicial system in Nigeria. We invite readers to engage with the findings and recommendations presented herein and to join us in the collective effort to improve the administration of justice for the benefit of all Nigerians.

The journey towards a more efficient and effective judiciary is a shared responsibility, and it is our hope that this publication will inspire meaningful progress in this vital area of public life.

Adebayo Adelodun, SAN, FCI Arb
July 2024

THE IMPACT OF ADJOURNMENTS AT THE INSTANCE OF COURT ON THE ADMINISTRATION OF JUSTICE IN NIGERIA

BY

HON. JUSTICE H. A. GEGELE

1.0 INTRODUCTION

When I accepted this invitation, I felt confronted with the options of towing the academic line by being philosophical about the topic, thereby demonstrating writing and textual prowess in long essay with footnotes, indexes and the like or to be factual in sharing my experience as a judge on the topic **"The impact of adjournments at the instance of court on the administration of justice in Nigeria"**. Knowing fully well that, numerous Doctors and Professors of law are products or friends of this great law firm and any of them could have been chosen to doctorate or be professorial on the topic. I conclusively chose the latter option and I hope my approach will quench the thirst of the learned minds in this office, for choosing the topic.

Adjournment and justice have different meanings but one can be described as a bridge of attaining the other, if well managed or one may be pandemic to the other if, it is let loose. This therefore, makes a conceptual clarification of the two words germane and I will be brief about this.

2.0 ADJOURNMENT AND JUSTICE DEFINED

An adjournment in a legal setting involves the pausing or temporarily stopping an ongoing proceeding to be continued at a later time, date or location. Sometimes, it indicates the end of the day's proceedings. Parties involved in the case can request adjournments and adjournments may be at the instance of the court *suo motu* for different reasons.

On the other hand, and because justice is applicable to every aspect of human relationship, the word "justice" seems to defy a generally acceptable meaning. The legal consideration of the word "justice" differs from its social consideration which has several variations such as, retributive justice, distributive justice, utilitarian justice and restorative justice.

The legal justice is, justice as defined by the courts and it is that same justice that wears the different togas and variations under its social consideration. The legal justice has become a household word such that, whenever it is mentioned or used, it needs no definition because clichés such as 'justice delayed is justice denied' and 'the court is the last hope of the common man' have become rife in our legal system to the understanding of even a layman on the street.

Suffice to say that, legal justice is the fair treatment of litigants via the proper administration of laws by the judges. In both civil and criminal cases, decisions of the court is expected to display justice to the Claimant, Defendant, victim, accused and the society.

3.0 ADJOURNMENTS AT COURT'S INSTANCE

Having legal justice entails the use of judicial time wisely. The courts are expected to work within the aphorisms that, justice delayed is justice denied and hasty and rushed justice is as bad as that which is delayed. The two are not justice properly arrived at. Therefore, adjournment as a bridge to justice which are usually for external or internal reasons must not be let loose.

The external reasons for seeking adjournments includes parties not being present in court or in court but not ready for the case, witnesses indisposed or processes not being prepared and advocates or lawyers not being available etc. Most of the time, these factors are beyond the immediate control of the court and considering the cardinal principle of fair hearing of the Constitution and its impact on court proceedings, it requires better coordination of the stakeholders to mitigate between justice and granting adjournments.

Unpreparedness of Lawyers also cause delays in the administration of Justice The duration of a court case can be influenced greatly by the Lawyers' preparation, knowledge and skill. This results to frivolous applications for adjournments. Many Lawyers engage in sole practice, making them liable to having conflicting dates for different cases, thereby causing delays.

The internal (court) reasons for adjourning cases, on the other hand includes; the court being indisposed, judgment not being ready and the court not sitting.

On the adjournment for external reasons, some rules of court have stepped in to make provisions that tend to limit the numbers of adjournments at the instance of the parties before the court. On the other hand, adjournment for internal reasons are left at the total discretion of the court and I want to agree that, like how every human endeavors left without control is abused, adjournment at the instance of the court is most likely being greatly abused by some courts. However, for whatever its worth, let us briefly go over some genuine reasons why adjournments at the instance of courts became inevitable.

In the first instance, the pressure of work on judges is enormous and having to work under very deplorable conditions with meager emoluments sometimes dictates inevitable adjournments at the instance of the court. Also, instances abound that, judges are engaged in internal and national official assignments necessitating adjournments and this is not minding the facts that, judges are human and unforeseen circumstances, like health issues and acts of God also force their hands to adjourn cases before them.

4.0 THE IMPACT OF ADJOURNMENTS AT THE INSTANCE OF COURT ON ADMINISTRATION OF JUSTICE

- i. Case adjournments clearly affects the efficiency of courts and consequently the administration of justice, leading to what I called “case burden” in the judicial system. Judicial system is no doubt a creation of the Constitution which demands a significant level of

efficiency that is close to 100% because, administration of justice is contingent to public good, and as such, the law forbids undue delay of justice which causes systemic inefficiencies and an overall drag in the economy of the Nation.

- ii. Stating that the law forbids undue delay is another way of expressing the fact that the judicial system created by the Constitution does not outlaw genuine adjournments at the instance of the court. Be that as it may, unreasonable court adjournments at the instance of the court poses significant challenge to the efficiency and effectiveness of the judicial system and it has serious implications on access to justice. Therefore unreasonable case adjournments at the instance of the court, contributes to case backlogs and it must be discouraged and nipped in the bud at all costs.
- iii. The failure of courts to dispose of cases in a reasonable time frame has serious consequences for the exercise of Justice in society, as captured in the Legal maxim **“Justice delayed is Justice denied”**. This impedes development since sustainable development embodies all attempts to improve the coordination of human existence in all ramifications.

5.0 RECOMMENDATIONS AND CONCLUSION

Every judge must prioritize the rendering of his adjudicative functions above every other activities as this is in line with the code of conduct for judicial officers. The preamble of the law in this regard states that, the judicial duties of a judicial officer, which includes all the duties of his office prescribed by law, takes precedence over all other activities of a judge. It is therefore, recommended as follows:-

- i.** The policy making arm of the judiciary which is the Judicial Service Commission should put up administrative efficiencies on the internal reasons for adjournment at the instance of judges.
- ii.** The effective management of the policy of case returns with sanctions can reduce inordinate and unreasonable adjournments at the instance of the court.
- iii.** Adequate motivation and improvement in the welfare of judges as well as improved infrastructural facilities of the court will go a long way in reducing unreasonable adjournments at the instance of the court.
- iv.** There is the need for the judicial system to move away completely from analogue to digital platform or system at this age of computer.

**THE IMPACT OF ADJOURNMENTS AT THE
INSTANCE OF THE COURT ON THE
ADMINISTRATION OF JUSTICE IN NIGERIA**

BY

BABATUNDE OLOMU, ESQ.,

It gives me joy and I am highly honoured and elated to be invited as one of the resource persons to address this gathering of eminent intellectual minded legal personalities on a topic that had been the nightmare, impediment and of course the bastion of every litigation lawyer in this country in the quick dispensation of justice in Nigeria.

PROLOGUE:-

The court is a key component in the adjudicatory system. The rate at which cases are adjourned is worrisome as victims and aggrieved persons do not get justice when they need it. Consequently, it takes a toll on the prisons due to the astronomic increase in the number of awaiting trial inmates and speedy dispensation of justice. Judges must therefore prioritize their adjudicatory functions above every other activity.

MEANING, NATURE AND TYPES OF ADJOURNMENTS:-

Without an intention to be didactic, adjournment has been defined by the dictionary of the English, Encyclopedic edition at page 8 as “the act of adjourning or the period for which anything is adjourned, postponed” See also the case of

AIB LTD Vs UBA PLC (2014) LPELR 23070

The black’s law dictionary, 9th edition also defines an adjournment to be *“the act of adjourning: specific, a putting off of a court session or other meetings or assembly until a later date”*.

Most of our judicial authorities did not define adjournment but chose to define adjournment sine die. It is my submission that if sine die which means indefinitely is removed from the definition, the definition as stated above remains the same. I refer you to the case of **TINUBU –VS- I.M.B SUCURITIES PLC. (2001) LPELR 3248, A.I.B LTD –VS- UBA (SUPRA) FAK ENGINEERING CONSTRUCTION CO. (NIG) LTD –VS- GOVT. OF BAYELSA STATE OF NIG & ANOR (2018) LPELR 44185** to mention but few.

Order 39 Rule 7 of the Kwara State high court (civil procedure rules) provided for adjournment in the following words:-

“The judge may if he thinks it expedient in the interest of justice, postpone or adjourn a trial for such time and upon such terms, if any as he shall deem fit.”

See also **Order 33 Rule 6 of the Lagos State High Court Civil Procedure Rules 2019; Oyo State High Court Civil Procedure Rules 2022; FCT State High Court Civil Procedure Rules 2018; Order 19 Rule 4 of the Federal High Court, Order 30 Rule 5 of the Osun State High Court Civil Procedure Rules, and Order 30 Rule 5 of the High Court of Ogun State (Civil Procedure) Rules, 2014** to mention but a few.

The above provision of the State High Court Rules are faithful reproduction of each other. The provisions of the various High Court Rules relates to an application for adjournment by the litigants through their counsel. Application for adjournment by counsel is often made for frivolous reasons prominent among which is ill health. See **GOVERNOR OF ZAMFARA STATE &THREE OTHERS –VS- ALH. SULEIMAN MOH'D GYALANGE &TWELVE OTHERS**. On the surface, this excuse appears reasonable. However notwithstanding the reasonability of this excuse, the court is not bound to grant an adjournment based solely on ground of ill health. See the case of **OJUKWU –VS- NNORUKA (2000) INWLR (PT641) 353 @360**.

Application for adjournment by counsel are often made on several reasons which for inadequacy of time cannot be discussed in this presentation but upon all, the court must exercise its discretion based on certain laid down principles. See the cases of: **ADELEKUN –VS- FAHM &ANOR (2014) LPELR 23085, ANYAFULU –VS- AGAZIE (2004) LPELR**

5944, ABNORM INDUSTRIAL ENTERPRISES LTD & ANOR –VS- NIGERIAN AGRICULTURAL CO-OPERATIVE AND RURAL DEVELOPMENT BANK LTD (2014) LPELR 23009 and CO-OPERATIVE COMMERCE BANK (NIG) – VS- OKDALA (1997) LPELR 6278.

One golden thread which runs through all the cases on adjournment is that it must be exercised judicially and judiciously, but where a matter is adjourned at the instance of the court, who determines the judicial and judicious nature of it? And that brings us to the plank of our topic of today.

ADJOURNMENTS AT THE INSTANCE OF THE COURT

Adjournment at the instance of the court has led to protracted litigation and of course an obstruction to speedy dispensation of justice .It must be emphasised that the court holds a very important, significant and strategic position in every society. Judges are representatives of God on earth. The position of a judge is an office created by God Himself; the judge of all judges. See **Qur'an 4 Verse 58**. See also **Deuteronomy 16 chapter 18 Verses 21-22**.

A quality which a judge must possess is aptly stated by **NIKI TOBI J.S.C** in the case of **ERIOBUNA –VS- OBIORA (1999) 8NWLR (part 616) 622@630** as follows:

"A Judge by the nature of his position and professional calling, is expected to be

straightforward, upright, diligent, consistent and open in whatever he does in Court and in other places of human endeavour that he happens to find himself. This is because his character as a judge is public property. He is the cynosure of the entire adjudication in the court, and like Caesar's wife of Ancient Rome, he is expected to live above board and above suspicion, if the judicial process should not experience any reverse or suffer detriment. A judge should know that by the nature of his judicial functions, he is persistently and consistently on trial for any improper conduct immediately before, during and immediate after the trial of a case".

Also, philosophers from time immemorial have pontificated eloquently on the attributes and values of a judge and again, their theories are in tune with the injunctions of the Almighty God regarding the institution of the judicial qua the judex. Socrates, the world acclaimed ancient Greek Philosopher, posited that four things belong to a judge: *to hear courteously, to answer wisely, to consider soberly and to decide impartially.*

Islam and Christianity to which most Nigerian judges belong, enjoin a judge to be upright, sober, calm and exuding rectitude and uprightness at all times. He is commanded by God to stay away from bribery and impartiality. His proceeding must be speedy and fair, he must ensure equality of all litigants before him and neither should he be biased or prejudiced to anyone on any account.

CAUSES OF ADJOURNMENTS AT THE INSTANCE OF THE COURT.

Adjournments at the instance of the court is precipitated by so numerous and amorphous factors that cannot be conceptualised. Prominent among the reasons for adjournments by the court are: "The judge travelled", "the judge is on conference", "the judge is on National assignment", e.t.c. Of all these excuses, the only acceptable excuse should be on reasons of ill health. Ill health is a vicissitude of the flesh that happens unannounced.

The excuse that the Judge travelled is of no moment. The moment a lawyer accepted to be appointed as a judge, he must be prepared to live a regimented life. A judge should not be seen gallivanting and hobnobbing about. According to a book titled "The English Judge" by Henry Cecil. A judge is expected to be found in three places: in his house, his chambers and his place of worship. A judicial officer should regulate his travel within and outside Nigeria so as not to affect his judicial duties or cause delay in the administration of justice or detrimentally affect his performance or the overall performance of his judicial duties. Travel outside Nigeria should be with the permission of the chief justice of Nigeria after such application has been sought and obtained. I refer to **rule 14(2) 14(3) of the code of conduct for judicial officers of the federal republic of Nigeria** which provide as follows:

“except during vacation a judicial officer should ensure that unless strictly essential, travel out of duty station on working days should not undertake except for special reasons (14.2), where it is strictly essential for a judicial officer to travel out of his duty station during working days on short notice such officer shall as soon as possible before or immediately after he embarks on such journey inform and obtain clearance from his head of court (14.3)”.

For the efficacy of this rule, the welfare of judges must be adequately taken care of and judges should not travel out of their respective jurisdiction without the approval of their Chief Judge or the C.J.N as the case may be. Conference of Nigerian Judges should be fixed for a particular period in the legal year such that all lawyers and litigants as well will be sure when the conference of judges will take place. Consequently **Order 9 Rule 4 of the Kwara State High Court Civil Procedure Rules 2022** and various court rules on the sitting of the court should be amended to read:

“that the court shall not sit on a week beginning with judge’s conference”.

Adjournments on the ground that a judge is on a quasi-judicial assignment, commission of enquiry or election petition is very gruesome. It is odious and worrisome that an ongoing case before the court is adjourned for one hundred and eighty days for which his Lordship is hearing Election petition, a

defendant who is not granted bail in a criminal case would have been subjected to an untold hardship. According to Rosco Pound of the realist school of jurisprudence: - "the law is an instrument of social engineering". Lawyers are therefore social engineers. It is suggested that serving judicial officers should not be allowed to participate in any other assignments apart from their normal court sittings. The consequence of cases that suffered adjournment sine die for the period within which their Lordships participated in election petition is astronomical. Nigeria is blessed with lawyers of competent national and international recognition. Lawyers as social engineers should be allowed to perform their functions. Retired but not tired judges and eminent lawyers should be constituted as panels on election petition both for trials and appellate sessions.

EFFECTS OF ADJOURNMENTS:

The boomeranging effect of adjournments at the instance of the court is so enormous and has precipitated and inflicted injustice on litigants more especially in criminal matters.

Adjournment at the instance of the court refers to the court's discretionary power to postpone or suspend a trial or hearing without the request of either party. In Nigeria, this concept has significant implications for the administration of justice. One adjournment can trigger a series of further adjournments in an effort to get a suitable trial date for all the parties.

Therefore, preventing one adjournment in a case could save significant amount of time available for trial and this impacts positively on the speedy dispensation of justice.

Constant adjournments by the court threatens the system of justice, as adjournment ensures that the innocent who cannot afford to get bail suffers longer in jail, the guilty who are released pose greater threat to the society, and the deterrent value of speedy justice is lost. Furthermore, protracted adjournment of court cases dissuades citizen who desire to seek redress in court from entering and using the system. As a result illegitimate options to obtain justice are considered. An individual who lacks opportunity could be disillusioned with the common societal goal of getting justice through legitimate means, and so create an alternative path to the same goal through illegitimate means. It is an axiom that when members of a society are dissatisfied with an established means of achieving justice, they resort to a crime as a means to an end. Therefore, people who are innocent but continue to suffer because their innocence has not been proven may likely resort to crime as a means of gaining justice.

Delay in the administration of justice heightens social injustice which in turn affects development. Incessant adjournment is an anomaly because it brings to the entire court system a loss of public confidence, respect and pride, it deprives citizen of the basic public service, it leads to deterioration of evidence and makes it less likely that justice be done when the case is finally tried as well as causes severe hardship to some parties

and litigants generally. Delay in the delivery of justice is largely responsible for the geometrical increase in the number of awaiting trial suspects and therefore threatens the security and safety of lives and properties. The effects of adjournments at the instance of the court are summarised as follows:

1. **Delay in justice delivery:** Frequent adjournments can lead to prolonged trials, causing delays in the delivery of justice. This can be frustrating for parties seeking timely resolution.
2. **Court congestion:** Adjournments can contribute to a backlog of cases, overburdening the court system and hindering its efficiency.
3. **Disrespect for the judicial process:** Excessive adjournments may undermine public confidence in the judiciary, as parties may perceive the system as slow or ineffective.
4. **Increased costs:** Adjournments can result in additional expenses for parties, including legal fees, transportation and other related costs.
5. **Witness availability:** Adjournments can make it challenging to secure witness testimony, as witnesses may become unavailable due to various reasons, including death, relocation or unavailability.
6. **Justice denied:** Excessive adjournments can potentially deny parties their right to a fair and timely trial, potentially leading to miscarriages of justice.

7. **Erosion of judicial integrity:** The arbitrary use of adjournments can raise concerns about judicial impartiality and integrity.

To mitigate these above effects, our judges must be constantly reminded of the preamble to the code of conduct for judicial officers which provides as follows:

“The judicial duties of a judicial officer which includes all the duties of his office prescribed by law takes precedent over all his other activities”.

The rule we are used to is that court sits by nine o'clock. A Judge that keeps to this practice, notwithstanding the fact that he is the Lord of his own court, who equally enjoys dominis litis, will surely earn the respect of the society whom he is serving. He will also by such commitment be contributing greatly to the reduction of the level of delay in the dispensation of justice.

RECOMMENDATIONS:-

To remedy the above problems created by adjournments at the instance of Court, the following factors should be considered:

1. **Exercise of discretion judiciously:** Courts should carefully consider the reasons for adjournment and ensure they are genuine and unavoidable.
2. **Set realistic trial timeliness:** Courts can establish realistic timeliness for trials, minimizing unnecessary adjournments.

3. **Improve case management:** Effective case management can help identify potential delays and address them proactively.
4. **Leverage technology:** Technology, like virtual courts and digital case management, can enhance efficiency and reduce adjournments.
5. **Strengthen judicial accountability:** Mechanisms for monitoring and evaluating judicial performance can help address concerns about judicial integrity.
6. Infrastructural decadence must be promptly addressed to make it conducive for both litigants, lawyers and the judex.

By addressing these issues, the Nigerian judiciary can strike a balance between the need for adjournments and the imperative of efficient justice delivery.

HIGHLIGHTS FROM THE MAIDEN EDITION OF ADEBAYO ADELODUN & CO., QUARTERLY ROUNDTABLE HELD ON SATURDAY 8TH DAY OF JUNE, 2024.

The topic for this maiden edition of Adebayo Adelodun & Co; Quarterly Roundtable is “**The Impact of Adjournment at the Instance of Court on the Administration of Justice in Nigeria**”. The event was held on the 8th of June, 2024 at the head office of the firm. As indicated in the topic the challenges faced by litigants and counsel as a result of incessant adjournments at the Court instance was the focus of the roundtable. It is no gainsaying that litigants and lawyers are often negatively affected by wanton adjournments at the instance of the Court. This has created a feeling of disillusionment in the minds of litigants and lawyers vis-a-vis administration of justice across all levels of Courts in the country.

Some of the objectives of the roundtable are to among others:

- i. bring together stakeholders in the justice sector to brainstorm on the problems surrounding adjournments at the instance of the Court in the Nigerian Courts.
- ii. highlight the adverse effect inherent in wanton adjournments at the instance of the Courts in Nigeria.

- iii. proffer solutions and suggest the way forward which will lead to the reduction of adjournments at the instance of the Court to the barest minimum for effective administration of justice in the country.

Two distinguished personalities presented papers at the roundtable. These personalities are Hon. Justice H. A. Gegele of the High Court of Kwara State Ilorin Judicial Division and Babatunde Olomu Esq., the Principal Partner Tunde Olomu & Co., Legal Practitioners and Notaries. After the presentations and extensive deliberations on this state of affairs by participants, the roundtable rose with a common position on the following issues:

- a. Government need to provide a more conducive environment and facilities for judicial officers, administrative staff and other staffers of the judiciary across the country to enable them perform their duties effectively.
- b. The Code of Conduct for Judicial Officers should make express provisions for adjournments at the instance of the Courts. For instance adjournments at the instance of the court just like those at the instance of the litigants or their counsel should not be based on flimsy ground(s) but on concrete and compelling reason(s).
- c. There should be legislative intervention setting out the number of days for the trial of cases before the Courts, and where extension of trial is as a result of wanton adjournments at the instance of the Court, it should be

so stated on record, and such anomaly must count against the Judge concerned.

- d. Government/Judiciary must urgently adopt technology and other electronic facilities for effective dispensation and administration of justice.
- e. Just like that of the judicial officers there must be training and retraining of registry staff on case management to prevent unnecessary adjournments at the instance of the Court. This is sometime caused by loss or misplacement of already filed Court Processes, error in communication between Court and counsel or litigants and so on.
- f. Government should allow serving judges to concentrate on their primary duties and discourage the idea of appointing them into election petition tribunals, panel of enquires etc. Instead retired judges, legal practitioners and academics should be appointed to serve on such panels.
- g. The judiciary should as a matter of law adopt a practice of case management such that where adjournment is inevitable same is communicated to litigants and/or their counsel not later than 48 hours prior to the date of hearing of any case to prevent unnecessary travel risks, expenses and waste of precious time of the litigants and counsel.

Conclusion

The convener of the roundtable Adebayo Adelodun & Co, was commended for organising the event which is an invaluable contribution to the administration of justice. The firm was however encouraged to include the topics for discussion in the notice of invite to the attendees in future in order to encourage more robust contributions from participants.