

INTERNAL MEMO

TO: PRESIDENT NIGERIAN BAR ASSOCIATION
FROM: NATIONAL OFFICERS
**SUBJECT: NEED FOR URGENT ACTION TO FORESTALL A CRISIS IN THE
NIGERIAN BAR ASSOCIATION**
DATE: 14 AUGUST 2022

1. It is with much introspection that we are constrained to request an emergency meeting of the National Executive Committee of the Nigerian Bar Association (NBA) to consider and take urgent actions to forestall a crisis in affairs of the NBA.

2. As the members of the NBA National Executive Committee elected to direct the affairs of the Association without fear or favor for the term 2020-2022, we have been embarrassed and we believe that our members must have also been embarrassed by the different notices, letters and statements that have recently emanated from members of our body especially the General Secretary Mrs. Joyce Oduah which have created the impression of the existence of a crisis in the running of the Association.

3. Mr. President, while the members of our Association have only become aware of the immediate issues surrounding the attempt to amend the NBA Constitution, in truth, we have as a body tried over the course of the life of this administration to manage and limit the contradictions within the National Executive Committee from spilling over to the public domain, and not allowing same to interfere with the smooth running of the affairs of the Association that was graciously bestowed on us.

4. Regrettably, but with all sense of responsibility, we are sad to admit that despite our best management skills, we are now confronted with an avoidable situation that now needs to be publicly addressed to apprise the generality of our members of what has been transpiring behind the scenes.
5. We refer in particular to the actions of Mrs. Joyce Oduah, the General Secretary of the Association who has from the very beginning of this administration constituted a clog in the smooth administration of the Association by various acts of dereliction of duty, disobedience to lawful orders, misconducting herself and being involved in acts and behaviors which are likely to, and have indeed brought the Association into disrepute. It is beyond doubt that it took extreme dexterity on your part to have managed all these issues internally before now, without which we would have been unable to attain the various landmark achievements of this administration.
6. While we know that you are aware of these, it is nevertheless necessary to provide a comprehensive chronicle of the various actions and misdemeanors of the General Secretary which are incompatible with the status of her office and which has crystallised into the rather unfortunate and embarrassing situation where you, Mr. President, were compelled to publicly disclaim her unauthorised notices purportedly withdrawing notices issued under the authority of the National Executive Committee.
1. **LACK OF PROPER TEMPERAMENT EXPECTED OF THE GENERAL SECRETARY IN THE MANAGEMENT OF SECRETARIAT STAFF.**
7. The General Secretary, Joyce Oduah has throughout this administration exhibited domineering, rude, disrespectful and obstructive attitude that has greatly affected the morale and working atmosphere in the national secretariat. She constantly set the staff on edge by her verbal and

sometime physical assault on members of staff, many of whom are legal practitioners and therefore members of the Association. The General Secretary in one instance physically assaulted a staff and a member of the Association. Mr. Ndifreke Aquaisua when she without provocation or lawful reason slapped him in the office. Suffice it to say that the young man resigned his appointment due to that incident. The working atmosphere in the national secretariat is totally abysmal due to the overbearing, discourteous, tigerish and oppressing attitude of General Secretary. By her general disposition to the staff of the national secretariat, particularly with reference to the physical assault of Mr. Aquaisua, there is no doubt that she has brought the Association to disrepute.

2. LACK OF CAPACITY OR INABILITY TO DILIGENTLY DISCHARGE THE DUTIES OF HER OFFICE.

8. Many members may have noticed that communiques of NEC meetings are always sent very late. The General Secretary is always unable to produce communiques immediately after NEC meetings are expected. To protect the collective integrity of the administration, the Publicity Secretary in conjunction with the President used to take up the task after a reasonable time given to her to prepare communiques. However, they declined to take on the assignment after the Ilorin NEC meeting. In case members have not observed, to date, the General Secretary has neither prepared nor released the communique arising from Ilorin NEC meeting. We do not recall this kind of gross lack of capacity in the national secretariat of the Association.

3. REFUSAL TO WRITE TO THE TREASURER OF OKEHI BRANCH AS DIRECTED BY THE NATIONAL EXECUTIVE COUNCIL IN HER MEETING HELD ON THE 18TH DAY OF MARCH 2021.

9. At the meeting of the National Executive Council held in Uyo on the 18th day of March 2021, it was resolved that the General Secretary write to the then Treasurer of Okehi Branch of the Association, giving her time within which to discharge the duties of her office or face disciplinary sanctions. Please refer to Paragraph 2.9 of the Communique issued after the said meeting for ease of reference. The General Secretary refused to write the said letter despite several prompting from other national officers. This refusal degenerated the crisis in Okehi branch, Rivers State. The President thereafter directed the 1st Vice President, the supervising Vice President of the East zone to write the said letter.
10. In this instance, the General Secretary disobeyed the orders of the National Executive Council, the National Executive Committee and the President contrary to the section 9(5)(e)(viii) of the Constitution of the Association.

4. REFUSAL TO WRITE TO THE FEDERAL HIGH COURT, WARRI IN RE; ANDREW UBIDO, ESQ.

11. At the National Executive Council meeting held in Abeokuta, Ogun State on the 16th day of December 2021, it was reported that a member of Warri branch, Andrew Ubido, Esq. was dehumanized and degraded by Hon. Justice O. E. Abang of the Federal High Court Warri, when our said member was subjected to corporal and physical punishment in court. The National Executive Council resolved that the National Officers take up the matter and ensure that justice was done to our member. Pursuant to that resolution of NBA-NEC, the General Secretary was directed by the National Executive Committee to apply in writing to the Federal High Court for the

certified true copy of the record of proceedings of the day in question. Once again, she failed to make written application to the court that resulted to verbal altercations between the General Secretary and other National Officers; suffice it to say that till date, the resolution of NEC could not be given effect. This was another instance of gross misconduct and a deliberate act of disobedience to the National Executive Council and the Executive Committee.

5. REFUSAL TO WRITE TO THE SUPREME COURT, THE FEDERAL HIGH COURT, ABUJA AND THE INSPECTOR GENERAL OF POLICE IN RE: THE MATTER OF AYODEJI ADELEKE AKINJOKUN.

12. In the update given in Suit No. FHC/ABJ/CS/22/2022; The Trustees of the Nigerian Bar Association V. the Attorney General of the Federation during the NBA-NEC Meeting at Ilorin, Kwara State, the 1st Vice President reported that sometime in May, 2022, one Mr. Ayodeji Adeleke Akinjokun filed an application and appeared as a legal practitioner in the said matter. He further reported that the court ordered the Association to investigate the claim of the said Intervener. In furtherance of that order of court, the 1st Vice President requested the General Secretary to apply in writing to the court to obtain the certified true copies of all the processes filed in the said matter by the said Ayodeji Adeleke Akinjokun and the records of proceedings of the said date. She was further requested to write to the Supreme Court to inquire whether the said Ayodeji A. Akinjokun was given a warrant to practice as he claimed. Characteristically, the General Secretary refused to write the said letters for more than 2 weeks despite promptings by the 1st Vice President. Thereafter, the 1st Vice President wrote the letter and appealed to her to append her signature; she refused. Upon her clear refusal to write the said letters or activate the process to the investigation, the President authorized the 1st Vice President to append his signature to the said letters. Thus, a correspondence originated from

the Association to an external body not bearing the signature of the General Secretary thereby failing her constitutional duty as provided for by section 9(5)(e)(iii) of the constitution.

6. ONDO STATE ELECTION

13. By virtue of the status of the Association as an accredited election observing organisation, and in furtherance of the mandate to observe the Ondo State Governorship election held on the 10th day of October 2020, the General Secretary led the NBA election observers' team to Ondo State to observe the said election.
14. Unfortunately, the reports from the exercise were very unpalatable with some political parties and stakeholders taking serious objection to the very unethical behavior displayed during the election by team led by Mrs. Joyce Oduah, the General Secretary. For instance, the National Executive Committee received credible reports that against all rules of neutrality guiding the observation of elections, Mrs. Joyce Oduah led the team to pay an unsolicited visit to the home of the Rotimi Akeredolu, SAN on the date of election, whilst the voting was on-going.
15. The National Executive Committee was taken aback by the unprecedented accusation challenging the integrity and transparency of the Association and her team of observers. Mr. President you will recall writing two separate letters dated the 19th day of October 2020 and 15th November 2020 to the General Secretary to explain her conduct during the election, and further set up an investigative team comprising Mercy Agada Ijato and Ralph Nnamdi Anagor, the Treasurer and Financial Secretary respectively. To date, the General Secretary has refused to either appear before the team or respond to the letters.

16. Suffice it to say that as a result of the actions of the General Secretary, the Association was unable to issue her report to the public and to INEC as statutorily expected to date. The NBA also faced the embarrassing threat situation of being deregistered as an election observing organization.

7. FURTHER AND IMMEDIATE ACTS OF DISOBEDIENCE TO LAWFUL DIRECTIVES OF THE NATIONAL EXECUTIVE COMMITTEE; DERELICTION OF DUTY; INSURBODINATION; CRIMINAL REPRESENTATION AND WILFUL AND DELIBERATE ACT INTENDED TO INJURE MEMBERS OF THE ASSOCIATION.

17. Over the course of this administration, we as officers had course to recognise some very critical lacuna or imperatives that needed to be constitutionally institutionalised to give effect and sustain the growth and progress expected of an Association like ours. In the course of several meetings of the National Executive Committee, the General Secretary who was present in all the meetings and took part in the deliberations, was directed to note and record such matters that needed to be institutionalised in a proposed constitutional amendment.
18. Such critical objects were the establishment of a stabilization fund, the backbone to the implementation and sustainability of the access to finance scheme introduced by this administration; review of the disciplinary process of legal practitioners (most members will note that the disciplinary process has collapsed); the recurrent issue of whether administrations in branches should be truncated to enable uniform conduct of elections in June of an election years regardless of the time of assumption of the administration (Ikeja case as a reference herein); retrospective interpretation of Article 6(3) of the uniform Bye Laws for Branches; limitation of qualification and eligibility to contest for membership of the General Council of the Bar, because of the increasing external threats;

increment of remittances to the branches from 10% to 20% and sundry issues that militate against a better delivery of good governance and inclusiveness in the affairs of the Association by members.

19. At the Ilorin NEC, it was resolved upon the motion moved by chairmen of branches in the quest to increase Bar Practicing Fees remittances that the process to amend the constitution to provide for the said increment and other amendments that may be necessary. The National Executive Council thereon reconstituted the review committee led by Chief Yusuf Asamah Kadiri; SAN earlier dissolved to undertake the process.
20. The constitution review committee deliberated (with the General Secretary present at their meeting) and submitted their proposed amendments to the National Executive Committee on 25th July 2022 for immediate circulation in accordance with the provisions of the constitution. You immediately directed the General Secretary pursuant to Section 9(5) a (ii) of the Constitution to circulate same. However, the General Secretary neglected to do so. On 26th July 2022, members of the National Executive Committee were getting hysterical and appealing to the General Secretary to do the needful, but she neither responded nor sent the notice of amendments. Unbeknownst to us, the General Secretary was unilaterally tinkering with the document sent to her by the committee.
21. Finally, she responded late on 26th July 2022 that she was on it, and will circulate same shortly, but she failed to do so until about 5pm on the 27th of July 2022. Shockingly, she circulated a version of the proposed amendments totally different from the approved version thereby attempting to unilaterally undermine the efforts of the administration for reasons best known to her. An emergency meeting was immediately summoned, and all national officers attended. She was given an opportunity to explain her actions, but she had no explanation. Whilst the

meeting was still in session, and while the President was speaking, the General Secretary in a rude and discourteous manner, informed the meeting of her intention to exit the meeting if there was nothing meaningful anyone had to say. True to her words, the General Secretary exited the zoom meeting. In the circumstance, the National Executive Committee faced with a situation where the General Secretary had abdicated, empowered the Assistant General Secretary to circulate the proper proposed amendments prepared by the review committee and the Assistant secretary complied.

22. Surprisingly and with much effrontery, the General Secretary without the knowledge, consent and authority of the National Executive Committee purported to withdraw the notice of proposed amendment issued with the authority of the National Executive Committee and amended the agenda of the Annual General Meeting earlier authorized for her to issue, hence to save the integrity of the Association and the National Executive Committee, the President took the painful but needful decision to disclaim our General Secretary, and disclaimed notices.
23. In all these, the following acts of grave and gross misconduct was occasioned and committed by your General Secretary:
 1. She disobeyed the directive of the President and the National Executive Committee to issue and circulate the notice of proposed amendments on 25th July 2022 pursuant to Section 25(1) of the constitution.
 2. That she willfully and deliberately issued and circulated a copy of proposed amendments to members of the Association on 27th July 2022 different from the approved copy sent to her by the constitutional review committee in flagrant disobedience to the directive of the President and of the National Executive Committee.

3. That her action of unilaterally uttering the proposed amendments approved for issuance and circulation is fraudulent and amounts to misconduct and gross abuse of office.
4. That the unceremonious exit from the zoom meeting of the National Executive Committee held on 27th July 2022 and her subsequent refusal to tender an apology was very disrespectful to members of the National Executive Committee and the Association.
5. That her notice of withdrawal of the notices of proposed amendment and amendment of the agenda of the Annual General Meeting to hold on 25th August 2022 in Lagos without the knowledge, consent and authority of the National Executive Committee is unconstitutional, an abuse, and gross misconduct.

24. Further to the above, we hereby state as follows:

- i. In view fact that the Annual General Conference, commences on 19th August 2022; the Pre-conference NEC meeting holds on 21st August 2022 and the Annual General Meeting holds on 25th August 2022;
- ii. whereas these events are very critical to the wellbeing of the Association and must not be susceptible to sabotage;
- iii. considering that the General Secretary has already attempted to sabotage the consideration of the proposed amendments necessary to improve the Association and her members;
- iv. the members of the National Executive Committee knowing that the NBA-NEC has powers to remove a national officer;
- v. considering that it is not practicable to call an NBA-NEC meeting now to address her issue and relying on section 9(6) d of the constitution of the Association which provides that “the national officers shall have power to take decisions on behalf of the Association in all cases of emergency or when the National Executive

Council cannot be emergently convened and report to the next Executive Council for ratification”;

- vi. being of the opinion that we have a case of emergency of a General Secretary that cannot be trusted not to deliberately sabotage the said events, and further considering that we are in a transition period;
25. We hereby call for an emergency meeting of the National Executive Committee to deliberate and take urgent action regarding Mrs. Joyce Oduah, the General Secretary, and report to the NBA-NEC for ratification.

Signed.

- 1) John Aikpokpo-Martins – 1st Vice President
- 2) Debo Adeyemo Kazeem – 2nd Vice President
- 3) Ombo Victor Frank-Briggs – 3rd Vice President
- 4) Uchenna Nwadialo – Assistant General Secretary
- 5) Mercy Ijato Agada – Treasurer
- 6) Raphael Nnamdi Anagor – Financial Secretary
- 7) Olukunle Edun – Welfare Secretary
- 8) Rapuluchukwu Nduka – Publicity Secretary
- 9) Ferdinand Naza – Assistant Publicity Secretary