

# **JUDICIAL ETHICS: AVOIDING THE PITFALLS**

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BY

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## **Foreword**

I must first and foremost appreciate the management of the National Judicial Institute under the able leadership of the Hon. (Mr.) Justice R. P. I. Bozimo (OFR) for the wisdom to centre this Workshop on Improving the Quality of Justice Delivery in the Lower Courts. It is at this level that the Judicial System actually interacts with the communal environment and mirrors its value at the grassroots. I also appreciate the leadership of the Institute for finding me fit to speak on the topic assigned to me. I really appreciate this gesture.

## **Introduction**

In order to understand the concept of judicial ethics, it is necessary to remind ourselves that no one was born a Judge and no one can be taught how to be a Judge but the character of an adjudicator is inherent and evolves with the calling. It is where there is character flaw in the process of performing the functions embedded in the Judicial Oath of Office that the issues of judicial ethics arises. Therefore, one can only be schooled on the exercise of the tenets of the office which is what the NJI is doing by this workshop.

## **Judicial Oath of Office**

Every Judicial Officer in Nigeria is bound to take Oath of Office in addition to the Oath of Allegiance<sup>2</sup>. As can be seen in the wordings of the Oath of Allegiance, the essence of that Oath is for faithfulness to the State. In the oath of office for judicial officers, the essence is to vouch for judicial independence in the course of the office. It is also for good character commitment in the performance of judicial duties. These oaths begin the journey into the realm of judicial ethics. Judicial ethics underpins the Code of

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<sup>2</sup> Rule 2 (1), Code of Conduct for Judicial Officers in Nigeria; see also <http://www.nigeria-law.org/CodeOfConductForJudicialOfficers.htm>

Conduct for Judicial Officers. This is exemplified in the preamble to the Code of Conduct for Judicial Officers in Nigeria it is thus stated:

“Whereas an independent, strong, respected and respectable Judiciary is indispensable for the impartial administration of Justice in a democratic State:

And whereas a Judicial Officer should actively participate in establishing, maintaining, enforcing, and himself observing a high standard of conduct so that the integrity and respect for the independence of the Judiciary may be preserved.

And whereas the judicial duties of a Judicial Officer, which include all the duties of his office prescribed by law, take precedence over all his other activities:

And whereas it is desirable that standard of conduct which a Judicial Officer should observe be prescribed and published for the information of the Judicial Officer himself and the public in general so that the objectives set out in this preamble may be achieved:

Therefore, this Code of Conduct for Judicial Officers of the Federal Republic of Nigeria is hereby adopted.”<sup>3</sup>

The consensus of opinions is that Judges must fulfil the duties contained in the wordings of their oath of office. If they fulfil their duties in the exemplary manner required by the 1999 Constitution (as amended) they would display the attributes of a good Judge<sup>4</sup>.

### **Judicial independence**

Judicial independence refers to both the individual and institutional independence required for decision making<sup>5</sup>. And as stated before, the preamble to the Code of Conduct for Judicial Officers in Nigeria<sup>6</sup> magnifies the concept of judicial independence and the philosophy of judicial independence has strong nexus with judicial ethics. Though this is not directly the concept of this paper, it is necessary to comment on it as they intertwine continually.

#### **What is judicial independence?**

“5. Judicial independence means that a judge is independent of any influence or supervision not provided for by law. In making judicial decisions, a judge should be independent of any

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<sup>3</sup> See Code of Conduct for Judicial Officers in Nigeria, *ibid*.

<sup>4</sup> See Fabian Ajogwu, SAN, *Law & Society*, Center for Commercial Law Development, 2013, p. 179.

<sup>5</sup> See United Nations Office on Drugs and Crime (UNODC), *Judicial Ethics Training Manual for the Nigerian Judiciary*, p. 49.

<sup>6</sup> This Code applies to all judicial officers throughout the Federation and violation of any of the rules contained in the Code shall constitute judicial misconduct or misbehaviour and may entail disciplinary action.

unauthorised external influence that is likely to hinder the proper consideration of legal positions or the ensuring of consistency in the application of the law or the safeguarding of the principle of equality before it. Judicial independence means, at a minimum, that, in deciding on a specific case, a judge is bound by the law and his conscience and is free of any external influence. However, an independent judge is not bound by all laws, but is free to judge whether a particular law is constitutionally compliant or whether it can be interpreted in a constitutionally compliant manner.

6. Judicial independence can therefore not be absolute, since a judge is not authorised, in the name of independence, to decide on cases according to whim, but is bound by the law, the Constitution and his conscience. Furthermore, the independence of judges is not a privilege of the judicial branch of power, but the right of citizens to have any decision regarding their rights made without undue delay and independently of the legislative and executive branches and other influences by an independent and impartial court constituted by law. Judicial independence is thus a responsibility imposed on judges in order to allow them to make judicial decisions fairly and impartially and on the basis of the law and the evaluation of evidence, without external pressure or influence and indeed without fear of any interference.
7. The independence of the judiciary/judges has several aspects and can be defined in various ways. These definitions overlap and complement each other. A judge's duty is to support all aspects of independence."<sup>7</sup>

The above expresses universal expectations of the judiciary and judicial officers. There is subjective and objective tests of judicial independence stated as follows:

- "21. In making judicial decisions, a judge should not be burdened by any connections, inclinations or prejudices that are likely to affect his impartiality or independence (i.e. actual, subjective independence). But in addition to actual independence, there is also the appearance of independence (i.e. whether an average reasonable person sees a judge as independent – objective independence), which is equally important.
22. In assessing the impartiality of a judge and whether a judge is independent, the ECtHR, in addition to the subjective test, has been applying the objective test of independence, whereby the independence and impartiality of a judge are assessed in terms of whether there are ascertainable circumstances that may raise doubts with an average reasonable person as to his independence or impartiality.
23. The appearance of independence could be damaged, for example, if a judge responded to the inquiries of a representative of a particular parliamentary party so as to explain when

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<sup>7</sup> *Ethics and Integrity Commission Code of Judicial Ethics Commentary*, Ljubljana, April 2016, (Amended and updated version of January 2017), pp. 16-17

his case was to be concluded or if he took part in a political meeting of a political party of which his spouse was a member.”<sup>8</sup>

It must be noted that it is difficult to excise judicial independence from judicial integrity which in other words is preferably known as judicial ethics.

## **Judicial Ethics**

This is a subject matter of concern not just in Nigeria but in the continental and international community<sup>9</sup>. It is not difficult to posit that ethics pedestals are rested in the pillars of integrity. In terms of definition we have to note that:

“Judicial ethics is part of the larger legal category of legal ethics and consists of the standards and norms that bear on judges and covers such matters as how to maintain independence, impartiality, and avoid impropriety.”<sup>10</sup>

There is a further approach which takes account of the professional values requisite in systemic ethical framework. In this approach;

“A court administration striving to guarantee the independence and professionalism of the court and judges requires attention to judicial ethics. Judicial ethics as a system of professional values and as an institutional instrument of judiciary is an integral part of court administration which is based on the principle of self-regulation. The importance of court administration requires a scientific approach to its elements.”<sup>11</sup>

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<sup>8</sup> *Ethics and Integrity Commission Code of Judicial Ethics Commentary, op. cite.* pp. 20-21.

<sup>9</sup> In Europe for example, it is stated that:

“Norms of judicial ethics can be found both in national legal systems and in the documents of different international organizations. It is established by soft law as well as by binding law. Judicial ethics is the highest constitutional ethics because the main principles of judicial conduct (independence, impartiality, integrity, equality, etc.) are legal principles established in the constitutions of different European countries. In the countries with the status of a state under the rule of law, it is especially significant because the essential values of judicial ethics are prerequisite of this constitutional principle” See Mindaugas Šimonis, *THE ROLE OF JUDICIAL ETHICS IN COURT ADMINISTRATION: FROM SETTING THE OBJECTIVES TO PRACTICAL IMPLEMENTATION*, BALTIC JOURNAL OF LAW & POLITICS, A Journal of Vytautas Magnus University, VOL. 10, NUMBER 1 (2017) ISSN 2029-0454.

See also <http://www.degruyter.com/view/j/bjlp>.

<sup>10</sup> [https://www.law.cornell.edu/wex/judicial\\_ethics](https://www.law.cornell.edu/wex/judicial_ethics)

<sup>11</sup> See Mindaugas Šimonis, *THE ROLE OF JUDICIAL ETHICS IN COURT ADMINISTRATION: FROM SETTING THE OBJECTIVES TO PRACTICAL IMPLEMENTATION*, BALTIC JOURNAL OF LAW & POLITICS, A Journal of Vytautas Magnus University, VOL. 10, NUMBER 1 (2017) ISSN 2029-0454, *ibid.* See <http://www.degruyter.com/view/j/bjlp>.

Inherent in the above are the essentials of self-regulation otherwise seen as the essentials of a good judge to wit: integrity; honesty; industry; life experience, which can include politics; flexibility of mind; knowledge of the law; willingness to listen (these have been translated to industry, diligence; Courtesy; empathy; patience; knowledge of the law; intelligence, and, sense of fair play).<sup>12</sup> These accords with the traditional view of judges as humans with impeccable nature and come with expectancy or perception of objectivity on the part of Judges. It has also been stated that one of the burdens of being a judge is that one is expected to rise above mere mortal status and dispense justice with an objectivity that borders on the divine. There is the expected independence from the pressures of everyday life and political influences - the judge is to resolve difficult legal disputes with the wisdom of a Solomon. This is the idealized version of the judge and is at best something to aspire to. It tends to obscure the human dimensions of the practical task of judging.<sup>13</sup> It has been said that Socrates, the ancient Greek philosopher attributed four characters to a Judge, that is;

- i. To hear courteously ,
- ii. To answer wisely,
- iii. To consider soberly, and.
- iv. To decide impartially.<sup>14</sup>

We cannot avoid the general questions on character that makes the judge answerable to the consciousness of the society or his conscience. These are:

- i. **Impartiality:** This calls into question the following:
  - a. A judge's behaviour in the performance of judicial office as an expression of his impartiality.

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<sup>13</sup> <http://cjei.org/publications/mackay.html>

<sup>14</sup> J D Ogundare, *The Nigeria Judge and His Court*, University Press Plc, 1994, p. 144.

- b. The extra-judicial conduct and activities of a judge as an expression of his impartiality.
- c. Public expression of opinion on the part of judges.
- d. The private behaviour and expression of opinion of a judge.
- ii. **Competence:** This calls into question the following:
  - a. Professional competence.
  - b. General knowledge.
  - c. Life and work experience.
  - d. Communication skills.
  - e. Judges with managerial responsibilities.<sup>15</sup>
- iii. **Commitment:** A judge should perform his professional duties with diligence and to the very limits of his ability. He must deal with cases that are assigned to him within a reasonable period of time, while ensuring the quality of his decisions.
- iv. **Compatibility:** This is where the legal and ethical aspects of the incompatibility of judicial office overlap.<sup>16</sup>
- v. **Incompatibility:** Membership of the judiciary requires that a judge exercises a certain restraint in his private and public life, though this does not mean that he should be separated from society. Society needs humane judges with a great breadth of knowledge, judges who are familiar with the needs of society, its diversity, the course of its development and its problems.
  - a. The political activity of judges.
  - b. Financials and business activities of judges.
- vi. **Discretion:** Professional secrecy, which is to be respected by each and every judge, has, like the requirement for the

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<sup>15</sup> Rule 2 (B) (1), Code of Conduct for Judicial Officers in Nigeria, *ibid*

<sup>16</sup> *Ethics and Integrity Commission Code of Judicial Ethics Commentary, op. cite.*

independence and impartiality of a judge, both a normative and an ethical dimension.

- vii. **Attitude:** A judge shall establish and maintain a proper and respectful attitude towards colleagues and participants in proceedings.
  - a. Attitude towards parties and other participants.
  - b. Attitude towards lawyers, prosecutors and other legal experts.
  - c. Attitude towards colleagues and the court staff.
  - d. Attitude of judges with managerial responsibilities.
- viii. **Reputation:** Public confidence in the judiciary is based not only on the competence and commitment of judges, but also on their personal integrity and upright bearing in the performance of judicial office and in their private lives. A judge is expected to behave in such a way as to set an example for others (both at work and outside the workplace). He should at all times conduct himself honourably and beyond reproach and in accordance with generally accepted standards and values.<sup>17</sup>

### **The Pitfalls:**

A judge is not a being from another planet. He is human like all other human beings. On this score, it has been stated that:

Complete separation of a judge from extra-judicial activities is neither possible nor wise; a judge should not become isolated from the community in which the judge lives.

Expressions of bias or prejudice by a judge, even outside the judge's judicial activities, may cast reasonable doubt on the judge's capacity to act impartially as a judge. Expressions which may do so include jokes or other remarks demeaning individuals on the basis of their race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status.<sup>18</sup>

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<sup>17</sup> All thoughts expressed are guided by *Ethics and Integrity Commission Code of Judicial Ethics Commentary, op. cite.*

<sup>18</sup> Commentary on Canon 4, Indiana Rules of Court, **Code of Judicial Conduct**, effective January 1, 1999 (*Including Amendments passed through January 1, 2006*).

Pitfalls in judicial ethics arise out of the high value expectations, so in looking at the pitfalls, we must be candid to ourselves. In doing so, we must rise up to the clarion call for self-assessment.

To handle this aspect deservedly, we must engage the provisions of the Code of Conduct for Judicial Officers in Nigeria from practical points by loosening the loaded wordings thereof and putting them in everyday ordinary language. We must endure the penetration of the issues as they tackle personal traits of being of a Judge. The reason is that personal traits are defining perimeters of character assessment and the public image of a judge is principally perceived from the traits.

Let us take the matters point by point thus:

**i. The Loquacious Judge.**

This is the talkative judge (impulsive talker). He has no restraint over his utterances whether in the Court or outside. He cherishes gossips and cultivates conversations of unofficial character around him so he can hear everything going on. He is most times a pre-emptive commentator. He makes *ex-parte* communications<sup>19</sup> with either litigants or relations about the cases before him. The pitfall here is that this type of Judge or Judicial Officer opens himself up for all types of allegations. He loses respect especially of the litigants and Court officials. Often he misses the fine points of the law because his focus is divided. With the advent of communication technology and advanced recording devices, this Judge must know that it is easier now for communications to be recorded, stored and replayed. Anything can happen to this judge because recorded evidence can readily

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<sup>19</sup> Rule 2 (5) (i), Code of Conduct for Judicial Officers in Nigeria, *ibid* which defines 'ex parte communication' as any communication involving less than all the parties who have 'legal interest in the case, whether oral or written, about a pending or impending case, made to or initiated by the Judicial Officers over the case.

be available against him. Lack of vocal discipline breaches the provision of the Code of Conduct on professional secrecy<sup>20</sup>.

**ii. The Rude and abusive Judge.**

Thus is the haughty Judge. He is self-conceited and does not care for the regard he must show to the judicial system. He has this feeling that he is the sole authority of his Court and therefore he can talk any how to anyone who crosses his path. He acquires callous appearance and it bothers him not to live with it. The pitfall is that this type of judge brings contempt not only to himself but to the system as well. He misses focus because he is more interested in himself than his official work.

**iii. The Randy Judge**

This is the Judge with uncontrolled libido. (In dealing with this aspect, I am using the phrase 'he' as universal gender). He goes after the opposite gender. He does not understand the meaning of Sexual harassment or does not care. The intriguing thing about sexual harassment is that it consists of words, actions and gestures. The pitfall is that sex-related issues have in innumerable cases pulled down and destroyed expertise, talents and professionals when such scandal breaks out and a judicial officer cannot be an exception. With advent of social media, issues of sexual harassment easily go viral and thus become issues of universal publicity. It becomes the quickest way to achieve universal scandal and contempt. A judge who faces issues associated with randiness loses the capacity for attentiveness. Where he is not yet caught, he is always worried that his transgressions might come to light. He is busy seeking

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<sup>20</sup> Rule 2 (9), Code of Conduct for Judicial Officers in Nigeria, *ibid*.

ways of protecting himself. The notoriety of sex scandal is no image for any judicial officer to have. It affects the judicial officer in the office, home and society at large.

**iv. The financially distressed Judge**

This judge is always broke and ever soliciting for financial assistance from others. He is the quintessential debtor. He is unable to hide his private issues from others in order to elicit their empathy so he obtains credit. It could be from his colleagues or other staff of the Court. He soon becomes a perpetual debtor and always having impecunious appearance – a miserable being. When we took this office, we ought to have told ourselves that it is not money making venture. Most judges erroneously thought that judicial office is a pathway to financial Eldorado. The mind of a debtor generally is always on how to make ends meet and dealing with debt profile. A Judge who is indebted to others cannot avoid having a sunken psyche. He will never have the courage to face his debtors and at the same time perform his function with any degree of independence. This reduces his responsiveness to his official work. He suffers from image related complex. It gives him bad image.

**v. The mean Judge**

This is the unforgiving judicial officer that is vengeful in his being. In his perception, he feels that nobody treats him with respect. So, he has issues with nearly everybody and waits for opportunity to exert revenge. He treats the court staff and even litigants with little or no respect. He bears grudges against his colleagues sometimes for little things that ought to be forgotten and forgiven. The pitfall is that the psyche of meanness cannot go

with the mind of judiciousness that is required for judicial function. There is always arbitrariness in his conduct. The mean man suffers perpetual inferiority complex and might require a form of psychiatric evaluation to determine how fit he is for the task of judging others.

**vi. The social Judge:**

He is a regular face in social functions. He is noted for his capacity to entertain the crowd. Most times invitations are extended to him just for the purpose of ridiculing him in public but to him, he may have by virtue of his popularity convinced himself that he is 'a man of the people'. He could be a good dancer or singer or both. The questions to ask at this point are manifold:

- i. What sense of accomplishment does he have after a good social outing of wining and dancing?
- ii. When does he have time for his work? How seriously does the public take him? And,
- iii. What quality of work comes out of him?
- iv. How has he handled public confidence placed on the entire judiciary which he represents?

**vii. The fraudulent Judge**

This is the judge that does not distinguish between his personal property and official property. He makes personal use of Court resources. He dabbles into any finances that comes his way. What we must note about this is that fraudulent practices go beyond the perimeters of the Judiciary. To say it in unambiguous language, it is a criminal act. It exposes the Judge to offences

under the Miscellaneous Offences Act<sup>21</sup>, Economic and Financial Crimes Commission (Establishment etc.) Act<sup>22</sup>, Advanced Fee Fraud and Other Related Offences Act<sup>23</sup>, Corrupt Practices and Other Related Offences Act<sup>24</sup>, Code of Conduct Bureau and Tribunal Act<sup>25</sup>, Money Laundering (Prohibition) Act<sup>26</sup>, etc.

#### **viii. The biased Judge**

This is an ethnocentric man and a parochial being. He shows his bias either covertly or overtly perhaps on grounds of race or religion. He has zero tolerance for others outside his parochial enclave. It is against the ethics for a judge to belong to organizations that practice invidious discrimination. Parochialism destroys the mental framework requisite for judicial function.<sup>27</sup>

#### **ix. All-knowing Judge**

This judge places himself above other judges. Often, he displays condescending attitude because he does not believe that he has any equal. Nothing makes him to change his views as he does not believe that he can ever be wrong. The pitfall is that such a judge leaves in his myopic world with limited knowledge. He isolates himself and is also isolated. What he gets from others is not genuine respect but eye-service.

#### **x. The temperamental judge**

This is the Judge who is always demonstrating by his conduct that he has little or no patience. He is always behaving as if other people are wasting his time, always urging those who have cases before him to hurry up because he has other things to do.

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<sup>21</sup> CAP. M17, 2010 LFN.

<sup>22</sup> CAP. E1, 2010 LFN.

<sup>23</sup> CAP. A6, 2010 LFN.

<sup>24</sup> CAP. C31, 2010 LFN.

<sup>25</sup> CAP. C15, 2010 LFN.

<sup>26</sup> CAP. M18, 2010 LFN

<sup>27</sup> See Code of Conduct for Judicial Officers in Nigeria.

Meanwhile after sitting he has nothing doing than engage in long telephone conversations, chat with friends, read newspaper, watching television, listening to the radio or simply idle about.

**xi. The 'High' Judge**

The word 'high' is used in its sarcastic sense. It is meant to take care of issue connected with use of alcohol, psychotropic and narcotic substances<sup>28</sup>. Here we address the Judge who is addicted to alcohol or hard drugs. Most times it is known to colleagues who have either decided to tolerate it or view the conduct with disdain but do nothing about. At other times, the person involved may have managed to hide his misconduct from others. Alcoholism and drug addiction are ethical flaws and avoidable pitfall that affect the integrity of the Judge and by extension the general image of the Judiciary. The state of stupor or drug influence is not compatible with the work of the judicial office.

**xii. The anti-time Judge**

He is a late-comer. He keeps litigants and lawyers waiting for him and does not understand that time is of essence in the judicial reputation. The standard time for commencement of proceedings in our Courts is 9 o'clock or so soon thereafter. The judicial officer is fresher in the morning like all other human beings. Sitting early enables us to take advantage of the freshness and calmness in our psyche in the morning. The judicial officer who sits late has neither done to himself any good in terms of reputation nor the judiciary as a whole.

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<sup>28</sup> Some of the acts concerning addiction border on the provisions of National Drug Law Enforcement Agency Act, CAP. N30, LFN.

## **Judges' self-assessment on judicial functions:**

There are three basic questions for the judicial officer to ask himself before embarking on his judicial function and these are:

Is there anything that you have done that can:

- i. cast reasonable doubt on the judge's capacity to act impartially as a judge;
- ii. demean the judicial office; or
- iii. interfere with the proper performance of judicial duties.

This questions go to the conscience of the Judge. Where at any point in the course of his judicial career, a Judge finds that his conduct would be questioned in any case, the Code of Conduct for Judicial Officers gives a guide as to what the Judge should do and it is simple-recuse yourself. This is how it is stated therein:

1. A Judicial Officer should disqualify himself in a proceeding in which his impartiality might reasonably be questioned, including but not limited to the instances where:
  - (a) he has personal bias or prejudice concerning a party or personal knowledge of facts in dispute;
  - (b) he served as a legal practitioner in the matter in controversy, or a legal practitioner with whom he previously practiced law or served during such association as a legal practitioner concerning the matter or the Judicial Officer or such legal practitioner has been a material witness in the matter;
  - (c) he knows that he individually or as a Judicial Officer or his spouse or child, has a financial or any other interest that could be substantially affected by the outcome of the proceeding;

- (d) he or his spouse, or a person related to either of them or the spouse of such person;
  - (i) is a party to the proceedings, or an officer, director or trustee of a party;
  - (ii) is acting as a legal practitioner in the proceedings;
  - (iii) is known by the Judicial Officer to have an interest which could be substantially affected by the outcome of the proceedings.
  - (iv) is to the Judicial Officer's knowledge likely to be a material witness in the proceedings.<sup>29</sup>

### **JUDICIAL OFFICER RECEIVING GIFTS**

Lastly, let us talk about the pitfalls of receiving gifts. In the Code of Conduct for Public Officers<sup>30</sup>, the first rule therein is that a public officer shall not put himself in a position where his personal interest conflicts with his duties and responsibilities<sup>31</sup>. Judicial officer is equally a public officer. It is in the area of receiving gifts that the conscience of Judicial Officer can be compromised and conflict of interest can ensue. There is a thin line between gift, bribe and corrupt enrichment. There are so many things in the human mind that can be shielded in a gift, that is, motive of the gift. It is difficult if not impossible for you to collect a gift from someone and still go against the person. Under the Code of Conduct for Judicial Officers<sup>32</sup> a Judicial Officer and members of his family shall neither ask for nor accept any gift, bequest, favour, or loan on account of anything done or omitted to be done by him in the discharge of his duties. However, there are certain types of gifts permitted under the code as follows:

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<sup>29</sup> Rule 2 (C)(1), Code of Conduct for Judicial Officers, *ibid*.

<sup>30</sup> Fifth Schedule, Part 1 of the 1999 Constitution.

<sup>31</sup> Rule 3 (F)(1), Code of Conduct for Public Officers, *ibid*.

<sup>32</sup> Rule 3 (F)(2), Code of Conduct for Judicial Officers, *ibid*.

- i. personal gifts or benefits from relatives or personal friends to such extent and on such occasions as are recognised by custom;
- ii. books supplied by publishers on a complimentary basis;
- iii. A loan from lending institution in its regular course of business on the same terms generally available to people who are not Judicial Officers;
- iv. A scholarship or fellowship awarded on the same terms applied to other applicants.

The entire issue about receiving gifts is aimed at preserving the dignity and integrity of the judicial officer and keeping his conscience clear and clean above all.

### **Conclusion:**

At this point we should talk about whistle blowing. We do this on two fronts to wit:

- i. Whistle blowing on public officers.  
Every judge must know that the Whistle Blowing Programme is an active Government policy designed to encourage anyone with information about violation of financial regulations, mismanagement of public funds and assets, financial malpractice, fraud and theft to report it<sup>33</sup>. With the way the policy implementation is designed, there can be no issue of *locus standi* on the part of whistle blower. Additionally, there is no time-bar and Public Officers Protection Act<sup>34</sup>, does not apply.
- ii. Whistle blowing in our Code of Conduct<sup>35</sup> where it is stated that:  
A Judicial Officer on becoming aware of reliable evidence of unethical or unprofessional conduct by another Judicial Officer or legal practitioner should immediately take

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<sup>33</sup> Jide Olakanmi & Co, *Anti-Corruption Laws*, LawLords Publications, 2017 ed, p.499.

<sup>34</sup> CAP. P41, 2010 LFN.

<sup>35</sup> Rule 2 (B) (3), Code of Conduct for Judicial Officers in Nigeria, *ibid*.

adequate steps to report same to the appropriate body seized with disciplinary powers on the matter complained of.

This simply means that judicial officer should not hide, condone or shield unethical or unprofessional conduct on the part of another judicial officer. In this sense we are our own watch dogs.

Let me end that one there.

**Final Thought:**

Dispose of all judicial matters fairly, promptly, and efficiently<sup>36</sup>. This in my view is the best way to tackle the pitfalls of ethical conduct. It is the hallmark of impeccable reputation.

Thank you for listening.

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<sup>36</sup> Rule 2 (A) (6), Code of Conduct for Judicial Officers in Nigeria, *ibid*