**ACTIVITIES OF THE FEDERAL JUDICIAL SERVICE COMMISSION**

**BRIEFS ON THE OPERATIONS, CHALLENGES AND ACHIEVEMENTS OF THE FEDERAL JUDICIAL SERVICE COMMISSION**

1. **INTRODUCTION**

The Federal Judicial Service Commission is one of the 14 Federal Executive Bodies established by Section 153 (1) of the 1999 Constitution of the Federal Republic of Nigeria, as amended.

1. **FUNCTIONS OF THE COMMISSION**

The functions of the Commission are clearly spelt out in Paragraph 13, Part I of the Third Schedule to the 1999 Constitution of the Federal Republic of Nigeria, as amended, which stipulates that the Federal Judicial Service Commission shall have power to:

(a) Advise the National Judicial Council in nominating persons to the offices of:

(i) the Chief Justice of Nigeria;

(ii) a Justice of the Supreme Court;

(iii) the President of the Court of Appeal;

(iv) a Justice of the Court of Appeal;

(v) the Chief Judge of the Federal High Court;

(vi) a Judge of the Federal High Court;

(vii) the President of the National Industrial Court;

(viii) a Judge of the National Industrial Court; and

(ix) the Chairman and Members of the Code of Conduct Tribunal

(b) Recommend to the National Judicial Council, the removal from office of any of the judicial officers mentioned in sub-paragraph (a) above; and

(c) Appoint, dismiss and exercise disciplinary control over the Chief Registrars and Deputy Chief Registrars of the Supreme Court, the Court of Appeal, the Federal High Court, the National Industrial Court and all other members of staff of the Judicial Service of the Federation not otherwise specified in this Constitution and of the Federal Judicial Service Commission.

1. **COMPOSITION OF THE COMMISSION**

Paragraph 12, Part I of the Third Schedule to the 1999 Constitution, as amended, stipulates that the Federal Judicial Service Commission shall comprise the following Members:

1. the Chief Justice of Nigeria, who shall be the Chairman;
2. the President of the Court of Appeal;
3. the Attorney-General of the Federation;
4. the Chief Judge of the Federal High Court;
5. the President of the National Industrial Court;
6. two persons, each of whom has been qualified to practice as a legal practitioner in Nigeria for a period of not less than fifteen years, from a list of not less than four persons so qualified recommended by the Nigeria Bar Association; and
7. two other persons, not being legal practitioners, who in the opinion of the President are of unquestionable integrity.

At present, the Commission has the following Members:

1. Hon. Justice Olukayode Ariwoola, GCON - Chairman
2. Hon. Justice M. B. Dongbam Mensem, CFR - Member
3. Prince Lateef Fagbemi, SAN - Member
4. Hon. Justice J. T. Tsoho, OFR - Member
5. Hon. Justice B. B. Kanyip, Ph.D, OFR - Member
6. Mr. Abubakar Mahmud Magaji, SAN - Member
7. Mr. Nnamonso Ekanem - Member
8. Mrs. H. A. Turaki, LB - Secretary

The tenure of the four Members that are not ex-officio Members, as provided for in S.155 (1) (c) of the 1999 Constitution, as amended, is five years. The two legal practitioners were appointed on the 21st February,2022, while the tenure of the two non-legal practitioners expired on 24th October, 2023.

1. **STRUCTURE OF THE FEDERAL JUDICIAL SERVICE COMMISSION**

The Federal Judicial Service Commission has its main office building within the Supreme Court Complex. The Commission also has Examination centres in Lekki, Lagos and GRA, Port Harcourt, Rivers State. The Commission’s Secretariat is headed by the Secretary, Mrs. H. A. Turaki, BL who is the Chief Accounting Officer of the Commission. She is also the Chairperson of the Committee charged with the responsibility of conducting Promotion interviews and other sundry duties as may be given by the Commission.

In addition to the office of the Secretary, there are six departments viz:

1. Administration Department;
2. Finance and Accounts Department;
3. Planning, Research and Statistics Department;
4. Legal Department;
5. Establishment Department, and
6. Discipline, Appeals and Complaints Department.

There are Units under these Departments:

1. **OPERATIONS, OBSERVATIONS AND RECOMMENDATIONS**

Relying on Section 160 (1) of the 1999 Constitution, as amended, which allows certain bodies to make rules to regulate its own procedure, the Commission drew up its procedural rules, effective from 1st October, 2009, called Guidelines for Appointment or Removal from Office of Judicial Officers, 2009.

The Guidelines have been reviewed twice since then. The last being the one the Commission reviewed at its 67th Meeting held on the 2nd of June, 2015 and came into effect on the 2nd of June, 2015.

1. **Recommendation for the Appointment of Judicial Officers to the National Judicial Council:** The Commission, so far, has carried out this function effectively by advising the National Judicial Council in nominating persons for appointment as Judicial officers into the Supreme Court of Nigeria, Court of Appeal, Federal High Court, National Industrial Court and the the Code of Conduct Tribunal as stipulated in the Constitution.

In addition to the principle of meritocracy, federal character, competence, performance and ability to work as a team have been introduced in conformity with that of the National Judicial Council.

Rule 22(i) of the Revised Guidelines for Appointment or Removal from Office of Judicial Officers (2015) has also made it compulsory that every candidate, other than Judicial Officer, shortlisted for appointment as a Judicial Officer shall be interviewed by the Federal Judicial Service Commission to ascertain the suitability of the candidate for the Judicial office sought.

(b) **Appointment, Promotion and Discipline of Staff:**

(i) Appointment of Senior and Junior Staff of the Federal Courts and the

Commission:

The Commission has been employing senior staff (Grade Levels 07 and above) for the Supreme Court, Court of Appeal, Federal High Court, National Industrial Court and the Commission itself.

Appointment of Junior Staff

The power to employ junior staff (Grade Level 01 – 06) has been delegated to the respective Chief Registrars of the Courts and the Secretary of the Commission. Quarterly Returns on such appointments are, however, submitted to the Commission. In addition, the Commission has adopted the policy of representation, directing that a representative of the Commission must be present at the meetings of Junior Staff Committees of all the Courts failing which exercises conducted shall be considered null and void.

(ii) **Promotions**

In carrying out this function, the Commission organizes promotion examinations and interviews using 1st January and 1st July as effective dates. In conducting the promotion exercise, we engage the services of consultants and resource persons from different organizations to set and moderate questions and answers and to mark same. The promotion exercise is always conducted in the Six Geo-political Zones simultaneously.

(iii) **Compulsory Confirmation Examinations**

We conduct Compulsory Confirmation Examinations for all newly employed officers on Grade Levels 06 and above in the Federal Courts and the Commission. All qualified staff write the examination in the centre in their respective geo-political zone. The appointment of all eligible staff that pass the confirmation examinations are only confirmed after such staff have served for 2 years without any adverse reports during the period.

(iv) **Discipline of Senior Staff**

The Commission has so far been exercising direct disciplinary control over the senior staff of the Federal Courts and the Commission (Grade Level 07

and above) even though actions on such matters are usually initiated by the concerned Courts/Commission as required by the Federal Judicial Service Commission Regulations. However, the Commission has delegated its powers of disciplinary control on junior staff (Grade Level 01 – 06) to the respective Chief Registrars and the Secretary to the Commission.

Following some dismissals, the Commission is sometimes inundated with law suits against wrongful dismissal or compulsory retirement. Consequently, we are compelled to engage the services of Legal Practitioners to hold our briefs.

(v) **Conversion and Upgrading**

The Commission has, since inception, been converting and upgrading staff who acquire additional qualifications to the cadres and posts they are qualified for once the certificates/statements of results have been authenticated by the originating institutions. However, at the 69th Meeting of the Federal Judicial Service Commission held on 1st December, 2015, Members decided that staff applying for conversion, upgrading and advancement must sit for and pass prescribed examinations to be conducted by the Federal Judicial Service Commission before their applications will be considered by the Commission.

(vi) **Verification of Certificates of Members of Staff**

The Verification of the certificates of all senior members of staff of the Federal Courts and the Commission from the originating institutions has been carried out by the Commission, while certificates of the junior staff are confirmed by the individual Courts. So far, several Members of staff have been dismissed for certificate forgery. This is an on-going exercise.

(vii) **Gazetting**

The Commission has been liaising with the Federal Printing Press with a view to ensuring that all first appointments, confirmation of appointments, conversions, upgrading etc. of all senior officer of the Federal Courts and the Commission are gazetted. The Commission forwards movement forms for Gazetting to the aforementioned office and pursues the implementation of same to its logical conclusion. The challenge faced in this regard is that the coordinating office for the gazetting is located in Abuja, while the printing press is in Lagos thereby occasioning some delay.

**(v) Contract Appointment**

The Commission has over the years processes applications for contract appointments.

At the 60th Meeting of the Commission held on 14th of January, 2013, Members decided that, henceforth, requests for contract appointments shall be restricted to competent and experienced Confidential Secretaries and Secretarial Assistants who are due for retirement and desire to be employed on contract.

**vii. General Induction Workshop for Newly Recruited Senior Staff of the Federal Judiciary**

The maiden edition of the above workshop was organized in September 2008. attended by staff of Federal Courts and Judicial bodies.

The last induction workshop was organized in November, 2015 and was attended by staff from the Supreme Court of Nigeria, the Court of Appeal, the Federal High Court, the National Industrial Court and the Federal Judicial Service Commission. The Commission is hoping to organize the workshop on a biennial basis to sustain the positive fall-out including the insights and knowledge acquired during the workshop about the structure and inter-relationship between the Courts and Judicial bodies.

1. **SUMMARY OF ACHIEVEMENTS**

Since inception in 1999, the following are some of the significant achievements recorded by the Commission to date:

1. Guidelines and procedure for advising the National Judicial Council on the appointment of the Judicial Officers have been put in place;
2. The Commission has, over the years, been recommending qualified candidates to the National Judicial Council for appointment as Justices/Judges of the Courts that fall within the purview of the Commission;
3. Numerous vacancies declared by the Courts and the Commission have been filled by appointing suitable candidates to same;
4. Revised Rules and Regulations governing the conduct of staff have been provided;
5. New Schemes of Service has been developed to suit our peculiarities and same has been adopted;
6. Several certificates have been verified from the issuing institutions and this exercise has led to the weeding of bad eggs from the Judicial workforce;
7. Confirmation of staff appointments, promotions, conversions, upgrading and advancement have been conducted on regular basis, thereby boosting the morale of the workforce;
8. Gazetting of staff appointments, confirmation, promotion, conversions, upgrading, advancement as well as transfer has been carried out promptly;
9. A General Induction/ Re-orientation course for staff of Federal Courts/Commission was successfully conducted in Kaduna and Lagos in year 2008 and 2015 respectively;
10. A Refresher Course for Chief Registrars, Deputy Chief Registrars, Directors and Deputy Directors of Federal Courts as well as judicial bodies was successfully carried out in 2009;
11. The Commission’s responsibility of handling manpower defence of the Federal Courts has been successfully carried out;
12. Promotion of Industrial harmony in the Judiciary through proactive engagement with the Judicial Staff Union of Nigeria and other stakeholders; and
13. Standardization of departments in the Court/Commission to ensure a streamlined organizational structure in the Federal Judiciary.
14. **CHALLENGES FACING THE FEDERAL JUDICIAL SERVICE COMMISSION**
15. Delay in Verification of Certificates: the Commission faces delays in verification of certificates by issuing Institutions thereby deferring issuance of letters of appointment to newly recruited staff which effectively defeats the purpose of the elaborate recruitment exercise carried out.
16. Paucity of Budgetary Allocation: The Introduction of the envelope system has greatly affected the funding of the Commission’s programmes.
17. Delay in declaring Vacancies: This hampers the speedy commencement of the process of recruitment by declaring vacancies late.

Thank you.