

Rejoinder Of The NBA National Treasurer On The Allegations Of The NBA President Mr. Y. C. Maikyau SAN

Dear Elders of the Bar and Distinguished Colleagues, all protocols duly and respectfully observed.

By God's grace I make this rejoinder to the issues raised at Our Inconclusive Annual General Meeting of 30th August 2023. I have held back in silence these past weeks out of respect for the Bar, its institutions and, and the many Elders and Personalities who hold a place of high regard in my life

At the risk of the many negative interpretations of my silence, I now opt to respond as follows.

1.0. INTRODUCTION.

Kindly recall that on Thursday, the 30th day of August 2023 at Our Annual General Meeting of the Nigerian Bar Association, (which I have the honor to serve as your National Treasurer), I did formally report in the AGM that I am marginalized from performing my Constitutional duties as the duly Elected National Treasurer of our noble Association by Mr. President and to which he rather chose to respond with a floodgate of counter false allegations against us.

2.0. A REBUTTAL TO THE PRESIDENT CLAIMS.

During and after the AGM, the President has issued a flurry of statements and granted a series of interviews alleging corruption against his officers. For the records, I hereby state unequivocally;

2.1 ACCUSATIONS OF BEING AFTER OUR BAR PRACTICING FEES (BPF)

Mr. President alleged that National Officers are fighting him because he refused to share the BPF with us. May I state here that this is totally false and mischievously toned to distract members from focusing on his Alpha Male style of Leadership exposed.

Our yearly BPF when payed are straight away reposed in a Supreme Court Account with signatories comprising only Mr. President, the General Secretary, and the Supreme Court Registrar as signatories.

Access thereto is therefore not available to the NBA Treasurer or other National Officers because we are non-signatories thereto.

Only these three can permit for the withdrawal of an amount of the BPF (to other NBA and or our secondary BPF Account for a specific time or use) vide an

application to the Supreme Court Registrar. Just how does one get to whichever BPF Account and somehow throttle Mr. President to share same with you? How much of the unspecified BPF did we also wrestle you to share with us sir? If you would be so kind as to remind us of the particulars of the when and where we did so tackle you to squander our BPF, we will be much obliged Sir.

From whence did Mr. President get his unfair, unkind and fallacious fabrications against my person?

I have never asked Mr. President to share our BPF with me or any other person, now or ever and I have no need to resort to such Criminality.

Mr. President has on these very critical issues played the Victim, The Prosecutor, Judge and Executioner: I hereby challenge Mr. President to bring forward his evidence in support of this weighty allegation made before the whole world against us as it ridicules and cast aspersion on our integrity as Constitutionally Elected Officers of the NBA and the Nigerian Bar Association at large.

That at no time or place did I ever request or demand that any amount of money in any form of any currency whether in his custody or another's be given to or shared with me, or with any other person(s) at any time or place, by, or with Mr President or any other National officer or person.

2.2 ALLEGATIONS OF LOBBYING AND MOUNTING UNDUE PRESSURE ON MR PRESIDENT

I hereby state that contrary to Mr. President's fallacious claim, I never had any prior knowledge of his decision to nominate me to the 2023 Commonwealth Lawyers Conference (CLA) at Goa, India nor did I apply or lobby him for same. He only called, hinted and directed me to forward my requisite details to his Personal Executive Secretary one morning and I accordingly complied and expressed thanks.

I Caroline Ladidi Anze-Bishop never lobbied or applied for any NBA sponsorship to the IBA or anywhere else. I am not an ingrate nor I would be that insensitive, particularly when other National Officers to my knowledge have yet to enjoy any such official privilege by him.

I wish to respectfully and emphatically demand Mr. President, to, standing upon the time-hallowed principle of law; that he who asserts must prove, to kindly provide proofs when I, Mrs. Caroline Ladidi Anze-Bishop, ever acted in an underhand manner or made an unreasonable request even by his own stringent standards.

I further demand Mr. President to condescend upon the particulars of when or where I asked or lobbied him to go for the IBA or any other Conference whatsoever?

I have also never stayed in any Hotel beyond an official engagement stipulation, so why the blanket of false accusations?

With due respect, I request Mr. President to cease and desist from inveighing me in his blanket denigration of National Officers, and to right away retract these false statements and issue a public apology against my Person and all distinguished National Officers of the Bar.

I know for a fact that there was never ever a meeting of National Officers where a resolution to share any monies (or the said N40 million as falsely alleged by Mr. President) was ever reached. The open public rebuttal of the Assistant General Secretary (who takes down the minutes of meeting) squarely amplifies this truth.

2.3 ON THE ALLEGATION THAT I DID NOTHING ABOUT THE REMITTANCE OF OUR BPF TO BRANCHES I HAVE THIS TO SAY;

That when Mr President authorized the General Secretary to set up and chair a virtual meeting of NBA Management stakeholders on the 14th of March 2023 to attempt a Mediation/ Negotiation / Reconciliation with the Management Team of one Webitsecure Technologies (the now sacked NBA ICT Consult company hitherto managing our BPF Portal, who are demanding payment for services rendered without proper disengagement) on issues of our BPF portal and remittance to Branches, I demanded to be added to that team and the General Secretary effected same .

My contributions there at can be easily corroborated by the records of said meeting even after Mr. President took the BPF affairs entirely into his hands without bothering to involve me before, during or after the entire process of disbursement of their estimated 10% remittances of Bar Practice fees to our Branches.

3.0. MY SIMPLE CONSTITUTIONAL DEMANDS

i. I respectfully ask the NBA President to honor our NBA constitution and allow me fulfil my constitutional mandate pursuant to S. 9 (5) (g) and S. 23 of the extant Constitution of the Nigerian Bar Association, and in peace.

For the avoidance of doubt I have reproduced S. 9(5) g and S.23 of our Constitution which gives legality to my office as the National Treasurer of the Bar, and same are hereafter attached to this letter.

ii. Mr. President has alluded that the reason he has refused to allow me carry out my constitutional duties is because he wants to cut down on the cost associated with bringing or retaining the National Treasurer to / at the NBA National Secretariat at Abuja!!!

However well intended the President is, with the greatest respect, how does this reason stand up to constitutional scrutiny? Am I expected to vet Financial Memos and recommend them in absentia?

When I reminded Mr. President that the Treasurer is a principal Officer of the Bar and member of the Secretariat Management Committee; a key Standing Committee mandated with Secretariat Management, and therefore one who by implication must be physically and readily available at the Bar House as much as possible to do her job, Mr. President countered my position and argued that the Secretary and I perform almost the same functions. He said moreover that the Constitution permits him to make use of either the Secretary or Treasurer and that if he decides to use the Secretary, I need to show him where it is written that this is in bad taste!

Whilst his personal interpretation out rightly contradicts the wordings of our Constitution, I obediently tried to align with his ruling and suggested that I could come to work fortnightly to help cut down on any cost related concerns we may likely have, but he shut down this suggestion in a manner of finality and overruled that we would rather leverage on Technology and send e-memos to the Treasurer to scan, vet, recommend, then re-scan and resend by means of technology.

In line with the Presidential order issued, I stay put at my jurisdiction and only emerge to attend selected meetings subject to a strict Presidential marching order issued by our C-in-C, in cases where it is possible to physically attend and no more.

3.1 THE CLAIM OF PAYING ALL OF HIS PERSONAL AIDES FROM HIS PERSONAL PURSE;

The above claim by Mr. President is also untrue.

You will easily find in the NBA Staff salary schedule of the Association that Mr. President retains not less than 3 Aides on the payroll of our Association at the moment, contrary to his publicized claim on the floor of the AGM that he personally pays ALL his aides from his personal purse. The said Schedule is a public document that speaks for itself and clearly contradicts his claim. He who comes to Equity must come with Clean Hands Sir.

Mr. President has alleged that he expended about fifty million Naira (N50,000,000.00) on the official Entitlements and refunds of National Officers since October last year (I hereby requisite Mr. President to avail each National Officer an official Copy of the individual breakdown of the alleged cumulative financial records of the aforesaid amount allegedly spent on them) and he implied that it is a Colossal waste which could have been better channeled to a one year NHIA insurance package, for a greater number of Lawyers who MAY need them, as against the National Officers of the Bar. Do kindly oblige us your obtained

records Sir, as I am yet to receive any response from the NBA Accountant on the same requisition made.

The sacrifices we make as National Officers either from leaving our Families, practices and other endeavors to travel at short notice for service rendition to the Bar cannot be quantified and or trivialized, even as it is freely and joyfully so volunteered by us.

4.0 FALSE ALLEGATIONS OF FRAUD

i. I wish to categorically state that neither I nor any National Officer has to my knowledge accused Mr. President of any Financial Crime at any point in time, but he however chose to respond to our report of his undermining our various elected offices with a counter false allegation of Financial impropriety against all National Officers at the AGM grounds. I put Mr. President to the strictest proof thereof.

ii. Mr. President cries Wolf now, but just why didn't he expose us all as Plunderers of Bar resources at NEC or other meetings before, or even at the AGM before I had the floor? This is most unfortunate and it is obvious that he only played to the gallery to evade the reports of usurpation of constitutionally elected Officers against him.

iii. May I also State that when Mr. President single handedly undertook to receive an anonymous donation of undisclosed sums in US Dollars and further undertook its conversion at an undisclosed rate to Fifty million Naira N50M, then unilaterally appropriated ten million naira (N10M) to himself, and also single handedly deposited or attempted to deposit the alleged balance of forty million naira N40m in our Account and so on and forth; in clear contradiction of Section 9 (5) (a) and of the Treasurer's primary Mandate, he simply confirmed the fact that he's been acting as the Treasurer of the Bar, and doing my job at will with impunity.

iv. Neither I nor any of the National Officers accused Mr. President of fraud, yet he made this public confession and one that may likely set certain Anti-graft Agencies on our trails, soon.

The Lord himself is my Shepherd, Source and Sustainer and I am very contented with His provision.

What he cannot do for me should remain undone. I earn my daily bread and know assuredly that there is a curse in the House of a Thief therefore I will not steal!

v. I have never asked Mr. President to share our BPF or any money whatsoever with me or any other person at any place or time so let him hereby desist from trying to tarnish my good name with his tar of iniquity and apologize publicly to all the National Officers of the Bar for all of these unfounded allegations against Us.

5.0 MY PRAYERS

I have no wish to engage in a diatribe against Mr. President or the hallowed institutions of the Association.

I only demand Mr. President to allow me perform my constitutionally designated duties, without let or hindrance, No more, no less. He may be the President but he is not both the President and Treasurer neither does he have the right of shape-shifting to the NBA National Treasurer at will.

I was not appointed but duly elected to Office as the NBA National Treasurer by the popular mandate of all Nigerian Lawyers in accordance to our Constitution as he was, so I pray him to kindly desist from arrogating or appropriating the Powers of my Office to himself whenever it pleases him, and that, in utter disregard to our exalted Constitution.

In line with usual expectations following an imbroglio of this kind I can tell you that I have been bombarded with the good, the bad and the ugly since our World AGM day, inclusive of all kinds of insults, threats, and embarrassments etal but I take it as a part of the job description.

I equally appreciate the Nicodemuses who brightly cheer me quietly in the dark; may you find the courage to sooner stand with me in the light of truth's warmth and ambience.

I hereby call for the convening of an **Extraordinary General Meeting (Egm) Pursuant To Section 10(4) & (7) Of The Nba Constitution, 2015 (As Amended) (since the inconclusive AGM was adjourned sine die)** so that we reach a logical conclusion of the meeting and issues abandoned on the Agenda of that day.

I equally demand for an **independent audit of our Financial Books to ascertain or debunk Mr. Presidents allegation of Financial Fraud against all National Officers** and the tarnishing implication that we are Crooks. I believe our true BPF and general financial position will be revealed and all Crooks apprehended. I am not a thief and I daresay an immediate audit of our Account will corroborate my claim and certify me clean, so I strongly demand for an immediate Audit thereof.

The AGM is the highest body recognized and authorized with the highest powers of our Constitution as the fit and proper Arena for a grand finale of this Saga. Anything less will be likened to commencing a Matter in the Supreme Court of the land and adjourning for continuation of hearing in the Court of Appeal; to my mind.

On account of certain respected Elders and circumstances I will say no more here but one thing remains true; the powers of an NBA President must be corralled and made accountable in clear terms less we find ourselves saddled someday sooner with a grand Emperor of the Bar who may drag our Association to the gallows of his choosing.

I have the Constitutional duty to protect, preserve and uphold the distinguished office of the NBA National Treasurer and I refuse to have it reduced to a Window dressing or Rubber Stamp. We have less than 12 months to the end of this Tenure and necessity is laid on us to GET IT RIGHT as the lead Association which promotes the rule of law and justice.

I remain ever grateful for this mandate to serve the Bar and pledge to so serve to the best of my ability and by His Grace.

Thank you all for your kind attention.

Long live our Nigerian Bar Association.

Your Treasure keeper,

A handwritten signature in blue ink, appearing to read 'Caroline Ladidi Anze-Bishop', with a circular flourish at the end.

Caroline Ladidi Anze-Bishop AICMC,
NBA National Treasurer, (2022-2024)

Cc.

1. The Body of Benchers,
2. The Annual General Meeting
3. The National Executive Council
4. The National Executive Committee
5. The NBA Board of Trustees
6. All Past National Leaders of the Bar.
7. All past National Treasurers.
8. The General Council of the Bar
9. Chairman & Esteemed Members of the LPDC
10. Members of the Press
11. To whom it may concern.

Text of Section 9(5)g and Section 23(3) of our Constitution: herein attached to this statement.

Section 9(5)(g) of the Constitution of the NBA, 2021.

The Treasurer:

i. shall receive, collect, and pay to the Association's bankers all monies collected for the Association or paid to the Association from any source whatsoever and keep records of such receipts and payments;

ii. shall carry out any decision or directive of the Annual General Meeting in matters relating to the budget or finances of the Association;

iii. shall prepare or cause to be prepared and submitted to the last Quarterly Meeting of the National Executive Council in any Calendar Year, an annual budget containing the estimated revenue and expenditure of the Association for the succeeding Financial Year covering the period January to December of any Calendar Year;

iv. shall be in constant touch with the Branches to ensure that all members of the Branches pay their annual practicing fees as and when due;

v. shall compile and circulate a list of members who have paid or are in default in respect of their practicing fees in each year and take steps to circulate such list at the Annual General Meeting, the meeting of the National Executive Council, the various Heads of Courts in the country, Corporate Affairs Commission and such statutory bodies as may be decided from time to time by the National Executive Council;

vi. shall invest the monies of the Association in such securities as may be approved by the National Executive Council;

vii. shall cause to be prepared and presented to the National Executive Council at its quarterly meetings the Management Report and Accounts of the Association for the preceding quarter. The said Quarterly Management Report and Accounts shall be published and circulated to all members of the Association upon adoption by the National Executive Council;

viii. shall circulate to every member of the National Executive Council the audited accounts and balance sheet for the preceding Financial Year;

ix. shall submit an annual report to the Annual General Meeting to which shall be attached the audited accounts and balance sheet for the preceding Financial Year;

x. In respect of any Election Year, he/she shall, in addition to the audited financial statements for the preceding year, also present to the Annual General Meeting the following financial statements and reports:

1. Half-Year (January-June) Audited Financial Statements; and
2. Unaudited Management Report for the period ended one week to the Annual General Meeting date.

xi. shall circulate to every member of the National Executive Council the financial statements and reports specified in sub-paragraph (vii) above prior to the Annual General Meeting;

xii. shall be a member of the Secretariat Management Committee;

xiii. shall perform all other duties as may be assigned to him/her by the President or the National Executive Council or the National Executive Committee or the Annual General Meeting.

Section 23 of the Constitution of the NBA, 2021

Finance

(1) All monies belonging to the Association shall be kept in its name with such reputable bankers as the National Executive Council shall appoint.

(2) There shall be three Principal signatories to the Association's accounts namely, the President, the General Secretary and the Treasurer; any two of whom may sign.

(3) Without prejudice to the preceding sub-paragraph (2), the President shall be the final authority in respect of all electronic and other banking payments. Provided that all payments, electronic or not, shall be vetted and recommended for payment by the Treasurer and/or the General Secretary prior to the President's approval and subsequent uploading (in the case of electronic payments) and payment authorization.

(4) No expenditure shall be incurred for any purpose unless such expenditure has been approved generally by the National Executive Council in the annual budget or any supplementary budget of the Association. Provided that in any case of serious urgency, the President in consultation with the General Secretary and the Treasurer may authorize such expenditure in their discretion and afterwards seek covering approval from the National Executive Council. Provided however, that the exercise of such discretion shall be limited to the recurrent expenditure of the month immediately preceding.

(5) The General Secretary may hold as imprest such amount as may be approved by the National Executive Council from time to time.

(6) The National Executive Council may invest the funds of the Association in government securities or such other securities.

(7) If the Auditor surcharges any officer or member of the Association with the payment of any amount, the National Executive Council may

serve a notice upon such person to pay the amount surcharged within a period not less than fourteen (14) days after service of such notice upon him/her. Upon such person failing to pay the amount, the National Executive Council may authorize that legal proceedings be taken to enforce payment.

(8) Ten (10) percent of Bar Practicing Fees paid by members of each Branch shall be remitted to the Branch in the months of April and December of each year.