

**INFORMATION TECHNOLOGY AS A CATALYST FOR
EFFICIENT JUSTICE DELIVERY IN EDO STATE**

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**AT
THE I.C.T WORKSHOP
HELD ON FRIDAY THE 1ST OF DECEMBER, 2017
AT THE HIGH COURT COMPLEX,
SAPELE ROAD, BENIN CITY.**

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1.0. INTRODUCTION

Some weeks ago, I received a text message on **WhatsApp**. The message contained excerpts from an article by the MD and CEO of Daimler Benz (Mercedes Benz), on how our lives will change dramatically in about 20 years time. The message was quite lengthy but here are some highlights:

*"In a recent interview the MD of Daimler Benz (Mercedes Benz) said their competitors are no longer other car companies but **Tesla, Google, Apple** and **Amazon** (software manufacturers). Software will disrupt most traditional industries in the next 5-10 years. **Uber** is just a software tool, they don't own any cars, and are now the biggest taxi company in the world. **Airbnb** is now the biggest hotel company in the world, although they don't own any properties.*

***Artificial Intelligence:** Computers become exponentially better in understanding the world. This year, a computer beat the best Go player in the world, 10 years earlier than expected.*

*In the US, young lawyers already don't get jobs. Because of **IBM Watson**, you can get legal advice (so far, for more or less basic stuff) within seconds, with 90% accuracy compared with 70% accuracy when done by humans.*

So if you study law, stop immediately. There will be 90% fewer lawyers in the future, only specialists will remain.

***Watson** already helps nurses diagnosing cancer, 4 times more accurately than human nurses. **Face book** now has pattern recognition software that can recognize faces better than humans. (There is even software on Face book that can use your current picture and give you a picture of your facial appearance in 20 years time if you are still alive). In 2030, computers will become more intelligent than humans.*

***Autonomous cars:** In 2018 the first self driving cars will appear for the public. Around 2020, the complete industry will start to be disrupted. You don't want to own a car anymore. You will call a car with your phone; it will show up at your location and drive you to your destination. You will not need to park it, you only pay for the driven distance and can be productive*

while driving. Our kids will never get a driver's licence and will never own a car.

It will change the cities, because we will need 90-95% less cars for that. We can transform former parking spaces into parks. 1.2 million people die each year in car accidents worldwide. We now have one accident every 60,000 miles (100,000 km). With autonomous driving, that will drop to one accident in 6 million miles (10 million km). That will save a million lives each year.

*Most car companies will probably become bankrupt. Traditional car companies try the evolutionary approach and just build a better car, while technology companies like **Tesla, Apple, Google** etc. will do the revolutionary approach and build a computer on wheels.*

Many engineers from Volkswagen and Audi are completely terrified of Tesla.

Insurance companies will have massive trouble because without accidents, the insurance will become 100 times cheaper. Their car insurance business model will disappear.

Real estate will change. Because if you can work where you live, people will move further away to live in a more beautiful neighbourhood.

Electric cars will become mainstream about 2020. Cities will be less noisy because all new cars will run on electricity. Electricity will become incredibly cheap and clean: Solar production has been on an exponential curve for 30 years, but you can now see the burgeoning impact.

***Health:** The **Tricorder X** price will be announced this year. There are companies who will build a medical device (called the "Tricorder" from Star Trek) that works with your phone, which takes your retina scan, your blood sample and you breathe into it. It then analyses 54 biomarkers that will identify nearly any disease. It will be cheap, so in a few years everyone on this planet will have access to world class medical analysis, nearly for free. Goodbye, medical establishment.*

***3D printing:** The price of the cheapest 3D printer came down from \$18,000 to \$400 within 10 years. In the same time, it became 100 times faster. All major shoe companies have already started 3D printing of shoes.*

Some aeroplane spare parts are already 3D printed in remote airports. The space station now has a printer that eliminates the need for the large amount of spare parts they used to have in the past.

At the end of this year, new smart phones will have 3D scanning possibilities. You can then 3D scan your feet and print your perfect shoe at home.

In China, they already 3D printed and built a complete 6-storey office building. By 2020, 10% of everything that's being produced will be 3D printed.

***Agriculture:** There will be a \$100 agricultural robot in the future. Farmers in 3rd world countries can then become managers of their field instead of working all day on their fields.*

*There is an app called "**moodies**" which can already tell in which mood you're in. By 2020 there will be apps that can tell by your facial expressions, if you are lying. Imagine a political debate where it's being displayed when they're telling the truth and when they're not.*

***Education:** The cheapest smart phones are already being sold at \$10 in Africa and Asia. By 2020, 70% of all humans will own a smart phone. That means, everyone has the same access to world class education."*

The foregoing observations by the MD and CEO of Daimler Benz aptly sets the tone for our present discourse. This is the true picture of the transformation in our emerging world. The Edo State Judiciary must be adequately equipped and positioned to meet up with these rapid technological developments.

In a paper which I presented at a Seminar, sometime in June, 2008 on the topic: **THE FACE OF LEGAL RESEARCH IN THE 21ST CENTURY**, I observed that:

*"Society is dynamic; the wind of change is blowing all over the world. The Greek philosopher Heraclitus (circa 540 – 480 B.C.), postulated that: 'everything flows and nothing stays'. He maintained that everything in nature is in a state of constant change. The Latin maxim captures it thus: *tempora mutantur, nos et mutamur in illis* (the times change; we also must change with the times)."¹*

The Judiciary cannot resist the wind of change. Like every aspect of modern life, Information Technology has introduced some radical changes in the legal profession. I will try to highlight some of these salient developments in the nation's judiciary.

2.0 INFORMATION TECHNOLOGY

¹ The Face of Legal Research In The 21st century <http://www.nigerianlawguru.com/articles/general>

According to *Wikipedia*, the multilingual, web-based, free-content encyclopaedia, *Information Technology (IT)* is:

“the application of computers and the internet to store, retrieve, transmit, and manipulate data, or information, often in the context of a business or other enterprise. IT is considered a subset of information and communications technology (ICT).....The term is commonly used as a synonym for computers and computer networks, but it also encompasses other information distribution technologies such as television and telephones. Several industries are associated with information technology, including computer hardware, software, electronics, semiconductors, internet, telecom equipment, engineering, healthcare, e-commerce, and computer services”.

Basically, Information Technology covers a broad spectrum of hardware and software solutions that enable organizations to gather, organize, and analyze data that enable them to achieve their goals.

Information Technology includes several layers of physical equipment (*hardware*), virtualization and management or automation tools, operating systems and applications (*software*) used to perform essential functions. User devices, peripherals and software, such as laptops, smart phones or even recording equipment, can be included in the IT domain. IT can also refer to the architectures, methodologies and regulations governing the use and storage of data.

3.0 NATIONAL JUDICIAL POLICY ON ICT

3.1: INTRODUCTION:

In January, 2012, the erstwhile Chief Justice of Nigeria, *Hon. Justice Dahiru Musdapher*, inaugurated a Committee to design a comprehensive and pragmatic policy on Information Technology which can be effectively implemented in all jurisdictions in Nigeria. The Committee members comprised of highly knowledgeable, dedicated and respected judicial and non-judicial officers.

At the conclusion of their assignment, the Committee produced a comprehensive policy document on Information Technology for implementation in the nation’s judiciary. All the states have been given marching orders to implement the policy.

I will proceed to highlight the salient aspects of this Policy Document as it relates to *the purpose, the vision and the mission*.

The *purpose* of the policy is *to ensure that ICT is used to effectively support the administration of justice in the nation's judiciary*; the *vision* of the policy is *to ensure a justice system that is simple, fast, efficient and effective*; and the *mission* of the policy is *to fully integrate ICT into the Court system*.

3.2: POLICY OBJECTIVES:

The policy objectives are as follows:

1. To guide towards the effective use of information technology in the judiciary aimed at improving the services and achieving overall cost efficiency;
2. Meeting the needs of Judges and their support staff;
3. Meeting the demands of increased data communications;
4. Ensuring security, confidentiality and privacy;
5. Provide the Bar and the public with easy access to appropriate court and case information;
6. Provide external participants, including prospective parties where appropriate, with access to the adjudicative process;
7. Foster cooperation and communication between judges, litigants, the bar and court employees with other foreign judicial systems and bodies;
8. Speed up the judicial process by making use of appropriate technologies for effective justice delivery;
9. Provide seamless and effective integrated network between various organs of the judiciary; and
10. Facilitate progressive reduction of reliance on paper-based proceedings.

3.3: ICT INFRASTRUCTURE FOR THE JUDICIARY:

To implement the court automation project in the Nigerian Judiciary, the Policy Document enumerated the following key components as part of the IT infrastructure:

- (a) Conducting a detailed feasibility study to determine the ICT infrastructure required for the judicial system;
- (b) Site selection, preparation, furnishing, sources of energy supply, and physical security;
- (c) Network Infrastructure such as Local Area Network (LAN), Wide Area Network (WAN), and Internet Connectivity;
- (d) Hardware and Software components;

(e) Web Portal: Each Judiciary must establish a "*current, educative, informative and qualitative website*" to serve the organization. The website should contain details of the structure of various operational arms of the judicial body, history, jurisdiction, rules, judges profile, location map, types of courts, contact details, guidelines, Bar Associations, case-status, court judgments, orders, applications, etc.

4.0: COURT TECHNOLOGIES

4.1: CASE MANAGEMENT SOFTWARE:

All judicial organizations are encouraged to implement an efficient and robust *Electronic Case Management Software* to improve efficiency in adjudication. A case management software is an application developed to improve efficiency in court proceedings. The manual approach of case management through the endorsement of files by hand writing, physical movements of files from registry to court etc. will be replaced with a systematic, all encompassing and secure channel through which cases can be managed. The system which must be web based will track all aspects of a case from filing through to disposition and appeal. The system will automatically communicate information to approved recipients *via* SMS and email. This will ensure fast, simple access to case information and enhance productivity, accuracy and efficiency.

4.2: E-FILING:

All Courts are encouraged to implement *Electronic Filing* of cases in their various jurisdictions. *E-filing* is an electronic system of filing cases online. This will enable lawyers and litigants to file their processes directly on the website of the court. Filing fees will be paid on site at a pay portal through internet banking systems such as credit/debit cards, money transfer etc.

4.3: ELECTRONIC DOCUMENT MANAGEMENT SYSTEM (EDMS):

All judiciary departments are enjoined to acquire and install an electronic document management system in order to reduce the volume of paper based transactions in their proceedings. The advantages of the EDMS include: Multiple access to the same document; easy search and retrieval of documents; security and safe storage of court processes etc.

4.4: VIRTUAL LIBRARY:

Judicial organizations should establish a Virtual Library to enhance effective research. A virtual library is an online site warehousing all library resources that are available from different computers and databases. This is different from the open internet in the sense that the contents have restricted access. An electronic library is a repository for all types of resource materials. An organization can either establish a virtual library or subscribe to one online to enable the members of the organization access relevant resource materials to facilitate legal research.

4.5: VIDEO CONFERENCING:

The use of Video-Conferencing technology is greatly encouraged in the judiciary. Video-Conferencing can connect people in different locations for critical meetings and discussions. It can also be used to elicit the evidence of far away witnesses to enable them "appear" in court from far away. Expert witnesses, prisoners, hospitalized patients etc can all testify *via* video conferencing. This procedure however requires a thorough analysis of the merits and demerits of the technology. It may also involve the amendment of our Court rules.

5.0: E-COURT SYSTEMS

The use of technology in the courtroom is highly encouraged. The Electronic Courtroom system is *evidence in presentation tool* that utilizes a dedicated computer, electronic wall-display, data monitors, DVD/VCR, document presenter, printer and integrated audio system. This is a way of putting all the evidence before everyone in the courtroom simultaneously - the Judge, the Lawyers, Court staff, the Litigants and the members of the public. Some advanced e-court technologies can actually display documentary evidence and medium sized three -dimensional objects tendered as exhibits.

6.0. ICT COMMITTEE AND ICT DEPARTMENT

Each judicial organ must establish an *ICT Committee* to oversee the implementation of ICT projects. The functions of the Committee shall include: Supervising the ICT Enterprise Architecture and Information Architecture; Overseeing ICT policy and standards; Approving major ICT project plans and roadmaps; Providing direction to management in relation to ICT; Monitoring major ICT projects; and Performing benefit management of all ICT projects.

Again, all judicial bodies must immediately create or upgrade their ICT units to a full fledged department. The Department should include industry standard ICT functions such as System Analysis, Web Development, Database Administration, Network Administration, System Architecture, System Support and IT Service

Management. Judicial bodies should strive to attract and retain up to date and skilled ICT personnel. There should be regular training of judicial officers and court staff to facilitate the computerization process. The training should be tailored to meet current challenges in the process of adjudication.

7.0. THE INTERNET

The internet is a worldwide computer network which enables people from all over the world to communicate with one another in a matter of moments. Researchers use the internet and its multimedia component, the *World Wide Web* to access materials from sites all over the world. A *website* is basically an *electronic book* (e-book) with several web pages. The book is hosted on the internet at a particular website address, prefaced with the letters: “www”.

Every Web page has its own address called a *Uniform Resource Locator(URL)*.E.G (<http://www.edojudiciary.gov.ng/articles/constitutionallaw.pdf>). Much like the address on an envelope with a name, street address, city, state, and Country. Each part of the URL provides some information about the Web page.

The web pages contain information which the website seeks to disseminate to the public. Web pages can have one of two characteristics. They can be *restrictive*, in the sense that users are only allowed to view the page or they can be *interactive* in the sense that users can read and/or update the contents of the webpage.

In this age of information technology, the internet has opened up a breathtaking in-road into the field of automated legal research. There are several legal websites with huge data bases of legal materials. Some of them are *free sites* which you can access without subscription, while some others are *fee paying sites*. The latter are *password protected*, so that you cannot access materials without a password. Most often, you can only have a password if you are a fee-paying subscriber. Some of such password protected sites include the websites of most legal journals such as:

- (i) *African Journal of Legal Studies*²
- (ii) *African Human Rights Laws Journal*³
- (iii) *South African Law Journal*⁴
- (iv) *Law Pavilion*⁵
- (v) *Legalpedia*⁶

² www.africalawinstitute.org

³ www.chr.up.ac.za/centre

⁴ www.journals.co

⁵ www.Lawpavillion.com

⁶ www.legalpediaonline.com

Among the free legal websites we have the popular American law site, *Find law*⁷ which offers access to a host of materials on both substantive and procedural aspects of American Law. There are also some other foreign sites that offer free access to legal forms and precedents of solicitor's letters, contracts, testamentary instruments, power of attorney, court forms and other legal documents⁸

Coming to Nigeria, we have some very useful free sites to access legal materials, such as the website of the *International Centre for Nigerian Law*⁹. Here, you will find a large database containing several relevant statutes of the Laws of the Federation of Nigeria. We also have the *Nigeria Law Reports site*¹⁰ containing the official law reports of the judgments of the Supreme Court of Nigeria. Again, we have *Nigerian Law Guru Website*¹¹, of which the presenter is the Editor and the Founder. The site was designed to facilitate research on all aspects of Nigerian law. It contains relevant resource items such as salient statutes and Rules, Legal Articles, Legal Information, Digest of cases etc., etc.

Next is the website of the *Nigerian Legal Information Institute*¹². This is another free site hosting Journals and Articles on *Nigerian Law*, Legal Education, Legal practice and Law Firms. Of course, we have the websites of several Courts across Nigeria, like that of the Edo State Judiciary¹³, which we will examine more comprehensively in the course of this presentation.

7.1. INTERNET SEARCH:

The very first step to take before you can access the internet with your computer is to get connected to the internet. Internet connectivity can be done through an *Internet Service Provider (ISP)*. An ISP is the middleman connecting users to the internet for a fee. Another option is to get a direct connection to the internet through a *satellite VSAT (Very Small Aperture Terminal)*. This is a more expensive approach which is not recommended for private individuals but for big organizations with commercial objectives. Fortunately, for us in Nigeria, most of the Global System for Mobile Communications (GSM) operators (like MTN, Airtel, GLO, 9 Mobile etc.), also provide internet services for a fee.

⁷ www.findlaw.com

⁸ www.freelegalforms.net; www.uslegalforms.com; www.lectlaw.com

⁹ www.nigerialaw.org.

¹⁰ www.nigrialawreports.com

¹¹ www.nigerianlawguru.com

¹² www.nlii.org

¹³ www.edojudiciary.gov.ng

Connection to the ISP for further connection to the internet can be through *dial up access* or *wireless access*. Dial up access is through a telephone to the ISP, while wireless is *via* satellite. Once internet connectivity is established, you can browse the internet to search for information.

For a beginner, conducting a search on the internet can be time consuming and frustrating. This is not surprising, given the enormous amount of information on the web. Since the Web is not arranged in any standard form, finding information can be quite challenging. To obviate these difficulties, *search engines* have been developed to facilitate searches on the internet.

7.2. SEARCH ENGINES:

Search engines are software programs that help users find information stored on the internet. They are remotely accessible programs that let you do keyword searches for information on the Internet. There are several types of search engines and searches may cover titles of documents, URL's, headers, or full text. The results that you get from one search engine may not match the results you get from another search engine. In fact, they are often different due to the way each search engine is configured. Therefore, it may actually be beneficial to use more than one search engine on a regular basis.

Many of these search engines run regular programs such as *web crawlers* or *spiders*. These are automated browsers that perpetually trawl the net in search of particular data which they capture and send back to their site of origin to be indexed therein. The ways sites get listed on these search engines vary, with the most obvious being the site's author registering his site with a particular search engine. Here is a list of some search engines that might give you good results:

- I. *Bing* – This is one of Microsoft's search engines¹⁴
- II. *Yahoo!*¹⁵ – This is Yahoo's search engine which not only searches the web but also all the Yahoo! Pages;
- III. *Ask.com*¹⁶ – Allows you to use a more intuitive way to search by simply typing -in a complete question instead of a list of keywords;
- IV. *Google*¹⁷ - This is the most popular search engine. It has become so popular that the word "*Google*" has become a verb.

¹⁴ www.bing.com

¹⁵ www.yahoo.com

¹⁶ www.ask.com

¹⁷ www.google.com

Now people around the world talk about *Googling* for information on the Internet.

A comprehensive list of search engines and more can be found at Wikipedia's List of Search Engine page¹⁸. However, the most popular search engines are, *Yahoo* and *Google*.

7.3 INTERNET SECURITY:

The need for computer security existed long before the advent of the Internet. Shortly after the computer was developed, the need to protect the computer became apparent. Presently, the well established field devoted to securing computers and other data is known as *Information Security*. The subject of *Internet Security* is merely a specialized aspect of Information Security. Hence, many of the principles and techniques of Internet Security were actually adopted from the practice of Information Security.

The public nature of the Internet creates new challenges in the practice of Information Security. There are a number of risks associated with going online. These result from either visiting malicious websites or inadvertent disclosure of personal information.

Security as a concept can be quite nebulous. It can encompass activities that protect your computer systems from viruses, restrict the use of hardware, software, or data, or prevent users from performing negative activities or actions of malice. The basic goal is to allow only legitimate users to do only legitimate things.

However, *there is nothing like full proof security*. A 100% secure system does not exist. Like everything in life, there will always be some element of risk

¹⁸ http://en.wikipedia.org/wiki/List_of_search_engines

involved. All we can do is to reduce the risk to the barest minimum. The standing joke is that: *the only system that is completely secured is one that is unplugged, switched-off, locked away and buried.* That is a pretty secured system, but of course, it is completely useless.

In this age of hi-tech information technology, the Internet has provided the greatest access to freedom of information and communication. Like all kinds of freedom, the Internet has been exploited by many unscrupulous individuals to perpetrate their mischief. These range from sending unwanted and sometimes offensive *e-mails (scam mails)*, to *credit card fraud, advanced fee fraud (a.k.a. 419)*, having other systems infected with *malicious viruses, invasion of private information or communication, etc.*

The emergence of these unwholesome practices has necessitated the development of some forms of *Internet Controls*. These are control measures, to prevent abuses by users in the system. Some control measures provide security at the level of the computer system, while some others operate at multiple layers. We will consider some of these measures shortly.

7.4. SECURE WEBSITES:

Before entering private information such as passwords or credit card details on a website, you can ensure that the link is secure in two ways:

- (i) The web address should begin with ‘https:’ (not just ‘http :’). The letter ‘s’ stands for ‘secure’; and
- (ii) When sending confidential information over the Internet, such as usernames, passwords, or credit card numbers, only send it securely. To verify this, look for a small padlock (🔒) sign at the bottom right hand corner of your browser window or next to the address bar (as shown below). If visible, this lock should also be in the locked position and not unlocked.



Internet Explorer secure address bar

Furthermore, the padlock symbol should be in the browser window frame (as in the above example) and not on the page. If it appears on the page itself, this will probably indicate a fraudulent site.

While the padlock is showing in a locked position, the data is encrypted (coded), which prevents anyone from understanding the data if it is wrongly intercepted. When no lock is visible or if it is in the unlocked position, all the information is in plaintext which can be read if intercepted. If you observe that a web page is not secure, you must be careful about your transactions there. It is an insecure site. Anything can happen. It is best not to do any transactions there that may jeopardize your security.

7.5. PASSWORD PROTECTION:

A password is a basic security mechanism that consists of a secret pass phrase created using alphabetic, numeric, alphanumeric and symbolic characters, or a combination. A password is used to restrict access to a system, application or service to only those users who have memorized or stored and/or are authorized to use it.

Passwords are used commonly to gain entry to networks and into various Internet accounts in order to authenticate the user accessing the website. A password may also be called an access code, PIN (personal identification number) or secret code.

Generally, a password is used in combination with a *user name* and in most cases; an individual must provide both to gain access to a system, network or other password-protected area.

We live in a password-driven world, where between 4 and 20 characters can determine whether you're able to access your data, communicate with friends, or make your online purchases.

There are peculiar problems associated with their use. Firstly, passwords should be different everywhere you use them, and that can make it difficult to remember them all. Again, the password should be strong enough, but if a password is truly strong, that makes it even more difficult to remember it.¹⁹

However, most sites have *password recovery procedures* in the event of such exigencies.

7.6. ANTI VIRUS PROTECTION:

A *Computer Virus* is a self-duplicating computer program that spreads from computer to computer, interfering with data and software. Just as biological

¹⁹ Eric Griffith: Password Protection: How to Create Strong Passwords
<http://www.pcmag.com/article2/0,2817,2368484,00.asp>

viruses infect people, spreading from person to person; computer viruses infect personal computers (PCs) and servers (the computers that control access to a network of computers). Some viruses are mere annoyances, but others can do serious damage. Viruses can delete or change files, steal important information, load and run unwanted applications, send documents *via* electronic mail (e-mail), or even cripple a machine's operating system (OS), the basic software that runs the computer.

Viral infection can be prevented by obtaining software from legitimate sources. However, the best prevention may be the installation of current and well-designed *antiviral software*. Such software can prevent a viral infection and thereby help stop its spread. Several types of antiviral software can be used to detect the presence of a virus. If your computer is running a newer version of Windows operating system, there is a pre-installed anti virus software called *Windows Defender* on the computer.

A comprehensive anti virus should cover all forms of viral attacks including *malware* (malicious software designed to break into a system) and *spyware* (software that obtains information from a computer without the owner's knowledge or consent).

Since new viruses are developed almost daily, antivirus software must be updated periodically and the system scanned regularly in order to be effective.

8.0. EDO STATE JUDICIARY WEBSITE

The Edo State Judiciary Website was established sometime in October, 2016. The site can be accessed at: www.edojudiciary.gov.ng.

The *Homepage* of the site is quite comprehensive, as it displays a summary of the table of contents of the entire website. The web design pattern is simple and the site is user friendly. There is a functional *search engine* on site to facilitate quick research on site. The HOME PAGE displays the main sections of the site as follows:

1. ABOUT: This section gives us a brief history of the courts, their hierarchical order, the judicial officers and some principal members of staff;
2. COURT GALLERY: The Court Gallery consists of the pictures of the Honourable Judges, Past Chief Judges and Presidents of the Customary Court of Appeal, Magistrates, Area Court Presidents and Members of Area Customary Courts, District Courts' Presidents and Members of District

Courts, Principal Officers of the High Court, and pictures of several judiciary events and activities;

3. JUDGMENTS: This section contains the judgments and rulings from all the judicial divisions of the Edo State High Court. For ease of reference, the section is further sub-divided into the following categories:

- a) CHIEFTAINCY MATTERS;
- b) COMMERCIAL LAW;
- c) CONSTITUTIONAL LAW;
- d) CRIMINAL LAW;
- e) CUSTOMARY LAW;
- f) ELECTION MATTERS;
- g) ENVIRONMENTAL LAW;
- h) GENERAL;
- i) HUMAN RIGHTS LAW;
- j) INSURANCE LAW;
- k) INTELLECTUAL PROPERTY LAW;
- l) LABOUR LAW;
- m) MATRIMONIAL MATTERS;
- n) PROBATE MATTERS; and
- o) TORTS.

4. ARTICLES: This section contains articles on various aspects of law. Again, the section is sub-divided as follows:

- a) ARBITRATION;
- b) COMMERCIAL LAW;
- c) CONSTITUTIONAL LAW;
- d) CRIMINAL LAW AND PROCEDURE;
- e) CUSTOMARY LAW AND PROCEDURE;
- f) ENVIRONMENTAL LAW;
- g) FAMILY LAW;
- h) GENERAL;
- i) HUMAN RIGHTS LAW;
- j) INSURANCE LAW;
- k) INTELLECTUAL PROPERTY LAW;

- l) INTERNATIONAL LAW;
 - m) JURISPRUDENCE;
 - n) LABOUR LAW;
 - o) LAND LAW;
 - p) MARITIME LAW;
 - q) OIL AND GAS; and
 - r) PRACTICE AND PROCEDURE.
5. LEGISLATIONS: This section contains a host of statutes enacted by the Federal and State Legislatures. It also contains a number of subsidiary legislations such as rules and other legal instruments;
 6. PRACTICE DIRECTIONS: This section contains the bulk of Practice Directions issued by the Hon. Chief Judge of the State;
 7. CONTACT: The Contact page contains the email address of the Edo State Judiciary, some contact telephone numbers, the addresses of some of the courts, and a functional **Google map** to direct people to accurately locate the High Court Complex in Benin City.
There is also a *Message platform* in this section to give users the opportunity to send messages on site;
 8. CAUSE LIST: This section contains the Cause Lists of all the High Courts in the State. Lawyers and litigants can now access the dates of their suits online;
 9. E-FILING PORTAL: There is an electronic filing (**E Filing**) of Court processes portal on site which is yet to be activated;
 10. QUICK LINKS: From the Homepage, there are QUICK LINKS to other important sites such as the Edo State Government, the National Assembly, the International Bar Association, the Nigerian Bar Association, the Nigerian Police, the Economic and Financial Crimes Commission, the Independent and Corrupt Practices Commission and the Corporate Affairs Commission.
With just one click, you can navigate straight from the site to any of these hyperlinked sites.

The establishment of the Edo Judiciary website is a very welcome development. It was established in line with the current national judicial policy on information technology. A careful examination of the site will reveal a substantial

compliance with the requirements of court websites as stipulated in the ICT National Judicial Policy Document. The salient aspect of the site which needs to be upgraded is in the area of electronic filing (E Filing) of Court processes on site. As earlier observed, the *E-Filing portal* on site is yet to be activated.

In Edo State, we are gradually setting the stage for the commencement of the electronic filing of court processes 24/7. This will be E- Filing, online, real time, under a fully automated court system.

On the 21st of July, 2016, the former Chief Judge, Hon. Justice C.O.Idahosa (Rtd.), issued a *Practice Direction* on the commencement of *the First Phase of the E-Filing procedure* in the High Courts of Edo State.

Pursuant to the said Practice Direction, with effect from the 1st of September, 2016, all originating and subsequent court processes presented for filing at the High Court shall be in both hard and soft copies. The soft copies shall be in Microsoft Word format, captured in a DVD Rom, and properly labelled with the suit number and names of the parties.

The aforesaid Practice Direction has been in force since the 1st of September, 2016. Since that Practice Direction came into effect, some people have questioned the rationale for this First Phase of the E-Filing procedure. This is an appropriate forum to elucidate on the significance of this practice.

Inter alia, the practice is meant to:

- I. Prepare everyone for the coming E-Filing regime by making us to be very familiar with soft copies of documents;
- II. To facilitate the digital storage of court processes in software format in the systems of the lawyers and the courts;
- III. To initiate compliance with the judicial policy on the electronic document management system (EDMS) in a bid to reduce the volume of paper based transactions in their proceedings;
- IV. To assist the Court in the preparation of Rulings and Judgments by giving them the opportunity of simply copying the vast contents of these processes from the DVD's and pasting them in their Rulings and Judgments;
- V. To prevent the dissipation of time and resources involved in re-typing the contents of such processes while writing Rulings and Judgments; and
- VI. Generally, to fast track court proceedings through the quick preparation and delivery of Rulings and Judgments.

High Courts in the state that have been utilizing the benefits of this filing of DVD's will attest to the fact that it has greatly reduced the stress and burden associated with writing multiple rulings and judgments. Courts that are yet to key into the benefits of this simplified approach are enjoined to maximize the potentials to simplify their work.

Speaking on the subject of: "*Evolving Courtroom Technology*", *Stan Gibson*, an award winning technology Editor, writer and speaker stated thus:

“Advances in technology continue to creep into the courtroom with greater and greater frequency. Although many judges and practitioners initially resisted the evolution of technology in the courtroom, technological advances – primarily driven by the ease of display through laptop computers have become standard, and many judges now insist that lawyers rely on electronic exhibits and abandon their tried and true paper exhibits...more and more judges are embracing technology that makes a case easier to understand and speeds up the trial.”

Coming back to the Judiciary Website, we are all enjoined ***to maximize the potentials of the platform*** to enhance effective and efficient justice delivery in the state. We should endeavour to visit the site regularly to update ourselves with on going events. You can ***make your comments on site*** for all to read or you can ***send in your comments on the messaging platform***.

Courts should promptly send in soft copies of their: ***cause lists; rulings and judgments*** for uploading and publication on the site. There are enormous benefits of having your judgments and rulings published on site. They become available for the whole world to read. This will give you a lot of visibility in the profession and in the entire world. Lawyers, litigants and your professional colleagues can have the benefit of your erudite pronouncements.

The modern trend is ***electronic law reporting***. Law reporting in hardcopy law reports will soon be a thing of the past. We are fast gravitating towards a paperless society. With our website, we are already into electronic law reporting. Your judgments and rulings are on the internet. You cannot get a better deal!

9.0. CONCLUSION:

We are in the ***digital age***. The effect and the influence of information technology are simply overwhelming. Most people now read their ***newspapers online***. It is cheaper, more convenient and interactive (you can make your comments on articles and news items as you read them). Most correspondences are through ***instant messaging via emails and SMS***. Sending of letters by post has become old fashioned and out dated. Most transactions are conducted on electronic platforms. They include; ***registration formalities, payments, communication, bookings (for flight, hotel etc.) sending invitation cards, greeting cards, dating, purchases of goods and services, and even fraud!***

There is a new trend in the ***service of court processes***. There is a gradual shift from the traditional method of ***personal service*** to ***online service***. Most people have become integrated into the ***online community***. In the light of the proliferation of ***social media*** networking sites, some foreign jurisdictions have amended their court rules to accommodate ***service of Court processes online, via emails and social media platforms like Facebook, Twitter and WhatsApp***. These are interesting developments which require closer scrutiny.

Many foreign jurisdictions have abolished manual recording of proceedings. Even the use of *court stenographers* is also becoming obsolete. In a bid to ensure transparency in judicial proceedings, some foreign jurisdictions have introduced the installation of *CCTV cameras* in their court halls, to enable *audio and video recording of all court proceedings*. They also have digital equipments to transcribe oral evidence from *speech to text* format. So at the end of trial, the record of proceedings is in digital format. Of course, you can get a print out of the records if you so desire. This is the current approach to *electronic recording of court proceedings*.

At the *2017 Annual Conference of the Nigerian Bar Association*, there were no traditional Conference bags loaded with paper conference materials. All they gave to the participants were *Electronic Tablets*, loaded with soft copies of conference materials. That is where the legal profession is right now. They may yet raise the stakes next time. Next year, they may simply deliver all the conference materials to the electronic mail boxes (emails) of the participants. The participants can thereafter download the materials to all their systems including their telephone handsets. The mobility of legal resources can be facilitated on these radical platforms.

I will conclude this presentation by quoting from a paper which I delivered at the I.C.T Workshop organised by the Benin Branch of the Nigerian Bar Association, on the 10th of November, 2016, captioned: *MAXIMIZING THE POTENTIALS OF INFORMATION TECHNOLOGY IN THE LEGAL PROFESSION*²⁰:

“We are already envisioning the New Frontiers of this Digital revolution. Eventually, the entire Court system will be fully automated. There will be full scale e-filing of Court processes 24/7. There will be electronic recording of proceedings. There will be e-judgments; e-rulings and e-execution of judgments and rulings.

Very soon, Wills will not only be documented in paper format but they will be backed up with video recordings of the execution of the Will with the Testator reading the Will under video coverage to attest to the proof of the validity of the Will. This will drastically reduce incidents of litigation to challenge the validity of the Will. The same video back up will be introduced in the execution of contract documents. These video clips will assist proof in court during trials.

Procedures such as visit to the locus in quo may soon become obsolete and irrelevant. The digital procedure may just involve frontloading video clips of the locus in quo. In other words, the locus in quo will visit the Court.

²⁰ www.nigerianlawguru.com/art; edojudiciary.gov.ng/legal-art.

During the trial the witnesses will simply be examined and cross examined on the facts emanating from the video clip.

This is the age of automated legal practice. Every, Lawyer or Jurist must be ICT compliant to maximise the potentials of this cutting edge technology”.

Thank you.

Hon. Justice P.A.Akhihero
www.nigerianlawgugu.com