



Conceptual

Effective Justice Dispensation in Labour Disputes: A Focus on the National Industrial Court of Nigeria Civil Procedure 2017

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Abstract

The Constitution of the Federal Republic of Nigeria (CFRN), 1999 (as amended) gave legal backing to the creation of the National Industrial Court of Nigeria (NICN) as a superior court of record and further highlighted its jurisdiction. The Court came into effect at the enactment of the National Industrial Court Act (NICA), 2006. Subsequently, the combination of the NICA 2006 and the various Court Rules metamorphosed into the new innovations seen today in the Court. The new National Industrial Court of Nigeria (Civil Procedure) Rules, 2017 makes the difference as it brings unprecedented innovations, example, the method of dispensing justice known as fast-track (Order 25) that enables the Court to place priority on a matter for speedy trial. This work pieced together some great innovations in the Court. This feat was done by doctrinal research and concluded with recommendations on how well the Court would benefit the society and the Court's core mandate – to bring justice to the people. We recommended amongst others the man power training and re-training of staff of the Court. We identified that since the Court is automated, that storage and retrieval of data should be properly taken care of to avoid files being corrupted and/or lost. In all, this research extols the great innovations seen today in the National Industrial Court of Nigeria (NICN).

Introduction

The National Industrial Court of Nigeria came into being in 1976 by the now known and called the National Industrial Court Act (NICA 1976). Prior to the enactment of the Act, there was no court specially

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created to look into disputes arising from or involving workers and/or the labour sector. The above Act provided the needed impetus for the very beginning of having a Court or an adjudicating system for labour or industrial disputes specifically. Its metamorphosis saw the improvements witnessed in the Court (NICN) [1] today. These noticeable growths are the innovations as captured in the 2017 Rules of the Court which this research shall highlight and give prominence. Prior to this breakthrough, the Court has had jurisdictional challenges from its inception. It is a known fact that the Court was never recognized as a superior court by the 1979 and the 1999 Constitutions. Secondly, the only access to the Court by disputing parties was upon referral by the Minister of Labour or through the invoking of the interpretative jurisdiction of the Court. The intriguing fact is that despite the intentment of Decree 47 of 1992 which sought to bring both inter and intra Union disputes within the purview of Part 1 of the Trade Dispute Act (TDA) 1990 and treat same as distinct disputes from trade disputes with jurisdiction conferred on the Court, the regular courts insisted on the restrictive interpretation of the NICN as limited to matters qualifying as 'trade disputes' under the TDA excluding inter-and-intra Union disputes. This work shall showcase the evolution of the Court as it eases itself off the teething problems (challenges) to an acceptable standard of today. Notwithstanding the above, the Court still suffers the issue of fragile publicity as not too much of the activities of the Court is known to the society talk less of the sound reasoning/decisions emanating therefrom. This work strongly put into firm perspective, the great strides taken by the Court through its 2017 Rules, which brought to fore the innovations seen in the Court.

The problem bedeviling the Court is the non - availability of materials and/or the paucity of same in relation to its existence, operations and the achievements and/or innovations recorded by it. This work will attempt an assemblage of the scattered and/or paucity of materials in relation to the subject matter; the National Industrial Court of Nigeria (NICN). The work shall be concluded with the innovations already recorded by the Court via its 2017 Rules on the evolution of the Court and its giant strides as a specialized Court solely given to bringing justice to the door steps of litigants in labour and industrial disputes.

National Industrial Court of Nigeria (Civil Procedure) Rules, 2007

The National Industrial Court of Nigeria (Civil Procure) Rules 2007 became the tool upon which the court via NICA 2006, achieved its popular break through. As it is with all courts (particularly, the superior courts) the enactment of Rules of procedure is sacrosanct. It details with the sequence to be followed by the court to achieve its purposes. The NICN (Civil Procedure) Rules 2007 suspended that of 1979. Order 1 (3), stated specifically that 'These Rules shall apply to all proceeding including part heard causes and matters in respect of steps to be further taken in such causes and matters for the attainment of a just, efficient and speedy dispensation of justice'. The rules were quite elaborate as they were tailored to achieve the mission and vision of the court.

Firstly, Order 2 [2] made provisions for flexible inroads into the Court's quest for the realization of justice [3]. Order 2 Rule 3 says: "Where any suit is commenced in the wrong judicial Division it may be tried in that judicial Division unless the President of the Court otherwise direct". This Rule is not looking at the geographical location of the party but in the overall best interest of justice. The key is to ensure that justice is done rather than concentrating and laying emphasis on venue. In other words, venue does not confer justice but doing the best for the parties and in accordance with the law - is justice. Order 2 (4) provides:

- "Wherever any matter under section 7 (1)(b), section 17 (1) and (2); Section 18 or section 17 (9) and (c) of the Act is filed in any Division of the court the Registrar shall refer the matter to the President of the Court for assignment to a Judge of the Court or a panel of Judges as he or she may deem fit."
- "Notwithstanding Rule 4 of this Order the President of the Court may direct a Judge of the Court to assign any case under section 7(1) (b); section 17 (1) and (2); section 18 or section 19 (a) and (c) of the Act".
- "In constituting the panel in accordance with Rule 4 of this Order, the President of the Court may preside or assign a Judge appointed under section 2 (4) of the Act to preside.

Secondly, Order 3 Rule 5 made adequate provision for procedures where a Claimant shall be armed with certified true copies of an arbitral tribunal award, board of inquiry, decision of the Registrar of Trade unions or any other authority in respect of matters within the jurisdiction of the court to file such complaint accompanied by a record of appeal. Here, it is expected that copies of any decision of an arbitral panel shall be made available to the claimant which was not the position in the days of the TDA. This is the new spirit engendered by the 2007 Rules of Court.

Thirdly, Order 5 [4] drives the heart of the Court as it makes a clear statement on the flexibility and human face of the Court. Order 5 state thus:

- "Failure to comply with any of these Rules may be treated as an irregularity and the court may give any direction as it thinks fit".
- An Application to set aside for irregularity any step taken in the course of any proceedings, may be allowed where it is made within, reasonable time and before the party applying has taken any fresh step after becoming aware of the irregularity.
- An application under this may be made by summons or motion and the grounds of objection shall be stated in the summons or notice of motion.
- The Court may direct a departure from these Rules where the interest of justice so requires. Order 5 (3) is the tonic in this direction. The bottom line is delivering on the mandate of the Court which is to do justice to all irrespective of status. The essence of this Rule is that irregularities and/or technicalities which were the corner stone that killed the practice of the regular courts at the expense of justice are not encouraged in NICN. Indeed, the NICN is a Court, cut out of the ordinary to save the society by offering justice as it is. Sequel to this, Order 15 [5] makes an omnibus procedure which indeed is a better and equitable stance of the Court thus: "Where no provision is made in these Rules as to

practice and procedure or where the provisions are inadequate, the Court may adopt such procedure as will in its view do substantial justice to the parties" This simply means that NICN is a fountain that cannot lack the instrumentality of doing justice to parties before it. In the same spirit, Order 26 (13) [6] echoes the same motive of doing substantial justice between parties by the Court thus: "Where no provision is made by these Rules or by any other written law, the Court shall adopt such procedure as will in its view do substantial justice between parties". Lastly, as part of government, the Court recognizes and gives financial privilege to government departments as fees payable by government departments in proceedings before the Court are waived. Order 26 (11) provides thus: No fees are to be taken in respect of any proceedings where such fees are payable by any government department provided that where any person is ordered to pay the costs of the state or of any Government Department in any case, whether in criminal or civil proceedings as the case may be, all such fees shall be recoverable from such person in a nutshell, the Court as it stands today is built on delivering substantial justice to the parties. It equally prides itself as the engine room of fairness to parties in every matter before it.

As already seen, the National Industrial Court of Nigeria (NICN) is a Superior Court of record created by the Constitution of the Federal Republic of Nigeria, (CFRN) 1999 as amended. The Constitution in Section 254C(1) conferred on the Court the powers to exercise jurisdiction to the exclusion of any other Court in civil causes and matters: (a) relating to or connected with any labour, employment, trade unions, industrial relations and matters arising from workplace, the conditions of services, including health, safety, welfare or labour, employee, worker and matters incidental thereto or connected therewith, (b) relating to, connected with or arising from Factories Act, Trade Disputes Act, Trade Unions Act, Labour Act, Employees' Compensation Act or any other Act or Law relating to Labour, employment, industrial relations, workplace or any other enactment replacing the Act or Laws. (d) relating to or connected with any dispute over the interpretation and application of the provisions of Chapter IV of this Constitution as it relates to any employment, labour industrial relations, trade unions, employer's association or any other matter which the court has jurisdiction to hear and determine [7].

As it is the position with other courts of the land, the NICN, pursuant to Section 254 F (1) of the CFRN 1999 (as amended) and Section 36 of the National Industrial Court Act, 2006, the Hon. President of the Court, Hon. Justice Babatunde Adeniran Adejumo [8] is empowered to make rules of court guiding the practice and procedure of the NICN [9]. It is in line with the afore-stated sections of the Law, that the Hon. President as the alter-ego made the Rules guiding the operations of the National Industrial Court, in Nigeria. To confirm the above truism, the National Industrial Court Rules 2007 in its preamble has this to say: 'In exercise of the powers conferred by Section 36 of the National Industrial Court Act, 2006, and all other powers enabling me in that behalf. I Babatunde Adeniran Adejumo, President, National Industrial Court, hereby make the following Rules', [10] accordingly, the Honourable President, proactively followed the trends of time to up-grade and be on the same page with the society, inaugurated the National Industrial Court of Nigeria (Civil Procedure) Rules 2017 which is dated 3rd day of January, 2017. The new Rules (2017 Rules) is indeed, an improvement to the old Rules (2007). Amongst the notable improvements were order 5 and order 6 respectively of the 2017 rules.

Order 5 [11] brings to fore the effect of the National Industrial Court Act, 2006 as regards the Court's specialized area and the core adherence to fair play. Order 5 precisely is tagged: EFFECT OF NON-COMPLIANCE. The new order 5, Rule (1) is an improvement to the old order, particularly, Order 5 Rule 3, 2007 Rules. The old Rules (Order 5 Rules 3) says: "The Court may direct a departure from these Rules where the interest of justice requires". The new Order 5 Rule 5 (1) has this elaborate provision thus: "Where any of the parties apply to the court for a departure from the Rules such application shall be made by motion accompanied by an affidavit and a written Address stating grounds for seeking a departure from the Rules while exhibiting due diligence in prosecuting the matter before the court. The application shall be filed at least seven (7) days before the next date of hearing or as the court may in the interest of justice direct". Sub rule 4 states, "In exercising any of its powers as may be conferred by the provisions of these Rules, the Court may take into consideration the exigency of the matter and the interest of justice and equity. Further to the improvement to Order 5 is a new Rule 6. Rule 6(1) says: In any proceeding before it, the Court may apply the rules of common law and the rules of equity concurrently; Provided that where there is variance between the rules of common law and the rules of equity, with reference to the same subject matter, the rules of equity shall prevail.

In any proceeding pending before it, the court may as a specialized court:

- Regulate its procedure and proceedings as it thinks fit in the interest of justice and fair play.
- In appropriate circumstances, depart from the Evidence Act as provided in section 12 (2) (b) of the National Industrial Court Act 2006 in the interest of Justice, fairness, equity and fair play.
- In any proceeding before it, the Court shall apply fair and flexible procedure and shall not allow mere technicalities to becloud doing justice to the parties based on the law, equity and fairness while also considering the facts of any matter before it.

Indeed, the above provisions (especially Order 5 Rule 6) are remarkable for they were not part of the old Rule (2007). As the Latin maxim says: *Resp ipsa loquitur* (the thing speaks for itself). This provision is explicitly clear that one needs not add anything to it. This is laudable. This provision places the NICN as the Court of the people where human conscience and the full doctrine of equity domiciles. It is regrettable to begin to address the issue of how many cases have been thrown away in the regular courts on the flimsy excuses of 'technicalities'. Mere taking this bold step of jettisoning the wicked arm of 'technicalities', in doing justice to litigants is a well-deserved honour to the society. It is this spirit that already confers the honour to the Judiciary as the last hope of the common man. This is obviously, judicial activism at its peak.

Also worthy of mention is the introduction of the new Order 6A [12] known as ELECTRONIC FILING OF process and document. It states:

- These rules shall govern electronic filing (e-filing) of all processes or documents connected with or relating to any matter before the court.
- There shall be an E-filing Centre for electronic filing and payment of filing fees for processes and documents relating to or connected with matters before the Court.

- There shall be an officer of the court designated as an Electronic Filing Manager (EFM) at the E-filing Centre.
- The EFM shall be responsible for the management of processes and document transmitted to the electronic filing portal of the Court.
- An E-filer may e-file more than one process or document in the same matter by a single transmission to the portal of the court to the EFM. Each e-filed document will be individually treated and may be accepted or rejected by the Registrar.
- When a process or document has been accepted by the Registrar as duly, e-filed, the Registrar may transmit same to the box of the President of the Court for assignment of the matter in accordance with order 2 rule 7 of these Rules or as the case may be.
- The provisions of order 6 and order 6A may co-exist until such a time as the President of the Court may issue a Practice Direction for the discontinuance of order 6 of these Rules.

Further to the issue of e-filing is the improvement in service of processes of the Court. The new Rule in Order 7 Rule 3 (1) made provisions for the appointment of External Process Server. It provides "The President of the Court may appoint any competent person, company or firm as an External Process Server".

- An External Process Server shall perform all the duties of the officer of the court designated as an Official Process Server subject to the provisions of any Act or Law regulating service of court processes.
- An External Process Server may be directed by the Court or any authorized officer of the Court to effect service of any process or document on any person, Company, Ministry, Department, Agency, Body Corporate, Institution, Commission, Trade Union, Employees' or Employers' Organisation or any other party, named to be served on the face of the process or document.
- An External Process Server shall effect service of any court process (es) or document(s) on any of the parties' witnesses, or any interested party in accordance with the Rules of the Court;
- An External Process Server shall keep a book in which the particulars and records of process (es) or document(s) handed to the External Process Server for Service shall be entered.
- Further to the issue of e-filing is also the improvement on electronic service. This is provided for in Order 7 Rule 19 thus: "Every process or document that is e-filed may also be electronically served at the same time by the Registrar through the Electronic Filing Manager to the designated e-mail address (es) of the party or parties mentioned in the matter to be served, or to the e-mail address of the counsel to the parties in the matter. Rule 20 says: "Where a document or process has been duly e-filed, it is deemed appropriate for electronic service
- Where a party or counsel electronically serves a document through the EFM, the party counsel must make a written certification of such service which will accompany the document setting out the date and time of service and the designated e-mail address of the party served;
- Where the EFM has electronically served a document or process, the EFM will send proof of service to the e-filer;

- When e-service is carried out after 5:00pm (receipt's time) the date of service is deemed to be the next day that is not Saturday, Sunday or legal holiday. Provided that nothing in this rule shall preclude any party from offering proof that the notice or instrument was not received, and upon so finding, the court may extend the time for taking the action required of such party or grant such other relief as it deems just. Rule 21 provides that an e-filer must include the designated e-mail address (es) of the e-filer on an electronically filed document. Rule 22 says that if an e-filer must serve a copy of a document on a party or counsel to the party who does not have a designated e-mail address, such service must be in accordance with relevant rules in this Order.

Rule 18 provides for the timing of service thus 'Service of any document in terms of these rules shall not be valid if served between 10 p.m. and 6a.m. Provided that the service of documents by post, electronic mailing address or courier service shall be valid whenever served.' Another milestone recorded by the Court is in the new Order 14A-which outlined the procedure in action for the breach of protocol, convention and treaty. This Order (particularly rule 1) makes it compulsory for a party relying on the breach of or non-compliance with an international protocol, a convention or treaty on labour, employment and industrial relations to include in the complaint and witness statement on oath the following:

- The name, date and nomenclature of the protocol, convention or treaty; and
- Proof of ratification of such protocol, convention or treaty by Nigeria.

It is pertinent to note that the National Industrial Court of Nigeria in its proactive stand has gone a step ahead of the Nation as it thinks that the essence of justice would be better served by reliance on proof of ratification of protocol, convention or treaty by Nigeria than the Constitutional position as seen in Section 12 (1) of the grandnorm [13]. Section 12(1) provides thus: "No treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly" Indeed, some have argued that the position of the Court is contrary to the law. This is not so. The Constitution states the position of the Court in clear terms thus: "Notwithstanding anything to the contrary in this Constitution, the National Industrial Court shall have the jurisdiction and power to deal with any matter connected with or pertaining to the application of any international convention, treaty or protocol of which Nigeria has ratified relating to labour, employment, workplace, industrial relations or matters connected therewith".

The drafters of the Constitution know fully well the importance and the urgency attached to labour, employment, workplace, industrial relations or matters connected therewith that they excluded them from the old order covered under Section 12 (1) stated. Put simply, the mere mention of these areas of labour, employment, workplace, industrial relations or matters connected therewith makes the position of the NICN sacrosanct. However, the thinking of giving effect to protocols, conventions or treaties that have been ratified by Nigeria seem attuned to delivering on the immediate needs of the society than the long wait for the enactment of same in the body of Laws to be applied later. Worse still, such enactment may never be. The position of the Court in this giant stride accords more respect to the conscience of the society than the drag often noticed

in the various procedures adopted in the making of the laws. It is a well acknowledged adage that justice delayed is justice denied. The Court through this innovation brings to fore the truism that time is of essence in every human endeavour. In this visionary step, it behoves on other arms of the state (particularly, the legislature) to brace up as to catch up with the zeal and manifest activism of the Judicial arm as ably represented by the National Industrial Court of Nigeria. This step provides an impetus for the Executive and the Legislature to be attentive to the yearnings of the people as protocols, conventions and treaties are products of the fast moving world. It shall be remembered that today the world is a global village. Thus, the global train ought not be halted and kept in abeyance in Nigeria alone. Nigeria should move with the trend. Indeed, not every trend, but the trend of making Nigeria and Nigerians beneficiaries of the common good and justice of the world.

Order 14A (2) provides: "In any claim relating to or connected with any matter, the party relying on the International Best Practice, shall plead and prove the existence of the same in line with the provisions relating to proof of custom in the extant Evidence Act." This Rule, indeed, cements the above position that the world is a global village. And as such the practice in our Court should be to give live and meaning to International standard and practice. To this end, the National Industrial Court of Nigeria has become the first hybrid court to take Nigeria to high reckoning as it makes global practice a home grown reality.

Another worthy innovation introduced by the Court is a new ORDER 24 [14] which makes rules for reference of matters to Alternative Dispute Resolution Centre. The rule provides that the Court or a Judge of the Court may refer for amicable settlement through conciliation or mediation any matter filed in any of the registries of the Court to the Alternative Dispute Resolution Centre (hereinafter referred to as the Centre) established within the Court premises pursuant to Section 254C (3) of the CFRN, 1999 (as amended by the Third Alteration Act, 2010) and Article 4(5)(a)-(e) of the Institute of Alternative Dispute Resolution Centre. It is expected that any matter referred shall be set down for mediation or conciliation in accordance with the ADR Rules. Twenty One (21) working days are set to conclude any mediation or conciliation process with a proviso for extension to Ten (10) working days granted by the President or a Judge of the Court on request if the process is not completed within Twenty One (21) working days. At the conclusion of the mediation or conciliation sessions, parties' resolve (amicable settlement) and report of the process of settlement (record of the resolution sessions and terms of settlement) shall be submitted to the President or the Judge who made the referral which shall be entered as the Judgment of the Court having been fully endorsed by parties and their counsel. In the event that the matter was not resolved by the Centre, it shall be remitted to the President or the Judge of the Court who made the referral and within Five (5) working days it would be set down for adjudication in accordance with the Rules of Court.

The Rule further allows the disputing parties by their consent to appoint a neutral mediator or conciliator for the amicable resolution of their matter, provided the neutral body shall comply with the rules of the Centre in resolving the dispute. It equally made provisions for the joinder of parties in the mediation or conciliation process of the ADR as well as the qualification of a person to be appointed as a Neutral by the Court. The Director of the Centre shall submit a monthly report

of the Centre to the President of the Court [15]. Today, it is worthy of mention that the Centre has recorded great successes as parties and their counsel see themselves as partners in doing justice.

In pursuant of the onerous task of delivering justice to the society, the Court has designed a fast track case management. This is seen in its ORDER 25. [16] Rule (2) says: “When a matter is ordered to be placed on the fast track, the Court may accord a matter priority by way of listing same on the Cause List for speedy trial”. Order 25(1) provides: “The following cases shall qualify to be placed on Fast-Track;

- cases concerning or relating to:
- a strike or industrial action or lockouts; or
- any other form of industrial action that threatens the peace, stability and economy or any part thereof;
- A declaration of trade dispute by essential services providers;
- A trade dispute directly referred to the Court by the Minister of Labour and Productivity under Section 17 of the Trade Disputes Act, Cap T8, LFN 2004.
- Any matter relating to the outstanding salary, pensions, gratuity, claims, allowances, benefits or any other entitlements of a deceased employee;
- Any other matter which the President of the Court may suo motu or on application of either of the parties to a suit direct to be placed on the fast-track in the overall interest of the peace, stability and the economy of the Federation or any part thereof and of the larger society.

Order 25(7)(1) provides: The Registrar shall refer any case which qualifies to be placed on the fast-track as soon as practicable to the President of the Court for assignment to a Judge or a panel of Judges. The Rule equally recognises timely hearing of urgent interlocutory application in fast-track cases, hence, Rule 8 states:

- The Judge or the panel of Judges to whom a fast-track case with urgent interlocutory application is assigned shall within Five (5) days or so soon thereafter but not later than Ten (10) days, set down any such urgent pending application to be disposed of timeously, and direct hearing notices to be issued to the parties accordingly.

Equally, Order 25 Rule 19 states “In all fast-track cases, the Judge or the panel of Judges shall endeavour to deliver judgment as quickly as practicable after completion of trial or adoption of written addresses.” The obvious implication of the new Order is captured in the sub rule (2) which is to accord priority to a case in order to fast-track same. The essence is to dispose of the case urgently because of its nature. In Nigeria some situations need urgent attention. Recently, the Federation has been going through a lot of pressure from the Nigeria Labour Congress that even the Court has been approached to either stop the Labour Union from embarking on the proposed industrial/strike action. The ability of the Court to manage the crisis has been a long time tested guarantee that the fast-track procedure succeeds. It is a great stride to the Court that it looks forward and anticipates (the) grave issue about to occur and indeed, strives harder to bring a panacea to it. The pro-active stand of the Court and the insistence on the application of its rules stands the Court out amongst other superior courts of record. This is another great innovation of the Court that

needs commendation. However, the issue of fast-track ought not to be isolated to identified cases as shown in Order 25(1)(1) , but that for every matter before the Court, the Court ought to give priority attention to it for it is dear to the heart of the party who desires justice and quickly too. Indeed, time is of essence in any human endeavour. A priority placed on time equally heals the wound. A case disposed quickly brings succour to both litigants and the society. This is the essence of justice and fair play.

The Court’s 2017 Rules introduced the concept of Trial on Record amongst other case management techniques. It is novel and unique to the Court. It is one of the speedy devices which have earned the Court its pride of place in delivering efficiently and effectively the desired result – that is, justice. Order 38 Rule 33 provides:

- In any proceeding before the Court, parties may by consent at the close of pleadings agree to a trial on records where they rely only on the documents and exhibits frontloaded and thereby dispense with the need for oral testimony and/or cross-examination.
- Where parties agree to a trial on records, Written Addresses shall be filed starting with the Claimant on the basis of the document on record.
- The Written Address which shall be in the format provided in rule 2 of Order 45 of these Rules shall be served first on the defendant in compliance with the provisions of rule 20 of this Order.

The essence of this provision is that parties may agree to have their matters determined strictly on the strength of their pleadings and the frontloaded documents and exhibits without the need for oral testimony, cross examination and re-examination as the case may be. Thus, upon conclusion of pleadings, parties simply file their respective final addresses, adopt same and the Court adjourns the matter for judgment. Indeed, trial on record offers parties unique prospect of quick, effective and efficient settlement of labour and employment disputes especially where facts in issue are very simple, straight forward and not contentious. This procedure if effectively utilized by parties is far richer in advantages than the regular Court procedures. Time is not wasted whilst the cost is nothing at all. This is a great innovation and a wise offer from the Court that has their common good at heart. The adoption of this wonderful innovation by litigants guarantees fast-track justice. It is a welcome development that the National Industrial Court of Nigeria through the Honourable President has blazed the trail in being first amongst equals to be attuned with the fast moving society as it has responded positively and pro-actively to the aspirations of the society in making the National Industrial Court of Nigeria a Court of the millennium. This noble achievement /innovations introduced by the Court are worth celebrating and equally becomes a call to duty (emulation) for other Courts of the land to embrace. Indeed, the fast track case management is all we need to pride the Court as the Court of the millennium. With the NICN adequate rules of practice, one is sure of quick dispensation of justice in the National Industrial Court of Nigeria as their main preoccupation as a specialized Court has been to establish an enduring equitable, just, fair, speedy and efficient fast-track case management system for all civil matters within the jurisdiction of the Court. Aware of the mission of the Court that it is a vehicle to dispensing social justice, setting standards for management and labour jurisprudence, promoting industrial harmony, peace and also contributing to the overall development of Nigeria; [17] the National Industrial Court of Nigeria has come to stay.

Conclusion and Recommendations

This work is predicated on the innovations brought about by the Court's Rules of Procedure (2017 Rules). The NICN Rules, 2017 has been innovative in many circles and a break through to justice. As the mission statement of the Court reverberates, the Court is only established to be a specialized Court of record dispensing social justice, setting standard for management and labour jurisprudence, promoting industrial harmony, peace and contributing to the overall development of Nigeria. It is incumbent on the Court to continue to manifest and ever prepared to dispense justice equitably to society. It is therefore a core mandate that initiating innovations and practising same shall only provide the Court the monumental strength to survive as the last hope of the common man. The Court as constituted is ever ready to do its mission and vision as it concerns justice in Nigeria. The 2017 Rules of Court lives to guarantee justice in Nigeria.

This work recommends that the spirit behind these innovations should be kept alive and burning with greater enthusiasm to deliver more and to ensure justice in Nigeria; Man power training of both the Judges and other administrative staff of the Court is imperative; Ensure that more Judicial Divisions are created and equipped for ease of access to litigants, for example, elevating the existing Registries to be effective and efficient judicial divisions; Employing more Judges and other staff for the Court; Funding the Court effectively and efficiently; Ensure adequate sensitization and accurate information of the Court and its usefulness to the society; Maintaining and guiding the special purpose vehicle of the Court – its jurisdiction jealously.

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17. Culled from the Court's Mission Statement.



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