

THE ESSENCE OF LEGAL ETHICS: EXAMINING THE PROFESSIONAL NEGLIGENCE AND MISCONDUCT OF LEGAL PRACTITIONERS IN NIGERIA*

Abstract

The foundation of the legal profession is made up of legal ethics, which operate as the tenets that support the professionalism, honesty, and integrity that are required of legal practitioners. Following moral principles is essential to preserving the public's confidence in the judicial system in Nigeria, as it is in many other countries. This piece explores the fundamentals of legal ethics in Nigeria and looks at the effects of professional misconduct and carelessness in the legal field. Through an examination of the legal profession's regulatory environment, case studies, outcomes, and moral dilemmas, this essay seeks to highlight how crucial it is to preserve moral principles when practicing law. To this end, the doctrinal research technique was employed, and data were gathered by consulting primary and secondary sources. It was found that the norms of behaviour required of legal practitioners in their professional conduct are included in Nigerian legal ethics. These guidelines protect values including commitment to clients, honesty, integrity, and secrecy. The values of justice, fairness, and integrity are essential to a healthy legal system, and legal practitioners should preserve these values by resolving cases of professional negligence and misconduct and developing an ethical practice culture.

Keywords: Legal Ethics, Professional Negligence, Professional Misconduct, Legal Practitioners

1. Introduction

In Nigeria, attorneys must meet specific professional requirements, such as bar admission, in order to hold their post. The advocate's obligations to the court are the source of the legal practitioner's most basic responsibilities. Even though an advocate has a primary responsibility to their client, most people agree that striking a balance between the two duties—to the court and the client—is optimal for the administration of justice.¹ The advocate has a very significant obligation to the court, and failing to fulfil it might result in a professional discipline violation. As seen by the *Okafor v. Nweke*² decision, where the tribunal's convenience in renting a bus to transport witnesses to the hearing constituted professional misconduct, the obligation to demonstrate competence can be quite onerous. In this instance, professional misconduct occurred because the respondent failed to demonstrate the necessary competence for the work at hand, as required by Section 2(a) of the Legal Practitioners Act and owing to each and every client.³

A clear commitment to moral values and concern of justice and fairness are required for legal ethics. Members of the legal profession are required to abide by a code of behaviour. Lawful professionals are under constant pressure to advise clients and carry out their orders, which may or may not be lawful, as part of their professional business. But practitioners have a propensity to overlook their professional obligations, forgetting that they have a duty not only to the public, the court, and their fellow professionals.⁴ Due to the desire for money gain and a demand for social prestige, professional carelessness on the part of Nigerian lawyers has grown widespread. The numerous examples that raise questions about the competence and ethics of attorneys are evidence that the public no longer has faith in the legal profession. In light of all of this, it is essential to investigate the problem of professional negligence and misconduct by reviewing case law and tribunal rulings in order to have a comprehensive grasp of the obligations and liabilities of Nigerian legal practitioners.

2. Legal Ethics in Nigeria

Overview of Legal Profession in Nigeria

The legal profession in Nigeria, which includes judges, attorneys, and other legal professionals, is an essential component of the nation's judicial system. Normally, legal education begins with a bachelor's degree in law, which is then followed by passing the Bar Final Examinations and a year-long practical training program at the Nigerian Law School. Legal education, training requirements, and regulations are governed by the Nigerian Bar Association. Attorneys represent clients, write legal papers, give legal advice, and fight for their rights. The judiciary, which is made up of several courts, is essential to maintaining the rule of law and guaranteeing access to justice.⁵ Statutory organizations including the NBA, Body of Benchers, LPDC, and Council of Legal Education oversee the legal profession in Nigeria. These organizations establish moral guidelines, control behaviour,

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¹Oluwakemi Odeyinde, 'The Legal Practitioners Professional Negligence in Nigeria: Evaluation of the General Liability and Immunity Afforded on Legal Practitioners in the Conduct of Their Client's Case,' *Scholarly Journal of Advanced Legal Research* [2021] (3) 28.

² [2007] 10 NWLR (Pt. 1043) 521.

³ Section 2(a) of the Legal Practitioners Act.

⁴ Leny De Groot-Van Leeuwen, *A Window on Lawyer Misconduct* (Legal Ethics Informa UK Limited, 2008) 103.

⁵ Lanre Balogun, 'Nation Building in Nigeria: The Role of the Law and Legal Practitioners,' *SSRN Electronic Journal* [2024] (21) (39) 17.

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penalize professionals, and encourage advancement in the field. Public trust depends on ethical norms being followed. Nigerian lawyers provide legal advice, create legislation, and advocate for legal changes, among other responsibilities in governance, advocacy, policy creation, and social justice activities.⁶

Code of Conduct for Legal Practitioners in Nigeria

The ethical principles and professional obligations that attorneys are required to uphold over the course of their work are outlined in the Rules of Professional Conduct for Legal Practitioners in Nigeria 2023. The Code of Conduct, created by the Nigerian Bar Association (NBA), directs attorneys to maintain honesty, professionalism, and moral behaviour in their dealings with clients, peers, courts, and the general public. The Rules of Professional Conduct for Legal Practitioners in Nigeria 2023 contain the following important clauses:

Integrity and Honesty

It is required of legal professionals to conduct themselves with the utmost honesty, integrity, and ethics in all of their professional interactions. When interacting with clients, coworkers, and the general public, they must behave honourably, fairly, and transparently; they cannot engage in dishonest or deceptive behaviour.⁷

Confidentiality

Attorneys are expected to keep all client conversations, information, and matters entrusted to them strictly secret.⁸ They have an obligation to protect client confidentiality and not reveal private information without authority, unless there are certain situations that are allowed by law or professional ethics.⁹

Conflict of Interest

Conflicts of interest that can jeopardize an attorney's obligation of loyalty, secrecy, or objectivity toward clients must be avoided. Before beginning any representation that would constitute a conflict of interest, they have to tell clients of any possible conflicts of interest and have their informed permission.¹⁰

Competence and Diligence

It is required of lawyers to handle legal situations with necessary diligence, skill, and professional judgment, and to represent their clients with competence, diligence, and devotion.¹¹ They need to be equipped with the necessary skills, knowledge, and experience in order to represent customers well and fulfil their professional duties.

Respect for the Law and Courts

Legal professionals have an obligation to support the rule of law, respect the administration of justice, and adhere to all court orders, regulations, and procedures. In their dealings with judges, court staff, opposing lawyers, and parties to legal processes, they must act with decency, respect, and decorum.¹²

Professional Independence

Attorneys must uphold their independence as professionals and refrain from any undue pressure, coercion, or interference that might impair their capacity to act in their clients' best interests or the administration of justice. They must use their own discretion, unhindered by outside influences or conflicts of interest.¹³

Public Trust and Confidence

Maintaining public trust and confidence in the legal profession and the judicial system is a critical responsibility of legal practitioners. By their behaviour, manner, and devotion to ethical principles, they must preserve the dignity, honour, and reputation of the legal profession.¹⁴

Compliance with Regulatory Requirements

Attorneys must abide by all applicable laws, rules, and professional guidelines that control the practice of law in Nigeria. They have to abide by the Nigerian Bar Association's Rules of Professional Conduct for Legal Practitioners and assist regulatory bodies in any disciplinary actions or inquiries.¹⁵ The Legal Practitioners' Disciplinary Committee (LPDC) has the authority to take disciplinary action against those who violate the Code

⁶ Ibid.

⁷ Rule 15 and 23 of the RPC 2023.

⁸ Rule 19 of the RPC 2023.

⁹ Lisa Webley, *Interception of Communications and Legal Professional Privilege and the Rule of Law* (Legal Ethics Informa UK Limited, 2016) 174.

¹⁰ Rule 17 of the RPC 2023.

¹¹ Rule 16 of the RPC 2023.

¹² Rules 30-38 of the RPC 2023.

¹³ Donald Nicolson, *The Theoretical Turn in Professional Legal Ethics* (Legal Ethics Informa UK Limited, 2004) 21.

¹⁴ Remigius Nwabueze, 'Breach of Trust as Professional Misconduct,' *Journal of Commonwealth Law and Legal Education* [2009] (7) (1) 65-77.

¹⁵ Rules 1 and 58 of the RPC 2023.

of Conduct for Legal Practitioners in Nigeria. This action may include reprimands, suspensions, or disbarments from the practice of law. Legal practitioners support the integrity, credibility, and efficacy of the legal profession in Nigeria by adhering to the professional obligations and ethical standards specified in the Code of Conduct.

Regulatory Bodies and Disciplinary Mechanisms

Several legislative agencies and professional groups that govern the behaviour, ethics, and standards of legal practitioners monitor the legal profession in Nigeria. These oversight organizations are essential to upholding the legal profession's professionalism, responsibility, and integrity as well as to guaranteeing adherence to legal and ethical norms. The following are a few of the major Nigerian legal profession regulating organizations and their disciplinary procedures:

Nigerian Bar Association (NBA)

The Nigerian Bar Association serves as the apex body for Nigerian attorneys, advocating for their rights and advancing the administration of justice. In order to preserve the integrity of the legal profession, the NBA works with other regulating organizations, establishes ethical standards, and offers recommendations for professional conduct—all without having direct disciplinary jurisdiction.¹⁶

Body of Benchers

The Legal Practitioners Act created the organization of Benchers, a statutory organization tasked with overseeing legal education and training and admitting attorneys to the Nigerian Bar. It is made up of judges, seasoned attorneys, and academics of law chosen by Nigeria's Chief Justice. Legal professionals who engage in professional misconduct may face disciplinary action by the Body of Benchers, which may include suspension or disbarment from the practice of law.¹⁷

Legal Practitioners' Disciplinary Committee (LPDC)

Established under the Legal Practitioners Act, the Legal Practitioners' Disciplinary Committee is a quasi-judicial body with the authority to look into claims of professional misconduct against attorneys and to impose disciplinary measures. The Chief Justice of Nigeria appoints members of the judiciary and attorneys to the LPDC.¹⁸ It holds disciplinary hearings, renders verdicts on misbehaviour, and applies sanctions—like censure, suspension, or disbarment—for transgressions of ethical standards.

Council of Legal Education

The Council of Legal Education is in charge of policing legal education and training in Nigeria, managing legal education institutions, and establishing requirements for the admission of attorneys to the Nigerian Bar. In order to make sure that prospective attorneys fulfil the academic and professional standards necessary for practicing law, it oversees the Nigerian Law School's Bar Final Examinations and Practical Training Program.¹⁹

Legal Aid Council of Nigeria

In order to provide access to justice and legal counsel for people who cannot afford legal services, the Legal Aid Council of Nigeria offers legal aid and support to impoverished individuals, vulnerable populations, and disadvantaged communities. The Legal Aid Council contributes to the advancement of ethical norms and accountability in the legal profession, even though its primary concentration is on legal aid supply.²⁰

Courts and Judicial Bodies

Nigerian courts have the inherent authority to punish attorneys who misbehave during court hearings. These courts include the Supreme Court, Court of Appeal, and certain High Courts.²¹ In the course of court proceedings, judges and judicial officials have the authority to initiate disciplinary action or submit cases involving professional misconduct to the Legal Practitioners' Disciplinary Committee.

These regulatory organizations may use hearings, investigations, complaint adjudication, punishment imposition, and appeals procedures as part of their disciplinary procedures. Depending on the degree of the misbehaviour and the specifics of the case, legal practitioners found guilty of professional misconduct may be subject to disciplinary measures that range from reprimand, fines, suspension, to disbarment. Regulatory agencies in Nigeria protect the

¹⁶ Sylvester Udemzue, 'An Appraisal of Professional Legal Ethics and Proper Conduct for Lawyers in Nigeria,' *SSRN Electronic Journal* [2020] (3) (8) 35.

¹⁷ *Ibid.*

¹⁸ Michael Ogwezzy, 'The Legal Practitioners Act: A Code for Regulating the Conduct of Lawyers in Nigeria,' *Agora International Journal of Juridical Sciences* [2013] (7) (3) 93.

¹⁹ *Ibid.*

²⁰ Lanre Balogun, 'Nation Building in Nigeria: The Role of the Law and Legal Practitioners,' *SSRN Electronic Journal* [2024] (21) (39) 21.

²¹ *Ibid.*

integrity, credibility, and public trust in the legal profession by imposing ethical norms and accountability mechanisms.

3. Professional Negligence in Legal Practice

In Nigeria, professional negligence is defined as a lawyer's inability to provide the level of care and expertise that is required of them, which causes injury, loss, or detriment to their client's interests. It includes an attorney-client violation of the duty of care, which can result from incompetence, unethical behaviour, acts of action or omission, or other reasons.²² Depending on the specifics of the situation, professional negligence can take many different forms and occur in different settings. Professional negligence is when a lawyer gives a client false, partial, or incorrect legal advice that has unfavourable outcomes. Negligent counsel can lead to financial losses, legal conflicts, or other harms to the client. It can also entail misinterpreting the law, failing to do sufficient legal study, or relying on wrong legal concepts.²³ Attorneys are required to fulfil deadlines when it comes to producing court documents, legal filings, and responding to legal notices on behalf of their clients. Professional negligence can occur when deadlines are missed because of carelessness, tardiness, or oversight. This can harm a client's case, lead to default judgments, or result in legal repercussions.²⁴

Legal professionals have an obligation to represent their clients in court with skill, diligence, and zeal. When a lawyer is not equipped with the legal knowledge, abilities, or expertise to manage a client's case successfully, it can result in poor advocacy, mistakes made throughout the process, or unfavourable results.²⁵ It is the responsibility of attorneys to steer clear of conflicts of interest that might jeopardize their objectivity, loyalty, or client confidentiality. When a lawyer's financial, personal, or professional interests collide with those of their client, it can constitute a conflict of interest and make it more difficult for them to operate in the client's best interests.²⁶ Professional negligence occurs when conflicts of interest are not disclosed or when customers' informed permission is not obtained.

Attorneys have fiduciary duties to their clients, which include the obligations of good faith, loyalty, and secrecy. When a lawyer violates the faith and confidence that their client has placed in them by prioritizing their own interests, engaging in self-dealing, or failing to act in the client's best interests, they have breached their fiduciary responsibility. Attorneys are in charge of creating agreements, petitions, contracts, and other legal papers on behalf of their clients. When legal papers are prepared carelessly, mistakes, omissions, or inaccuracies may occur.²⁷ This might result in unenforceable agreements, legal challenges, or conflicts over contracts. It is the responsibility of attorneys to properly communicate with their clients, updating them on case status, legal tactics, and possible dangers or consequences. Inadequate communication with clients that is not timely, clear, or thorough might be considered professional carelessness and lead to miscommunication, lost opportunities, or disgruntled clients.

Legal concepts, professional norms of conduct, and ethical standards that safeguard clients' interests, preserve the integrity of the legal profession, and guarantee legal practitioners' accountability for their acts control professional negligence by Nigerian legal practitioners. Legal remedies, disciplinary actions, or professional responsibility lawsuits against the careless attorney are available to clients who feel they have been injured by professional negligence.²⁸ When Nigerian attorneys engage in professional negligence, the repercussions can be dire and widespread. In addition to monetary losses, clients who have careless legal counsel may also experience psychological suffering and reputational harm. Furthermore, professional negligence can impair the legitimacy of the legal system and the public's faith in the legal profession. In severe situations, professional carelessness may even lead to legal malpractice claims against attorneys, which might harm their reputations and result in fines.

4. Misconduct by Legal Practitioners

Serious transgressions of professional norms of behaviour, ethical standards, and legal responsibilities by Nigerian legal practitioners are considered cases of misconduct and can lead to disciplinary action, loss of credibility, and harm to the reputation of the legal profession.²⁹ The nature and severity of individual incidents may differ; however, the following are some noteworthy instances of legal professionals in Nigeria engaging in misconduct:

²² Chaudhary Ravi Shankar, 'Tort: Professional Negligence of Legal Practitioners with Its Legal Remedies,' *SSRN Electronic Journal* [2020] (10) (21) 39.

²³ Oluwakemi Odeyinde, 'The Legal Practitioners Professional Negligence in Nigeria: Evaluation of the General Liability and Immunity Afforded on Legal Practitioners in the Conduct of Their Client's Case,' *Scholarly Journal of Advanced Legal Research* [2021] (3) 29.

²⁴ *Ibid.*

²⁵ Donald Nicolson, *The Theoretical Turn in Professional Legal Ethics* (Legal Ethics Informa UK Limited, 2004) 20.

²⁶ *Ibid.*

²⁷ Sylvester Udemezue, 'An Appraisal of Professional Legal Ethics and Proper Conduct for Lawyers in Nigeria,' *SSRN Electronic Journal* [2020] (3) (8) 38.

²⁸ Lanre Balogun, 'Nation Building in Nigeria: The Role of the Law and Legal Practitioners,' *SSRN Electronic Journal* [2024] (21) (39) 21.

²⁹ Brenda Anyawu, 'The Meaning of Serious Professional Misconduct,' *Medico-Legal Journal* [1987] (55) (1) 3-5.

Corruption and Bribery

Legal professionals have occasionally been linked to bribery and corruption scandals; these incidents include providing or taking payments in order to sway court rulings, obtain favourable results for clients, or impede the administration of justice. Such behaviour erodes public confidence, taints the judicial system's credibility, and jeopardizes the concepts of impartiality and justice.³⁰

Fraudulent Conduct

A number of attorneys have engaged in dishonest business practices, including embezzlement, document forgeries, and misuse of client cash. A lawyer was found guilty in one instance of misleading customers about investment prospects, taking money for personal use, or not providing the promised legal services.³¹ A major breach of trust and fiduciary obligation, such behaviour justifies disciplinary punishment as well as possible legal repercussions.

Conflict of Interest

It is the responsibility of attorneys to stay clear of conflicts of interest that might jeopardize their objectivity, loyalty, or client confidentiality. Conflicts of interest can occur when attorneys represent several parties with competing interests, go into business with their clients, or use confidential information for their own benefit.³² Professional misconduct and ethical breaches occur when conflicts of interest are not disclosed or informed permission is not obtained from clients.

Negligence and Incompetence

There have been documented cases of legal professionals acting carelessly, ineptly, or without providing competent counsel, which has resulted in unfavourable results for their clients, the loss of their legal rights, or injustices.³³ Legal malpractice claims, financial losses, and legal conflicts can arise from lawyers' failure to properly perform legal research, prepare legal papers, or successfully plead on behalf of their clients.

Unprofessional Conduct

Some attorneys have engaged in unethical behaviour, such as using foul language, harassing or intimidating clients, or acting disrespectfully toward judges, court employees, rival attorneys, or clients. Such behaviour goes against the professionalism, decency, and politeness that are required of attorneys and may be grounds for regulatory bodies to condemn or impose disciplinary actions.³⁴

These incidents demonstrate how crucial it is to preserve moral principles, honesty, and responsibility in Nigeria's legal community. Depending on the gravity of the misconduct and the specifics of the case, legal practitioners found guilty of misconduct may be subject to disciplinary hearings, penalties, suspension, or disbarment from the practice of law. Regulatory agencies work to protect the integrity of the Nigerian legal profession, the rule of law, and public trust by enforcing ethical standards and disciplinary procedures.

5. Disciplinary Actions and Penalties for Professional Negligence and Misconduct

Regulatory bodies and disciplinary committees in Nigeria are responsible for regulating the legal profession and enforcing professional rules of conduct. They also handle disciplinaries and penalties for practitioners found guilty of professional negligence and misconduct. The following are some of the sanctions and disciplinary measures that Nigerian legal practitioners may face for professional misconduct and negligence:

Reprimand

A formal statement of disapproval or censure issued by regulatory bodies or disciplinary committees to a lawyer found guilty of professional negligence or misconduct is known as a reprimand. It functions as a cautionary tale and a prompt of the attorney's moral duties, and it might come with terms or demands for corrective action.³⁵

³⁰ A Samuels, 'Serious Professional Misconduct,' *Medico-Legal Journal* [2005] (73) (4) 166.

³¹ Leny De Groot-Van Leeuwen, *A Window on Lawyer Misconduct* (Legal Ethics Informa UK Limited, 2008) 105.

³² Remigius Nwabueze, 'Breach of Trust as Professional Misconduct,' *Journal of Commonwealth Law and Legal Education* [2009] (7) (1) 65-77.

³³ Ibrahim Haruna and Iyabo Mabawonku. 'Personal Effectiveness Attribute of Legal Practitioners as Correlates of Information Utilization in Lagos, Nigeria,' *African Journals Online (AJOL)* [2000] (34) (2) 80.

³⁴ Brenda Anyawu, 'The Meaning of Serious Professional Misconduct,' *Medico-Legal Journal* [1987] (55) (1) 3-5.

³⁵ HL Ho, *Legal Professional Privilege and the Integrity of Legal Representation* (Legal Ethics Informa UK Limited, 2006) 169.

Fine

Discipline committees have the authority to punish attorneys for professional carelessness, misconduct, or ethical transgressions. The amount of a fine is usually determined by the seriousness of the infraction and the attorney's financial resources. Fines function as a financial penalty and deterrence against future wrongdoing.³⁶

Suspension

A lawyer's ability to practice law may be temporarily barred or restricted for a predetermined amount of time when they are suspended from doing so. It might be applied as a form of discipline for major transgressions, moral failings, or persistent transgressions of professional code of behaviour.³⁷ As a punitive measure, suspension may necessitate that the attorney complete corrective training or fulfil other requirements in order to be reinstated.

Disbarment

The most serious disciplinary action that may be applied to a lawyer is disbarment, which results in the loss of their license to practice law permanently. Acts of moral turpitude, criminal crimes, ethical transgressions, or extreme misbehaviour that compromise the integrity, credibility, or reliability of the legal profession are grounds for disbarment.³⁸ It essentially prevents the attorney from practicing law in Nigeria and might have a permanent negative impact on their reputation and career.

Restitution

Legal professionals may be obligated to make amends or compensate harmed parties in situations when their professional negligence or misconduct results in financial injury or loss to clients.³⁹ Restitution, which may be mandated as part of disciplinary actions or legal remedies, attempts to put the harmed person back in the same situation as they would have been in had the wrongdoing not happened.

Mandatory Continuing Legal Education (MCLE)

In the event of professional negligence or misconduct, legal practitioners may be subject to mandated continuing legal education or training requirements before being subject to disciplinary action or reinstated.⁴⁰ MCLE programs give attorneys the chance to improve their knowledge, abilities, and ethical awareness, which in turn fosters professionalism, competence, and accountability in the legal profession.⁴¹

Regulatory bodies, disciplinary committees, or judicial authorities decide whether to take disciplinary action or impose penalties for professional negligence and misconduct on a case-by-case basis. They consider a number of factors, including the type and gravity of the misconduct, the lawyer's past disciplinary record, aggravating or mitigating circumstances, and the interests of justice. Regulatory bodies work to prevent future wrongdoing, safeguard the public interest, and maintain the integrity and reputation of the Nigerian legal profession by enforcing disciplinary actions and punishments.

6. Contributory Factors to Professional Negligence and Misconduct by Legal Practitioners in Nigeria

Legal professionals in Nigeria may engage in professional negligence and misconduct due to a number of contributing circumstances. These causes include institutional failures, human behaviour, cultural influences, and structural problems within the legal profession. Among the main contributing elements are the following:

Lack of Effective Regulation

Professional misbehaviour and carelessness may be exacerbated by insufficient regulation and control of the legal profession. Inadequate disciplinary measures taken against negligent practitioners, loose enforcement policies, and inadequate regulatory frameworks can encourage unethical behaviour and erode accountability in the legal industry.⁴²

Ethical Ambiguity

Legal practitioners may become unclear about their ethical responsibilities due to ambiguities or contradictions in ethical principles, guidelines, and professional standards. Ethical lapses, ethical breaches, or grey zones of wrongdoing can be caused by imprecise or antiquated ethical standards, contradicting principles, and subjective interpretations of ethical norms.⁴³

³⁶ Ibid.

³⁷ Ibid.

³⁸ A Samuels, 'Serious Professional Misconduct,' *Medico-Legal Journal* [2005] (73) (4) 168.

³⁹ Sylvester Udemezue, 'Resolving Conundrums Regarding Legal Profession Regulation in Nigeria (Part 1),' *SSRN Electronic Journal* [2023] (10) (21) 42.

⁴⁰ Rule 11 of the RPC 2023.

⁴¹ Sylvester Udemezue, 'Resolving Conundrums Regarding Legal Profession Regulation in Nigeria (Part 1),' *SSRN Electronic Journal* [2023] (10) (21) 39.

⁴² Ibid.

⁴³ Ibid.

Financial Pressures

Legal professionals may be influenced to put financial gain ahead of ethical concerns by financial pressures such as fee competition, billing objectives, or financial incentives. In the legal profession, pressure to reach billing goals, make money for law firms, or land big customers can result in conflicts of interest, weakened independence, or unethical behaviour.⁴⁴

Lack of Professional Development

Legal practitioners may find it difficult to retain competence, keep up to date on legal changes, and uphold professional standards if they get inadequate training, chances for professional development, or continuing legal education. Lawyers' competency can be hampered by inadequate resources, restricted access to legal research tools, or out-of-date training programs, all of which can lead to mistakes or omissions in legal practice.⁴⁵

Cultural and Societal Norms

Legal practitioners' ethical behaviour and professional conduct may be influenced by cultural elements, social views, and established conventions within the legal profession. Particularly in settings where unethical behaviour is widespread or accepted, cultural tolerance for corruption, clientelism, or informal procedures may normalize unethical behaviour and undermine professional integrity.⁴⁶

Pressure to Win Cases

Legal professionals may feel under pressure to win cases, acquire favourable results for clients, or reach performance goals, which might cause them to take unethical short cuts or violate their moral principles. Lawyers may be tempted to participate in unethical behaviour, such as witness tampering, evidence suppression, or procedural gamesmanship, by competitive pressures, high stakes litigation, or fervent advocacy.⁴⁷

Inadequate Supervision and Mentorship

Professional negligence and misconduct may be caused by senior practitioners' or law firm partners' inadequate mentoring, monitoring, or supervision of junior attorneys. Young attorneys who do not receive the right direction and assistance may find themselves exposed to moral lapses, professional hazards, or moral conundrums due to a lack of mentoring programs, ethical role models, or guidance.⁴⁸

Client Expectations and Demands

Legal professionals may feel under pressure to put client needs ahead of their ethical duties due to demanding clients, irrational expectations, or hostile client-attorney interactions. Lawyers' independence, judgment, or ethical limits may be compromised by tight client connections, client-driven decision-making, or excessive influence from influential clients.⁴⁹

7. Conclusion And Recommendations

In order to guarantee that attorneys behave in their clients' best interests and preserve the integrity of the legal system, legal ethics is a vital component of the legal profession. Nonetheless, there have been cases of professional negligence involving Nigerian attorneys, when these experts fall short of the expected levels of competence and care. There is a serious problem with professional carelessness among Nigerian attorneys, which may have disastrous effects on both clients and the legal industry at large. It is possible to stop unethical behaviour and uphold the integrity of the legal profession in Nigeria by addressing the underlying causes of professional negligence, putting stronger regulatory enforcement mechanisms in place, raising public awareness, and giving continuous professional development for lawyer's top priority. In the end, maintaining the highest standards of competence and ethics is crucial for all attorneys in order to guarantee that justice is done and the rule of law is respected.

A multifaceted strategy encompassing changes to institutional governance, professional education, legal regulation, and the ethical culture within the legal profession is needed to address professional negligence and misconduct by Nigerian legal practitioners. The following are some strategies to counter professional misconduct and negligence: In order to prevent misconduct, it is imperative that regulatory frameworks and enforcement

⁴⁴ Ibid.

⁴⁵ HL Ho, *Legal Professional Privilege and the Integrity of Legal Representation* (Legal Ethics Informa UK Limited, 2006) 167.

⁴⁶ Ibid.

⁴⁷ HB Nina, *Lawyer Independence in Criminal Proceedings: A Most Professional Virtue* (Legal Ethics Informa UK Limited, 2014) 78.

⁴⁸ Hassan Adebawale, *Legal Training in Nigeria: Innovation, Technology and Regulatory Reforms* (Kampala International University, 2023) 180.

⁴⁹ HB Nina, *Lawyer Independence in Criminal Proceedings: A Most Professional Virtue* (Legal Ethics Informa UK Limited, 2014) 78.

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mechanisms for legal practitioners be strengthened. This calls for sufficient funding, power, and impartiality for inquiries, disciplinary actions, and penalties. To encourage ethical awareness and compliance, there is need to provide thorough ethical standards for legal practitioners that outline duties, conflicts of interest, client confidentiality, and fee schedules. There is necessity for frequent training programs, seminars, and workshops on professionalism, ethics, and legal practice management, mandatory CLE requirements improve the knowledge, abilities, and ethical awareness of legal practitioners. There should be promoted the reporting of ethical transgressions and professional misconduct, provide whistleblower protections, reporting mechanisms, and confidential ethics hotlines that guarantee secrecy, objectivity, and safety from reprisals. To encourage the professional growth, moral conduct, and ethical role-modelling of junior attorneys, a culture of mentoring, supervision, and peer review within the legal profession needs to be cultivated. In order to enable clients to demand ethical behaviour from legal practitioners, it is imperative that they receive client education on attorney-client relationships, rights, duties, expectations, fees, billing procedures, dispute resolution processes, and complaints channels. In order to minimize financial risk and safeguard against allegations of carelessness, misconduct, or malpractice, lawyers should be urged to get professional liability insurance. Maintaining integrity, professionalism, and professional identity in legal firms, organizations, and academic institutions requires fostering ethical leadership and ethical conduct. Encouraging public access to information on legal practices, disciplinary measures, and regulatory procedures is essential for improving accountability, transparency, and deterring misconduct in the legal industry. It is equally necessary to solve systemic difficulties, exchange best practices, and advance ethical standards, encourage cooperation between legal regulators, professional groups, law schools, the judiciary, government agencies, and civil society organizations.

Stakeholders can protect ethical norms, reduce the likelihood of professional misconduct and neglect, and increase public confidence in Nigeria's legal profession by putting these recommendations into practice.