Digitalisation of Court Processes in Nigeria: An Appraisal of National Industrial Court of Nigeria

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ABSTRACT

The digitalisation of court processes has become important component of contemporary justice administration, particularly in addressing delays, reducing the cost of litigation and improving access to justice. In Nigeria, the National Industrial Court of Nigeria (NICN), as a specialised court with exclusive jurisdiction over labour, employment and industrial relations matters, has increasingly embraced digital technologies in the management and determination of cases. The article examines the digitalisation of court processes in Nigeria with particular emphasis on the NICN. It conceptually clarifies digitalisation of court processes, electronic filing, court processes and access to justice, and traces the historical development of the NICN. The article further examines the legal framework governing digitalisation at the NICN, particularly the Constitution of the Federal Republic of Nigeria 1999 (as amended), the NICN Act 2006 and NICN Civil Procedure Rules 2017. It assesses the prospects of digitalisation in promoting speedy administration of justice, reducing the cost of litigation, facilitating the admission and management of electronic evidence, and enabling effective digital tracking of case progress, among other benefits. However, the article identifies significant challenges, which include legal and regulatory uncertainties, technical failures during virtual proceedings, difficulties associated with electronic service of court processes, inadequate digital literacy among lawyers and judges, insufficient information and communication technology (ICT) infrastructure across NICN divisions, cyber security and confidentiality concerns, cost of digital litigation, and limited digital access for employees and trade unions. The article adopts doctrinal research methodology based principally on relevant legislation, judicial decisions, procedural rules and other digital materials. It argues that although digitalisation has considerable potential to enhance the efficiency, transparency and accessibility of the administration of justice at the NICN, its effectiveness depends upon an adequate legal framework, reliable technological infrastructure, continuous capacity building, cybersecurity safeguards and inclusive access to digital justice. The article therefore recommends, among other measures, the development and periodic review of a comprehensive legal and regulatory framework for digital court processes, the establishment of a technical contingency protocol for virtual proceedings, and the adoption of clear and uniform procedures for electronic service of court processes applicable across all divisions of the NICN.

Keyword: Digitalisation, Court Processes, Electronic Filing, National Industrial Court of Nigeria, Access to Justice, Electronic Evidence, virtual Proceedings, Prospects, Challenges.

INTRODUCTION

The administration of justice has traditionally depended upon physical courtrooms, paper files, manual filing, physical service of processes and handwritten or mechanically produced records. Although these mechanisms remain important, they have been transformed by technological advancement. The Courts are

increasingly using information and communication technology (ICT) to facilitate filing, service of court processes, case management, hearings, storage of judicial records and access to judgments.

Digitalisation of court processes may therefore be understood as the application of digital technologies to judicial and administrative activities traditionally performed through physical and paper based procedures.[1] It encompasses electronic filing, electronic service, electronic payment, digital case management, virtual hearings, electronic recording of proceedings, electronic storage of judicial records and online access to judgments and other court information.[2] In Nigeria, the movement towards digital justice has become particularly important because of longstanding challenges affecting the administration of justice, including delay in the determination of cases, loss or misplacement of court files, congestion of court registries, difficulties associated with physical filing, high cost of litigation and limited access to court information.

The National Industrial Court of Nigeria (NICN) occupies a particularly important position in this development. The Court is a specialised superior court of record exercising exclusive jurisdiction over labour, employment, trade union and industrial relations matters. The Constitution recognises the Court as a superior court of record and empowers the President of the Court to make rules regulating its practice and procedure.[3] The NICN Act 2006 also provides a statutory foundation for the Court's administration and procedure.[4] The Court's digitalisation programme is particularly significant because employment and industrial disputes frequently require the rapid determination of disputes. Delay in labour litigation may have serious consequences for employees, employers, trade unions and the wider economy. A digital court system capable of receiving processes electronically, managing cases digitally and making judicial information accessible can therefore contribute significantly to the effective administration of industrial justice. The NICN's current electronic filing service allows litigants and legal practitioners to submit court processes electronically. The Court describes its e-filing system as providing access to electronic filing services and facilitating digital submission of court documents.

This article therefore examines the development, legal basis, operation, prospects and challenges of digitalisation at the NICN and considers the reforms necessary for its effective and sustainable development.

Research Gap and Contribution

While existing literature addresses digitalisation in Nigerian judiciary generally, there is a paucity of focused scholarly analysis on the specific operation, legal framework, and practical challenges of digitalisation at the NICN. This article fills that gap by providing a comprehensive appraisal of the NICN's digital transformation. It contributes to knowledge in three principal ways: first, it offers a detailed examination of the legal and regulatory instruments specific to the NICN, distinguishing between procedures authorised by law and digital services demonstrably implemented in practice; second, it critically assesses the operational realities of digitalisation at the court, moving beyond theoretical benefits to examine practical limitations and implementation gaps; and third, it provides targeted, institution specific recommendations that link each identified challenge to a responsible organ and a concrete remedial measure.

METHODOLOGY

This article adopts a doctrinal research methodology. The doctrinal approach involves the systematic analysis of legal rules, principles, and doctrines through the examination of primary and secondary sources. The primary sources examined includes the Constitution of the Federal Republic of Nigeria 1999 (as amended), the National Industrial Court of Nigeria Act 2006, the National Industrial Court of Nigeria (Civil Procedure) Rules 2017, the Evidence Act 2011 (as amended), the Nigeria Data Protection Act 2023, and relevant practice directions, particularly the NICN Practice Directions and Guidelines for Court Sitting

[1] European Commission for the Efficiency of Justice (CEPEJ), *Guidelines on Electronic Court Filing (E-Filing) and Digitalisation of Courts* (CEPEJ 2021) 15, 9 December 2021.
[2] *Ibid.*
[3] Constitution of the Federal Republic of Nigeria 1999 (as amended by Third Alteration Act, 2010) ss. 254A and 254F.
[4] National Industrial Court Act, 2006, ss. 1 and 12.

2020. Secondary sources include academic journal articles, textbooks, judicial decisions, and official publications of the NICN. The methodology is analytical and critical, assessing the adequacy of the existing framework and identifies gaps between law and practice.

CONCEPTUAL CLARIFICATION

Digitalisation of Court Processes

The digitalisation of court processes means changing traditional, paper based legal systems into modern, technology driven digital platforms. It replaces physical files, manual case tracking, and in person only hearings with electronic systems to manage justice delivery.[5] Thus, digitalisation should be understood as a transformation of the entire judicial process rather than merely replacing paper with PDF documents.

Electronic Filing

Electronic filing is a legal process of electronically submitting documents to a court system replacing the conventional method of submitting paper documents by mail or in person.[6] Through an e-filing portal or e-filing system for courts, legal documents like motions, complaints, and case filings are sent digitally to the court for review and processing.[7] It has significantly streamlined the administrative side of legal work offering more efficient ways of managing documents and reducing physical paperwork.

The transition toward digital filing systems is part of modernising legal practices and increasing accessibility to justice. This shift is not only changing how documents are processed but also has a direct impact on the speed and effectiveness of legal proceedings.[8]
The NICN Civil Procedure Rules expressly recognised electronic filing.[9] The Rules provide for an electronic filing system through which a party or counsel may electronically file processes and documents that may ordinarily be filed in paper form, subject to specific exceptions.[10] They also provide for an Electronic Filing Manager responsible for managing documents transmitted through the electronic filing portal.[11] Electronic filing is therefore one of the most important components of digital justice at the NICN.

Court Processes

Court processes include documents through which proceedings are commenced, defended managed and determined. They include originating processes, statements of claim, statements of defence, motions, affidavits, written addresses, notices, hearing notices, judgments, rulings and other procedural documents. The digitalisation of court processes seeks to enable these documents to be created, submitted, served and retained electronically while preserving the legal validity and procedural safeguards applicable to traditional processes.

Access to Justice

Access to justice encompasses the ability of individuals and institutions to obtain effective remedies through a fair and impartial judicial system. Digitalisation can contribute to access to justice by reducing geographical and administrative barriers. For instance, a litigant or counsel who previously had to travel to a judicial division to file a process may, subject to the applicable rules and technological arrangements, submit

[5] Uchenna C. Okeke., Enhancing Access to Justice through Technology in Developing Countries: Technology Based Initiatives, Challenges and Emerging Technologies, (2025) (16) (3) *International Journal for Court Administration*,
[6] Fedelis Nwadialo, *Civil Procedure in Nigeria* (2nd edn, University of Lagos Press 2000) 215-223.
[7] *Ibid.*
[8] Scribd, Electronic Filing in Nigerian Courts, *<httpswww.scribd.com> accessed on 17/09/2026.*
[9] National Industrial Court of Nigeria, (Civil Procedure) Rules 2017, Order 6
[10] *Ibid.*
[11] *Ibid.*

documents electronically.[12] The NICN's current online materials describe electronic filing as enabling litigants and practitioners to submit documents digitally and identify electronic filing and related services as components of its court process.

Electronic Evidence

Electronic evidence refers to any information or data generated, stored, transmitted, or received in digital form that is capable of being presented before a court of law to prove or disprove a fact in issue.[13] It includes information contained in computers, mobile phones, emails, text massage, social media platforms, audio and video recordings, electronic documents, digital photographs, and other electronic devices or systems.[14] Unlike traditional documentary evidence, which is commonly presented in physical form, electronic evidence exists primarily in digital form and may require technological processes to retrieve, authenticate, preserve, and present in judicial proceedings.

Historical Development of NICN

The origin of the NICN may be traced to the post-independence period when industrial relations in Nigeria witnessed increasing complexities due to rapid economic growth and trade union activities. Prior to the NICN's establishment, industrial disputes were largely settled through voluntary collective bargaining, conciliation, and ad hoc arbitration mechanisms, which proved inadequate in addressing growing industrial conflict.[15]

The NICN was formally established in 1976 as an institution in 1976 under the Trade Disputes Act, pursuant to the recommendations of the Trade Disputes and Essential Services Committee of 1975. Initially, the Court functioned principally as an arbitral tribunal with limited judicial powers, and its awards required confirmation by the Minister responsible for labour before becoming enforceable, thereby restricting its independence and effectiveness.[16]

The National Industrial Court Act 2006 significantly enhanced the Court's institutional status by conferring upon it the status of a superior court of record and broadening its jurisdiction. Nevertheless, constitutional uncertainties persisted because the Court was not expressly listed among the superior courts established under the Constitution.[17] On the 4th of March 2011, the President assented to the Constitution of the Federal Republic of Nigeria (Third Alteration) Act 2010, amending the 1999 Constitution to include the NICN in relevant sections. This amendment proved a panacea for impediments that had bedevilled the NICN for over thirty-seven years.

The alteration expressly recognised the NICN as a superior court of record and vested it with exclusive jurisdiction over civil causes relating to labour, employment, industrial relations, trade unions, occupational safety, and employee compensation. The Third Alteration also empowered the Court to apply international best practices in labour relations and have due regard to international labour standards, particularly conventions ratified by Nigeria.[18] Today, the NICN occupies a strategic position within Nigeria's judicial architecture as a specialised labour court with nationwide jurisdiction. Its transformation from statutory

[12] Titus Dio Lukas, Digital Justice and Civil Procedure Reform in Nigeria: A Critical Analysis of Electronic Filing and Service under the Taraba State High Court (Civil Procedure) Rules 2026, (2026) (1) (4) *British Journal of Contemporary Research, 4.*
[13] Jason Brovitch, What is Electronic Evidence, *<https://www.icrimefighter.com> accessed on 13/10/2026.* See also Section 84 of the Nigeria Evidence Act, 2011.
[14] Ibid. s. 84 Evidence Act, 2011.
[15] Okene, O.V.C. *Nigerian Labour Law: The Law of Work* (Lagos: Concept Publications Ltd, 2011) 486.
[16] Trade Disputes Act 1976, No. 7 of 1976 (now Cap T8, Laws of the Federation of Nigeria 2004); Uvieghara, E.E. *Labour Law in Nigeria* (Lagos: Melthouse Press Ltd, 2001) 459.
[17] NICN, ss 1-7 of the 2006 Act; see *Oloruntoba-Oju v. Dopamu*.
[18] Offornze, D.A. and Paul. U.A, *The National Industrial Court of Nigeria, Law, Practice and Procedure* (TOP Design, 2013) 61; Constitution of the Federal Republic of Nigeria, (as altered by the Third Alteration Act, 2010) ss. 6(5) (cc), 254A-254F, 254C (1) (f) and (h).

tribunal into a constitutionally recognised superior court demonstrates Nigeria's commitment to promoting industrial harmony, social justice, and effective labour dispute resolution.[19]

Legal Framework for Digitalisation at the National Industrial Court of Nigeria.

The Constitution of the Federal Republic of Nigeria 1999 (as amended)

The Constitutional foundation of the NICN is found principally in Sections 254A-254F of the Constitution, as inserted by the Third Alteration Act, 2010. Section 254A establishes the National Industrial Court of Nigeria as a superior court of record, while Section 254F provides for its practices and procedure and empowers the President of the court to make rules regulating its practice and procedure.[20] This rule making power is important to digitalisation because technological developments requires procedural rules capable of accommodating electronic documents, electronic communication and digital case management. The Constitutional recognition of the courts as superior court of record also reinforces the importance of preserving reliable judicial records, whether in physical electronic form.

The National Industrial Court Act, 2006

The National Industrial Court Act, 2006 came into force on the 14th of June, 2006, when it was assented to by President Olusegun Obasanjo.[21] The enactment of the National Industrial Court of Nigeria Act, 2006 marked a turning point for the National Industrial Court and ensured its development as a court charged with the important duty of adjudicating labour and industrial disputes in the country. Enacted thirty years from the year of the initial establishment of the court in 1976, there was high expectation that the Act would solve the problems that bedevilled the court for decades. [22] It is therefore imperative to note that a Section of the Act deals with the practice and procedure of the court. The Act empowers the court to make rules regulating its proceedings and includes provisions relating to the recording of evidence and proceedings.[23]

Particularly Section 48 of the Act requires the court to record the substance of oral evidence and minutes of proceedings but permits the court to record the whole or part of proceedings electronically. The Act further provides for authentication of transcripts of such electronic recordings.[24] This provision demonstrates that the use of technology in judicial proceedings is not alien to the statutory framework of the National Industrial Court of Nigeria.

The National Industrial Court of Nigeria (Civil Procedure) Rules 2017

The most direct procedural foundation for electronic filing before the National Industrial Court of Nigeria is the National Industrial Court of Nigeria (Civil Procedure) Rules 2017. The 2017 Rules recognised the usefulness of technology in enhancement of the functionality of the court made provisions for electronic filing. Order 6 of the Rules contains copious provisions on the e-filing of processes. It provides that ‘’there shall be an E-filing Centre for electronic filing and payment of filing fees for processes and documents relating to or connected with a matter before the court.[25] A party or counsel to a party may e-file any process or document that may be filed with the court in paper form except, document to be presented to the Court in Chambers or in-camera solely for the purpose of obtaining a ruling and documents to which access is otherwise restricted by law or Court order.[26] In order to ensure the efficient and effective function of the e-

[19] Okene, O.V.C. (n 3) 495.
[20] Constitution of the Federal Republic of Nigeria 1999 (as amended by Third Alteration Act, 2010)
[21] O. D. Amucheazi and P. U. Abba, The National Industrial Court of Nigeria, Law, Practice and Procedure, (Published by Top Design, 2013), 55.
[22] Ibid.
[23] National Industrial Court Act, 2006, ss 1 and 12.
[24] National Industrial Court of Nigeria Act, 2006, s 48.
[25] Order 6A Rule 1 (2) NICN Rules, 2017.
[26] *Ibid.*

filing system of the National Industrial Court, there shall be an officer of the Court, known as the Electronic File Manager (EFM), who shall be in charge of the E-filing centre.

The Rule empowered the President of the Court to issue directions to establish a communication and service centre which may include designated electronic filing workstations for online filing of processes and documents.[27] The EFM shall be responsible for the management of processes and documents transmitted to the electronic filing portal of the Court. A party or counsel, who is desirous of utilising the e-filing option of the Court, shall register with the EFM as an e-filer.[28] Upon registration as an e-filer, the EFM shall issue an Authentication Registration Number (ARN) which shall be used by the e-filer for subsequent e-filing of any process or e-communication or correspondence with the court on the matter before the Court.[29] No process or document e-filed without an ARN will be accepted by the portal of the Court, and the EFM will forward the document to the Registry of the Court. Once a process is properly e-filed and accepted by the portal, the portal will automatically generate an email acknowledging receipt of the e-filing and send the automatically generated email to the designated email address of the e-filer.[30] This provisions represent an important transition from traditional filing to an electronically authenticated judicial filing system.

The NICN Rules also prescribe the format in which electronically filed documents must be presented. Documents are required to be properly formatted and converted into searchable PDF format. The Rules also regulate electronic exhibits and appendices and provide mechanisms for including scanned documents in an electronic filing. Processes that fail to comply with the prescribed technical requirements may be rejected by the electronic filing system. The technical requirements are significant because electronic filing is only effective when documents are capable of being accessed, searched, stored and reproduced accurately. The Rules further expressly recognised electronic signatures. It provides that counsel's electronic signature constitutes the counsel's signature on the relevant document and authorises payment of filing and service fees associated with e-filing.[31]

Where a document is required to be notarised, sworn or made under oath, the Rules also provide mechanisms for electronic notarisation or scanning of the relevant signed or sworn pages. The Rules further permit designated email addresses to be used for electronic service and provide that the Registrar may communicate with parties through designated electronic addresses in appropriate circumstances. Electronic service can substantially reduce delays associated with traditional personal service, especially where parties or counsel are located far from the relevant judicial division. However, electronic service must be carefully regulated to ensure that it satisfies the constitutional requirements of fair hearing and adequate notice.

Virtual Hearings and Practice Directions

The NICN also adopted virtual hearings which, must comply with constitutional requirements of fair hearing. Section 36 of the Constitution protects the right to fair hearing in the determination of civil rights and obligations and criminal responsibility. The technological format of hearings cannot diminish the essential requirements of fairness. Virtual hearing became particularly important during the COVD-19 pandemic. Restrictions on movement and physical gatherings created an urgent need for courts to adopt alternative mechanisms for conducting proceedings. The NICN responded through the National Industrial Court of Nigeria Practice Directions and Guidelines for Court Sitting 2020. The instrument facilitated virtual proceedings and permitted the court to employ technological means in appropriate circumstances. The NICN continues to practise virtual hearings, allowing parties to participate in proceedings from any part of the country. The Court encourages virtual court sittings for matters that do not require the taking of evidence.

Prospects of Court Processes Digitalisation at the National Industrial Court of Nigeria.

[27] *Ibid.*
[28] D. T. A. Eyongndi and K.O. Nnana Onu, Legal Diagnosis of the National Industrial Court of Nigeria Rules, 2017 As A Catalyst of Egalitarian Labour Adjudication, (2021) (13) *Jumma University Journal of Law (JUJL), 55.*
[29] *Ibid.*
[30] *Ibid.*
[31] *Ibid.*

Digitalisation and Speedy Administration of Justice

The right to a speedy administration of justice is first mentioned in landmark document of English law, the Magna Carte.[32] The concept of right to speedy trial has evolved over nearly two and a half decades. It deals with speedy disposal of cases to make the judiciary more effective and to impart justice as fast as possible.[33] Speedy administration of justice is a component of social justice since the community, as a whole, is concerned in an effective and efficient justice system.[34] Delay in the determination of employment disputes may cause serious hardship. An employee who has been wrongfully dismissed may depend upon the outcome of litigation for financial security. Similarly, an employer facing an industrial disputes may suffer financial and operational consequences while litigation remains unresolved. Digitalisation can contribute to speedy justice by, reducing filing time; enabling immediate transmission of documents; facilitated electronic service; improving access to case files; reducing registry congestion; improving scheduling; facilitating remote participation where permitted; and enabling judges and counsels to access electronic documents more efficiently. The NICN itself identifies faster processing as one of the benefits of its e-filing system.

Digitalisation and Cost of Litigation

Traditional court proceedings can be expensive, with litigants incurring costs for travel, legal representation, and filing fees. Digitalisation of court processes reduces many of these costs by allowing online filings and remote participation. As a result, the financial burden on low-income individuals is lessened, making it more affordable for them to seek justice. Additionally, the ability to resolve cases through online dispute resolution mechanisms can further reduce legal fees and courts costs.

Digital Tracking of Case Progress

With digitalisation of case management systems, parties can track the progress of their cases from filing to resolution. Litigants and counsels can receive automated notifications about hearing dates, rulings, and other critical updates, ensuring that they are always informed. This transparency reduces opportunities for manipulation, such as the losing of files or unexpected adjournments.

Digitalisation and Electronic Evidence

Digitalisation of court processes must be considered alongside the law of evidence. Digitalisation of court processes, allow for the secure submission and storage of digital evidence, ensuring that all evidence is properly recorded and accessible to both parties. This reduces the chances of evidence tampering or disappearing and promotes fairness in the judicial process. Additionally, the use of blockchan technology in some e-court systems can ensure that records are immutable and transparent, further enhanced trust in the legal system.[35]

Digitalisation and Reduction of Courtroom Congestion

Virtual hearing mechanism allow cases to be heard and resolved without the need for physical courtroom appearances. This reduces the pressure on court facilities and minimises overcrowding in courtrooms. As a result, cases that requires physical hearings can be scheduled more efficiently, and the overall backlog of cases can be reduced.

Data Protection and Privacy

Digital courts process large quantities of sensitive personal information, including names, addresses, employment records, salaries, medical information, disciplinary records and other confidential materials.

[32] Law Teacher, fast Track Courts, *<https://www.lawteacher.net> accessed on 30/09/2026.*
[33] *Ibid*
[34] *Ibid.*
[35] Unini Chioma, E-Courts and Digital Justice: The Future of the Nigerian Judiciary, *<https://thenigerialawyer.com> accessed on 30/09/2026.*

The Nigeria Data Protection Act, 2023 provides the contemporary statutory framework for the protection of personal data in Nigeria. Its objectives include protecting the rights and interests of data subjects and promoting secure, lawful and accountable processing of personal data. E-court systems are equipped with secure platforms for storing and managing case files, evidence, and other sensitive information. Encryption technologies ensure that data is protected from unauthorised access or tampering. This enhances the confidentiality of legal proceedings and safeguards the rights of litigants.

As Nigeria continues to strengthen its data protection framework, e-courts can ensure compliance with data privacy laws by implementing secure data management practices. Litigants can be assured that their personal information and legal documents are handle in accordance with privacy regulations. Therefore, the digitalisation of NICN processes must incorporate appropriate safeguards against unauthorised access, disclosure, alteration and destruction of judicial information.

Challenges to Digitalisation Court Processes at the National Industrial Court of Nigeria.

Despite the prospects of digitalisation of the court processes at the National Industrial Court of Nigeria, several challenges remain, and the following key challenges are hereby examined.

Legal and Regulatory Uncertainties

The use of electronic court processes raises legal questions concerning electronic signatures electronic service, admissibility of electronic evidence, and authentication of digital documents, preservation of electronic records and validity of virtual proceedings. Although, Nigerian legislation and courts rules increasingly recognise electronic court processes, inconsistencies and gaps may still create uncertainty.

Technical Failures during Court Proceedings

Virtual court hearings may be interrupted by poor connectivity, audio or video failure, power outages, software problems or equipment malfunction. Such interruptions can cause adjournments and potentially affect the efficient determination of cases.

Particularly, the National Industrial Court of Nigeria deals with disputes that may require urgent intervention, for instance, disputes concerning termination of employment, industrial action, trade union disputes and interlocutory applications. Technical failure during an important virtual proceedings may result in adjournment and delay. The court therefore needs reliable backup systems.

Electronic Service of Court Processes

Electronic service can significantly accelerate proceedings before the National Industrial Court of Nigeria. However, questions may arise concerning whether a document actually reached the intended recipient, the date of receipt, the authenticity of an email address and the consequences of failed electronic delivery. This is particularly important in employment disputes where parties may operate from different states or location.

Digital Literacy among Lawyers and Judges

Effective digitalisation requires judges, registrars, court staff and members of the legal profession to understand electronic filing, electronic service, virtual hearing and electronic case management. Where practitioners or court personnel lack adequate technological skills, digitalisation may initially slow rather than accelerate proceedings.

Inadequate Information and Communication Technology (ICT) Infrastructure across NICN Divisions

The National Industrial Court of Nigeria, operates through several judicial divisions across Nigeria. A major challenge is ensuring that all divisions have adequate computers, scanners, servers, reliable internet connectivity, electronic filing facilities, video-conferencing equipment and other ICT infrastructure. A

system may function effectively in a major urban division but encounter difficulties in another division where internet connectivity or technical facilities are inadequate. This can produce unequal access to digital justice among litigants.

Cyber security and Confidentiality

National Industrial Court of Nigeria proceedings may contain sensitive employment information, including salaries, disciplinary records, medical information, confidential corporate documents, trade secrets and personal data. The migration of such information to electronic platforms creates risks of hacking, unauthorised access, data manipulation and disclosure. The NICN therefore, requires strong cyber security safeguards to protect the integrity and confidentiality of its records.

Cost of Digital Litigation

Digital litigation can reduce some traditional costs, but it also creates new expenses. Lawyers and litigants may have to pay for computers, internet subscriptions, electronic document preparation, scanning, electronic storage and other technological services. From an individual employee pursuing a labour claim against an employer, these costs may constitute an additional obstacle to access to justice.

Digital Access for Employees and Trade Unions

The parties appearing before the National Industrial Court of Nigeria are not lawyers, large corporations with sophisticated ICT facilities. Individual employees, small employers and trade unions may have limited access to computers, reliable internet services and digital platforms. Consequently, compulsory reliance on electronic procedures could potentially create a digital access barrier for some categories of litigants.

RECOMMENDATIONS

Based on the above identified challenges, the article recommends the following as a ways of tackling the challenges.

Recommendation on Legal and Regulatory Uncertainties

Challenge addressed: Section 6.1 (Legal and Regulatory Uncertainties) Responsible Institution: The NICN in consultation with the Chief Justice of Nigeria and the National Judicial Council. The National Industrial Court of Nigeria should develop and periodically review a comprehensive legal and regulatory framework for digital court processes. Although the NICN Rules and Practice Directions provide a basis for electronic filing and other technological processes, emerging issues such as electronic service, electronic signatures, and virtual hearings, authentication of electronic documents, digital evidence and online payment require clearer and more detailed. The court should therefore consider adopting a dedicated Digital Court Practice Direction setting out inform procedures for e-filing, electronic recording of proceedings, authentication of documents and the preservation of electronic evidence. Such rules should also clarify when a court may order physical rather than electronic service and how technical failure should affect procedural issues.

There should also be greater harmonisation between the National Industrial Court Act, NICN Rules, Evidence Act, 2011 (as amended) Cybercrimes legislation and other relevant legislation governing electronic transactions and evidence. This would reduce uncertainty among judges, lawyers, employees and trade unions.

Recommendation on Technical Failures

Challenge Addressed: Section 6.2 (Technical Failures during Court Proceedings) Responsible Institution. The NICN Registry and ICT Department. Technical failures such as poor internet connectivity, power outages, malfunctioning video conferencing equipment and interruptions during virtual hearings can undermine the effective administration of justice. The NICN should establish a technical contingent protocol

for virtual proceedings. Where a technical failure occurs the court should have clearly defined alternatives, including temporary adjournment, reconnection through another platform, telephone participation where appropriate, or continuation of the hearing physically. Furthermore, each division should also dedicated technical support personnel available during virtual proceedings. Proceedings involving important witnesses or complex cases should, where practical, have backup internet connectivity and power supply. The Court should also ensure that electronic records and recordings are automatically backed up to secure systems to prevent loss of proceedings caused by technical failures.

Recommendation on Electronic Service

Challenge Addressed: Section 6.3 (Electronic Service of Court Processes) Responsible Institution: The NICN Registry. Electronic service should be supported by a clear and uniform procedure applicable throughout all NICN divisions. The Court should establish an official system through which parties can nominate and verify official email addresses, telephone numbers and other approved electronic contact details for service. The system should generate an automatic electronic acknowledgment or proof of delivery, indicating the date and time when a processes was successfully transmitted and, where technically possible, accepted.

Recommendation on Digital Literacy

Challenge Addressed: Section 6.4 (Digital Literacy among Lawyers and Judges) Responsible Institution: The NICN, in collaboration with the Nigerian Bar Association and the National Judicial Institute. Digitalisation cannot succeed merely through the acquisition of computers and software. Judges, registrars, lawyers and other court personnel must possess the skills necessary to use digital systems effectively. The NICN should establish continuous digital training programmes for judges and court staff.

Recommendation on ICT Infrastructure

Challenge Addressed: Section 6.5 (Inadequate ICT) (Infrastructure across NICN Divisions) Responsible Institution: The Federal Government of Nigeria and the NICN. The NICN should conduct a comprehensive audit of ICT infrastructure across all its divisions to identify gaps and prioritise resource allocation. The Federal Government should provide adequate budgetary allocations for the procurement and maintenance of ICT equipment, reliable internet connectivity, and secure electronic storage systems in NICN divisions. The Court should also explore public and private partnerships to supplement government funding.

Recommendation on Cybersecurity

Challenge Addressed: Section 6.6 (Cybersecurity and Confidentiality) Responsible Institution, the NICN ICT Department in consultation with the Nigeria Data Protection Commission. The increased use of electronic court processes creates risks of hacking, authorised access, data breaches, identity theft and manipulation of court documents. The NICN should therefore adopt a comprehensive information security and privacy policy. Access to sensitive judicial information should be based on clearly defined authorisation levels. Important measures should include: encryption of sensitive information; multi-factor authentication; regular security audits; secure data backups; firewalls and intrusion detection systems; controlled access to electronic case files; regular password and access control policies; staff cyber security training; and an effective incidents response mechanism.

Recommendation on Digital Access for Employees and Trade Unions

Challenge Addressed: Section 6.7 (Digital Access for Employees and Trade Unions) Responsible Institution, The NICN, in collaboration with trade unions and legal aid organisations. This issue is particularly important because the NICN has jurisdiction over employment and labour disputes involving employees, employers and trade unions. Many employees and trade unions, particularly those outside major urban centres, may not have equal access to reliable internet services computers or digital legal resources.

The NICN should therefore adopt an inclusive digital justice strategy that takes into account the needs of employees, workers and trade unions. The Court should provide accessible channels through which employees and trade unions can: file claims electronically; receive court processes; monitor the progress of cases; participate in virtual proceedings; access judgments and rulings; and communicate with the Registry.

Recommendation on Cost of Digital Litigation

Challenge Addressed: Section 6.8 Cost of Digital Litigation. Responsible Institution. The NICN and the Federal Ministry of Justice. Although digitalisation can reduce long term litigation costs, the initial costs of electronic litigation may be burdensome for some lawyers, employees and trade unions. Costs may arise from internet access, computers, scanners, electronic filing fees, printing, electronic document preparation and technical assistance. The NICN Should therefore, ensure that digitalisation does not become a barrier to access to justice. The Court should consider maintaining affordable electronic filing charges and, where appropriate, providing exemptions, reductions or assistance for indigent litigants and recognised categories of vulnerable parties. The Court could also establish digital assistance centres or self-service facilities within its divisions where litigants who lack adequate technological resources can obtain assistance with filing and accessing court processes.

CONCLUSION

The digitalisation of court processes at the NICN presents a significant opportunity to modernise, the administration of labour justice in Nigeria. It has the potential to make proceedings faster, more efficient, less costly, transparent and accessible. The NICN has made notable progress, particularly through the electronic filing provisions in 2017 Civil Procedure Rules and the virtual hearing framework established by its 2020 Practice Direction.

However, this article has also shown that the success of digital justice depends not simply on the availability of technology but on the existence of an appropriate legal framework, dependable infrastructure, competent users, effective cybersecurity, and meaningful digital inclusion. The challenges identified including legal uncertainties, technical failures, electronic service difficulties, digital literacy gaps, infrastructure deficits, cybersecurity risks, cost barriers, and unequal digital access are significant and requires sustained attention.

The major finding of this article is that while the NICN's legal framework authorises digital processes, there remains a substantial gap between legal authorisation and effective implementation. The Court's e-filing system is operated, and virtual hearings are conducted, but uniform procedures for electronic service, technical contingency protocols, and inclusive access measures are either absent or inconsistently applied across divisions.

This article contributes to the discourse on digital justice in Nigeria by providing a focused, critical appraisal of the NICN's digital transformation. It offers a framework for understanding the relationship between legal authorisation and practical implementation, and it provides targeted recommendations that link each identified challenge to a responsible institution. If these measures are effectively implemented, digitalisation can become a powerful instrument for strengthened the capacity of the NICN to deliver timely, efficient, and accessible justice in the twenty first century.

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