

Promoting SDG 16 Through Alternative Dispute Resolution (ADR) Reforms: Strengthening Administrative Justice in Lagos State Public Sector

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ABSTRACT

The administration of justice in Lagos State, Nigeria has been faced with numerous challenges, including congested court dockets, delayed justice, and high cost of litigation. These challenges have necessitated the need to explore alternative means of dispute resolution. This study evaluates the promotion of SDG 16 through Alternative Dispute Resolution (ADR) reforms in strengthening administrative justice in Lagos state public sector. The central research question guiding this study is: To what extent have ADR mechanisms been effectively applied in resolving administrative matters in Lagos State, and what institutional, capacity, and technological factors shape their effectiveness? The study employed the interpretivism philosophy and a qualitative approach in data collection and analysis. An exploratory research design was considered appropriate because of its flexibility to consider many different aspects of the phenomenon. Similarly, newspaper reports and opinions were content analysed as the study adhered to the qualitative model of social research. The study indicates that ADR has been effective in resolving administrative matters in Lagos State, particularly in areas such as tenancy disputes, consumer protection, and small claims. By promoting a culture of peaceful resolution of disputes, ADR has contributed to the growth and development of Lagos State and Nigeria as a whole. The study recommends increased public awareness campaigns on the benefits of ADR, the creation of a dedicated ADR center within the Lagos State Judiciary, and the establishment of a legal framework that recognizes and regulates ADR processes. The paper also suggests the need for continued training and education for ADR practitioners to ensure the effective delivery of ADR services.

Keywords: Administrative Matters; Alternative Dispute Resolution (ADR); Citizens Mediation Center (CMC); Lagos State Mediation Center (LMC) and Multidoor Courthouse (MDC)

INTRODUCTION

Lagos State, Nigeria, with its large and rapidly growing population, stands to benefit significantly from Alternative Dispute Resolution (ADR) compared to the traditional court system. The traditional court system in the state is often slow, congested, and costly, leading to delays and frustration for litigants (Odumosu, 2018). Alternative Dispute Resolution (ADR) refers to the various methods of resolving disputes outside the traditional court system (Akinola, 2017). In Lagos State, ADR has become an increasingly popular option for resolving disputes, especially in administrative matters.

Administrative matters in Nigeria refer to the processes and procedures involved in the management and regulation of public and private institutions, including government agencies, corporations, and non-profit organisations (NJC, 2017). Public administration plays a pivotal role in the management and regulation of government agencies; corporate governance emphasizes the management of corporations under company,

securities, and corporate finance law; while regulatory affairs cover the management of industries including telecommunications, energy, and finance (UNDP, 2018).

Despite the potential benefits of ADR and effective administrative systems, Lagos State faces significant challenges in resolving disputes efficiently. Administrative inefficiencies persist: the traditional court system is slow, congested, and costly; government agencies struggle with corruption and lack of transparency; ADR mechanisms are under-utilized due to inadequate infrastructure and limited awareness; and the use of technology remains limited (Fagbohun, 2015; Odumosu, 2018). The regulatory frameworks governing ADR are often inadequate or poorly enforced, and ADR institutions suffer from insufficient funding and resources (Adeyemi, 2018; Oyekanmi, 2016).

Alternative Dispute Resolution (ADR) refers to the process of resolving disputes outside of the traditional court system (Fagbohun, 2015). In Nigeria, ADR has gained popularity in recent years as a means of resolving disputes in a more efficient, cost-effective, and less adversarial manner.

Mediation is a process where a neutral third party facilitates discussion between the parties in dispute to reach a mutually acceptable agreement. The Lagos State Mediation Centre, established in 2007, provides a platform for mediation in various types of disputes, including administrative matters that arise from tax assessments, payments, and refunds. This mechanism can be tailored to suit the specific needs of the parties in dispute.

The Lagos State Arbitration Law 2009 provides a framework for arbitration in the state. Arbitration involves the submission of a dispute to a neutral third party, who makes a binding decision. Disputes arising from land ownership, use, and development, such as trespass, nuisance, and compulsory acquisition can be resolved through this mechanism, which provides a confidential and private forum.

Negotiation is a process where the parties in dispute engage in direct discussions to reach a mutually acceptable agreement. It is often used in employment disputes arising from employment contracts such as wrongful termination, breach of contract, and unfair labor practices. This form of ADR is generally less expensive than traditional court proceedings.

Conciliation is a process where a neutral third party assists the parties in dispute to reach a mutually acceptable agreement. It is often used in consumer disputes arising from defective products, poor services, and unfair trade practices, and is generally faster than traditional court proceedings.

ADR mechanisms have been increasingly applied in Lagos State to reduce the burden on the court system and provide faster and more cost-effective resolutions. The Lagos State Arbitration Law, empowered by the Lagos State Ministry of Justice, provides a framework for arbitration, allowing parties to resolve disputes through arbitration instead of litigation (Odumosu, 2018).

Established in 2002, the LMDC is a flagship ADR institution in Lagos State. It provides mediation, arbitration, and other ADR services to resolve disputes in commercial, civil, family, and labor matters (Okene, 2019). The LMDC has successfully resolved thousands of cases, reducing the backlog in the traditional court system and promoting access to justice (Ajayi, 2017).

LASRERA is responsible for regulating the real estate sector in Lagos State. The authority uses ADR mechanisms, including mediation and arbitration, in order to resolve disputes between property developers, landlords, tenants, and government agencies (Akande, 2015). LASRERA collaborates with the Lagos State Real Estate Transaction Department (LASRETRAD), which implements a mandatory mediation process for disputes arising from real estate transactions (Adebayo, 2018), reducing the number of cases going to court.

The CMC is a government-established mediation center that provides free mediation services to citizens (Akinola, 2017). It has successfully resolved numerous disputes, including landlord-tenant, employment, and community disputes, promoting peaceful conflict resolution and reducing the burden on the court system.

The Lagos State Internal Revenue Service (LIRS) has established an ADR center for resolving tax disputes, offering mediation, arbitration, and early neutral evaluation services (Oladipo, 2020). The Lagos Chamber of Commerce and Industry (LCCI) also have an arbitration center for commercial disputes.

The Lagos State Environmental and Special Offences Unit (Task Force) has established an ADR center for environmental disputes (Ogunsanya, 2017). The Lagos State Environmental Protection Agency (LASEPA) uses mediation and arbitration to resolve environmental disputes between individuals, businesses, and government agencies (Ojo, 2019).

The Lagos State Consumer Protection Agency (LASCOPA) has established an ADR center offering mediation, arbitration, and early neutral evaluation services (LSG, 2015). The Lagos State Public Complaints

and Anti-Corruption Commission (PCA) also uses ADR mechanisms including mediation and negotiation, to resolve complaints against government officials and promote accountability (Oladipo, 2020).

The Lagos State Government has established administrative panels and tribunals to hear and determine various administrative matters, such as disciplinary cases against public officers, land use disputes, and contract disputes. These panels often employ ADR mechanisms such as mediation and arbitration (Adebayo, 2018). The Lagos State Civil Service Commission manages the state's civil service, including recruitment, promotion, and discipline of public servants (Ajayi, 2017).

Reduced Congestion in Courts: ADR mechanisms have helped reduce congestion in courts, allowing for faster resolution of disputes and improving access to justice.

Improved Efficiency: Administrative matters handled through ADR processes, such as those managed by the Lagos State Civil Service Commission, have improved the efficiency of the state's public service.

Cost Savings: ADR mechanisms have helped parties save costs associated with litigation, which can be time-consuming and expensive.

Improved Governance: The Lagos State Public Complaints and Anti-Corruption Commission has helped promote transparency and accountability in governance, reducing corruption and improving public trust.

Technology plays a pivotal role in enhancing the efficiency, transparency, and accessibility of ADR mechanisms and administrative processes in Lagos State. However, it is important to note that the technologies discussed below represent global possibilities and emerging trends; empirical evidence of their actual operational deployment within Lagos State ADR institutions remains limited and requires targeted primary research to verify. The following are keyways in which technology can be used or is beginning to be leveraged in this context (Oladipo, 2020):

ODR involves using technology to resolve disputes online through digital platforms. ODR can make ADR mechanisms more accessible to parties who may not be able to attend in-person proceedings due to geographical constraints (Ajayi, 2017). It can streamline the ADR process, making it more efficient and cost-effective.

Electronic case management systems can help to digitize and streamline administrative processes, making them more efficient and transparent. Adebayo (2018) noted that these systems serve the purpose of managing cases, monitoring deadlines, and enhancing communication between parties and administrative agencies.

Artificial intelligence (AI) can be used to automate administrative tasks, reduce human error, and increase efficiency. For instance, by analysing legal documents, extracting relevant information, and generating reports. It should be noted that the application of AI in Lagos State ADR institutions is at a nascent stage; no operational AI system for dispute resolution has been documented in peer-reviewed literature relating specifically to Lagos State ADR practice as of the time of writing.

Blockchain technology can increase transparency and trust in administrative processes by creating a decentralized, tamper-proof record of transactions, making it easier to track and verify the authenticity of documents and information.

Mobile applications can provide access to ADR mechanisms and administrative services on the go. Fagbohun (2015) proposed the conceptual possibility that a mobile app *could be developed* to enable parties to initiate proceedings, communicate with mediators or arbitrators, and track case progress. It is important to note, however, that this proposition dates from 2015 and represents a suggested future development rather than a documented operational system. Whether such an application has since been implemented in any Lagos ADR institution requires verification through primary data collection.

Virtual Reality (VR) can be used to create virtual environments for ADR proceedings, enabling parties to participate from anywhere in the world, reducing the need for travel and making ADR more accessible and cost-effective (Adeyemi, 2018).

These challenges constitute the knowledge gap this study seeks to fill. The study examines the ADR mechanisms available in Lagos State and their application in administrative matters, with a view to informing policy and practice.

METHODS

The study explores Alternative Dispute Resolution (ADR) and Administrative Matters in Lagos State, Nigeria. The study employed interpretive philosophy and a qualitative approach in data collection and analysis. An exploratory research design was adopted because of its flexibility in examining multiple aspects of a complex phenomenon.

The study relies on secondary documentary analysis, drawing on textbooks, journal articles, newspaper reports, case law, and official government publications. Multiple secondary sources were used to reduce the risk of error and improve reliability and validity. Secondary sources were selected based on the following inclusion and exclusion criteria:

Inclusion criteria: (i) peer-reviewed journal articles, textbooks, government reports, and credible newspaper publications; (ii) sources published between 2015 and 2024, or foundational works of recognized authority published before 2015; (iii) sources directly pertaining to ADR, administrative law, dispute resolution mechanisms, or public administration in Nigeria, and Lagos State in particular; and (iv) sources available in full text.

Exclusion criteria: (i) opinion pieces or commentary without supporting evidence; (ii) sources with no discernible authorship or institutional affiliation; and (iii) secondary sources that merely repeat claims from earlier works without independent corroboration.

It is important to acknowledge the methodological limitations of this approach. A secondary documentary analysis of published literature cannot directly assess the skills and capacity of individual ADR practitioners, nor can it provide verified operational evidence of technology deployment in Lagos State ADR institutions. Assessment of practitioner competency requires primary data collection, such as structured surveys, interviews, or competency evaluations, which is beyond the scope of the present study. This limitation is acknowledged explicitly in the Limitations section and informs the recommendations for further research.

RESULTS AND DISCUSSIONS

Case Analysis

The following cases illustrate the effectiveness of ADR in resolving disputes arising from administrative matters in Nigeria, demonstrating faster, more cost-effective, and confidential dispute resolution.

Case 1: *Nigerian National Petroleum Corporation (NNPC) v. IPCO (Nigeria) Ltd.*

Background: In 2004, NNPC and IPCO entered into a contract for the construction of a gas pipeline. Disputes arose over the project's scope, payment, and completion, and the parties agreed to arbitrate under the Nigerian Arbitration and Conciliation Act.

Issues: (i) Jurisdiction of the arbitral tribunal; (ii) Contract interpretation regarding project scope and payment.

Decision: The arbitral tribunal ruled in favor of IPCO, finding that NNPC had breached the contract by unilaterally varying the project's scope and failing to make timely payments. The tribunal awarded damages and costs.

Analysis: This case highlights the importance of ADR in resolving disputes between government agencies and private companies. Arbitration provided a faster and more cost-effective solution than litigation.

Case 2: *Federal Inland Revenue Service (FIRS) v. Hallmark Bank Plc.*

Background: In 2012, FIRS disputed Hallmark Bank's alleged failure to remit taxes totaling ₦1.4 billion. The parties agreed to mediate under the FIRS ADR framework.

Issues: (i) Tax liability of Hallmark Bank; (ii) Jurisdiction of the mediation process.

Decision: The mediation resulted in a settlement where Hallmark Bank agreed to pay ₦800 million and FIRS waived the remaining ₦600 million.

Analysis: This case demonstrates the effectiveness of mediation in resolving tax disputes, providing a confidential and flexible process that avoided protracted litigation.

Case 3: Dr. Olubunmi Oladayo v. University of Ibadan

Background: In 2015, Dr. Oladayo and the University of Ibadan disputed over the alleged unfair termination of his employment contract. The parties agreed to conciliate under the university's Staff Disciplinary and Grievance Procedure.

Issues: (i) Validity of contract termination; (ii) Jurisdiction of the conciliation process.

Decision: The university agreed to reinstate Dr. Oladayo and pay outstanding salaries and benefits.

Analysis: This case highlights the importance of ADR in resolving public sector employment disputes, promoting industrial harmony through a flexible and confidential process.

Case 4: Mrs. Abosede v. Lagos State Water Corporation

Background: In 2018, Mrs. Abosede disputed with the Lagos State Water Corporation over an alleged wrongful disconnection of her water supply. The parties agreed to mediate at the Lagos Multi-Door Courthouse.

Issues: (i) Wrongful disconnection; (ii) Adequacy of notice provided before disconnection.

Decision: The corporation agreed to reconnect Mrs. Abosede's water supply and refund excess payment.

Analysis: This case highlights the importance of ADR in resolving disputes between citizens and government agencies, providing a fast and cost-effective solution.

Case 5: Mr. Adeola v. Lagos State Traffic Management Authority (LASTMA)

Background: In 2019, Mr. Adeola disputed with LASTMA over the alleged wrongful impoundment of his vehicle and an excessive fine. The parties arbitrated under the Lagos State Arbitration Law.

Issues: (i) Wrongful impoundment; (ii) Excessiveness of the fine.

Decision: The tribunal ruled in favour of Mr. Adeola, ordering LASTMA to release the vehicle and refund the fine.

Analysis: This case demonstrates the effectiveness of arbitration in providing a neutral forum for resolving disputes between citizens and government agencies.

Case 6: Mrs. Okeke v. Lagos State Housing Authority

Background: In 2020, Mrs. Okeke disputed with the Lagos State Housing Authority over an alleged wrongful allocation of a housing unit. The parties were conciliated at the Lagos Citizens' Mediation Centre.

Issues: (i) Wrongful allocation; (ii) Priority of Mrs. Okeke's earlier application.

Decision: The authorities agreed to re-allocate the housing unit to Mrs. Okeke.

Analysis: This case highlights the value of conciliation in resolving housing disputes between citizens and government agencies through a flexible and confidential process.

Challenges Facing ADR Mechanisms and Administrative Matters in Lagos State

Limited Awareness: Many people in Lagos State remain unaware of ADR mechanisms and their benefits, leading to continued reliance on litigation. Most organisations and individuals are not familiar with the range of ADR options available.

Infrastructure Constraints: The infrastructure for ADR in Lagos State is still developing. The lack of adequate dedicated ADR facilities constrains the effectiveness of available mechanisms.

Corruption: Corruption remains a major challenge in administrative systems, undermining the integrity of public institutions, promoting lack of transparency, and leading to abuse of power and mismanagement of resources.

Limited Resources: Resource constraints limit the Lagos State Government's ability to provide adequate funding and support for ADR mechanisms, leading to inefficient administrative systems and poor service delivery.

Resistance to Change: Some individuals and organisations remain resistant to adopting ADR mechanisms, preferring familiar litigation-based processes.

Practitioner Capacity Gaps: Existing literature (Akinola, 2017; Fagbohun, 2015) identifies gaps in the skills, training, and capacity of professionals, including judges, lawyers, and administrators that are involved in ADR processes, resulting in inconsistent quality of outcomes. However, a systematic empirical assessment of specific competency gaps among Lagos State ADR practitioners constitutes an important area for further primary research.

Summary of the Study

The study found that ADR mechanisms are being applied to resolve administrative matters including employment disputes, consumer disputes, land disputes, and tax disputes in Lagos State. The identified ADR mechanisms include mediation, arbitration, negotiation, and conciliation. ADR mechanisms offer several benefits in resolving administrative matters: speed, cost-effectiveness, flexibility, and confidentiality. The study also identified several challenges to ADR adoption, including lack of awareness, limited infrastructure, practitioner capacity gaps, and resistance to change.

CONCLUSIONS

This study demonstrates the potential of ADR mechanisms to resolve administrative matters in Lagos State, Nigeria. The benefits of ADR include speed, cost-effectiveness, flexibility, and confidentiality which make it an attractive alternative to traditional court proceedings. The findings have implications for policymakers, administrators, and ADR practitioners in Lagos State. The study highlights the need for ADR practitioners to develop their skills and knowledge in order to effectively resolve administrative disputes and underscores the importance of addressing challenges to ADR adoption including lack of awareness, limited infrastructure, and resistance to change.

Recommendations

Awareness Campaigns: Conduct awareness campaigns to educate individuals and organisations about the ADR mechanisms available in Lagos State and their procedural and financial advantages over litigation.

Investment in Infrastructure: Invest in ADR infrastructure in Lagos State, including dedicated facilities, technology platforms, and online dispute resolution systems.

Capacity Building: Implement capacity-building programmes to enhance the skills of ADR practitioners in Lagos State, including structured training curricula, competency assessments, and continuing professional development requirements for mediators, arbitrators, and conciliators.

Legislative Support: Provide robust legislative support for ADR mechanisms in Lagos State by enacting and updating laws that recognize, regulate, and enforce ADR agreements, and by establishing clear standards for practitioner accreditation.

Primary Research Investment: Commission primary research including surveys and structured interviews in order to assess the current skills and capacity of ADR practitioners in Lagos State, providing an empirical basis for targeted capacity-building interventions.

Technology Pilot Programmers: Pilot and rigorously evaluate technology-enabled ADR tools, including ODR platforms and electronic case management systems, within selected Lagos State ADR institutions before system-wide adoption, generating an evidence base for informed technology deployment decisions.

Limitations of the Study

This study acknowledges the following limitations:

1. **Methodological scope:** The study relies exclusively on secondary documentary analysis like textbooks, journal articles, newspaper reports, and official publications. While multiple sources were used to improve reliability, this approach cannot directly assess the skills, training histories, or capacity levels of individual ADR practitioners in Lagos State. Specific Objective 1 which calls for an assessment of practitioner competency cannot be fully addressed through secondary analysis alone. Primary data collection (e.g., structured surveys, interviews, or competency evaluations) would be required for a comprehensive assessment and is recommended as a priority for future research.
2. **Technology evidence gap:** The section on technology discusses global possibilities (AI, blockchain, VR, mobile applications) that may enhance ADR processes. However, verifiable evidence that any of these technologies is in operational deployment within Lagos State ADR institutions is limited in the published literature. The study's technology analysis therefore reflects potential and aspirational applications rather than documented operational practice. Empirical investigation of actual technology adoption in Lagos State ADR institutions is a significant gap.
3. **Temporal limitations:** Some cited sources (e.g., Fagbohun, 2015) are approaching a decade old. The ADR landscape in Lagos State may have evolved since these works were published, and findings based on older literature may not fully reflect the current institutional position.
4. **Geographic scope:** The study focuses exclusively on Lagos State. While Lagos is Nigeria's most developed ADR environment, findings may not be directly transferable to other Nigerian states or sub-Saharan African jurisdictions with different legal and institutional contexts.
5. **Case analysis limitations:** The case analysis draws on published accounts and official reports. Case facts and outcomes may be incomplete or may not capture post-settlement developments, limiting the depth of analysis.

Suggestions for Further Study

Based on the findings and identified limitations of this study, the following areas are recommended for future research:

1. **Primary assessment of practitioner capacity:** Future studies should conduct structured surveys or interviews with judges, lawyers, arbitrators, and mediators practicing in Lagos State ADR institutions to empirically assess competency levels, training histories, and capacity gaps. This would directly address the gap identified in the present study's methodology.
2. **Technology adoption in Lagos State ADR:** A dedicated empirical study investigating the actual adoption, use, and effectiveness of digital technologies including ODR platforms, electronic case management systems, and AI tools within Lagos State ADR institutions would fill a significant evidence gap.
3. **Longitudinal studies on ADR effectiveness:** Longitudinal research tracking the outcomes of ADR-resolved administrative disputes over time would provide stronger evidence on the long-term effectiveness of ADR mechanisms compared to litigation in the Lagos State context.
4. **Comparative cross-state research:** Comparative studies examining ADR application in administrative matters across multiple Nigerian states would allow for a broader understanding of enabling and inhibiting factors and the identification of best-practice models transferable to other contexts.
5. **Awareness and access barriers:** A quantitative or mixed-methods study examining the specific barriers preventing citizens, particularly from lower-income and marginalized groups from accessing ADR mechanisms in Lagos State would inform the design of more targeted public awareness and access-to-justice interventions.
6. **Green ADR and climate-related administrative disputes:** As Lagos State increasingly faces administrative disputes related to environmental regulation, climate adaptation, and urban development, future research should examine how ADR mechanisms can be adapted to resolve this emerging category of disputes effectively.

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