

NIGERIAN BAR ASSOCIATION

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14 November 2022

Dame Pauline Tallen, OFR, KSG

Honourable Minister of Women Affairs and Social Development
Annex 3, New Federal Secretariat, Shehu Shagari Way
Central Area, Garki
Abuja

Dear Madam,

**YOUR COMMENTS ON THE JUDGEMENT OF THE FEDERAL HIGH COURT IN
SUIT NO. FHC/YL/CS/12/2022: DEMAND FOR RETRACTION AND AN APOLOGY**

My attention was drawn to the story making rounds on social media about the unfortunate comments said to have been made by you on 15 October 2022, in reference to the judgment of the Federal High Court in Suit No. FHC/YL/CS/12/2022 between Mallam Nuhu Ribadu V. All Progressives Congress (APC) & 2 Ors, delivered on 14 October 2022. The Court had, in resolving the issues in that suit, held that the Adamawa State All Progressives Congress (APC) Governorship Primary Election, which took place on 26 May 2022, was invalid having been conducted in violation of the Electoral Act 2022 and the APC Constitution and Guidelines. The Court consequently voided the return of the 2nd Defendant, Senator Aishatu Dahiru Ahmed, as the winner of the primary election, and in addition, refused the prayer for fresh primaries.

It was reported that while speaking with journalists on the side-lines of the Global Reunion and Annual General Meeting of your *alma mater*; Federal Government Girls' College, Bida, you referred to the said judgment of the Federal High Court as "*a kangaroo judgement*". You went on to give what you considered to be the justification for your remarks which, to say the least, were disrespectful and contemptuous of the Court.

In the interest of fairness, I reached out to you on WhatsApp and SMS to confirm if you made the comments that were attributed to you, and to request that you retract same if, in fact, the journalists quoted you correctly. I also did call your phone severally, but you neither returned my calls nor acknowledged any of my messages. Consequently, I am left with no other option than to conclude that you not only made the comments, but also did so deliberately with the intent to denigrate the Court and the institution of the Judiciary.

Let me categorically state that the NBA does not have any interest in the matter and holds no brief for any of the parties to the dispute. However, the NBA remains steadfast and committed to its responsibility of protecting the integrity and independence of the Courts. The Association does not and will not take kindly the action of any person or group of persons which treats the Court and its processes or proceedings with levity and contempt.

Your comments were clearly calculated to impugn the integrity of the Court, bring it to disrepute and incite the public against the Judiciary. The only permissible, lawful, and civil way to express one's discontent with the decision of a Court is to appeal the decision and not

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resort to the use of derogatory language in reference to the Court, no matter how unhappy one may be with its decisions. Your conduct was uncivilized and totally unbecoming, particularly of the holder of a public office like yourself, who knows better and enjoys tremendous influence over your political supporters who may interpret your comments as a marching order against the Court. To describe the decision of the Court as "a kangaroo Judgement" under any guise is completely unacceptable.

In the circumstance, therefore, I hereby demand that you forthwith withdraw your disparaging comments and tender an unreserved apology to the Court. I also demand that the said apology be given equal publicity as your disparaging and contemptuous remark on the Judgement. You are to note that should you fail or refuse to do so within 7 days from the date of this letter, the NBA shall institute an action against you for, *inter alia*, a declaration that you are unfit to continue to hold any public office in Nigeria; an order that you be relieved of your current position; and for perpetual injunction restraining you from holding any public office by reason of your conduct, which is clearly an affront to the rule of law and a manifest disrespect for due process and the administration of justice.

Yours faithfully,



Yakubu Chonoko Maikyau, OON, SAN
PRESIDENT