



NIGERIAN BAR ASSOCIATION

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22/12/2022

NBA SUES DAME PAULINE TALLEN, MINISTER OF WOMEN AFFAIRS AND SOCIAL DEVELOPMENT OVER "KANGAROO" PUBLIC COMMENTS MADE IN REFERENCE TO THE JUDGMENT OF THE FEDERAL HIGH COURT IN SUIT NO. FHC/YL/CS/12/2022

On the 14th day of December, 2022, the Incorporated Trustees of the Nigerian Bar Association (NBA) took out an Originating Summons against Dame Pauline Tallen, the Minister of Women Affairs and Social Development, over her public comments made in respect of the Judgment of the Federal High Court in Suit No. FHC/YL/12/2022 between Mallam Nuhu Ribadu v. All Progressives Congress (APC) & 2 Ors. delivered on 14th October, 2022.

In the suit which is now pending at the High Court of the Federal Capital Territory, Abuja with Suit No: CV/816/2022, the NBA is praying for the following reliefs:

- a. a declaration that the Defendant's (Dame Pauline Tallen) statement that: "the ruling that sacked Aishatu Binani, the only female governorship candidate in the country is a kangaroo judgment that should be rejected by well-meaning Nigerians. The Court is declaring that the party has no candidate. This is unacceptable. It is like a kangaroo judgment, but we will not give up" made on 15th day of October, 2022 at the sidelines of the First Global Reunion and Annual General Meeting of the Federal Government Girls' College, Bida Old Girls Association, in Abuja within the jurisdiction of this Honourable Court in reference to a judgment of the Federal High Court is unconstitutional, careless, reckless, disparaging, a call to disobey the judgment of court and therefore contemptuous of the Federal High Court of Nigeria;
- b. a declaration that by virtue of the aforesaid statement of the Defendant referring to the judgment of Court as 'kangaroo', the Defendant is thereby unfit to hold or continue to hold the office of the Honourable Minister of Women Affairs and Social Development of the Federal Government of Nigeria, or any public office of the Federal Republic of Nigeria;
- c. a declaration that by virtue of the Defendant being a Public Officer and Minister of the Federal Republic of Nigeria who swore to uphold and defend the Constitution of the Federal Republic of Nigeria, her statements inciting the public against the judgment of the Federal High Court is a flagrant breach of her Oath of Office and disregard to the provisions of the said Constitution, particularly Section 287 (3) of the 1999 Constitution thereof;

NATIONAL OFFICERS:

Yakubu Choroko Malliyau, SAN FCArb(UK) President

Adesina ADEGBITE, FICMC General Secretary; Linda R. Baia (Mrs), 1st Vice President; Chukwurmeka Clement Ugo, 2nd Vice President; Amanda Ego Demechi-Aagba, 3rd Vice President;
Caroline Ladidi Anze-Bishop, Treasurer; Chinyere Gladys Obasi, Welfare Secretary; Akorede Habeeb Lawal, Publicity Secretary;
Daniel K. Kip, Assistant General Secretary; Charles Ajiboye, FICMC, FCAI, ACIS, Assistant Publicity Secretary

- d. an order directing and compelling the Defendant to forthwith publish a personally signed apology letter to Nigerians and the Judiciary on a full page of the Guardian and Punch Newspapers respectively;
- e. an order of perpetual injunction restraining the Defendant from holding any public office in Nigeria by reason of her conduct complained of unless she purges herself of the ignoble conduct by publishing a written apology which must be published on a full page of each of both the Guardian and Punch Newspapers; and
- f. for such further or other orders as the Honourable Court may deem fit to make, to give effect to the reliefs granted by the Court.

It will be recalled that Dame Pauline Tallen had, at the sidelines of the First Global Reunion and Annual General Meeting of the Federal Government Girls' College, Bida Old Girls Association held on 15th October, 2022, that ***"the ruling that sacked Aishatu Binani, the only female governorship candidate in the country is a kangaroo judgment that should be rejected by well-meaning Nigerians. The Court is declaring that the party has no candidate. This is unacceptable. It is like a kangaroo judgment, but we will not give up."*** This statement by the Minister was widely circulated in both social and print media, and it was particularly reported by most of the major newspapers in the Country, including the Punch and Guardian Newspapers.

By a letter dated 14th November 2022, the President of the NBA, Mr. Yakubu Chonoko Maikyau, OON, SAN wrote to the Minister, demanding her to withdraw the said disparaging comments and tender an unreserved apology to the Court. He specifically demanded that the said apology be given equal publicity as her disparaging and contemptuous remark, failing which the NBA would institute an action against her as being unfit to continue to hold any public office in Nigeria. This letter was delivered at the Minister's office at Annex 3, New Federal Secretariat, Shehu Shagari Way, Central Area, Abuja. The NBA never received a response to the letter neither were the demands therein complied with.

By virtue of Section 3 (1) of the NBA Constitution 2015 (as amended), the NBA is under an obligation to maintain, advance and defend the integrity of the Bar and the Judiciary in Nigeria. And this we shall do no matter whose ox is gored. The NBA President had stated in his letter of 14th November 2022 to the Minister that "the NBA does not have any interest in the matter (Suit No. FHC/YL/12/2022 between Mallam Nuhu Ribadu v. All Progressives Congress (APC) & 2 Ors) 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 treat the Court and its processes or proceedings with levity and contempt."

The NBA President had mentioned at the National Executive Council (NEC) meeting of the Association, which held on 15th December 2022, that he would personally lead the NBA legal team to prosecute this suit. The NBA shall cease to forthwith comment on this suit in view of its pendency, except to update our members on any consequential development that may arise in respect of same.



Akorede Habeeb Lawal

National Publicity Secretary

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