

National Judicial Council declares the suspension of Hon. Mr. Justice T. U. Uzokwe, Chief Judge, Abia State unconstitutional.

It queries and suspends the State sworn-in Acting Chief Judge.

The National Judicial Council under the Chairmanship of the Honourable, Mr. Justice Walter Samuel Nkanu Onnoghen, GCON, at its Emergency Meeting which held today, 31st January, 2018, considered the recent suspension of the Abia State Chief Judge, Hon. Mr. Justice T. U. Uzokwe and the swearing-in of Hon. Mr. Justice Obisike Orji as the Acting Chief Judge of the State by Governor Okezie Victor Ikpeazu and agreed that the decision to suspend the Chief Judge and the swearing-in of an Acting Chief Judge without the input of the National Judicial Council is unconstitutional null and void.

It noted that its attention had been drawn to the crisis in Abia State Judiciary by petitions written against Hon. Mr. Justice T. U. Uzokwe and the one written by the Chief Judge against Hon. Mr. Justice C. U. Okoroafor, but in the course of the investigation by the Committee set up by Council, some elderly Judicial Officers of Abia State Judiciary waded in and pleaded with the

Committees to allow the matter to be resolved amicably by them, which was granted by Council at its plenary.

At the last Meeting of the Council which was held on 6th December, 2017, Council directed the Committees to continue and conclude with the petitions before them if there were no reports of the settlement by the peace makers. While this was going on, the problem escalated and the Council was informed of the suspension of Hon. Mr. Justice Uzokwe and the swearing-in of Hon. Mr. Obisike Orji as Acting Chief Judge.

In view of the foregoing, Council resolved as follows:

- 1) The suspension of the Chief Judge of Abia State by the State House of Assembly without a prior recommendation by the National Judicial Council violates the provisions of the Constitution of the Federal Republic of Nigeria.
- 2) Consequently, the subsequent act of appointing and swearing-in of Hon. Mr. Justice Obisike Orji as the Acting Chief Judge is invalid for being unconstitutional.

3) Furthermore, the conduct of Hon. Mr. Justice Obisike Orji in presenting himself to be sworn-in raises potential questions of misconduct that the Council is now looking into.

4) Council therefore resolved to query and suspend the Hon. Mr. Justice Obisike Orji pending the outcome of its investigation.

5) In view of the recent escalation, Council, in the interest of the smooth administration of justice in Abia State, resolved to direct the Chief Judge, Hon. Mr. Justice T. U. Uzokwe, to stay away from duties pending the Council's final decision after consideration of the report of its Panels.

6) In the prevailing circumstance, whereby the National Judicial Council has directed the Chief Judge not to perform his duties, and the next most senior Judge is suspended, the Governor of Abia State shall appoint Hon.

Mr. Justice Onuoha Arisa Kalu Ogwe, the next most senior Judge to act as the Chief Judge of Abia State, pending Council's final resolution of the matter.

SOJI OYE, ESQ.
DIRECTOR, INFORMATION