



THE SENATE
FEDERAL REPUBLIC OF NIGERIA
NATIONAL ASSEMBLY

**COMMITTEE ON JUDICIARY, HUMAN RIGHTS AND
LEGAL MATTERS**

REPORT ON

THE

CONFIRMATION OF NOMINATIONS OF *HON. JUSTICE
EJEMBI EKO, JCA AND HON. JUSTICE AMINA A. AUGIE,
JCA* AS JUSTICES OF THE SUPREME COURT OF NIGERIA

OCTOBER, 2016

REPORT OF THE SENATE COMMITTEE ON JUDICIARY, HUMAN RIGHTS & LEGAL MATTERS ON THE CONFIRMATION OF NOMINATIONS OF HON. JUSTICE EJEMBI EKO, JCA AND HON. JUSTICE AMINA A. AUGIE, JCA AS JUSTICES OF THE SUPREME COURT OF NIGERIA.

1.0 Introduction

On Tuesday 27th September, 2016, the Senate at its Plenary Sitting, deliberated on a request by Mr. President and Commander-In-Chief of the Armed Forces, for the confirmation of nominations of *Hon. Justice Ejembi Eko, JCA* and *Hon. Justice Amina A. Augie, JCA* for appointment as Justices of the Supreme Court of Nigeria. These appointments were made pursuant to Section 231 (2) and (3) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), which requires that the appointment of a person to the office of a Justice of the Supreme Court of Nigeria, shall be made by the President on the recommendation of the National Judicial Council, subject to confirmation of such nomination by the Senate.

- 1.1 By an *Order* of the Senate dated Thursday 29th May, 2016, this Mr. President's request was referred to this Committee for further legislative action and to report back with its recommendations within two weeks.

2.0 Methodology

- 2.1 The Committee requested for and received the Curriculum Vitae and other supporting documents of the nominees and invited them to appear before it for screening on Wednesday 5th October, 2016. The Committee examined their Curriculum Vitae, Security Clearances and other supporting documents and thereafter screened them.

3.0 Screening of Hon. Justice Ejembi Eko, JCA

The Committee interviewed Hon. Justice Ejembi Eko, JCA and received explanations regarding his life, work experience, suitability, competence and integrity for appointment as a Justice of the Supreme Court of Nigeria.

3.1 Background Information/Educational Qualifications

Hon. Justice Ejembi Eko, JCA hails from Benue State. He was born on 23rd May, 1952. He holds a Bachelor of Laws Degree (Hons.) from the University of Ife, now Obafemi Awolowo University, Ile Ife in 1976. He was called to the Nigerian Bar in 1977. He did his compulsory NYSC programme in Kaduna State where he served as a Pupil Counsel in the Ministry of Justice in 1978.

3.2 Work Experience/Career Progression

After his NYSC programme, Hon. Justice Eko commenced his career as a Private Legal Practitioner in the Law Office of ***Messrs Omakwu & Onyeke*** in 1978 and thereafter set up his own law practice of ***Messrs Eko Onum*** in 1980. He was appointed as the first Director, Civil Litigation, Ministry of Justice, Benue State in 1987. After a brief stint, he was appointed as the Solicitor-General and Permanent Secretary in the Benue State Ministry of Justice.

By dint of hardwork and a firm grasp of the law, Hon. Justice Eko was appointed as a Judge, Benue State High Court in 1989. He was appointed as the Acting Chief Judge of Benue State in 2005. In recognition of his contribution to the development of the law and commitment to work, Hon. Justice Ejembi was appointed as a Justice

of the Court of Appeal in 2008. He has served in the Abuja and Ado Ekiti Divisions of the Court. He is currently serving in the Port-Harcourt Division of the Court.

Apart from his regular duties as a Judge, he has also served as Chairman of various Election Petition Tribunals, such as: Chairman, Local Government Election Tribunal, Bayelsa State; Chairman, Governorship and Legislative Houses Election Petition Tribunal, Jigawa State; Chairman, Governorship and Legislative Houses Election Petition Tribunal, Enugu State; among others.

3.3 Conferences, Seminars/Paper Presentation and Publications

Hon. Justice Ejembi is a renowned Jurist and a versatile writer. He has attended various Conferences and Seminars both in Nigeria and abroad. He has also presented papers at the All Judges Conferences and National Judicial Institute capacity building Seminars for Judges of the High Courts and Magistrate/Area Courts. He is the author of the Book: ***The Law of Bail***. He is also a member of several International Professional Bodies, such as, the Commonwealth Magistrates and Judges Association (CMJA) and World Jurists Association (WJA), etc.

3.4 Response to Questions

Hon. Justice Ejembi Eko, JCA demonstrated sufficient knowledge and a firm grasp of the law in response to questions put to him. He answered questions on: *the Preponderance of Profound Conflicting Judgments of Courts of Coordinate Jurisdiction; Bail Application Procedure; Appointment of Justices of the Supreme Court of Nigeria; Automation of Court Proceedings;* among other topical legal and jurisprudential issues.

4.0 Screening of Hon. Justice Amina A. Augie, JCA

The Committee interviewed Hon. Justice Amina A. Augie, JCA and received explanations regarding her life, work experience, suitability, competence and integrity for appointment as a Justice of the Supreme Court of Nigeria.

4.1 Background Information/Educational Qualifications

Hon. Justice Amina A. Augie, JCA hails from Kebbi State. She was born on 3rd September, 1953. She holds a Bachelor of Laws Degree (Hons.) from the University of Ife, now Obafemi Awolowo University, Ile Ife in 1977 and received the Faculty prize for the Best over-all Student in the Faculty of Law from the University, among other deserving prizes. She was called to the Nigerian Bar in 1978. She did her compulsory NYSC programme in Sokoto State where she served with the Legal Aid Council of Nigeria in 1979. She obtained her Master of Laws (LL.M) Degree in 1987 from the Ahmadu Bello University, Zaria. She is a Fellow of the Chartered Institute of Arbitrators Nigeria and the Institute of Advanced Legal Studies.

4.2 Work Experience/Career Progression

After her NYSC programme, Hon. Justice Augie commenced her career as an Assistant Lecturer at the Ahmadu Bello University, Zaria in 1980. She was appointed as a Senior State Counsel in the Office of the Chief Counsel to President Shehu Shagari, GCON in 1982. In 1984, she became a Lecturer at the Nigerian Law School, Lagos and also a Part-Time Lecturer, Faculty of Law, Uthman Dan Fodio University, Sokoto, where she was later appointed as Associate Lecturer in 1999.

By dint of hardwork and a firm grasp of the law, Hon. Justice Amina A. Augie was appointed as a Chief Magistrate in the Sokoto State Judiciary in 1989. She was appointed as a Justice of the Court of Appeal in 2002. She has served as Presiding Justice in Benin, Enugu and Kaduna Divisions of the Court. She is currently the Presiding Justice of the Court of Appeal in Lagos.

Apart from her regular duties as a Judge, she has also served as Chairman and Member of various Election Petition Tribunals, Judicial Commission of Inquiries and other Ad Hoc Assignments, such as: Chairman, Governorship and Legislative Houses Election Petition Tribunal 2000 to 2002; Chairman, Judicial Commission on Inquiry into Nigerdock, 2001; Chairman, Failed Banks (Recovery of Debts) and Financial Malpractices in Banks Tribunal, Lagos; Chairman, Experts Consultative Meeting on the Passage of the Child Rights Bill; Member, Board of Trustees, Human Development Initiatives and Child Rights Education Center, Member, Board of Directors, Institute of Human Rights and Development in Africa, Banjul, Gambia; among others.

4.3 Conferences, Seminars/Paper Presentation and Publications

Hon. Justice Augie is an eloquent Judge and an indefatigable defender of human rights as well as an erudite scholar. She has attended various Conferences and Seminars both in Nigeria and abroad. She has presented over 75 papers in Nigeria, United Kingdom, South Africa, Ethiopia and Ghana and has over 15 publications in various Books and Seminar/Workshops. She has also participated at Women Conferences and Biennial International Conferences in Kenya, Canada and Austria.

4.4 Merit Award and National Honours

Hon. Justice Amina A. Augie has to her credit, Awards of Excellence in recognition of her Meritorious Service to the Court of Appeal, Distinguished Jurist Award from the National Association of Democratic Lawyers in collaboration with the Ford Foundation, etc. She is also a recipient of the National Honours Award of the Commander of the Order of the Niger (CON).

4.5 Response to Questions

Hon. Justice Amina A. Augie, JCA demonstrated sufficient knowledge and an excellent grasp of the law in response to questions put to her. She answered questions on: *Human Rights Enforcement and Issues in Nigeria; Independence of the Judiciary; Strengthening of Institutions as a Panacea for National Development;* among other topical legal and jurisprudential issues.

5.0 Findings

5.1 The Committee finds Hon. Justice Ejembi Eko, JCA and Hon. Justice Amina A. Augie, JCA as versatile and erudite Justices who have contributed immensely to the development of the law and the justice system through their judgments and rulings as well as seminar presentations and publications. After a careful scrutiny of their CVs, excerpts of deliberations of their appointment by the National Judicial Council, Police Character Clearance Fingerprint results, Department of State Services reports, Code of Conduct Bureau Acknowledgment Slips and Income Tax Clearance Certificates, and having been satisfied about their integrity, suitability, competence and qualifications, found them fit and proper persons, for appointment as Justices of the Supreme Court of Nigeria.

6.0 General Observation

- 6.1 For the avoidance of doubt, we wish to observe that these appointments satisfy the constitutional provision of section 231 (3) which stipulates a minimum of fifteen (15) years post call experience to qualify for appointment as a Justice of the Supreme Court of Nigeria. It should be stated that these appointments became necessary following the retirements of Hon. Justice J. A. Fabiyi, CON, CFR (North Central) and Hon. Justice M. S. Muntaka-Coomasie (North West), who both retired on 25th November, 2015 and 10th February, 2016, respectively, after attaining the mandatory retirement age of Seventy (70) years. By virtue of paragraph 13 (a) (ii), Third Schedule to the Constitution, the Federal Judicial Service Commission is empowered to advise the National Judicial Council in nominating persons for appointment as Justices of the Supreme Court of Nigeria and the Federal Judicial Service Commission, which started the process as required by the above constitutional requirement.
- 6.2 Currently, the composition of the Supreme Court of Nigeria as per geopolitical zones, which in the Committee's view, is a fair reflection of the Federal Character Principle as enshrined in Section 14 (3) of the 1999 Constitution, is as follows:

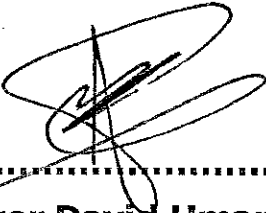
No. of Present Justices			No. of Justices upon Confirmation		
North-East	-	3 (including the Hon. CJN)	North-East	-	3
North-West	-	2	North-West	-	3
North-Central	-	2	North-Central	-	3
South-East	-	3	South-East	-	3
South-West	-	3	South-West	-	3
South-South	-	2	South-South	-	2
Total	=	15	=	17	

7.0 Recommendation

7.1 The Senate Committee on Judiciary, Human Rights and Legal Matters, after careful scrutiny of the Curriculum Vitae and other accompanying documents of **Hon. Justice Ejembi Eko, JCA** and **Hon. Justice Amina A. Augie, JCA** and having been satisfied about their exposure, experience, performance, qualifications and integrity, recommends:

*"That the Senate do confirm the nominations of **Hon. Justice Ejembi Eko, JCA**; and **Hon. Justice Amina A. Augie, JCA** for appointment as Justices of the Supreme Court of Nigeria".*

I SO MOVE.


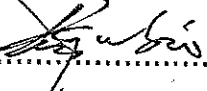
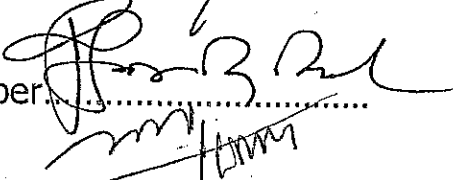
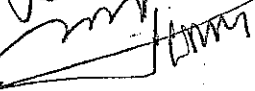
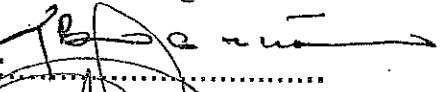
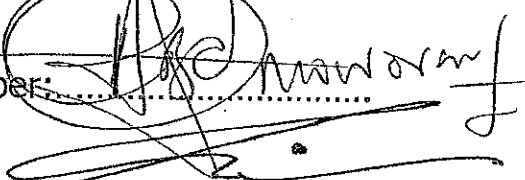
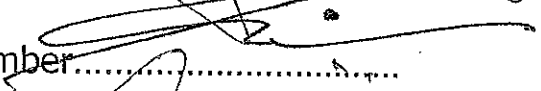
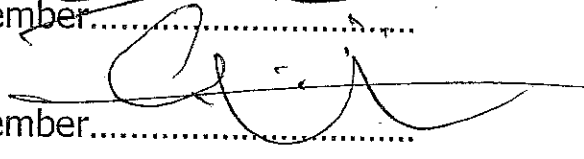
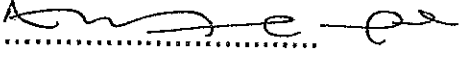


.....
Senator David Umaru
Chairman

ENDORSEMENT PAGE

Senate Committee on Judiciary, Human Rights and Legal Matters

Members

1. Senator David Umaru - Chairman: 
 2. Senator Godswill Akpabio, CON - V/Chairman: 
 3. Senator Joshua M. Lidani - Member: 
 4. Senator James E. Manager, CON - Member: 
 5. Senator Bala Ibn Na'Allah - Member: 
 6. Senator Babajide C. Omoworare, CON - Member: 
 7. Senator Abdullahi Adamu, CON - Member: 
 8. Senator Chukwuka Godfrey Utazi - Member: 
 9. Senator Ovie Omo-Agege - Member: 
- Charles Luri Bala Esq. - Committee Clerk: 