

**SPEECH DELIVERED BY THE NEWLY SWORN IN
CHIEF JUDGE OF EDO STATE, HON. JUSTICE ESOHE
FRANCES IKPONMWEN ON THE 26TH DAY OF
JANUARY, 2017**

It is a popular quote that, *"No one gets to the top alone. We all have help"*; consequently, I acknowledge the help of my wonderful late parents, the Okuonghaes, my spouse and children, family members, friends and all the teachers and learned senior colleagues in the Ministry of Justice in the then Bendel State especially the retired Justice G.E. Edokpayi who moulded me for this journey. I also acknowledge the former (CJ) Hon. Justice C.O. Idahosa, National Judicial Council (N.J.C), the Edo State Judicial Service Commission (J.S.C), the Honourable Speaker and Hon. Members of Edo State House of Assembly and Mr. Governor for making the process leading to my appointment seamless. Paramount is the help of God Almighty causing me to say along with the ***Psalmist in Ps 28:7*** *"The Lord is my strength and my shield; my heart trusted in him, and I am helped;"* To

those who strangely tried to stop me, I thank them for in all things there must be opposition. There certainly has come a change in my life making me realize that yesterday is now history, tomorrow is a mystery, today is a gift of God, hence we call it, the present.

For now, I promise to work hard and commit myself to serve all and sundry ensuring speedy dispensation of justice. I will endeavour to stand for truth and justice. I believe that it is the truth that sets one free. Truth has been described as a lion that needs not be defended. If you set it loose, it will defend itself. As for justice, the very learned **JSC, Nnaemeka-Agu** in the case of *Jessica Trading Co. Ltd V Bendel Ins. Co. Ltd (1993) 1NWLR (Pt. 271) Pg. 550*, described it thus %For Justice is not a game of hide and seek. Rather it is a game of fairness which is played with openness and according to the rules of the game+. And if I may add that the end purpose of justice is to seek for the truth.

I must therefore appeal for understanding from all, as my work ethics from time and what makes me happy is that in matters of principle I stand as a rock.

I feel and sense the good will being extended to me by a lot of people and expectations are high but I must however, quickly state that, with maturity, we don't have to agree on anything to be kind to one another. We must realize that it must get harder before it gets easier, but it will certainly get better. I appeal to all especially staff of the Judiciary to be patient. Good things take time . We shall not allow ourselves be controlled by people, money or past experiences. We may have made some mistakes in the past, this is the time to forge ahead and heal wounds. The JUSUN strike caused pain to all concerned and what is left is for wounds to be healed and I appeal for forgiveness where there are perceived wrongs. **Robert Brauth** said that ***%life becomes easier when you learn to accept an apology you never got+*** For the workers whose salaries for some months remain unpaid

and for Government that felt the workers were recalcitrant, the apologies on either side are noted. We must forge ahead and work for the strengthening of the 3rd arm of Government while hoping that this progressive Governor, with his pedigree and the Executive arm will respect the Law and ensure the independence of the judiciary as enshrined in the **Section 6 of the 1999 Constitution of the Federal Republic of Nigeria as amended** which has been judicially pronounced upon in the unreported case of **Suit No. FHC/ABJ/CS/667/13 between Judiciary Staff Union of Nigeria V. National Judicial Council & 73 Ors** delivered on 13th of January 2014 by Hon Justice A.F.A Ademola of the Federal High Court Abuja.

In assuming office today as Chief Judge of this great State I pledge to work assiduously for the enthronement of Justice in its finest form in our State, and just as **Pats Acholonu JSC** of blessed memory put it %badeed the beauty and greatness nay purity of justice, in all its consuming allure and essence and

greatness, is to ferret out from the mass of facts and law before it, relevant points in order to give remedy to anyone who comes for that. It is not justice meted to someone who deserves it when that person craving for it has his hand soiled, blemished and besmirched. See the case of *Wajaffa V Bank of the North (2004) 118 LRCN 4037*". There will be no room for corrupt practices in our judicial system nor for undue favoritism and influence or untoward conduct by judicial officers. All judicial officers will be made to understand clearly that every Court must be ready to prevent the improper use of its machinery as a means of vexation and oppression in the process of litigation Per **Mustapha JCA** in *Ministry of Works V Tomas (Nig) Ltd (2002) 2 NWLR (Pt. 752) 785*.

However, I am not unmindful that we are not insulated from the society and as much as possible we have a legal duty to cooperate with other arms of Government to ensure the society is in harmony. After all our own very respected **Uwaifo JSC** in the

case of *Bamaiyi V The State (2001) All FWLR (Pt. 46) 973* stated thus. "The trial Judge is a Nigerian residing in the Nigerian environment. He is not a somnambulist or a visitor from the moon". On the other hand I solicit the co-operation of the gentlemen of the bar and would like to remind them of the admonition of **Karibi-Whyte JSC** in the case of *Aliu Bello & 13 Ors V A.G Oyo State* when he stated thus "I think I am speaking the mind of all engaged in the Administration of Justice... that the day courts allow the inarticulacy or ignorance of counsel to determine the result of an action before it, that day will herald the unobtrusive genesis of the unwitting enthronement of injustice aided by the courts by default".

Law is meant to serve the ends of justice and the essence of the rule of law is never for it to operate under the rule of force or fear. We must be mindful of the words of **Olatewura JSC** in *Ceekay Traders Ltd V General Motors Co Ltd (1992) 2 NWLR (Pt. 222) 162* when he stated thus "Delay of justice is bad, but denial

of justice is worse and the denial inflicts pain, grief, suffering and untold hardship.+ I am a stoic believer with **Oputa JSC** that *“justice has not got two weights and measure – one for the rich and wealthy business man... and another for a poor taxi driver.+* The beauty of law in a civilized society is that it owes its respect and due observance to the society. It should be progressive and acts as a catalyst to social engineering as stated by **Pats Acholonu JSC.**

Finally, Your Excellency by this inauguration today I observe with all humility and without sounding feminist and parochial that your tenure has made history by producing the first Bini female Chief Judge of Edo State. God bless Edo State Judiciary, God bless Edo State and God bless our Country Nigeria.