

SPEECH BY HON, JUSTICE E. F. IKPONMWEN, CHIEF JUDGE OF EDO STATE, AT THE VALEDICTORY COURT SESSION HELD THIS 22ND DAY OF MAY, 2018 IN HONOUR OF THE HON. MR. JUSTICE JAMES UYI OYOMIRE

I am indeed full of mixed feelings this day as we celebrate the exit of our Brother Judge from the High Court Bench. I say mixed feelings because it is a thing of joy for anyone to serve without blemish and retire in good health. It is sad because we are going to miss the wittiness and conviviality of a brother with whom we have shared good times.

It is traditional and expected that I give a brief profile of His Lordship, the Hon, Mr. Justice J. U. Oyomire.

Hon. Justice James Uyi Oyomire was born on 22nd day of May, 1953 to the family of Late Chief Oyomire Osaigbovo of Ugbeva in Ovia North East Local Government Area of Edo State. His mother was Late Mrs. Edowaye Osaigbovo (Nee Okungbowa).

My Lord, Justice J. U. Oyomire attended at age 5 Benin Divisional Council (BDC) Primary School Ovah for his Primary 1 to 3 and St. Andrews Primary School, Uselu Benin for his Primary 5 to 6, from 1958 ó 1963. He spent five (5) years in the Primary School in that he skipped Primary 4. He could not attend Secondary School because of his father's death in October, 1962 which left him indigent.

When the civil war broke out in 1967, he joined the Nigerian Army in May, 1968 after he was rejected thrice on ground of being under age. In 1972 he got married to his first wife ó Mrs. M. A. Oyomire (nee Ibukun Sule), the year he was promoted Corporal in the Army. He had his first child ó Glory on 4th June 1973 when he was twenty (20) years and 13 days old.

He later studied as a private student for the GCE O/L in 1977. He passed with flying colours the seven subjects he sat for, having scored grade A1 in English Language, Economics and Commerce and grade C4 in the other four subjects. This qualification earned him admission to the prestigious University of Ife (now Obafemi Awolowo University) Ile Ife in 1979. He was admitted to the golden class of 1984 at the Nigeria Law School, where he graduated with another Second Class Upper result and was called to the Nigerian Bar in 1984. He left the Army and joined the Defunct Bendel State Judiciary in December, 1985 as a Magistrate grade 3 on G.L. 08 as he was yet to acquire the 2 yearsø post call experience needed for appointment as a Magistrate Grade 2. He rose steadily through the ranks and was promoted Chief Magistrate, Special Grade (G.L.17) in October, 2010.

On the 5th day of January, 2011, he was appointed the Chief Registrar of the High court of Justice, Edo State. He served in this capacity till 28th February, 2012 when he was elevated to the higher bench as a Judge. He is happily married to

several wives through whom God has blessed him with nine biological children, numerous step children, grand children and great grand children.

A devout Christian, he is an ordained Elder and the Patron of Divine Evangelical Prayer Ministry World Wide. His hobbies include reading, singing of gospel songs and giving aid to the less privileged.

His Lordship is an unassuming and soft-spoken gentleman. When you are looking for a man of destiny, this is one.

His Lordship reminds me very well of Gen. 21:7 where Sarah said "Who would have said unto Abraham that Sarah should have given children suck? For I have born him a son in his old age." And like wise, who would have said Oyomire will be made a Judge when he was made one, for he was appointed a Judge in his "old age". It will be recalled that His Lordship was born on the 22nd day of May, 1953 and was appointed a Judge of the High Court on the 28th of February, 2012 i.e three (3) months to his 59th birthday. Importantly his retirement was to be on his 60th birthday which was just about one (1) year away.

I wish to recount my discussion one afternoon late last month for about two hours with His Lordship in my Chambers. He told me a bit of his story of life. It was quite fascinating to me that he could join the Nigerian Army at a young age and inspite of his rank and file status took steps to enhance his status. In 1992

when I was appointed Chief Magistrate Grade 1, I got to know His Lordship who was then a Senior Magistrate. He served variously outside the headquarters and somehow he was popularly known as “Odionwere of the Magistracy.” Later on being appointed a High Court Judge, I put a phone call through to congratulate his Lordship and called him “*Amenaghawonelesonmwanhia*” *meaning. what you have destined for you must materialized.* He was excited at that and thanked me. On the afternoon of our discussion I referred to above, His Lordship told me his excitement stemmed from the fact that unknown to me, Amenaghawon is the name of his first wife.

I would at this juncture on behalf of my brother judges and the entire Edo State Judiciary place on record our sincere appreciation and gratitude for the invaluable services of the highest quality which your Lordship rendered to this country as a soldier, Magistrate through the ranks, then Chief Registrar of the High Court, and finally as High Court Judge of Edo State which posts you held creditably working hard even to the last days trying to conclude cases. In your service you crisscrossed the entire Edo State at great inconvenience with no complaint. As you bow out of the Judiciary, I will like to re-call some of your indelible pronouncements on the bench.

“In the case of David Sunday Akodeja & Ors V. Timothy Awauke Oyeoba delivered on 10/1/18 in suit N0. HIG/14/2013 (unreported)” where the issue was the rightful person to be installed as the Head and Traditional Chief of Ugbeshi – Ele Community, his Lordship in determining the case stated interalia as follows:-

“Put on an imagery scale the oral evidence of the defendant far outweighs that of the claimants who have conceded that the father of the defendant was crowned by the elder brother of the 1st Claimant and father of the 3rd Claimant as village head of Ugboshi – Ele. Their story that Oyeola was crowned as a regent does not induce belief. If there was any need for F.A. Akodeja to appoint anybody as regent in his place, common sense would have dictated that he gave the regency to his own full blood brother instead of the eldest surviving son of the last King.”

I emphasize the resort to ‘common sense’ by his Lordship supra in that in reading the autobiography of Hon. Mr. Justice Mason A. Begho of blessed memory and one time Chief Justice of Midwest State. “The Dog Bite Magistrate”,

“HIS STRUGGLES” at page 202 where he quoted Mr. Justice Stable in addressing new Magistrates in England thus:-

“Have confidence in your selves. Do not imagine you have to be learned in the law. Do not worry about the law, but use your common sense. If you use it and find that it does not tally with the law then there must be something wrong with the law, because common sense cannot go wrong.”

His Lordship’s style, I find to be simple and down to earth and not military as one may want to assume. For example in the case of Commissioner of Police V. John Osariemen (unreported) charge No. B/236C/2014 delivered on 19/4/2018, the accused person was charged with conspiracy and attempted murder. In finding for conspiracy, his Lordship stated:-

“If there was no agreement between the accused person and the boys that came out of the bush, they would not have (including the accused person) set upon the PW1,

As the Holy Book asks in Amos 3:3 “CAN TWO WALK TOGETHER EXCEPT THEY BE AGREED’. My short answer is No.”

As your Lordship retires, it is my prayers that you would not find yourself in the quagmire the respected, the Hon. Mr. Justice Mason A. Begho, retired and now deceased Chief Justice of the then Midwestern State found himself as narrated by him in his autobiography, *“The Dog-Bite Magistrate:- His struggles”* published in 1988 at Page 174. His Lordship stated as follows:-

“I moved out of Government quarters in G.R.A., unprepared and could not easily make up my mind what I was going to do. I was told by the Advisory Judicial Committee that the convention was against my setting up practice or opening Chambers for Solicitor’s work; I could not train lawyers to go to court for me but I could go into business or accept directorship of any company. This was why I had to move to Lagos to erk out a living. It was not easy at the start. I joined a friend to import canned beer before it was banned and I personally did the distribution. I later went into land development which

I found profitable. However in September 1979 just before the exit of the Military, I was appointed the first Chairman of the Nigeria Press Council for a term of three years. By the grace of God I am now living better than I was as the Chief Justice of Mid-Western Nigeria”.

Taking a cue from Hon, Mr. Justice Mason A Begho's experience it is my hope that after your Lordship's retirement you would have cause someday to say your life after retirement was better than life as a Judge. I crave you Lordship's indulgence, to admonish you not to fall into the temptation of being unable to adjust to your new status in retirement and that you please refrain from using the title of Honourable Justice without stating that you are retired, thus giving the impression of still being in service.!!

On behalf of your brother judges of Edo State Judiciary and others who have come to felicitate with you, I wish you the best life has to offer in retirement.

Your Lordship has always been known as a father to many and husband to some. We turn you over to your family for them to have your attention full time in blissful retirement.