

#EmbraceEquity: A Review of the Court's Decision in **Omolola Olajide v. The Nigerian Police Force & 2 Others.**

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Happy International Women's Day. Theme: #EmbraceEquity

As we celebrate International Women's Day 2023 with the theme #EmbraceEquity, we want to share one of the recent successes for women as the advocacy for gender equity continues to grow.

Faced with obsolete laws that have an impact only on women in the workplace and the resulting imbalance they create in our society, the Nigerian law court has again risen to the challenge of abrogating discriminatory laws and thereby giving Nigerian employment laws an equitable face-lift. The National Industrial Court of Nigeria ("NICN") recently delivered a notable decision in **Omolola Olajide v. The Nigerian Police Force & 2 others** (unreported Suit No: NICN/AK/14/2021, judgment delivered on 11th January 2023), striking out Section 127 of the Police Act, Chapter P19, Laws of the Federation of Nigeria, 2004 and Regulation 127 of the Nigeria Police Regulations¹ as being discriminatory against unmarried female police officers. The NICN held that the provisions of these laws, which apply to unmarried female police officers getting

¹ Section 127 of the Police Act and Regulation 127 of the Nigeria Police Regulations provide "An unmarried woman police officer who becomes pregnant shall be discharged from the Force, and shall not be re-enlisted except with the approval of the Inspector-General."

pregnant while in service but not to unmarried male police officers who impregnate females while in service, as violating Section 42 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and Article 2 of the African Charter on Human and People’s Rights which provides for the right to freedom from discrimination.

This NICN decision is notable as it comes in the wake of the 2022 Federal High Court’s decision in ***NBA v. Attorney General of the Federation & 2 others*** (unreported Suit No: FHC/ABJ/CS/178/2021), which refused to strike out the same section and regulation, stating that the Nigeria Police Regulations is about the conduct of the female officers and nothing more. The Federal High Court held that it did not find any compelling reason to disrupt the discipline of the Nigerian Police Force or interfere in the regulation of the conduct of officers of the Nigerian Police Force, whether male or female.”

#EmbraceEquity – The NICN has, by this decision, advanced the cause of gender parity and equity by abolishing discriminatory discipline imposed on the female gender.

Happy International Women’s Day.

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