



15th February, 2018

The Attorney General of the Federation and Minister of Justice,
Federal Ministry of Justice
Maitama
Abuja.

Dear Sir,

DEMAND FOR THE PROSECUTION OF PROFESSOR ENEFIOK ESSIEN.

Human and Environmental Development Agenda (Resource Center HEDA) is demanding the prosecution of Professor Enefiok Essien who was also the Vice Chancellor of the University of Uyo.

HEDA Resource Center is a non-governmental organization and non-partisan human rights and development organization established to provide leadership in advancing human rights and environmental protection in public policy and programs.

PremiumTimes, an online newspaper, in its publication dated 8th day of Nov, 2015 reported that Professor Enefiok Essien, the then Vice Chancellor designate of the University of Uyo (UNIUYO) was indicted in 2005 for forgery and sexual assault by the Court of Appeal.

The Court of Appeal, Calabar, Cross-River State, handed down the indictment on Mr. Essien on Thursday July 14, 2015 while affirming the judgement of the Federal High Court, Calabar, which nullified UNIUYO'S expulsion of a female student, Linda Onyebuchi Essell, from the University over her alleged involvement in Examination Malpractice. UNIUYO did not appeal the judgement and Ms. Essell went on to complete her first degree in law and graduated from the University.

According to the report, Ms. Essell as at the time she was accused of examination malpractice in March, 1995, she was in her second year while Mr. Essien was a senior lecturer then. The facts of the case, according to the court processes, is that Ms. Essell submitted unstamped and unsigned answer booklet during her Examination in Constitutional Law (PUL 211) and for this reason the University accused her of pre-knowledge of examination questions and of bringing pre-written examination answers into the examination hall. She was eventually expelled from the University, although she pleaded that she was innocent of the allegations.

Ms. Essell won the case both at the Federal High Court Calabar and the Court of Appeal because her case was founded on the breach of her fundamental right to fair hearing by the

two panels, Examination Malpractice panel and the Senate Appeal panel set up by the school to investigate the matter. In her affidavit, she stated how Mr. Essien, the man who several years later would be selected for appointment as UNIUNYO's Vice Chancellor, manipulated the university system against her because she has refused to accede to his love overtures. It was Mr. Essien, who invigilated Ms. Essell in the PUL 211 Examination. It was him who accused her of Examination Malpractice. It was also him who chaired the Examination Malpractice panel that tried Ms. Essell.

The Court held that there was a grave miscarriage of Justice and breach of the principles of natural Justice as the panel was not properly constituted after one of its members had stepped down and was not replaced. The Court of Appeal faulted Essien's chairmanship of the panel and the failure of the Vice Chancellor to hear from Ms. Essell before acting on the recommendations of Mr. Essien's panel which proceedings the court said wasn't credible.

Ms. Essell also stated in her affidavit that Mr. Essien as chairman of the Examination Malpractice Panel, forged and signed the signature of another member of the panel, Mr. Akpan, as well as doctored the proceedings of the Panel. The Court of Appeal in its Judgement delivered by Justice Dalhatu Adamu declared that Ms. Essell's statements as contained in her affidavit were serious indictment on Essien.

Mr. Essien filed no counter affidavit himself to all these allegations and so the court stated that since there was no counter affidavit by Mr. Essien, the court in its unanimous decision held that Ms. Essell's allegations not having been challenged, contradicted and controverted must be deemed to be true and correct. The court also expressed its surprise that the said Mr. Essien who was the subject of a vicious allegation refused to swear to a counter-affidavit to challenge or contradict the allegations leveled against him by the respondent. The aforementioned decision of the Court Of Appeal is reported as **University of Uyo & Others v. Essel (2006) ALL FWLR (Pt. 315) 80**

It is with the abovementioned facts and court's pronouncements, putting serious indictment on Mr. Essien that we humbly urge you to use your unwavering stance on Justice and disdain for corruption to prosecute Mr. Essien so that Justice will not only be done but will also be seen to be done.

We thank you in anticipation of your prompt action.

Please find attached a copy of the Court of Appeal judgement.

Yours Faithfully,



.....
Olanrewaju Suraju
(Chairman)