



RIVERS STATE JUDICIARY, NIGERIA



David D. Ihua-Maduenyi, Esq
Chief Registrar

Telephone: +234-8037064151

Email: chiefregistrarhighcourt@gmail.com

Website: www.judiciary.rv.gov.ng

CHIEF REGISTRAR'S OFFICE

High Court complex

P.M.B. 5055

Port Harcourt, Rivers State

Ref: RS/JUD/CR.1/VOL.IX/141/26

Date: 14th April, 2026.

**RE: NBA NATIONAL PRESS RELEASE OF 26/03/2026
TITLED: "JUDGES MUST NOT BULLY LAWYERS OR
ABUSE POWER TO PUNISH FOR CONTEMPT AS A TOOL
FOR INTIMIDATION OF LAWYERS"**

**RE: IN THE MATTER OF CONTEMPT OF COURT BY MRS.
LOVINAH UGBANA BENJAMIN IN SUIT NO.
PHC/301/2016 CORAM C. NWOGU J., OF THE HIGH
COURT OF RIVERS STATE**

We are compelled to make this rejoinder regarding the incident of the conviction for contempt and subsequent unconditional discharge of Mrs. Lovinah Ugbana Benjamin, Learned Counsel for the Defendants in the above suit by Hon. Justice Chinwendu Nwogu of the High Court of Rivers State in order to set the records straight, and not allow the misinformation, misconception and reactions arising from the NBA National Press Release in the matter to fester as reality or truth.

In the suit under reference wherein the said Learned Counsel appeared for the Defendants, the Learned Counsel attempted to mislead the Court by her signed and filed final written address, by knowingly and falsely presenting non-existent facts and evidence of a witness. When confronted by the Court, she admitted that what she stated in her final written address was not true and she was unapologetic.

To uphold the dignity and integrity of the Court, which the said Learned Counsel treated with clear and brazen contempt, the Court after following due process, convicted her for contempt and sentenced her to prison for 3 days only, instead of the 3 months statutory term due to passionate plea from the Bar.

The suggestion of the NBA National in paragraph 10 of the Press Release under reference that **“where a court considers counsel’s conduct improper, the proper course is to invoke recognised disciplinary mechanisms, including referring counsel to the Legal Practitioners Disciplinary Committee (LPDC), rather than resorting to summary punitive measures”**, is not an invariable rule because the act of the Defence Counsel constitutes contempt *in facie curiae* which the Court can punish instantly, hence the action of the Judge is not an abuse of power or an act of intimidation.

Nevertheless, due to the numerous calls from respected members of the Bar to the offices of the Chief Registrar and the Honourable Chief Judge for the release of the said Learned Counsel, and the intervention of the NBA Port Harcourt Branch delegation led by its Chairman, Mrs. Cordelia U. Eke to the Judge in his Chambers in the morning of 26/03/2026 where the delegation upon learning the true facts of the incident, apologised and pleaded for the release of the said Learned Counsel. The Judge having accepted the apology signed a production warrant and upon her production in court and oral application by Mrs. Cordelia U. Eke, discharged her unconditionally that same morning.

It is therefore shocking to read later that day the NBA National Press Release signed by its President and Secretary, Mazi Afam Joseph Osigwe (SAN) and Dr. Mobolaji Ojibara respectively, fiercely threatening and hastily advocated the following ultimata:-

- 1) The immediate release of the affected Counsel.
- 2) That the Hon. Chief Judge of Rivers State immediately investigate the circumstances surrounding this incident and take appropriate administrative action.
- 3) That appropriate disciplinary steps be taken by the National Judicial Council, where necessary.
- 4) That the remand of Mrs. Lovinah Ugbana Benjamin under the circumstances be condemned and set aside.
- 5) That all NBA branches in Port Harcourt and its environs and all legal practitioners boycott the proceedings before the Court of Hon. Justice Nwogu for a period of 7 days if Mrs. Lovinah Ugbana Benjamin is not released within 24 hours.

It seems to us that it is either the NBA Port Harcourt Branch leadership did not relate the true position to the NBA National or if they did, the NBA National decided to speak daggers, not peace to impugn the Judge as a villain.

We find the position of the NBA National on this subject very offensive and embarrassingly raising a feeling of acrimony against the Judge in particular, and the High Court bench of Rivers State in general. We categorically state that the Hon. Justice Chinwendu Nwogu is one of our respected and respectful Judges with unblemished integrity.

We view this Press Release as an isolated departure from the enterprising and amiable leadership of the NBA National, especially its President, whom we hold in high esteem and admiration.

Whilst we appreciate the concern of the NBA National in bringing attention to the event of 25th March 2026, we assure that the Bench and the Bar in Rivers State remain veritable partners in the administration of justice.

We firmly restate that the Bench in Rivers State holds the Bar in high esteem and this event would not disrupt the cordial relationship between the Bench and the Bar.



David D. Ihua-Maduenyi, Esq.

Chief Registrar

(High Court)