

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT COURT NO. 4, MAITAMA ON THE**  
**24<sup>TH</sup> DAY OF MARCH, 2022**  
**BEFORE HIS LORDSHIP: HON. JUSTICE U. P. KEKEMEKE**  
**SUIT NO. FCT/HC/CR/76/20**

**COURT CLERKS: JOSEPH ISHAKU BALAMI & ORS.**

**BETWEEN:**

**INSPECTOR-GENERAL OF POLICE.....COMPLAINANT**

**AND**

**STELLA NDIDIAMAKA EKWEREKWU.....DEFENDANT**

**RULING**

I have carefully listened to the Learned Senior Counsel. Section 149 of the Child's Right Act states:

*“There shall be for each State of the Federation and the FCT Abuja, a Court to be known as the Family Court (in this Act referred to as the Court for the purposes of hearing and determining matters relating to children). “*

Section 150 of the Child's Right Act further states:

***“The Court shall be at two levels:***

***(a) The Court as a Division of the High Court at the High Court level and***

***(b) The Court as a Magistrate Court at the Magistrate Court level .”***

In Section 152(1) of the Act, the Court at the High Court level shall consist of such number of Judges of the High Court of the State or FCT and

2. Assessors who shall be Officers below the rank of Chief Child Development Officers as shall enable the Court to effectively perform its functions under the Act.

The Court shall be duly constituted if it consists of a Judge and Two Assessors.

In the FCT High Court, a Family Division of the High Court as envisaged by the Child's Right Act has not been created.

By Section 157 of the 1999 Constitution as Amended, this Court has jurisdiction to hear and

determine any criminal proceedings involving or relating to any penalty, forfeiture, punishment or other liability in respect of an offence committed by any person.

This case was assigned to this Court by the Hon. Chief Judge on 9/11/20 in the absence of a Family Division. I cannot therefore transfer the case back to the Hon. Chief Judge as requested by Learned Senior Counsel.

This application fails and it is refused.

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**HON. JUSTICE U.P. KEKEMEKE**  
**(HON. JUDGE)**  
**24/3/22**