**LEGAL AND REGULATORY ISSUES IN INVESTIGATIVE JOURNALISM IN NIGERIA**

**(Being the Paper delivered by Femi Falana SAN at the Daily Trust Summit at Abuja on April 8, 2019)**

**Introduction**

Since the restoration of democratic rule in May 1999 scores of journalists have been arrested, detained or charged with the contravention of the Official Secrets Act and Cybercrime Act. Others were charged for sedition, forgery, false information under the penal codes. In addition to such official intimidation copies of newspapers and magazines were seized on the streets while a few media houses were invaded by armed troops. Interestingly, majority of the journalists who were victimized by the State have not been accused of shoddy investigation or publishing false or fake news. They have been harassed for writing stories or publishing reports which were alleged to have embarrassed the government or ridiculed certain public officers.

During the last two decades several courts have recorded many libels suits against many media houses which refused to retract and apologise for publications that are said to be libellous.  At the same time a number of frivolous libel suits were also dismissed in favour of some media houses. In examining the legal regulatory issues in investigative journalism in Nigeria we shall review the Code of Ethics for journalists and the provisions of the Constitution on freedom of expression, media laws, penal statutes and Freedom of Information Act which has guaranteed access to information and records of governments in Nigeria.

**The concept of investigative journalism**

According to Wikipaedia, “investigative journalism is a form of [journalism](https://en.wikipedia.org/wiki/Journalism) in which reporters deeply investigate a single topic of interest, such as serious crimes, [political corruption](https://en.wikipedia.org/wiki/Political_corruption), or corporate wrongdoing.” In Nigeria, two online media, Saharareporters and Premium Times have embarked on investigative journalism which has led the government to account to the people by removing some officers and prosecuting others. For example, the report of the Premium times on alleged forgery of NYSC certificate by Mrs Kemi Adeosun, former Minister of Finance was a product of investigative journalism designed to promote public integrity. The investigation embarrassed the Buhari administration as it questioned its anti corruption crusade.

Owing to the possible damage to the image of the regime Mrs. Adeosun was forced her to resign from her appointment. However the publication by the Premium Times of the letter of former Inspector-General of Police, Mr. Idris Ibrahim to Vice President Yemi Osinbajo on the detention of the dismissed boss of a security agency embarrassed the federal government. In order to prove that he did not leak the letter to the media the police boss caused Mr. Samuel Ogundipe who reported the story charged with stealing a copy of the letter. Since the publication was accurate and true the Police had to stop further embarrassment by withdrawing the frivolous charge.

In another development, saharareporters had carried out extensive investigation and published several reports on budget padding, illegal payment of jumbo allowances to legislators and other allegations of massive corruption in the national assembly. Disturbed by the publications the Senate President, Dr. Bukola Saraki filed a libel suit at the high court in Ilorin, Kwara state, asked for damages and an order of perpetual injunction to stop further libelous publication on him by saharareporters. Without affording saharareporters any opportunity to defend the publication the trial judge, Akinpelu J. awarded damages of N4 billion to Dr. Saraki for the alleged libelous publications and granted an order of perpetual injunction to restrain further publication of libelous stories concerning the plaintiff. But the Court of Appeal has since set aside the questionable judgment and the monetary award on the ground that the court processes were not served on the publisher of saharareporters, Mr. Omoyele Sowore.

The recent exposure of judicial corruption in Ghana by an undercover journalist, Mr. Anas Arameyaw Anas, was a product of thorough investigative journalism. Following the publication of the story in the electronic and print media, the Ghana Judicial Service Commission which had always denied allegations of corruption in the judiciary, was compelled to probe the veracity of the allegations. At the end of the inquiry, 22 judges and magistrates who were indicted in the probe were removed from the bench. A couple of months ago, one of the journalist who conducted the investigation was killed in Accra by yet to be identified gang of gunmen.

Here in Nigeria, investigative journalism is not without risks to reporters and media houses. Under the Ibrahim Babangida and Sani Abacha military dictatorship, two journalists namely, Messrs Dele Giwa and Bagauda Kaltho of the Newswatch and News magazines respectively were killed by parcel bombs. In August 2013, the Abuja office of THISDAY newspaper was bombed and destroyed by terrorists while armed soldiers recently invaded the Abuja and Lagos offices of Daily Trust newspaper, arrested its editor and carted away computers. The Presidency had to intervene before the editor regained his liberty from the military custody. While not denying the veracity of the story published by the newspaper the military authorities claimed that the publication had contravened the provisions of the Official Secret Act.

Happily, the courts in Nigeria have always supported investigative journalism. In ***Tarka V Sketch Publishing Company Limited*** [[1]](#footnote-1) the trial judge, Ademola Johnson J. (as he then was) commended the reporters who exposed the corrupt practices of the late Mr. J. S. Tarka, a powerful former Minister under the Yakubu Gowon regime when he said:

***“*The issue of corruption by a public office holder is a matter of public concern and interest and any publication by a newspaper exposing such corrupt public officer is a service to the public and as long as the facts on which comments are based are correctly stated substantially by the newspaper there is a complete defence of fair comment to a libel by such public office holder.**

**The journalistic slogan is ‘Publish and be damned’, but how many practicing journalists have the courage to take up the challenge of the slogan? Where therefore one finds practicing members of the profession like the Editor of the Defendant and his team mates who have the courage to publish and comment on such grave issues of public concern and interest as shown on the relevant page of Ex. 2, they deserve an accolade.”**

In **His Excellency, Peter Ayodele Fayose v Independent Communications Nigeria Limited**[[2]](#footnote-2) the trial court found that the investigation conducted by the respondents into the conduct of the appellant as the Ekiti state governor was thorough. Having failed  woefully to prove that he has any reputation worthy of protection by a competent court of law. Hence, the learned trial judge dismissed the suit in the following words:

***“*I should say here again that the impression which the Plaintiff conveyed when he testified before me was that of one who was palpably averse to the truth. He denied the very obvious and invented fictitious stories which were plainly laughable. ...**

**In conclusion, having considered the evidence and the law, I have come to the conclusion that this action was ill-conceived, all advised, and should not have been filed in the first place. All the Plaintiff’s claims against the Defendants fail. The suit must be, and is accordingly dismissed in its entirety.”**

**Code of Ethics for Nigerian Journalists.**

Journalists in Nigeria are mandatorily required to operate under legal and ethical regulations and standards. In 1998, the Code of Ethics for Nigerian journalist, otherwise known as “The Ilorin Declaration”, was formulated by the Nigerian Union of Journalists, Nigerian Guild of Editors and Newspapers Proprietors Association of Nigeria. The Code was conceived as a vital pillar of journalism and the necessity for the application of ethics to enhance standards. In recognition of the fact that journalism entails a high degree of public interests the Code insists on editorial independence of professional journalists. The duties of journalists include the accuracy of report, respect for the privacy of people, confidentiality of sources of information, prohibition of editorial autonomy for professional journalists. As purveyors of information in the society journalists are duty bound to base their reports on accuracy and fairness, respect the privacy of people, protect the confidentiality of sources of information and refrain from subjecting any person to discriminatory treatment in any report.

Apart from prohibiting journalists from soliciting or accepting bribes, gratifications or patronage to suppress or public news, journalists are enjoined not to present or report acts of violence, such as armed robberies, terrorist activities, vulgar display of wealth in a manner that glorifies such acts in the eyes of public. Under no circumstances should the identity of children under 16 be disclosed in publications. As part of the social responsibility, journalists should promote human rights, democracy, justice, equity, peace and intentional understanding, enhance press freedom and responsibility. Journalists are also required to shun plagiarism and abide by all rules of copyright established by domestic laws and international conventions.

In practice, these lofty objectives have been largely discarded as a result of the privatisation of the media. Since he who pays the piper dictates the tune, editorial policies of media houses are dictated by the publishers or the owners. This explains why majority of media houses reflect the narrow interests of their private proprietors or owners while public media have become the mouth piece of the government of the day. It is public knowledge that many journalists who are not paid their salaries as and when due by media owners usually engage in the criminal practice of soliciting or accepting bribes, gratifications or patronage while stories and news are deliberately suppressed in order not to embarrass media owners, their family members and business associates.

No doubt, the Nigerian Press Council has been charged with the responsibility to monitor the activities of the press with a view to ensuring compliance with the Code of Conduct and ensuring the protection of the rights and privileges of journalists in the lawful performance of their professional duties[[3]](#footnote-3) it has not lived up to expectation.  The Council shall also failed to enquire into complaints about the conduct of the press and impose sanctions in line with the provisions of the Act [[4]](#footnote-4). In fact, the constitutional validity of the Nigerian Press Council Act been challenged by the Newspapers Proprietors Association of Nigeria for restricting the right to freedom of expression guaranteed by Section 39 of the Constitution. See **Mallam Ismaila Isa & Ors v. President of the Federal Republic of Nigeria & Ors.**[[5]](#footnote-5).

In a landmark judgment the Federal High Court struck down many sections of the Act for constituting a bulwark against freedom of expression of opinion, ideas and views whether by individual journalists or by the press contrary to the provisions of Section 39 of the Constitution. Even though the Court of Appeal set aside the judgment on the ground that the Act is either censorial nor restrictive of press freedom the Nigerian Proprietors Association of Nigeria has appealed to the Supreme Court. Meanwhile, the plan by the national assembly to further gag the press through the proposed Nigerian Press Council (Amendment) Bill 2018 has been shelved due to the popular rejection of the move.

**Transparency, accountability and corruption**

Related to the concept of ethical code are the concepts of transparency and accountability. For democracy to work, citizens must have access to information about what their government is doing and how decisions have been reached. Transparency in government means responding to the citizens’ “right to know” through facilitating the access to information and also their understanding of decision-making mechanisms. This can be achieved through accurate, reliable and relevant financial reporting based on published accounts and regular audit reports; freedom of information act which allows access to records of and rationale for decision-making; televised parliamentary debates; etc. Government accountability is facilitated by approaches, mechanisms, and practices to ensure that its activities and outputs meet the intended goals and standards.

The two concepts of transparency and accountability go hand-in-hand since without adequate information on performance, outputs, and justifications it is difficult to hold governments accountable for their actions. Giving account of public resources and policy decisions is an integral part of democracy. Transparency and accountability serve as a check against mismanagement and corruption on the part of public officials. Thus they are pillars of sound governance which is so crucial to winning and maintaining the confidence of citizens, investors, and the international community. The Code of Ethics has imposed duty on Nigerian journalists to promote accountability and transparency.

Under the 1999 Constitution the mass media is required to uphold the fundamental objectives of the State and uphold the responsibility and accountability of the government to the people. But the duty could not be discharged due to denial of access to information on public affairs. In addition to the duty imposed on mass media to promote accountability and transparency the fundamental right of the Nigerian people to freedom of expression has been guaranteed by section 39 of the Constitution and Article 9 of the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act.

Furthermore, under the Electoral Act 2010 the Independent National Electoral Commission is under a legal obligation to publish by displaying at the relevant office or on its website a statement of the full names and addresses of all candidates nominated by political parties [[6]](#footnote-6) and cause to be posted on its notice board and website a notice showing candidates declared or returned at the election and their scores. [[7]](#footnote-7) Access to election materials shall be made available within 7 days upon application by any of the parties to an election petition. Any resident electoral commissioner who withholds election documents commit an offence and is liable on conviction to a maximum fine of Two Million Naira or imprisonment for a term not exceeding 12 months or both.

Under sections 100 and 101 of the Act, provisions are made regarding media time and coverage to be allocated among the political parties and candidates, the use of public media, and prohibition of broadcast at certain hours preceding the election and on election days. Bu in utter breach of the law the media gave undue prominence to the All Progressive Congress and Peoples Democratic Party and discriminated against the so called small parties during the recently concluded 2019 general elections.

Having regards to the provisions of the media laws it is suggested that in the course of investigating stories and compiling reports for publication, journalists and media establishments are enjoined to take cognizance of the other legislations which have restricted freedom of expression including press freedom in Nigeria. Such legislations include the following:

**Official Secrets Act**

The Act protects public safety and prevents the disclosure of public information without authorization by appropriate public officers.

Under the law, the publication of official secrets which are usually marked “secret” attracts a penalty of 14 years imprisonment without any option of fine.

**Cybercrimes (Prohibition, Prevention etc) Act, 2015**

The Act provides an effective, unified and comprehensive   legal, regulatory and institutional framework for the prohibition, prevention, detection, prosecution and punishment of cybercrimes in Nigeria. This act also ensures the protection of critical national information infrastructure, and promotes cybersecurity and the   protection of computer systems and networks, electronic communications, data and computer programs, intellectual property     and   privacy rights.

With respect to cyberstalking , section 24 (1) of the Act provides that “Any person who knowingly or intentionally sends a message or other matter by means of computer systems or network that- (a) is grossly offensive, pornographic or of an indecent, obscene or menacing character or causes any such message or matter to be so sent.” Under the Act it is an offence for any person to use any computer to commit the offences relating to child pornography and publication of obscene information by means of computer systems or network.

**Defamation Laws**

Every person has a right to the protection of their good name, reputation and the estimation which they stand in the society of fellow citizens. Thus, whoever publishes anything injurious to that good name, or reputation commits a tort of libel, if written and slander, if oral. It must be noted that the test in determining whether the words complained of are defamatory is always that of a reasonable person. That is to say, given the environment and the circumstances in which the statements were made and published what would be the interpretation and understanding of a person of ordinary understanding. See **Ekong v. Otup**[[8]](#footnote-8) **Sketch Publishing Company Ltd. & Anor v. Alhaji Azeez  Ajagbemokeferi** [[9]](#footnote-9)

No matter how defamatory a publication is justification is a complete defence. Other defences include fair comment and qualified privilege. But falsehood and express malice may destroy the defence of qualified privilege. If there is no defence to a defamatory statement, a trial court may award general, punitive or exemplary damages. On account of the class character of the law of tort, a court will consider the injury done to the feelings of the person defamed, the grief and distress caused by the publication, the position of the person defamed in life and the natural indignation of the court to the injury inflicted by the statement in the assessment of damages.

**Penal and Criminal Codes**

The Criminal Code and Penal Code which are applicable in the southern and northern zones of the country have criminalized sedition and the importation of seditious or undesirable publications, publication of libel concerning public officers, publication of false news and incitement. Since the Court of Appeal held in **Nwankwo v The State** that public officers lack the **vires** to use the machinery of the State to harass or intimidate their political opponents it is submitted that criminal libel, like sedition, has become illegal under the current political dispensation.

**Child’s Rights Act**

The right of every child to privacy and family life is guaranteed by section 8 of the Act. To protect children from immoral influence section 35 of the Act has prohibited the importation and publication of obscene and harmful materials. Accordingly, any who‐ (a) prints, publishes, sells or lets on hire any harmful publication; or (b) has in his possession for the purpose of selling, or letting on hire any harmful publication, commits an offence and is liable on conviction to a fine of fifty thousand naira or imprisonment for a term of five years or to both such fine and imprisonment.

**National Broadcasting Commission Act**

The Act has established the National Broadcasting Commission with the responsibilities of, amongst other things, regulating and controlling the broadcasting Industry in Nigeria and advising the federal government, on the implementation of the National Mass Communication Policy, with particular reference to broadcasting, as well as licensing Cable, DTH, and all terrestrial radio and television services.

The Commission is also responsible for undertaking research and development in the broadcast industry, upholding the principles of equity and fairness in broadcasting and establishing and disseminating a national broadcasting code while also setting standards with regards to the contents and quality of materials broadcast. Of recent, the Commission has closed down some radio stations, imposed fines and banned other from playing records on the grounds that they contain vulgar messages.

**The Nigerian Copyright Act**

The Act provides protection for literary, artistic, and musical works, cinematography, sound recording and broadcasting in Nigeria against unauthorized use by any person or organization. The provisions of the Act are enforced by the Nigerian Copyright Commission, a parastatal of the federal government.

**National Film and Video Censors Board Act**

The Act has established the National Film Video Censors Board to regulate the censorship and public exhibition of films and video works and matters connected therewith. It shall be the duty of the Board-   (a)  to licence-  (i) a person to exhibit films and video works; (ii) a premises for the purposes of exhibiting films and video works; (b) to censor films and video works;  (c)  to regulate and prescribe safety precautions to be observed in licensed premises; (d) to regulate and control cinematographic exhibitions; and (e) to perform such other functions as are necessary or expedient for the full discharge of all or any of the functions conferred on it by this Act.

It is indisputable that majority of the films and video works shown by television stations in the country obscene and harmful contents. Having regards to the duty imposed on the government to promote public morality it is doubtful if the Board appreciates the enormity of the responsibility imposed on it by the law and the Constitution.

**Right of citizens to acees information on public affairs**

The colonial regime did not recognize the fundamental right of the Nigerian people to freedom of expression.  In particular, divulging of information about the government was a serious criminal offence under the ***Official Secrets Ordinance****.* It attracted 14 years imprisonment without an option of fine. The making of seditious statement or publication was also a crime under the Criminal Code Ordinance. Indeed, truth was not a defence or justification to the charge of sedition. Both repressive laws were regularly applied to deny Nigerians access to vital information on the ruthless exploitation of the resources of the country by the colonial plunderers and their allies. The leading cadres of the Zikist Movement were convicted in the 1940s for sedition for calling for a socialist revolution in Nigeria. The patriots were put away to prevent them from sharing information with Nigerians on the need to shake off the yoke of imperialism.

The situation did not change when the country gained political independence from the British colonial regime in 1960. Even though a bill of rights was contained in the Constitution the right of Nigerians to access information was not recognized. In **Dr Chike Obi v Director of Public Prosecutions**[[10]](#footnote-10)  the appellant who was then a leader of a minority party in the House of Representatives had issued a pamphlet wherein he had condemned “the enemies of the people, the exploiters of the weak and the oppressors of the poor”. He was charged with sedition and convicted. He appealed against the judgment. In dismissing the appeal the federal supreme court upheld the conviction. According to Chief Justice Adetokunbo Ademola:

**“A person has a right to discuss any grievance or criticize, canvass and censure the acts of Government and their public policy. He may even do this with a view to affecting a change in the party in power or to call attention to the weakness of a Government, so long as he keeps within the limits of fair criticism. It is clearly constitutional by means of fair argument to criticize the Government of the day. What is not permitted is to criticize the Government in a malignant manner as described above, for such attacks by their nature, tend to affect the public peace.”**

Incidentally, the military adventurers who seized pwer in January 1966 promised to fight corruption. But they turned round to  put fundamental rights including freedom of expression in abeyance and enacted obnoxious decrees to deny Nigerians access to information. Newspaper houses were shut down at will while journalists and public commentators were detained under preventive detention decrees. In the second republic the Court of Appeal had an opportunity to review the reactionary judgment of **Chike Obi v DPP**in  the celebrated case of ***Arthur Nwankwo v. The State*** [[11]](#footnote-11). While quashing the conviction and one year sentence imposed on the appellant for sedition for publishing unauthorized public documents the Court of Appeal declared the provisions of the Criminal Code on sedition illegal and unconstitutional as they violated section 36 of the 1979 Constitution which had guaranteed the freedom of expression.  According to Olatawura JCA (as he then was):

**“Those who occupy sensitive posts must be prepared to face public criticisms in respect of their office so as to ensure that they are accountable to the electorate. They should not be made to feel they live in an Ivory Tower and therefore belong to a different class. They must develop thick skin and where possible plug their ears with cotton wool if they feel too sensitive or irascible. They are within their constitutional rights to sue for defamation but they should not use the machinery of government to invoke criminal proceedings to gag their opponents as the freedom of speech guaranteed by our constitution will be meaningless.”**

On the authority of **Nwankwo v The State** it is submitted that all the provisions relating to sedition and criminal libel in both Criminal and Penal Codes are inconsistent with sections 39 of the 1099 Constitution. To the extent of such inconsistency the said provisions are illegal and they ought to be repealed without any further delay. Therefore, public officers who feel offended by any defamatory statement should sue for either libel or slander as it has become illegal to use the instrumentality of the State to charge media organizations and journalists with any offence under any of the anti media criminal legislations.

**Basic provisions of the Freedom of Information Act, 2011**

The Freedom of Information Bill was submitted to the National Assembly in July 1999. It was passed by both Chambers of the National Assembly in 2007 but vetoed by President Olusegun Obasanjo. However, when it was again passed in 2011, President Goodluck Jonathan signed it into law. The essence of the law is to open up the government to the people, promote transparency and accountability in public life. Thus, the law has recognized the right of every citizen to access to any record under the control of the government or public institution. The law is also applicable to private institutions which utilize public funds, perform public functions or provide basic services. Private organizations like telecommunication companies and other public quoted companies fall into this category. Religions bodies and media houses may also be asked to disclose information with respect to funds collected from men and women of questionable character in the society.

The law requires public officers to keep the records of the government which shall be made available upon demand by interested members of the public including the media. Gone are the days when civil servants could refuse to disclose information to the public. The reason for demand for information is immaterial. The Official Secrets Act and other anti media legislations cannot be invoked to prevent the disclosure of official information. This is the purport of section 2(b) of the FOIA which has guaranteed access to official information notwithstanding anything contained in other law or regulation.

Upon the receipt of a written request the information shall be provided within seven days. Where information is withheld it shall be communicated to the applicant within 7 days and he shall be informed that he has a right to challenge the refusal in court. An application for mandamus to compel disclosure shall be heard summarily to prevent delay. An applicant who has been denied access to requested information is at liberty to apply to the Court for a review of the matter within 30 days after the denial. There are adequate provisions for the information needs of illiterate and physically challenged people to access information. It is also important to note that the law has made provisions for the protection for whistle blowers.

**Penalties for violation**

If it is proved that information has been altered or destroyed by a public officer or any person he shall be liable to be tried and if convicted he shall be sentenced to 1 year imprisonment. However, sections 29 and 30 have provided immunity for public officers from civil or criminal prosecution for disclosing information without authorization.

**Exceptions:**

The exception to the FOIA includes information that could compromise national security, the conduct of international affairs, records that could expose trade secrets, test questions, architectural engineering designs, research materials under preparation, legal practitioner – client relationship, health worker – patient relationship and journalists’ confidential source of information. The disclosure of personal information is also exempted except where the person involved agrees to its disclosure or where the information is already publicly available, or where the disclosure is in the public interest. For instance members of the public are empowered by the Electoral Act 2010 to seek information with respect to nomination forms submitted by candidates who are contesting elections in Nigeria.

**Media parade and trial  of criminal suspects**

The practice of subjecting criminal suspects to media parade and trial before arraignment in court is an infringement of the fundamental rights of such suspects to fair hearing and dignity. Although the courts have repeatedly cautioned all law enforcement agencies in Nigeria to desist from parading criminal suspects before the media the practice has continued in a manner which smacks of official impunity. Perhaps out of ignorance, the members of the media attend such illegal parade and media trial of criminal suspects. In fact, journalists participate in the mock trial by subjecting the suspects to cross examination. In the process, the process makes incriminating statements which are recklessly published in the electronic and print media. In reviewing the impact of media trial and parade of criminal suspects we shall examine the relevant provisions of the law and decided cases on the matter.

Notwithstanding that such media parade is prejudicial to the fundamental right of criminal suspects to fair hearing the police and other law enforcement agencies have not stopped it because it is part of the humiliation of lowly placed citizens. Hence, while it is not unusual to parade poor criminal suspects who are accused of stealing handsets whose value is less than N10,000 it is **infra dignitate** to parade rich and powerful criminal suspects who loot the treasury to the tune of several billions of Naira.  Since ours is a class society the humiliating treatment of criminal suspects is limited to the flotsam and the jetsam. Hence, ex-governors, ministers, permanent secretaries, military and other Very Important Personalities who are arrested and briefly detained by the police and the anti-graft agencies are not exposed to media parade or any form of humiliation.

It is sad to note that the Police and the media have continued to disregard Section 8(1) (a) & (b) of Administration of Criminal Justice Act, 2015 which provides that every accused person shall be accorded humane treatment, having regard to his right to the dignity of his person; and not be subjected to any form of torture, cruel, inhuman or degrading treatment. Happily, section 2 (xi) of the Anti Torture Act, 2017 has made the media parade of criminal suspects a criminal offence in any part of Nigeria. Media houses and journalists should therefore note that it has become a criminal offence to join the police and other law enforcement agencies in inflicting torture on criminal suspects by subjecting them to media parade and trial.

**Conclusion**

From the foregoing, the professional bodies in the media have a duty to ensure compliance with the Code of Ethics for Nigerian journalist. Even though the media fought for the enactment of the Freedom of Information Nigerian journalists and media establishments have not taken advantage of the provisions of the law to improve the quality of investigative journalism in the country. It is interesting to note that the online publications and other social media have successfully challenged the suppression of news and information by the mainstream media set up by the ruling class to defend the status quo. However, to halt the publication of fake news the social media ought to be regulated. In exercise eof the fundamental right of Nigerian journalist to freedom of expression the media professional organisations and other relevant stakeholders should mobilise the national assembly to embark on an urgent decriminalisation of media legislations and regulations in the country.

1. Nigerian Law of Libel and the Press by Chief Gani Fawehinmi, Nigerian Law Publications Limited, 1987, 448 [↑](#footnote-ref-1)
2. Unreported Suit No: HAD/116/2008 [↑](#footnote-ref-2)
3. Section 3 [↑](#footnote-ref-3)
4. Ibid, section  20 [↑](#footnote-ref-4)
5. 2009-2010 CHR 166 [↑](#footnote-ref-5)
6. Section 34 [↑](#footnote-ref-6)
7. Section 71 [↑](#footnote-ref-7)
8. (2015) 20 WRN 1 [↑](#footnote-ref-8)
9. (1989) 1 NWLR (PT 100) 678. [↑](#footnote-ref-9)
10. (1961) ANLR 186 [↑](#footnote-ref-10)
11. (1985) 6 NCLR 228 AT 252 [↑](#footnote-ref-11)