



Legal Update: Court of Appeal Strikes Down Unfair Employment Practices in Nigeria's Police Force

In a landmark move against discrimination, the Court of Appeal recently invalidated Regulation 127 of the Nigeria Police Regulations. This regulation mandated the dismissal of unmarried policewomen who became pregnant while in service. This judgment represents a crucial victory for gender equality and the protection of labour rights within Nigeria.

Background and Context

The legal dispute commenced following the dismissal of Corporal Omolola Olajide from the Nigerian Police Force for being pregnant while unmarried. This dismissal ignited a legal battle led

by the Nigeria Bar Association (NBA) asserting that these regulations infringed upon constitutional rights to privacy and freedom from discrimination.

The Federal High Court initially upheld the regulations, citing that they were part of the agreed conditions of service. However, the NBA appealed this decision, leading to a landmark judgment by the Court of Appeal.

Court of Appeal's Decision

In the case (Appeal No.: CA/ABJ/CV/454/2022; Incorporated Trustees of the Nigeria Bar Association (NBA) v. AGF and 2 Others), the Court of Appeal



unanimously overturned the Federal High Court’s decision, ruling that the contested regulations were unconstitutional. The appellate court held that these regulations unfairly targeted unmarried policewomen and imposed conditions that were not equally applied to male counterparts, thereby signifying a discriminatory workplace environment.

Wider Implications of the Decision

This landmark decision is not merely a triumph for the affected policewomen but also sets a precedent that may reshape employment policies across multiple sectors in Nigeria:

- **Equality at Work:**

The decision reinforces the principle that employment conditions must be uniformly applied, irrespective of gender or marital status, underlining the unacceptability of discriminatory practices.

- **Policy Revisions:**

The decision calls for a comprehensive overhaul of employment regulations within public sectors, aiming to eliminate discrimination and realign with both constitutional and international human rights standards.

- **Protection of Privacy:**

It also highlights the importance of protecting individual privacy rights, ensuring that personal life choices do not lead to professional penalties.

What Employers Need to Know

The Court of Appeal’s decision marks a significant stride towards fostering an inclusive and equitable working environment in Nigeria. It emphasizes the judiciary’s vital role in defending constitutional rights and promoting equality.

For employers and organizations, this decision highlights the need to review and update employment policies to align with legal anti-discrimination standards. SimmonsCooper Partners remains committed to providing strategic legal guidance to help you adapt to these changes and ensure your employment practices are compliant.

Reach Out for Expert Legal Guidance

For a more detailed analysis or to discuss how this decision might impact your organization, please contact SimmonsCooper Partners at info@scp-law.com or visit our website at www.scp-law.com. Our experts are equipped to assist you in navigating these legal developments.