

## **Whether Constant Physical, Emotional And Psychological Violence On A Woman By Her Husband Is A Ground For Dissolution Of Marriage**

**Ibe v. Ibe Pet. No. 176/18**

### **Facts of the Case**

Mrs. I and Mr. I contracted a court marriage on November 13, 2014. The union produced no offspring. From approximately three weeks into the marriage till October 2016 when she was forced to eventually leave the matrimonial home, Mr. I would return home in a drunken state, descend on his wife and beat her into unconsciousness. Mr. I would subject Mrs. I to emotional and verbal attacks, deny her any care or affection and gamble away his earnings. He was also unfaithful to her, frequently flirting with other women and committing adultery. When Mrs. I could no longer tolerate his constant cruelty, physical and emotional assault, unfaithfulness, lack of care and irresponsible behaviour, she reported to Lawyers Alert. Lawyers Alert then invited the couple to its office to attempt a reconciliation. The process proved futile. Both insisted on a dissolution of their marriage. Consequently, Mrs. I instructed Lawyers Alert to file a petition to court for divorce. On April 4, 2018, Mrs. I's Petition was filed at the FCT High Court in Maitama. Lawyers Alert represented her in court until the matter came to an end. Lawyers Alert saw the matter to a good conclusion as the marriage was dissolved based on violence.

### **Facts of the Case**

Chioma Ibe and Ikechukwu Ibe contracted a court marriage on November 13, 2014. The union produced no offspring. From approximately three weeks into the marriage till October 2016 when she, Chioma Ibe, was forced to eventually leave the matrimonial home, Ikechukwu Ibe, her husband, would return home in a drunken

state, descend on his wife and beat her into unconsciousness.

He would subject her to emotional and verbal attacks, deny her any care or affection and gamble away his earnings. He was also unfaithful to her, frequently flirting with other women and committing adultery. When Chioma could no longer tolerate his constant cruelty, physical and emotional assault, unfaithfulness, lack of care and irresponsible behaviour, she reported to Lawyers Alert. Lawyers Alert then invited the couple to its offices to attempt a reconciliation. The process proved futile. Both insisted on a dissolution of their marriage.

Consequently, Chioma instructed Lawyers Alert to petition the court for divorce. On April 4, 2018, Chioma Ibe's Petition was filed at the Maitama High Court. Lawyers Alert represented her in court until the matter came to an end. Lawyers Alert saw the matter to a good conclusion with it going in our favour. The marriage was dissolved based on violence.

## **Facts of the Case**

### **Jennifer Nwaogwugwu V Augustin Ewuzie**

The petitioner who was a spinster met her husband Mr. Okechukwu Nwanko, after which they courted for 6 years. The couple lived together for a couple of years until issues from childlessness arose, which led to their separation. Ms. Jennifer went on after some time to date Mr. Augustine Ewuzie. The duo courted for some time and got married. The couple lived together in Lugbe, Abuja. Everything was going well until Ms. Jennifer started receiving beatings from Mr. Augustine. He battered her countless times and also put her in a state of coma a few times. Even after the couple welcomed their son, Mr. Augustine did not stop using Ms. Jennifer as a punching bag. She on one occasion after recovering from a severe beating from her

husband, ran to a police station where she was directed to Lawyers Alert. On getting to Lawyers Alert, the matter was reported to the Gender Unit of the Nigeria Police Force where the man was invited for interrogations. On getting to the station, he was armed with a dagger, ready to kill his wife. Fortunately, the police quickly got hold of him and detained him. He was released after some weeks. Lawyers Alert took over the civil aspect of the case and instituted an action against Mr. Augustine at FCT High Court, Maitama.

The case is ongoing and in the stage of hearing.

## **Facts of the Case**

### **Enyiaka V Enyiaka**

A case of domestic violence from a husband to his wife, and an abuse of a wife's human rights. Mrs. Enyiaka was a spinster when he met her husband, Mr. Enyiaka. Both got married under statutory marriage. Although after the marriage, everything was not going so well, but the petitioner felt those problems that she encountered were normal with marriage. As time progressed, the relationship between the couple got worse, as Mrs. Enyiaka received beatings from her husband at every opportunity. He locked her outside their living home a couple of times, stripped her naked in the public in few occasions, had extra marital affairs with other people, never supported the family financially. Even after they had kids, this treatment continued and one day, he beat her mercilessly and damaged one of her eyes. Mrs. Enyiaka sought for help and someone directed her to Lawyers Alert. Lawyers Alert after some efforts to reconcile the couple but Mr. Enyiaka resisted, instituted an action in Kwali High Court seeking dissolution of marriage, at the instance of the petitioner and the Respondent who willingly refused reconciliation and sought for divorce.

The matter is ongoing at Kwali High Court. Updates on the case will be made, as they emerge.

## **Facts of the Case**

### **Ehis Ehis**

A case of domestic, emotional, economic and psychological abuse of woman by her husband. Mrs. Ehis, married to her husband Mr. Ehis according to the laws of the land. Both have lived together for more than five years. Mr. Ehis would always subject Mrs. Ehis to his wishes and commands, even to the detriment of her sanity. He never allows her go out or have friends. He never allows her visit her family. He allowed her make calls to anyone just when and whom he wanted her to make calls to. A few times, under his surveillance, she made calls not past one minute to her family. Above all, he embarrassed and abused her (physically and verbally) every single time in public and at home. He battered her even the times she was pregnant. Accused her of stealing a few times. Mrs. Ehis lost confidence, lost mental wellness and happiness. Countless times, he hit her with hoe and other sharp objects. Mrs. Ehis one day packed her belongings and ran away after he threaten and infact, promised her death upon his arrival from where he was headed to. She thereafter, made up he mind that she was not going ahead with her marriage to Mr. Ehis. Mrs. Ehis approached Lawyers Alert with her pathetic story and pictures of her in severe conditions after Mr. Ehis beat her. Lawyers Alert tried to reach out to Mr. Ehis for settlement, Mrs. Ehis insisted that her husband would never repent, and that her mind was made up to leave the marriage since God saw her through her escape. Lawyers Alert thereafter instituted an action for dissolution of marriage at Masaka High Court. The matter has been filed, but no date has been given yet. Updates on this case will be made, just as they emerge.

## **Update**

The court gave part judgment for the dissolution of the marriage contracted under customary law between the husband and wife. Besides, the court ordered it's bailiff to accompany the partitioner to her former matrimonial home to retrieve all property belonging to her. As its stands, the court is only proceeding with the issue of custody and some other property which ownership the respondent has indicated interest to contest.

The case has been further adjourned to the 25<sup>th</sup> of February 2021 for the partitioner to lead evidence as to the other release.



Lawyers Alert