

**Whether the University of Agriculture Makurdi Clinic's Act of Refusing to Administer Medical Treatment to The Victims of The Accident on Campus for The Reason That They Were Unable to Produce The 1<sup>st</sup> Respondent's Identity Cards, Leading to The Death of Some of Them, Contravenes Section 20 Of the National Health Act, 2014.**

There was an accident on the 15<sup>th</sup> day of August 2018 at the premises of the federal university of agriculture Makurdi. Five students of the institution were badly injured and one died on the spot. The injured students were immediately rushed to the University Clinic for treatment. At the clinic the students who were at critical conditions were asked to present their school identity cards before they could access any of the clinic's services. Even though some of the injured students had their Identity cards on them at the time, they could not even respond to the demand being made of them due to their critical conditions. The students who were present at the University clinic at that time protested the demand and the clinic's insistent. The persistent refusal and/or neglect by the University Clinic personnel to treat the injured students without identity cards led to an alleged violent demonstration by students of the Federal University of Agriculture which resulted into the alleged destruction of some properties. The students went on protests when they discovered that some of the rescued accident victims lost their lives owing to neglect on the part of the health personnel of the clinic on account of non-presentation of school's identity cards. The students who could not stand the loss of their fellow students spontaneously swung into action by means of violence. The University management reacted to the resort to violence by closing down the university indefinitely. The Respondents also ordered students to vacate the campus. The Respondents further met and resolved that all the students should pay the sum of N10, 000.00(Ten Thousand Naira) each as fine before each can be admitted back on campus. Eligibility to participate in the school's examinations was made conditional on the payment of the fine.

Lawyers Alert filed a fundamental human right action against the federal university of Agriculture Makurdi and the vice chancellor Federal University of Agriculture on the 26<sup>th</sup> of March, 2019 at the Federal High Court. Among the issues to be determined by the court is whether the 1<sup>st</sup> Respondent's clinic's act of refusing to administer medical treatment to the victims of the accident on campus for the reason that they were unable to produce the 1<sup>st</sup> Respondent's identity cards, leading to the death of some of them, contravenes **section 20 of the National Health Act, 2014** and amounts to a serious violation of the

students' rights to medical care and to life as enshrined in the Constitution of the Federal republic of Nigeria, 1999.

Processes have been filed by both parties and the matter is adjourned to October 21<sup>st</sup> 2020.

On the adjourned day, the court requested that counsel address her on the issue of jurisdiction. The matter was adjourned to the 7<sup>th</sup> day December 2020 to enable counsel prepare and file written affidavit. The written addresses have been adopted as counsel argument in favor of the court having jurisdiction to entertain the matter. Case adjourned to the 15<sup>th</sup> December 2020

**Case Update:**

The matter came up for ruling on the 21st day of January 2021. At the last adjourned date counsel to parties addressed the court on whether the Federal High court has jurisdiction; which is a prerequisite to the continuation of the suit. The Judge in her ruling analysed the fact of the case and relief sought while making reference to judicial authorities. It was ruled that the court does not have jurisdiction over the suit. Therefore, the matter was struck out for want of jurisdiction.