Court orders reinstatement of dismissed whistle blower

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Awards N5m damages  
  
Justice S. A. Yelwa of the National Industrial Court, Lagos has ordered the immediate reinstatement of a registered nurse, Thomas Abiodun Olamide who was unjustly dismissed from her appointment by the Ogun State College of Health Technology as a staff nurse in 2023 for her whistleblowing activities.  
  
Justice Yelwa made the order on Thursday while delivering judgment in the land-mark whistle blowing protection case.  
  
Following her dismissal, Olamide through her lawyer, Timothy Adewale in Suit No: NICN/LA/125/2023 sued the College and the Ogun State Attorney General and prayed the court to declare her dismissal and termination as unjust, null and void.  
  
She also asked the court to set aside her termination and dismissal.  
  
In his judgment, Justice Yelwa declared that the termination of Olamide’s employment for her whistle blowing role is unlawful, unjust and unfair.  
  
The judge ordered her immediate reinstatement to her employment.  
  
The court also ordered the defendants to pay forthwith to Olamide all her outstanding salaries, allowances and entitlements due to her from the date of her suspension and subsequent termination up until the date of her reinstatement.  
  
The court, in addition, ordered a compensation of N5million to be paid to her as damages.  
  
Olamide had during her employment, reported acts of stealing of quality drugs supplied to the clinic where she worked, stealing of the electricity generating set supplied to the clinic and also foiled attempts to cover a case of rape of a nursing student by a senior official of the college thereby leading to the official’s prosecution.  
  
Her whistle blowing activities were seen by the college as lack of submission to constituted authority and thus her dismissal from the college.  
  
In his judgment, Justice Yelwa found Olamide to be a whistle blower who is entitled to protection against the acts of victimisation, harassment and intimidation by the defendants and that the termination of her appointment for whistle blowing activity is unfair and unequitable.  
  
The trial judge said that the court would not fold its hands or close its eyes as a court of law and equity.  
  
In his reaction, Timothy Adewale, who was lead counsel to Olamide said: “We welcome this judgment wholeheartedly as it focuses attention on the need for whistle blowers to be protected by the Court.  
  
“We thank Almighty God and we thank the court for not shying away from expanding and espousing the frontiers of our labour and employment law.  
  
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“Our law must move forward and meet the yearnings of the 21st century. Nigeria cannot be left behind.” Adewale noted that Nigeria has ratified many of the core ILO Conventions including the convention on the termination of Employment No 158 of 1982 which the court applied that requires utmost fairness on the part of the employer and commended the judge for the applications of these conventions, international best standards and the Acts establishing the court in arriving at this landmark decision.  
  
Adewale said “this judgment is truly a watershed moment in the annals of history of the Nigerian labour and employment law where it is widely believed that an employer can hire and fire an employee for whatever reasons and that a civil servant not yet confirmed can be fired for whatever reason.  
  
“A courageous and forward-looking Judge has shown today that the law must be equitably and justly applied to meet the yearnings of true justice.  
  
“Society evolves and so must the law. The law cannot stand in one place”, he stated.  
  
SignedTimothy Oreofe Adewale EsqManaging PartnerAdewale & Adewale Legal Practitioners28/08/2025Lagos, Nigeria Emails: 08067585511, 08062733643.