

The Honourable Minister of Education,  
Federal Ministry of Education,  
Federal Secretariat Complex,  
Phase III,  
Shehu Shagari Way,  
Abuja.

**SUBMISSION OF THE REPORT OF THE 2011-2015 VISITATION PANEL TO THE UNIVERSITY OF PORT HARCOURT**

The Honourable Minister may recall the approval by the President of the Federal Republic of Nigeria and Visitor to the University of Port Harcourt, for the constitution of a Visitation Panel to undertake a comprehensive review of the activities of the University for the period 2011-2015

Consequently, the Honourable Minister of Education, Mallam Adamu Adamu, inaugurated the Panel on Tuesday, 13<sup>th</sup> of April, 2021 and the Panel was given 60 days to submit its report. During the inauguration, the Honourable Minister delivered an address where he spelt out the Terms of Reference of the Panel and enjoined members to ensure they deliver on their mandate (Appendix 1).

The Panel held its inaugural meeting where it drew up a work plan. The Panel had interactions with several stakeholders in the course of the assignment.

On behalf of all members of the Panel, I am pleased to submit to you ten (10) hard copies of Volume I, which deals with the Terms of Reference; and two (2) sets of Volumes II, which contains the Appendices.

The Panel wishes to thank Mr. President, the Honourable Minister of Education and the National Universities Commission for giving us the opportunity to serve the Nation in this capacity.

**Professor Auwalu H. Yadudu**

*Chairman of Panel*

## LIST OF VISITATION PANEL MEMBERS

- a) Professor Auwalu H. Yadudu .....  
*Chairman*
  
- b) Engr. Anietie O. Ekpenyong .....  
*Member*
  
- c) Professor O. Aku Timothy Namu .....  
*Member*
  
- d) Mrs. Adedoyin Rhodes-Vivour, SAN .....  
*Member*
  
- e) Ibrahim Zailani, Esq .....  
*Member*
  
- f) Mrs. Edith Nkemnachem Ugwoke .....  
*Member*
  
- g) Paschal A. Eruaga, Esq .....  
*Secretary*

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## ACRONYMS

1. ACE-----Africa Centre of Excellence
2. ASUU-----Academic Staff Union of Universities
3. CEREMAD-----Centre for Research Management and Development
4. CEREM-----Centre for Research Management
5. CORDEC -----Consultancy, Research and Development Company
6. CSO-----Chief Security Officer
7. DE-----Direct Entry
8. DPPD-----Directorate of Physical Planning and Development
9. DVC -----Deputy Vice-Chancellor
- 10.FME-----Federal Ministry of Education
- 11.GAS -----Gradual Annual Scientist
- 12.GAS -----Graduate Annual Scientist
- 13.ICT -----Information and Computer Technology
- 14.IGR-----Internally Generated Revenue
- 15.IPPIS -----Integrated Payroll and Personnel Information System
- 16.JAMB -----Joint Admissions and Matriculation Board
- 17.NAAT-----National Association of Academic Technologists
- 18.NASU-----Non-Academic Staff Union
- 19.NCC -----National Communications Commission
- 20.NDDC -----Niger Delta Development Commission
- 21.NITDA -----National Information Technology Development Agency
- 22.NRF -----National Research Fund
- 23.NUC-----National Universities Commission
- 24.PENCOM -----Pension Company
- 25.SDRMC -----Students Disciplinary and Related Matters Committee
- 26.SSANU-----Senior Staff Association of Nigerian Universities
- 27.STADU -----Staff Training and Development Unit
- 28.STD -----Staff Training and Development
- 29.TETFund-----Tertiary Education Trust Fund
- 30.TOR-----Terms of Reference
- 31.UTME -----Unified Tertiary Matriculation Examination

**APPRECIATION:**

The members of this Visitation Panel express their profound appreciation to Mr. President, Muhammadu Buhari GCFR, Commander in Chief of the Armed Forces, Federal Republic of Nigeria, Mallam Adamu Adamu, Honourable Minister of Education and Prof. Abubakar A. Rasheed, Executive Secretary of National Universities Commission for the opportunity to serve.

## 2011-2015

### LIST OF APPENDICES ATTACHED TO THE REPORT

S/N	AUTHOR/DESCRIPTION	APPENDIX NUMBER IN ORDER OF REFERENCE
1	Inaugural address of the Honourable Minister of Education at the inauguration ceremony on Tuesday 13 <sup>th</sup> April, 2021	Appendix 1
2	Letters of appointment of members of the Visitation Panel to the University of Port Harcourt	Appendix 2A-2G
3	Visitation Panel to the University of Port Harcourt: Call for Memoranda	Appendix 3
4	Minutes of the 135 <sup>th</sup> & 136 <sup>th</sup> Meetings of Council held on the 24 <sup>th</sup> of August, 2012 and 24 <sup>th</sup> of October 2012 respectively	Appendix 4A & 4B
5	Document from Management titled 'Attachment 19' stating level of implementation of the Visitation Panel Report of 2004-2010	Appendix 5
6	Documents showing payment of compensation to members of the host communities	Appendix 6A-6E
7	My Vision and Mission Statement of Prof. Ndowa E.S. Lale on assumption as Vice-Chancellor of Uniport	Appendix 7
8	Report of Financial Resources of UNIPORT for the period 2011-2015 presented by the Bursar	Appendix 8
9	Petition from Comrade Francis Nwigonee on double deduction of pension from his salary	Appendix 9
10	Projects executed in the University from 2011-2015	Appendix 10

11	Details of procurement of Four-Wheel Drive Hilux Van in October 2015	Appendix 11
12	Report from the Legal Unit on cases involving the University including staff who sued the University	Appendix 12A & 12B
13	Minutes of the 140 <sup>th</sup> meeting of Council on 5 <sup>th</sup> & 6 <sup>th</sup> August 2013	Appendix 13
14	Regulations Governing Staff Conditions of Service September, 2015	Appendix 14
15	Master plan of the University showing areas of encroachment	Appendix 15
16	Memoranda from Host Communities	Appendix 16A-16F
17	Report on Student Disciplinary cases for the period 2011-2015	Appendix 17A-17I



## **EXECUTIVE SUMMARY**

By the provisions of section 4, sub-section (j) of the National Universities Commission Act Cap N81, Laws of the Federation of Nigeria 2004, the President, Commander-in-Chief of the Armed Forces, Federal Republic of Nigeria, Muhammadu Buhari, GCFR, as the Visitor to Federal Universities, appointed a 7-man Visitation Panel to the University of Port Harcourt to undertake a comprehensive review of the activities of the University for the period 2011-2015. The Panel was inaugurated on 13<sup>th</sup> April, 2021.

The activities of the Visitation Panel included Call for memoranda, courtesy visits, meetings, inspection of facilities, review of records and submissions.

Some of the key findings of the Panel are as follows:

- i) The University has implemented 78% of the accepted recommendations of the White Paper on the last Visitation Report for the period 2004-2010.
- ii) The University had a good, responsible and effective Governing Council with clear focus, which impacted positively on the growth and development of the University over the years.
- iii) It had good relationship with friends and partners and this attracted donations to the institution.
- iv) The University showed compliance to statutory provisions and application of funds generated by the University.
- v) The Panel found that during the period 2011-2015, payment of compensation to the Host Communities for crops and economic trees amounted to N35,209,436.85 (Thirty-Five Million, Two Hundred and Nine Thousand, Four Hundred and Thirty-Six Naira, Eighty-Five Kobo only).

These payments were made after long agitation and acceptance had to be made before the University was allowed to embark on the construction of new projects. These continuous demands for compensation before projects were allowed to be executed impacted heavily on the cost of projects

- vi) The Panel noted that the Physical Planning Unit had an excellent method of keeping records. Detailed records of projects executed in the University from 2011-2015 were also provided. This was in contrast with the document presented by the TETFund Unit. Available TETFund records indicate that there is a disconnect between these two Units
- vii) The facilities are overwhelmed by the explosion of student population over the years
- viii) Majority of the academic departments were understaffed, there is the urgent need to employ more academic staff for effective service delivery
- ix) Majority of the Departments were bottom-heavy, thereby upsetting the NUC -approved staff structure of 20:35:45 in terms of Professors: Senior Lecturers and Other cadres 1 below respectively. The University should ensure this imbalance is urgently addressed
- x) The University's relationship with other agencies was cordial and the University is enjoined to sustain this.
- xi) There was a reduction in the number of court cases involving the University during the period.
- xii) Government has not paid compensation for the land acquired for the establishment of the University in 1975. This has heightened tension between the University and its host communities and hindered planned development in the University due to encroachment by the host communities.
- xiii) There were several security challenges in the University during the period, including cases of armed robbery, murder, cultism and violent attack of staff and students.

The Panel believes that the University has made giant strides in the past and there is the need to consolidate on the gains of the past to move the University towards becoming an entrepreneurial university that it prides itself. Specific recommendations made in the Main Report include the need to settle issues relating to payment of compensation on land acquired by Government for the establishment of the University, review of internal control mechanisms for execution of projects by TETFund to ensure value for money and imbuing a maintenance culture for facilities in the University.

# CHAPTER 1

## INTRODUCTION

### 1.1 Inauguration of Visitation Panel

The Visitation Panels for all Federal Universities and Inter-University Centres, including the University of Port Harcourt, were inaugurated by the Honourable Minister of Education, Mallam Adamu Adamu, on Tuesday 13 April, 2021 at the National Universities Commission (NUC) Auditorium, Abuja. The Panel was given 60 days from 13<sup>th</sup> April, 2021 to complete its assignment.

### 1.2 Reporting Period

The Report covers the period 2011-2015

### 1.3 Terms of Reference of Visitation Panel to University of Port Harcourt

The Terms of Reference of the Visitation Panel are as follows:

- i. To inquire into the level of implementation of the White Paper on the last Visitation Report;
- ii. To look into the leadership quality of each University in terms of the roles of Governing Council, the Vice-Chancellors and other Principal Officers;
- iii. To look into the financial management of the Institution including Statutory Allocations and Internally Generated Revenue over the recommended period and determine whether it was in compliance with appropriate regulations;
- iv. To investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding;
- v. To examine the adequacy of the staff and staff development programmes of the University;
- vi. To determine the relationship between the University and the various statutory bodies it interacts with according to its law for the purposes of supervision,

planning, finance, discipline, guidance and other relationship i.e. Governing Council, the National Universities Commission and the Federal Ministry of Education;

- vii. To examine the "Law" establishing the University including the relationship between the various internal organs, units and offices and indicate the ways the law has been observed by the competent authorities and also suggest any modifications to the law;
- viii. To trace the historical evolution of the University and take stock of its net achievements and problems as well as its style and direction;
- ix. To examine the general security in the University, how the University has dealt with it and recommend appropriate measures; and
- x. To examine the processes and structures of discipline of students in the University in line with due process of the rule of law.

#### **1.4 Composition of the Visitation Panel**

The composition of the Visitation Panel to the University of Port Harcourt is as follows:

- i. Prof. Auwalu H. Yadudu - Chairman
- ii. Engr. Anietie O. Ekpenyong - Member
- iii. Prof. O. Aku Timothy Namo - Member
- iv. Mrs. Adedoyin Rhodes-Vivour, SAN- Member
- v. Ibrahim Zailani, Esq - Member
- vi. Mrs. Edith Nkemdirin Ugwoke - Member
- vii. Paschal A. Eruaga, Esq - Secretary

The respective letters of appointment are attached herewith as Appendix 2A-2G.

#### **1.5 Methodology**

The Visitation Panel's activities involved courtesy visits and meetings during which relevant stakeholders were briefed on its assignment. Calls for Memoranda requesting University's Principal Officers, Deans, Heads of Departments, staff/students and

members of the University community to submit memoranda to the Panel were also made.

### **1.6 Courtesy Visits**

The Panel paid courtesy visits to the following stakeholders and briefed them on the assignment:

- i. The Ag. Vice-Chancellor, University of Port Harcourt;
- ii. The Paramount Ruler of Choba, HRH Eze Raymond O.W. Okocha, JP;
- iii. The Paramount Ruler of Alakahia, Eze Amb. Daniel Ifeanyi Ogwundu Ogbonna-Dodo;
- iv. The Paramount Ruler Aluu, HRM Eze Chima Okpara JP; and
- v. The Rivers State Commissioner of Police, CP Eboka Friday

During the visits to the communities, a major recurring issue was the non-payment of compensation for the land acquired for the University of Port Harcourt in 1975 and calls by the communities for admission quota, employment opportunities for their indigenes and contract opportunities for qualified companies owned by indigenes.

The community leaders promised their continuous cooperation but urged that the Federal Government urgently considers payment of their compensation since the land was acquired more than 45 years ago, before the Land Use Decree was promulgated. The Choba community stated categorically and unequivocally that they would not cede the portion of land called the forest where their shrine was located. They further stated that their Paramount Rulers are normally installed in the forest and they would resist its acquisition by the University with their blood. The Alakahia and Aluu communities observed that the land initially acquired for the University was large enough and advised the University to consider only the area needed for its development to allow for farmland and building of houses by indigenes.

The Panel made several unsuccessful attempts to pay a courtesy call on the Governor of Rivers State.

### **1.7 Meetings**

The Panel held meetings and consulted with the various stakeholders in the University, including the Deans of the 12 Faculties, the University of Port Harcourt Branches of the Academic Staff Union of Universities (ASUU), the National Association of Academic Technologists (NAAT), the Senior Staff Association of Nigerian Universities (SSANU), Non-Academic Staff Union of Universities (NASU), the Student Union Government (SUG), the Ag. Registrar, Bursar, Librarian, Director of Physical Planning and Development (DPPD), the Director of Works and Maintenance, Chief Internal Auditor, Ag. Director of Academic Planning, the Senate, University Legal Officer, the Director, College of Continuing Education and the Chief Security Officer of the University.

The team also met with the Ag. Vice-Chancellor, Professor Stephen A. Okodudu.

### **1.8 Call for Memoranda**

In addition to the Call via Circular by the National Universities Commission (NUC), the Panel through the University issued a formal notice in the Guardian newspaper of Monday 10<sup>th</sup> of May, 2021 calling for memoranda from stakeholders including Faculties/Departments, staff and unions in the University as well as the general public (Appendix 3). Many of the stakeholders responded and made submissions to the Panel. These are contained in Volume II of this Report.

### **1.9 Inspection of Facilities**

The Panel undertook physical inspection of academic and non-academic facilities of the University, including laboratories, classrooms, lecture theatres, staff offices and other infrastructure at the three campuses of the University. The Panel also inspected

uncompleted projects. These gave the team a clear picture of the state of the infrastructure in the University. The Panel also inspected projects undertaken during the period 2011-2015.

### **1.10 Public Hearing**

The Panel did not hold any public hearing during the Visitation as it was not expedient or necessary to do so. However, staff of the University were required to provide additional information or clarification on issues raised in submissions made to the Panel.

### **1.11 Review of Documents**

The Panel reviewed the documents and memoranda received from the various stakeholders. The Panel also held meetings to clarify issues and requested for new or additional information, where necessary.

### **1.12 History of the University**

The University of Port Harcourt was established in April 1975 as a College of the University of Lagos. It was granted full University status in 1977, in which year it also took in its first set of students. Only 382 of the 422 students offered admission were matriculated. There were 72 academic staff (including 9 Professors) and 38 non-teaching staff. It was established as an autonomous conventional degree-awarding institution by Decree No. 84 of 28 September, 1979 now the University of Port Harcourt Act Cap U13, Laws of the Federation of Nigeria, 2004.

The University, situated at the East-West Road, Choba, occupies a land area of about 4,000 (four thousand) hectares acquired by the Rivers State Government in 1976. The University operates on three campuses, known as 'Parks' located at Choba Park (36.50 hectares), Delta Park (43.30 hectares), and University Park (3791.20 hectares).



Professor Donald E.U. Ekong was appointed the pioneer Principal of the University College, Port Harcourt in September, 1975.

The University had since grown phenomenally and had 688 academic staff and 498 non-academic staff as at December 2015. It has two Colleges and twelve Faculties comprising the College of Continuing Education, College of Health Sciences with the Faculties of Basic Medical Sciences, Clinical Sciences, and Dentistry; other faculties include: Faculty of Humanities; Faculty of Engineering; Faculty of Science; Faculty of Social Sciences; Faculty of Education; Faculty of Agriculture; Faculty of Management Sciences; Faculty of Pharmaceutical Sciences and Faculty of Law. The University also has School of Graduate Studies; School of Science Laboratory Technology; School of Basic Studies; School of General Studies and the Port Harcourt Business School.

The total number of undergraduate student population in the University of Port Harcourt in 2010/2011 session was 12,314.

The pioneer Chancellor of the University was His Royal Highness Alhaji (Dr.) Mustapha Umar El-Kanemi, the Shehu of Borno. During the period under review, The Akran of Badagry, HRM Oba (Dr) Menu Toyi De Whenu Aholu I was installed as Chancellor for the period 2009-2015. On May 13, 2015, His Royal Majesty Maj-Gen (Dr) Muhammed Ilyasu Bashar, OFR, mni, Emir of Gwandu, was appointed as Chancellor and was installed during the 30<sup>th</sup> Convocation Ceremony held in June, 2015. During the period under review, the University had three Governing Councils and three Pro-Chancellors/Chairmen of Council (Two Substantive and one acting). The Pro-Chancellors were Dr. Dan Shere (October 2009 to June 2011) which covers six months into the visitation period. Others were Rev. (Dr.) Walter P. Eneji (Acting) (April 2012-February 2013) and Engr. Gesi Asamaowei (June 2013 to date).

Since its inception, the University has had eight substantive Vice-Chancellors: Professor Donald E. U. Ekong (1975-1982), Professor Sylvanus Cookey (1982-1989), Professor

Kesley Harrison (1989-1992), Professor Theophilus Vincent (1996-1999), Professor Nimi D. Briggs (2000-2005), Professor Don M. Baridam (2005-2010), Professor Joseph Ajienka (2010-2015) and Professor Ndowa E.S. Lale (July 2015 –till date ). His assumption of office covers six months of the visitation period.

## **CHAPTER 2**

### **TERM OF REFERENCE 1**

*To inquire into the level of implementation of the White Paper on the last visitation report.*

#### **2.1 Background**

The last Visitation Panel Report into the management of the University of Port Harcourt covered the period 2004-2010. During this period, Professor Nimi D. Briggs was the Vice-Chancellor (2004-2005) and Professor Don M. Baridam was appointed for the period 2005-2010.

#### **2.2 Level of implementation of the White Paper on the last visitation report**

2.2.1 The White Paper of the 2004-2010 Visitation exercise had 41 specific items for implementation by the University. Some have been overtaken by events due to the introduction of the Treasury Single Account (TSA) and other factors; however, the Panel wishes to highlight a few from the list which are as follows:

- i. The University should endeavour to settle its cases out of court. This will hopefully cut cost for the University
- ii. The habit of frequent reviews of contract should be discouraged so that contractors will not be asking for the review of their contracts whenever they are awarded. It will also save cost for the University.
- iii. The University should make efforts to pay compensation on land without further delay in order to enhance development.
- iv. The present practice of verifying students' entry requirements in the final year should be stopped. The exercise should be carried out within the first two years of admission.
- v. The University should also consider inserting a clause in the matriculation oath that student admission was provisional and subject to verification of their entry requirements at a later date
- vi. The Vice-Chancellor should continue to maintain discipline among staff and students. He should also continue to provide the excellent leadership in terms of working in harmony with council, industry, communities and external partners to foster the good and orderly growth of the University
- vii. The Vice-Chancellor should also continue to work with the Choba Police station and other neighbouring security networks to enhance security within and around the University and all security posts should be fully equipped with communication gadgets
- viii. The University should re-appraise all her investments and take urgent steps to reduce losses and minimize her risks. The University must ensure that all her investment agencies are self-financing and have adequate independence to maximize their profits. It might also be better for the University to consolidate its investments into fewer companies to avoid the distraction of managing several companies.
- ix. Accurate values of the shares should be determined. Council approval should be obtained to write off shares from companies that have closed shop. The

University should register all its shares with the Central Securities and Clearing System (CSCS).

- x. It is the responsibility of Council and the Vice-Chancellor to ensure that issues raised by the external auditors are given prompt attention and resolved immediately. The University should develop action plan for all audit issues and ensure that such issues are resolved immediately.
- xi. The Federal Government should quickly resolve the pension issues with the Unions to ensure that the provisions of the PENCOM Act are applied to the University staff.
- xii. The Finance Unit in the Registry and Vice-Chancellor's Office should be merged with the main Bursary Department. Staff heading the Finance Units in Faculties should not be above the rank of Principal Accountant while those of Colleges should not be above the rank of Chief Accountant. For greater efficiency and productivity, Deputy Bursars should man strategic units at the central Bursary Department.
- xiii. All donations in kind should be valued and incorporated into the financial statement of the University. A system should be put in place to ensure that such future donations are immediately captured into the financial system of the University.
- xiv. The University should have a trained procurement specialist to coordinate the procurement function and build capacity of all staff on procurement functions.
- xv. The University should invest in maintaining the facilities provided by the donors. This will help in strengthening the relationship with the donors.
- xvi. The University should contact those donors whose projects have been delayed or abandoned. This will ensure that the investment made so far is not wasted. Where the University is to complete the project, competitive procurement process must be followed in revising the cost of the project.
- xvii. The University should put in place an efficient budget monitoring process that will ensure regular monitoring of budget performance and assist in

- management decision making. Variances must be fully explained to help in decision making of Management and Council.
- xviii. The University should ensure immediate accreditation of the University Health Centre by National Health Insurance Scheme, Abuja. This can be facilitated through the Health Management Organisation. Once this is done, the running of the University Health Centre will gain from the capitalization funds received from the NHIS.
  - xix. The University, in preparing her budgets, should comply with the Standard Guidelines for Distribution and Allocation of Funds provided by NUC.
  - xx. The practice of varying contracts should, as much as possible, be discouraged.
  - xxi. Also contracts should be awarded only when funding is guaranteed.
  - xxii. The University should work towards achieving the NUC teacher-student ratios in all disciplines especially in the Faculties of Social Sciences, Managements Sciences, Education, Science and Engineering where there were huge shortfalls in the expected number of academic staff.
  - xxiii. The University has 58% of its academic staff on Lectureship Grade I and below. Attempts should be made to achieve the NUC structure for academic staff which allows for 45% in that group.
  - xxiv. Only about 59% of the academic staff in the University have doctorate degrees. The University should continue to encourage academic staff to acquire PhD and professional qualifications, especially in the Faculties of Clinical Sciences, Dentistry and Engineering.
  - xxv. There is an urgent need to cut down on student enrolment, especially on the number of part-time students. Available resources, both human and material, should continue to guide the student population so as not to compromise quality (In this regard, additional recommendations are made in Chapter Eight).
  - xxvi. Greater attention should be paid to the staffing situation in the Faculties of Social Sciences, Managements Sciences, Education, Science and Engineering.

- This could be in form of incentives to attract qualified academic staff to those disciplines.
- xxvii. The regular meetings of Senate should be sustained to guide the academic activities and discipline in the University. It is, however, recommended that the Certificate Verification Committee for students' admission should undertake the exercise within the first two years of admission to avoid cases of deregistration after students have concluded course work and met the minimum requirements for graduation, and consequent litigations.
  - xxviii. The meetings of Congregation should continue to be regular to allow for objective input into the University policy making process.
  - xxix. The meetings of the University Governing Council should continue to be regular to provide appropriate policy guidance as well as handle staff and university development matters.
  - xxx. The University should comply with NUC's directive to close down the Yenagoa Study Centre of its College of Continuing Education (CCE) for non-compliance with requirements for operating as a degree-awarding institution.
  - xxxi. The University also should comply with NUC and JAMB guidelines on the admission of students into its part-time programmes to avoid disaffection by graduates of such programmes who are not qualified for mobilisation for national service.
  - xxxii. The University should continue to comply with the requirement on the submission of copies of its audited accounts to the relevant agencies of the Federal Government.
  - xxxiii. To avoid more litigations, officers of the University should be more careful in the clearance of students for admission and registration. Certificates should be verified early and certainly not before a student graduates from the University.
  - xxxiv. The University must take urgent steps to re-establish the NUC accreditation denied the Department of Geography. Furthermore, adequate preparation must be made for the accreditation of 20 programmes that were due for re-accreditation in 2010 but which could not be visited by NUC

- xxxv. Appropriate NUC approval must be sought and obtained before embarking on the new academic programmes planned. Similarly, re-designated Departments and Programmes must receive NUC approval before they become effective.
- xxxvi. Growth in student population is excessive especially in the face of inadequate teaching facilities and academic staff. The University should begin the process of stabilising its full-time student population at about 23,000 (slightly higher than what the present staff strength can effectively accommodate) through a systematic reduction in student intake.
- xxxvii. The Study Centre of the College of Continuing Education located in Bayelsa State has been directed by NUC to close down. The University should begin the process of winding down. There should be no new admission of students or construction of new facilities at the Centre until the problem is sorted out with NUC.
- xxxviii. The number of part-time students must be reduced drastically so as not to compromise academic standards especially since facilities and the teachers are in short supply. A situation where the number of part-time students is more than the full-time students is unacceptable, the huge amounts generated through the programmes notwithstanding. The University should aim at reducing the number of part-time students to about 10% of the number of full-time students. The alternative is to seek NUC approval to offer open and distance learning education.
- xxxix. With seven (7) out of eleven faculties in the sciences, the University should aim at surpassing the 60:40 national policy on science enrolment.
- xl. Only about one-fifth of the Strategic Plan has been fully implemented after seven (7) years. The University should pursue the implementation of the plan more aggressively.
- xli. All illegal structures which can harbour illegal tenants whether in the staff quarters or elsewhere in the University should be demolished. Regulations governing campus life should expressly prohibit the erection of unapproved structures.

## **2.3 Findings**

- 2.3.1 Records of Council, Senate and Management meetings were carefully studied to enquire into the level of implementation of the White Paper of the last Visitation Panel. In addition, minutes of the 135<sup>th</sup> and 136<sup>th</sup> Meetings of Council held on Thursday, 24<sup>th</sup> August, 2012 and 24<sup>th</sup> October, 2012 were also provided by Management indicating the respective actions taken to comply with the decisions of the White Paper. (Appendix 4A & 4B)
- 2.3.2 The Panel also perused a document presented by the Management titled 'Attachment 19' stating the level of implementation of the Visitation Report of 2004-2010. It was, however, noted that the document was not evidence-based as there was no reference indicating when and how the directives of the Visitor were carried out (Appendix 5)
- 2.3.3 In summary, it can be said that out of a total of 41 specific items, the University successfully implemented 32 of them, giving the University an implementation figure of 78%. Those items implemented successfully include the following:
- i. Insertion of a clause in the matriculation oath stating that 'admission was provisional and subject to verification by the University
  - ii. Strengthening of collaboration between the University and Choba Police Station
  - iii. Addressing of the issues raised in the external auditors' reports
  - iv. Constitution of a Budget Monitoring Committee to ensure efficient budget monitoring process
  - v. Accreditation of the University Health Centre under the National Health Insurance Scheme
  - vi. Budget preparation to comply with standard Guidelines for distribution and allocation of funds in line with NUC
  - vii. Regular holding of Council, Senate and Congregation meetings
  - viii. Closing down of the Yenagoa Study Centre
  - ix. Submission of copies of audited accounts to relevant Federal Government Agencies



- x. Accreditation of the Geography programme by the NUC
- xi. Reduction of part time students in line with the admission policy
- xii. Demolition of all illegal structures in staff and students' quarters

2.3.4 The directives which were not fully complied with are:

- i. It is the responsibility of Council and the Vice-Chancellor to ensure that issues raised by the external auditors are given prompt attention and resolved immediately. The University should develop action plan for all audit issues and ensure that such issues are resolved immediately.
- ii. The University has 58% of its academic staff on Lectureship Grade I and below. Attempts should be made to achieve the NUC structure for academic staff which allows for 45% cent in that group.
- iii. Only about 59% of the academic staff in the University have doctorate degrees. The University should continue to encourage academic staff to acquire PhD and professional qualifications, especially in the Faculties of Clinical Sciences, Dentistry and Engineering.
- iv. The University should make efforts to pay compensation on land without further delay to ensure peaceful coexistence with its host communities and to enhance development of the University.

2.3.5 On the issue of land compensation, a total sum of N35,209,436.85 (Thirty-Five Million, Two Hundred and Nine Thousand, Four Hundred and Thirty-Six Naira, Eighty-Five Kobo only) was paid for crops and economic trees to various families in the host communities (Appendix 6A-6E). However, Government was yet to make deliberate efforts to attend to the issue once and for all.

2.3.6 The Panel noted that the failure of Government to constitute Visitation Panels as and when due was partly responsible for failure of the University to respond effectively to some of the issues that occurred about ten years ago.

## **2.4 Recommendations**

2.4.1 Government is urged to timely constitute Visitation Panels in accordance with the Acts establishing the Universities

- 2.4.2 The Panel enjoins for timely release of gazetted white paper containing Government's views and recommendations which should enable prompt implementation
- 2.4.3 The Panel urges the Council and Management to promptly implement directives of the Visitor.

## **CHAPTER 3**

### **TERM OF REFERENCE 2**

*To look into the leadership quality of the University in terms of the roles of Governing Council, the Vice-Chancellors and other Principal Officers*

#### **3.1 Background**

- 3.1.1 The University of Port Harcourt Act clearly specifies the constitution of key organs and Principal Officers of the University, Functions of the Pro-Chancellor, Chancellor, Vice Chancellor, Council and that of the Senate. It is imperative that all these organs work together in the interest of achieving the objects of the University.

- 3.1.2 During the period under review, the University had three Governing Councils and three Pro-Chancellors and Chairmen of Council: Dr. Dan Shere (2009-2011), Rev. (Dr) Walter P. Eneji (Acting) (2012-2013) and the current Governing Council headed by Engr. Gesi Asamaowei (2013 to present).
- 3.1.3 This fifth Visitation covers the period 2011-2015. The period covers the tenure of the 7<sup>th</sup> Vice-Chancellor, Professor Joseph A. Ajienka and six months of the tenure of the 8<sup>th</sup> Vice-Chancellor, Professor Ndowa E.S. Lale.
- 3.1.4 The Pro-Chancellors who led the Council during the period under review were focused and ensured issues of policy direction were their focal point. Council meetings were regularly held and discussions were robust and productive. The Council dealt with issues relating to appointment, promotion and discipline of staff, issues on security reported to Council, approved the award of various contracts for the development of the University and purchase of property for the expansion of the University. The Council ensured the successful appointment of a Vice-Chancellor, six Deputy Vice-Chancellors and other principal officers during the period under review. The Council addressed repairs of the East-West/Choba road and made access through the Choba Park pleasurable. One of the Pro-Chancellors donated a Toyota Hilux Van to the University Security Unit to ensure the enhancement of security in the University.
- 3.1.5 The immediate past Vice-Chancellor, Professor Joseph A. Ajienka, was in office from July 2010 to July 2015 and confronted the challenges of the office with courage. During the period, the Vice-Chancellor worked with six Deputy Vice-Chancellors, Professor Anthony Arinze (Administration) and Professor Bernard Efiuwewwere (Academic), Professor Ethelbert N. Nuduka (Administration), Professor Andrew Igbo (Academics), Professor Bene Willie-Abbey (Research and Development) and Professor Anthony Ibe (Administration 2015 to date). The Vice-Chancellor enjoyed harmonious working relationships with his deputies. However, as a result of the directive of the Visitor on the establishment of the office of the Deputy Vice-Chancellor (Research and Development), Council at its 140<sup>th</sup> meeting of 6 August, 2013 declined the approval of the renewal of office of

Professor Bene Willie-Abbey's appointment as Deputy Vice-Chancellor (Research and Development). The Vice Chancellor provided an all-inclusive participatory leadership in the institution. Monthly Senate meetings were held, in addition to weekly Principal Officers' management meetings. He also expanded the composition of the membership of the management meetings to include some functionaries that work under the Vice-Chancellor's office. Deans and Heads of Departments were given free hand to administer their faculties and departments. In all, he maintained discipline in the University administration. The Principal Officers who worked towards the success of the immediate past Vice-Chancellor were Mrs. Matilda Nnodim as Registrar, Mrs. Bridget I. Nzimiro (Ag. Registrar 2015 to date), Mr. Mark Roman (Bursar, 2008-2013), Mr. Vitalis O. Aliezi (Bursar, 2013 to date) and Dr. (Mrs.) Nwodo (Librarian).

- 3.1.6 During his tenure, Professor Joseph A. Ajiienka established fourteen (14) new professorial chairs, appointed four emeritus professors, established new centres and laboratories, a Technology Park and Arts Village. In physical infrastructure, the State Government gave the road from the University to Aluu a facelift. The University was selected as an Entrepreneurial Centre by the Federal Ministry of Education and the University went into partnership with the University of Lancashire, UK for Oil and Gas Operations Management sponsored by Petroleum Training Development Fund and British Council. The University purchased a property for the Port Harcourt Business School. With the intervention of TETFund, the Faculty of Law, being the 12<sup>th</sup> Faculty in the University was established. The Vice-Chancellor also facilitated the establishment of Research Laboratories through TETFund intervention. In sports, the University achieved the status of a Centre of Excellence as it won the Nigeria University Games Association (NUGA) five consecutive times (2004-2014) and the West Africa Universities Games Association (WAUGA) three consecutive times (2003-2012). As a result of these feats, an MOU between the Nigeria Olympic Committee and National Sports Commission as well as the endorsement of the Honourable Minister of Sports, the OlympAfrica Centre (for grassroot sports development)

and International Association of Athletics Federation Centre (High Performance Centre for English-speaking West Africa) was established in the University of Port Harcourt. In addition to this and with the support of the National Sports Commission, the University of Port Harcourt Sports Institute was established. The Institute enjoys diplomatic status for foreign coaches, sports men and women. To his credit, all academic programmes were accredited by NUC and professional bodies with full accreditation status during the period under review. He consolidated on the post-UTME screening exercise for admission of students which commenced before he assumed office. He successfully organised the 27<sup>th</sup> to 30<sup>th</sup> Convocation ceremonies. The achievements of the University during this period can be hinged on the cordial working relationship among the Principal Officers.

3.1.7 The current Vice-Chancellor, Professor Ndowa E.S. Lale, assumed office in July 2015. In his inaugural speech on 13<sup>th</sup> of July, 2015, he encapsulated his promise to the University through his "My Vision and Mission Statement", In his statement, he promised to strengthen academic structures for optimal performance; improve means of generating, accessing and managing funds; providing uncommon governance and leadership; developing infrastructure, committing to staff welfare and repositioning health, recreation, security and environmental issues. (Appendix 7). These were the cardinal points that drove his administration.

3.1.8 In pursuit of his vision for the University to be a world-class centre for research, the Vice-Chancellor established the Centre for Research Management and Development (CEREMAD) by the merger of the Office of the Chairman, Research and Development Board, Office of the Vice-Chancellor and Centre for Research Management (CEREM). The Centre was established to ensure effective coordination of research activities in the University.

## **3.2 Findings**

From the totality of the facts above, it can be said that the University had a good, responsible and effective Governing Council and Management with clear focus, which impacted positively on the growth and development of the University over the years. The Leadership of the University has been able to establish a mutually beneficial relationship with other stakeholders to ensure the institution benefits from the available opportunities for teaching, learning and research.

The Panel finds it desirable that the University should have one additional Deputy Vice-Chancellor particularly to cater for the needs of research, development and entrepreneurship. This position is supported by section Paragraph 5(1) of the First Schedule of University of Port Harcourt Act, Cap U13 Laws of the Federation of Nigeria, 2004.

### **3.3 Recommendations**

- 3.3.1 The Governing Council should maintain its role of providing clear guidance on issues of policy direction for the University.
- 3.3.2 The Vice-Chancellor should sustain the maintenance of discipline among staff and students.
- 3.3.3 The Vice-Chancellor should continue to provide excellent leadership to ensure harmonious working relationship with Council, industry, communities and external partners to foster the good and orderly development of the University.
- 3.3.4 There is the need for Council of the University to re-establish the office of a Deputy Vice-Chancellor (Research and Development) to cater for the growing needs of research, development and entrepreneurship in the University.

## CHAPTER 4

### TERM OF REFERENCE 3

*To look into the financial management of each institution including Statutory Allocations and Internally Generated Revenue over the recommended period and determine whether it was in compliance with appropriate regulations.*

#### 4.1 Background

The importance of finance in any organisation cannot be over-emphasised, The Panel, therefore, reviewed relevant books of accounts, audited financial statements for the period under review, had discussions with Principal Officers, Internal audit staff and Bursary staff.

##### 4.1.1 Sources of Funds Available to the University

- i. The University of Port Harcourt has various sources of income which include:
- ii. FGN Recurrent Grants
- iii. FGN Personnel Grants
- iv. FGN Capital Grants
- v. Special Grants
- vi. Capital Campaign
- vii. TETFUND grants
- viii. Cash Donations
- ix. Donations in kind
- x. Students Fees/Levies
- xi. Investments

The summary of earnings of the University from the various sources obtained from available documents from the Bursary during the period under review are shown in Table 4.1

**Table 4.1: Sources of Internally Generated Income (2011 – 2015)**

<b>Sources of Internal Revenues (2011-2015)</b>	<b>Amount(N)</b>
<b>Centralised IGR</b>	<b>3,821,265,000</b>
<b>Departmentalised IGR</b>	<b>3,259,909,000</b>
<b>Capital Campaign</b>	<b>482,414,000</b>
<b>Pre-Degree Fees/Charges</b>	<b>1,126,334,000</b>
<b>Non-NUC Funded Programmes</b>	<b>1,296,334,000</b>
<b>Income from Subsidiaries</b>	<b>468,317,000</b>
<b>Transfers</b>	<b>112,895,000</b>
<b>Total Internally Generated Revenue</b>	<b>10,567,468,000</b>

The details are as contained in the University of Port Harcourt Report on Financial resources for the period 2011-2015 (Appendix 8)

## 4.2 Findings

### 4.2.1 Investments by the University

The University has several investment outfits which are self-financing. These include:

- i. University of Port Harcourt Investment Company Ltd.
- ii. U&C Microfinance Bank
- iii. Consultancy, Research and Development Company (CORDEC)
- iv. Shares in companies
- v. Sinking Fund of Endowments

### 4.2.2 Manual of Accounting System for Nigerian Universities



The University uses two key financial accounting guidelines—The Manual of Accounting Systems for Nigerian Universities and the University of Port Harcourt Financial Guidelines and Accounting Procedures developed in 1997. The two documents guide the financial operations of the University apart from the financial regulations of the Federal Government of Nigeria.

#### **4.2.3 Internal Audit Unit**

The Head of the Internal Audit Unit is a Chief Internal Auditor who reports directly to the Vice-Chancellor and other administrative errors are returned to the originator of such financial documents for correction. This ensured accuracy and reliability of financial records hence achieving the objective of checks and balances for which internal audit unit was established. The Unit undertakes pre-payment audit, post-audit, market survey, verification of assets, special investigations, inspection of procurements, stock verification, audit of revenue generating and self-financing units and participate in various Committees to ensure effective internal control in the University. During the period under review, the Unit was found to be effective.

#### **4.2.4 External Audit of the University Accounts**

The University financial accounting year is 1<sup>st</sup> July to 30<sup>th</sup> June every year. The accounts are audited by external auditors. During the period under review, the accounts were audited by Ugboaja Martins & Co Chattered Accountant. The above external auditors' reports were presented to the Council of the University for approval. Some of the issues raised by the External auditors were: Internal control issues; Fixed Asset Register Maintenance; Bank/Cash Book Reconciliation; Work in progress computation errors; Wrong classification of fixed assets; Poor effort in recoveries; computerisation of Bursary Department; International Public Sector Accounting Standards (IPSAS) implementation – Chart of accounts should

be reviewed to conform to IPSAS accrual system. The Value of building should also be separated from land. This has not been implemented; No CSCS statements and share certificates; No Investment valuation report; Poor Inventory Management and Security; Poor Bills Receivable and Bills Payable records and documentation; and inability to balance the Trial Balance and the General Ledger.

It was noted that some of the issues raised by the external auditor had been sorted but many of them are still unattended to. The Panel observed that the management report from the external auditor had recurring observations from 2011-2015. The re-occurrence of these observations clearly showed that these observations were not implemented and that corrections were not effected. The re-occurrence of such issues contributed to the delays in carrying out the external audit itself.

#### **4.2.5 The Investment Profile of the University**

The Uniport Investment Ltd as a limited liability company is independent of the University. However, the management of the Company is dependent upon the University Council as the University has sole ownership, hence its independence is only in financial reporting and not in the management of its affairs. The University Council appoints and fires the Chief Executive of Uniport Investment Ltd. The Uniport Investment Ltd. is presently used as a revenue centre. This approach does not guarantee for steady growth; rather, it is kept at a level desired by the Council.

#### **4.2.6 Recognition of donations in cash and in kind**

The University recognises donations both in cash and kind. The summation of the value of donations in cash and kind are recorded in the Books of Accounts. Professorial Chairs are also included in the Donation figure reported.

#### **4.2.7 Implementation of External Audit Observations and**

The Panel observed that the management report from the external auditor had recurring observations from 2005-2009. The re-occurrence of these observations clearly showed that these observations were not implemented and that corrections were not effected. The re-occurrence of such issues was as a result of delays in carrying out the external audit itself.

#### **4.2.8 Pension Administration in the University**

The Pension Act of 2004 provides for contributory pension scheme. The FGN budgeting system provides for direct remittance of pension funds to PENCOR. The University has submitted pension details for all staff to PENCOR and this has been transmitted for onward remittance of the pension contribution to staff Pension Fund Administrators. The Panel observed that the University had fully complied with this requirement for all staff. Issues on double deduction of pension raised by a Petitioner was satisfactorily explained by the Bursar to the Panel as also evidenced by salary payment by Integrated Payroll and Personnel Information System (IPPIIS). The Petition is attached as Appendix 9.

#### **4.2.9 Fixed Assets Register**

The University has its Fixed Asset Register; however, it was observed by the Panel that the register is not properly maintained and not updated. As a result of the size of the University, the use of hard copy as a method of maintaining Fixed Asset Register is cumbersome.

#### **4.2.10 Operation of various Units in the Bursary**

The Bursary department has a staff strength of nineteen (19) professionals. Each section is headed by a professional who is assisted by another professional. The department is operating optimally but there is communication gap in certain transactions due to delay in inputting some transactions. This is because the

Accounts section which includes the Bursary, the Audit and the Procurement are not fully automated.

#### **4.2.11 Procurement Process**

The provisions of the Public Procurement Act 2007 were not strictly adhered to as the University has not fully established a procurement unit. The University is putting up the system up and the Procurement unit is yet to have the required approval for both the staff and procedural requirements approval from the Federal Government in charge of Procurement and related issues.

### **4.3 Recommendations**

#### **4.3.1 The Role of Internal Audit**

There is the need for improvement in the operations of the internal audit unit by reviewing internal control systems for more effective feedback for payments above one million. The feedback will help verify final vote book figures for payment.

#### **4.3.2 Implementation of External Audit Observations and**

Council and Management are enjoined to adhere to external Auditors' recommendations and such recommendations should be implemented immediately.

#### **4.3.3 The Investment Profile of the University**

The Uniport Investment Ltd. should be given adequate independence and allowed to operate optimally by allowing other interests and restricting the University's interest to majority shareholding rather than wholly owned.

#### **4.3.4 Recognition of donations in cash and kind**

The University should sustain the keeping of records for all donations in cash and kind.

#### 4.3.5 **Pension Administration in the University**

The Federal Government should sustain the application of the provisions of the PENCOM Act to staff of the University.

#### 3.3.6 **Fixed Assets Register**

3.3.6.1 The University should maintain and computerise its Fixed Asset Register to make the keeping of records more accurate and accessible.

3.3.6.2 Efforts should be made to regularly update the Fixed Asset Register in line with extant practice.

#### 3.3.7 **Operation of various units in the Bursary**

There is the need for the Accounts section to be automated and this will make the section more effective, productive and records more accessible in its operation.

#### 3.3.8 **Procurement Process**

The University should have a trained procurement specialist to coordinate the procurement function and build capacity of all staff on procurement functions.

## CHAPTER 5

### TERM OF REFERENCE 4

*To investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding.*

#### 5.1 **Background**

The University embarked on a number of projects during the period under review from funds provided by various sources. These projects were executed based on available funds. It is important to state that of about 4,000 (four thousand) hectares acquired by the Rivers State Government in 1976, only about 19% of the land has been accessed by the University, as a result of serious encroachment on the University land by the host communities which is hinged on lack of payment of compensation by the Government. This has impacted negatively on the growth and expansion of the University in terms of provision of infrastructure.

5.1.1 The Panel found that the projects in the University are largely funded by

- i. Needs Assessment Intervention
- ii. Federal Government Capital Budget Appropriation
- iii. Tertiary Education Trust Fund (TETFund)
- iv. Internally Generated Revenue (IGR)
- v. Donations from Government, Agencies, Corporate bodies and Individuals

Receipt of funds and projects executed (Appendix 10) during the period were based on monies released in phases and tranches.

#### 5.2 **Needs Assessment Intervention**

Total releases for the NEEDS (2011-2015) was N 3,788,794,640.13 (Three Billion, Seven Hundred and Eighty-Eight Million, Seven Hundred and Ninety-Four Thousand, Six Hundred and Forty Naira, Thirteen kobo only). During the same period, a total number of nineteen projects were awarded/executed at a total sum of N 3, 756,727,284.74 (Three Billion, Seven Hundred and fifty-Six Million, seven hundred and twenty-seven thousand, two hundred and eighty- four Naira, seventy-four kobo only).

### 5.3 **Federal Government Capital Budget Appropriation**

The total amount of capital grant released by the Federal Government from 2011-2015 was N832,902,320.00 (Eight hundred and thirty-two million, nine hundred and two thousand, three hundred and twenty naira only). This was at variance with the amount budgeted cumulatively yearly for the period by about 35% (deficit). Projects executed gulped N 817, 190, 198.69 (Eight hundred and seventeen million, one hundred and ninety thousand, one hundred and ninety-eight Naira, sixty-nine kobo only) which is fairly and accountably reasonable. The projects were construction of Pharmacy (Lecture Hall) Building Phase II awarded to Mek Builders Ltd. in November 2012 at N353,080,558.69 which is 100% completed. The second was construction of Lab Pharmacy Building Phase III awarded to Daemarst Nigeria Ltd. in 2013 which is at 51% completion and still on-going. The Third construction of Dame Patience Jonathan Centre for Women and Gender Studies awarded to Global Power Pac Ltd in September 2012 at N224,835,466.00. The Contractor has been paid N221,541,302.74 (almost 100% of the contract) but only 40% of the job was done. The Site was abandoned and the case was reported to be with the EFCC.

### 5.4 **Tertiary Education Trust Fund (TETfund)**

During the period under review, about 57 projects worth about N6, 636,816,034.00 (Six billion, Six hundred and thirty-six million, eight hundred and sixteen thousand, thirty-four Naira only) were executed by the Tertiary Education Trust Fund

TETFund). Some of the projects/ expenditure had continued into 2016-2020 and a few are on-going. Other sums of money totalling more than N300,000,000.00 (Three Hundred Million) had been paid/ appropriated) to consultants who designed and inspected the projects. Most of the projects are completed.

Sadly, the Fisheries building collapsed during construction. The matter is still with the EFCC.

## **5.5 Internally Generated Revenue**

The University did well in the area of Internally Generated Revenue. Between 2011-2015, the University's cumulative IGR stood at a total of Seventeen Billion (N17,000,000,000.00) Naira representing 25% of total revenue generated by the University during the period under review. A total of 182 (one Hundred and eighty-two) projects have been executed to completion. The projects are in the areas of supplies, light construction, rehabilitation, maintenance water supplies/constructions.

## **5.6 Donation of Projects to the University**

The Panel noted that only four projects were donated to the University during the period under review. The two completed are Elechi Amadi Buildings, Unipark donated by Rivers State Government at a cost of N85,000,000.00 (Eighty-Five Million only) and construction of the Centre of Excellence by the Central Bank of Nigeria in Unipark at a cost of N 12,000, 600,000.00 only (Twelve billion, six hundred million) naira only.

## **5.7 Findings**

### **5.7.1 Uncompleted Projects**

The Panel found that two projects were abandoned during the period of review. These were projects which were contracted and directly managed by the donors. The University was not directly in control of these projects. The projects are:



- i. Construction of Clinical Students' Hostels by Rivers State Government
- ii. Construction of School of Postgraduate Studies by the Bayelsa State Government.

#### 5.7.2 **Maintenance/sustainability of building and facilities**

The Panel observed that despite the fact that the University embarked on several new projects during the period under review, maintenance of facilities particularly the student hostels and faculties were not given the desired attention. Some of the students' hotels are in a very deplorable condition.

#### 5.7.3 **Record-Keeping of the Physical Planning Unit**

The Panel noted that the Physical Planning Unit had an excellent method of keeping records. Detailed records of projects executed in the University from 2011-2015 were also provided. This was in contrast to the document presented by the TETFund Unit. Available documentation indicate that there is a disconnect between these two Units

#### 5.7.4 **Quality of Jobs executed**

The Panel found out that the quality of finishing of jobs supervised by the Physical Planning was more thorough than those of TETFund. The jobs executed by TETFund were highly substandard as deterioration set in in some of them before they were handed over to the University.

#### 5.7.5 **Standard Guidelines for Distribution and allocation of Funds**

It was observed by the Panel that standard guidelines were not adhered to in the distribution of funds and utilisation as provided by National Universities Commission. The standards provide for 10% of capital grants to the University to be devoted to maintenance of facilities, and 10% of recurrent grants to be devoted to Library development while 5% of recurrent grant should be devoted to research.

#### **5.7.6 Contract Variations**

There were no variations during the period under review except one relating to the supply of vehicle.

### **5.8 General Observations**

5.8.1 The Panel observed that during the period 2011-2015 payment of compensation to the Host Communities for crops and economic trees amounted to N35,209,436.85 (Thirty-Five Million, Two Hundred and Nine Thousand, Four Hundred and Thirty-Six Naira, Eighty-Five Kobo only). These payments were made after long agitation and acceptance had to be made before the University was allowed to embark on the construction of new projects. These continuous demands and exertion of compensation before projects were done impacted heavily on the cost of projects.

5.8.2 The Facilities were overwhelmed by the sheer explosion of the student population that has increased over the years.

5.8.3 Abandoned projects were caused by non-release of funds by the donor agencies to determine facilities on ground

5.8.4 It was noted that in a case of TETFund project, a contractor, U.D. Uko Nigeria Ltd. was paid N5, 355,000.00 (85%) for the procurement of Four-Wheel Drive Hilux van in October 2015 but up to Nov 2020, the Hilux was not supplied and the money was not refunded/recovered (Appendix 11).

### **5.9 Recommendations**

5.9.1 The Federal Government in collaboration with the Rivers State Government should ensure that a final solution is found and the issue of settlement of compensation resolved between the University and host communities to

ensure peaceful coexistence and development of the University

- 5.9.2 There should be close cooperation between the Physical Planning and the TETFund Units in terms of execution of projects. The standard practice in other universities is for all the projects to be superintended by the Physical Planning Unit for quality assurance and thorough delivery. The Physical Planning and Development Unit should play a more commanding role from initiating to completion of all projects.
- 5.9.3 The University should diversify its internally generated revenue base which is the largest source to maintain the deteriorating facilities on ground.
- 5.9.4 The University should invest in maintaining the facilities provided by the donors. This will help in strengthening the relationship with the donors.
- 5.9.5 The donor agencies which started projects but could not continue should be contacted to either relinquish their interest or complete the projects within specific deadline. Other willing donors should be contacted to take over and complete those projects.
- 5.9.6 The University should ensure proactive maintenance and sustainability of existing building projects and infrastructure to reduce decay. Competitive procurement process for maintenance should also be put in place to ensure that there is value for money in the execution of the projects.
- 5.9.7 The University should ensure that standard guidelines are adhered to in the distribution and utilisation of funds
- 5.9.8 In all future supply contracts or the like, Advance Payment Guarantee (APG) should be secured from the contractor before any payment is made to the Company for any supply job or the like
- 5.9.9 Deliberate efforts should be made by the University to recover the sum of N5, 355,000.00 paid to U.D. Uko Nigeria Ltd. for failure to supply the goods after advance payment had been made.

## CHAPTER 6

### TERM OF REFERENCE 5

*To examine the adequacy of the staff and staff development programmes of each University.*

#### 6.1 Student Population

6.1.1 All NUC parameters on adequacy of staff in a university are firmly rooted in student numbers. The NUC-approved teacher-student ratios to guide the determination of the number of academic staff that should be in a university are as follows:

(i)	Administration, Management and Management Technology	1:30
(ii)	Agriculture, Forestry, Fisheries and Home Economics	1:15
(iii)	Arts	1:30
(iv)	Dentistry	1:10
(v)	Education	1:30
(vi)	Engineering and Technology	1:15
(vii)	Environmental Sciences	1:15
(viii)	Law	1:30
(ix)	Medicine, Nursing, Physiotherapy, Physiology and Anatomy	1:10
(x)	Pharmaceutical Sciences	1:15
(xi)	Science	1:20
(xii)	Social Sciences	1:30
(xiii)	Veterinary Medicine	1:30

6.1.2 The University of Port Harcourt had a total of 12,314 students, excluding part time and postgraduate students in the 2010/2011 academic session. The breakdown of student enrolment in the University were as follows:

i. Faculty of Humanities	2,820
ii. Faculty of Social Sciences	660
iii. Faculty of Science	2,835
iv. Faculty of Education	1,330
v. Faculty of Engineering	1,508
vi. Faculty of Management Sciences	1,236
vii. School of Laboratory Science Technology	170
viii. The College of Health Sciences	194
ix. Faculty of Pharmaceutical Sciences	495
x. Faculty of Agriculture	166

In 2014/2015 session the total undergraduate enrolment in the University increased to 21,006 spread across Faculties of Humanities (4011), Social Sciences (4654), Science (3337), School of Science Laboratory Technology (447), Faculty of Education (1596), Engineering (1865), Management Sciences (3216) and the College of Health Sciences (947). The Faculties of Pharmaceutical Sciences and Agriculture enrolled 525 and 408 students, respectively.

## **6.2 Academic Staff**

### **6.2.1 Numbers of Academic Staff**

The total number of academic staff employed by the University as at December 2011 was 1217 out of which 235 were in the professorial cadre (Professors/ Readers). By December 2015, the number of Academic Staff had increased to 1491 with 279 in the Professorial Cadre. The Panel was unable to do further analysis on number of staff due to lack of provision of data on staffing for the period.

### **6.2.2 Structure of Academic Staff**

As prescribed by the NUC, the Structure of the academic staff in a university must be such that 20% are in the Professorial Cadre (Professors/Readers), 35% are in the Senior Lecturer cadre, while the remaining 45% are in the other cadres. Except for a few disciplines like Economics, Geology, Plant Science and Biotechnology, Biochemistry and Microbiology, the disciplines in the University of Port Harcourt were generally bottom-heavy.

### **6.2.3 Academic Staff with PhD**

The NUC has prescribed the Ph.D as the minimum qualification for teaching in Nigerian universities. Of the total number of academic staff in the University of Port Harcourt in 2011, a good number of them were yet to acquire Ph.D Degree.

### **6.3 Non-Teaching Staff**

As at December 2015, the University of Port Harcourt had a total of 3252 non-teaching staff comprising 1853 Senior administrative staff and 1399 Junior Staff.

### **6.4 Human Capacity Building**

The Staff Training and Development Unit (STADU) was established with the mandate of ensuring that staff were trained and retrained to enhance productivity. The establishment of STADU was an indication that the University places a high premium on staff development and research activities. The Unit had organised workshops, seminars and conferences for different categories of non-teaching staff during the period under review. Some of the topics covered include:

- i. Work as the essence of man
- ii. Human Resource Management
- iii. Performance appraisal for stress management
- iv. Motivation

## **6.5 Staff Development**

The University of Port Harcourt has continued to consolidate on its efforts aimed at human capital development through sponsorship of staff for further studies.

Staff have been encouraged to apply for opportunities available through TETFund, MacArthur Foundation, the Petroleum Training Development Fund (PTDF) and other organisations. Incentives had continued to be provided for staff to acquire Ph.D Degrees and advanced professional qualifications.

## **6.6 Recommendations**

- 6.6.1 As majority of the academic departments are under-staffed, there is the urgent need to employ more academic staff for effective service delivery
- 6.6.2 Majority of the Departments are bottom-heavy, thereby upsetting the NUC approved staff structure, the University should ensure that this imbalance is urgently addressed
- 6.6.3 The University should continue to strengthen its staff development policy for the overall growth and development of the University
- 6.6.4 More funds should be earmarked for staff training and development
- 6.6.5 The University should sustain and enhance the current policy of training staff on how to access funds for staff development, which are highly competitive

## **CHAPTER 7**

### **TERM OF REFERENCE 6**

*To determine the relationship between the University and the various statutory bodies it interacts with according to its law for the purposes of supervision, planning, finance, discipline, guidance and other relationship i.e. Governing Council, the National Universities Commission and the Federal Ministry of Education.*

#### **7.1 Background**

The University had three Chancellors and three (two substantive and one acting) Pro-Chancellors and Chairmen of Council during the period. There were also three Governing Councils and two Vice-Chancellors during this period. Records showed that the relationship between the University and the various statutory bodies it interacted with in the discharge of its mandate was cordial. This was evident in the quality of academic programmes and level of infrastructural development during the period, including funding by some State Governments, corporate bodies and individuals.



## **7.2 Findings**

- 7.2.1 The relationship between the Chancellor and Pro-Chancellor during the period under review was cordial. The Vice-Chancellors maintained a good working relationship with the University's Governing Council.
- 7.2.2 Relevant organs of the University (Senate, Convocation and Congregation) were represented in Council
- 7.2.3 Meetings of Senate were regular and decisions were taken to guide the academic activities and discipline of the University. Various Committees of Senate were put in place during the period to enhance academic standards.
- 7.2.4 Meetings of Congregation were regular and useful contributions were made to the policy-making of the University.
- 7.2.5 Meetings of Council were regular. Council provided the required policy guidance and direction, and handled matters referred to it by Management.
- 7.2.6 The University's relationship with JAMB was cordial as it complied with the Federal Government's policy on post-UTME screening for admission of students and in all other areas.
- 7.2.7 There were many pending litigations on staff matters resulting from alleged dismissal or termination of appointments.(Appendix 12A & 12B)
- 7.2.8 The University had a cordial relationship with the National Universities Commission (NUC) in its regulatory activities during the period. The Panel observed that the NUC conducted institutional accreditation on the University in 2012 with a score of 60% (B) which was valid for 5 years. The University also complied with NUC directives that Basic/Certificate Programmes were no longer acceptable for admission into degree programmes as all admission must be through UTME. The University had complied with NUC's directive to close down the Yenagoa Study Centre of the College for Continuing Education (CCE) for operating as a degree-awarding institution without due approval. No new student has been admitted in the Centre since 2011.
- 7.2.9 The University's relationship with NYSC on the mobilisation of qualified candidates for national youth service was cordial as mobilisation of students from the University was done as at when due

- 7.2.10 The University presented copies of the University's audited accounts to the relevant agencies of the Federal Government.
- 7.2.11 The University benefitted tremendously from Tertiary Education Trust Fund (TETFund) as 57 projects were funded by TETFund during the period under review and the projects have been completed and put to use.
- 7.2.12 The relationship of the University with Federal Ministry of Education in the performance of its policy oversight was cordial. The cordiality was confirmed by way of adherence to circulars and policies which emanated from the Ministry. There was evidence that during the period under review, the University sought clearance and approvals from the Ministry on issues bordering on governance, policies and general direction. The Ministry's representative on Council attended Council meetings during the period and made useful contributions during meetings especially with regards to the appointment of the 8<sup>th</sup> Vice-Chancellor of the University.
- 7.2.13 The relationship of the University with the Visitor was cordial. The Visitor attended the Convocation Ceremonies of the University organised during the period under review and commissioned several projects.
- 7.2.14 It was observed that budgetary releases by the Federal Ministry of Finance especially for overheads and capital were not in accordance with the approved budget of the University. Even where the releases were made, hardly did the University receive 50-60% of the overhead and capital during the period. This impacted negatively on the running of some services in the University, like payment of electricity bills etc.

### **7.3 Recommendations**

- 7.3.1 The existing cordial relationship between the Chancellor and Pro-Chancellor and the Vice-Chancellor should be sustained for effective policy direction and good governance of the University.
- 7.3.2 The regular meetings of Senate should be sustained to guide the academic activities and discipline in the University.
- 7.3.3 The regular meetings of Congregation should continue to allow for objective input into the University policy making process.

- 7.3.4 The regularity of meetings of the Governing Council should be sustained to provide appropriate policy guidance and to handle staff and university development matters.
- 7.3.5 The University Council should review all pending litigations bordering on dismissal or termination of appointments and take appropriate steps to resolve them.
- 7.3.6 The University should continue to comply with the directive on the submission of copies of its audited accounts to the relevant agencies of the Federal Government.
- 7.3.7 The University should continue to sustain the cordial relationship with other agencies of Government to attract funding for projects needed for the fulfilment of its mandate.
- 7.3.8 The University should sustain the existing cordial relationship with Federal Ministry of Education and the National Universities Commission in the performance of their policy oversight.
- 7.3.9 The extant cordial relationship of the University with the Visitor should be sustained.
- 7.3.10 Government should ensure timely release of budgetary allocations to the University.

## **CHAPTER 8**

### **TERM OF REFERENCE 7**

*To examine the Law establishing the University including the relationship between the various internal organs, units and offices and indicate the ways the law has been observed by the competent authorities and also suggest any modifications to the law.*

#### **8.1 Background**

The University of Port Harcourt Act, Cap U13, Laws of the Federation of Nigeria, 2004 (University of Port Harcourt Act) is an Act to establish and incorporate the University of Port Harcourt and to make comprehensive provisions for its powers, functions and due administration. It was previously known as Decree No. 84 of 1979 and its effective commencement date is 28<sup>th</sup> September 1979.

The University of Port Harcourt Act is made up of 27 sections arranged thus:

i.	Constitution and Functions of the University and its constituent bodies	Sections 1-8
ii.	Transfer of Property, Functions, etc to the University	Section 9
iii.	Statutes of the University 13	Sections 10-
iv.	Supervision and Discipline 18	Sections 14-
v.	Miscellaneous and General 27	Sections 19-

There are also three (3) Schedules to the University of Port Harcourt Act namely:

i.	First Schedule	Principal Officers of the University
ii.	Second Schedule	Transitional Provisions as to Property, Functions, etc.
iii.	Third Schedule	University of Port Harcourt Statute No. 1.

Being a Federal University, the features of the University Act are similar to those of other federally-owned Universities. The President of the Federal Republic of Nigeria is the Visitor to the University who has powers under the Act to direct that a Visitation be conducted to assess the state of the University. The Act also made provision for a Chancellor who presides over the Convocation ceremony for the award of degrees when present, and in his absence the Vice-Chancellor presides. Under the Act, there is a Governing Council consisting of Government appointees, elected members by the University Community and ex-officio members. Council controls the University policy, its finances and property. The appointment and termination of staff are vested in the Council, and it is the final Body to which an aggrieved member of staff may appeal within the University. The Pro-Chancellor is the Chairman of Council. Council is expected to function through the Committee system. In particular, reference is made in the Law of the Finance and General Purposes Committee. Provision is also made in Law for a Body to be known as Congregation comprising the Vice-Chancellor, Deputy Vice-Chancellors, full-time members of academic staff, the Registrar; the Bursar; and every member of the administrative staff who holds a degree of any recognised university. This Body deals with general issues affecting the University and appoints two

representatives to Council. The Law also made provision for a Body to be known as Convocation, which has the responsibility of appointing one of its members to Council.

By law, Senate is the highest academic body charged with the organisation and control of teaching, admission and discipline of students. It is also the responsibility of Senate to promote research at the University. The Vice-Chancellor is the executive head of the University, Chairman of Senate and Congregation, and a member of Council. The Law also allows for such number of Deputy Vice-Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University. Other Principal Officers of the University are the Registrar, the Bursar and the University Librarian with defined roles for the smooth running of the University.

## **8.2 Relationships between Internal Organs**

During the period 2011-2015, the University had three Governing Councils and three Pro-Chancellors and Chairmen of Council: Dr. Dan Shere (2009-2011), Rev. (Dr) Walter P. Eneji (Acting) (2012-2013) and the current Governing Council headed by Engr. Gesi Asamaoewei (2013 to present).

There was no Governing Council in 2008. The pioneer Chancellor of the University was His Royal Highness Alhaji (Dr.) Mustapha Umar El-Kanemi, the Shehu of Borno. During the period under review, The Akran of Badagry, HRM Oba (Dr) Menu Toyi De Whenu Aholu I was installed as Chancellor in 2009-2015. On May 13, 2015, His Royal Majesty Maj-Gen (Dr) Muhammed Ilyasu Bashar, OFR, mni, Emir of Gwandu was appointed as Chancellor and was installed during the 30<sup>th</sup> Convocation Ceremony held in June, 2015. Professor Don M. Baridam was Vice-Chancellor between 2005 and July 2010. Professor Joseph A. Ajienka assumed office on 12<sup>th</sup> July 2010, while the current Vice-Chancellor, Professor Ndowa E.S. Lale assumed office in July, 2015.

The incumbent Vice-Chancellor informed the Panel that the University was "opportuned to have an effective Governing Council working for the good of the University; a vibrant Senate that takes the right decisions; and a focused and determined administration

which works in harmony". Students and staff were understanding and expressed their views to contributing to positive changes in the Institution. The University also had a strong Alumni network that had made significant contributions to the growth and development of the University.

### **8.3 Operation of the Law by Competent Authorities**

During the period under review, the various organs and officers of the University operated within the framework of the Law. Council appointed the 7<sup>th</sup> and 8<sup>th</sup> Vice-Chancellors, six Deputy Vice-Chancellors at different times, the Registrar, the Bursar, and the University Librarian all within the framework of the Law. Although the Law provided that Council may appoint such number of Deputy Vice-Chancellors as deemed necessary, attempt by Council to appoint a Deputy Vice-Chancellor for Research and Development was rejected by the Visitor. Council at its 140<sup>th</sup> meeting of 5<sup>th</sup> & 6<sup>th</sup> of August, 2013 implemented the directive of the Visitor. (Appendix 13).

Convocation functioned properly unlike what was obtainable during the last visitation period. This was premised on the introduction of payment of a fee as a precondition for the membership of Convocation. Convocation representative on Council performed the statutory functions provided by the Law.

### **8.4 Suggested Modifications to the Act**

8.4.1 Section 26 contains the Interpretation Section of the University of Port Harcourt Act. Section 16 deals with the removal of and discipline of and discipline of academic, administrative and professional staff on the ground of misconduct or inability to perform the functions of his office or employment. The section provides thus: "*Subsection (1) if it appears to the Council that there are reasons for believing that any person employed as a member of the academic or administrative or professional staff of the University other than the Vice-Chancellor, should be removed from his employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall follow the procedure stipulated in Subsection (1)(a) – (c) and if Council after considering the report of the investigating committee set up pursuant to*

*Subsection (1) (c) is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council”.*

Subsections (2) and (3) further provide for removal of and discipline of academic or administrative or professional staff of the University by the Vice-Chancellor and by Council (for good cause), respectively.

Neither Section 16 (1) nor Section 26 defines the term misconduct and opinions have been expressed as regards the ambit of the word misconduct and in the light of litigation against the University by staff. A memorandum received from the Legal department of the University suggested a review and redraft of certain provisions of the Act. The University does have in place staff hand-book containing regulations governing staff conditions of service (Appendix 14) Section 3.5 of the Regulations Governing Staff Conditions of Service provide for the discipline and removal of Academic and Senior Staff while Section 3.6 provides for the discipline and removal of junior staff. Section 3.5 states that the provisions contained are without prejudice to the provisions of Section 15 (now section) of the University of Port Harcourt Act for gross misconduct. The University of Port Harcourt Act does not refer to gross misconduct but misconduct.

Section 1.3.5 of the Regulations Governing Senior Staff Conditions of Service defines the term ‘misconduct’ as *‘conduct prejudicial to the good name of the University and /or to discipline and the proper administration of the business of the University. Without prejudice to the generality of this definition, it includes corruption, dishonesty, drunkenness in the course of duty, false claims against the University or any of its constituent parts, insubordination, gross negligence, falsification and suppression of records, removal of official records without authority, absence from place of work without leave or satisfactory reason, disobedience, refusal to accept posting or any lawful order issued by any authorised person or any legally constituted authority of the University, failure to appear or to answer questions satisfactorily in an investigation before any person or body constituted by the University or any of its authorised constituent bodies for the purpose of investigating any matter provided for in or arising*



*out of any of these bodies, and conviction on a criminal offence other than traffic or boating offences’.*

8.4.2 Section 3 (1) (e) of the University of Port Harcourt Act provides thus:

*‘to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down’.*

The ambiguity here which has often arisen in litigations against the University is as regards the meaning to be ascribed to the phrase ‘... such other requirements as the University may lay down’. It should be made clear what these requirements are, whether academic or administrative.

8.4.3 The effect of the application of section 7(1) of the University of Port Harcourt Act and the provisions of the JAMB Act needs to be reviewed

Section 7 (1) of the University of Port Harcourt Act provides thus:

*‘Subject to section 6 of this Act and subsections (3) and (4) of this section, and to the general provisions of this Act relating to the Visitor, it shall be the general function of the Senate to organise and control the teaching of the University, the admission (where no other enactment provides to the contrary) of students and the discipline of students and to promote research at the University’.*

Section 7 (6) of the Act provides thus:

*‘Subject to the right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award’.*

*Section 5(2) of the JAMB Act provides thus 'For the avoidance of doubt, the Board shall be responsible for determining matriculation requirements and conducting examinations leading to undergraduate admissions and also for admissions to National Diploma and the Nigerian Certificate in Education courses, but shall not be responsible for examinations or any other selective process for postgraduate courses and any other courses offered by the tertiary institutions.*

The effect of the provisions of Section 7 (1) and (6) of the University of Port Harcourt Act formed part of the arguments in FHC/PH/CS/71/2007 – MR. KENNETH NWABUWAH vs. UNIVERSITY OF PORT HARCOURT, where the Federal High Court gave judgment against the University and held that the Plaintiff therein was entitled to all the reliefs he sought in the suit including the sum of ₦ 5,000,000.00 (Five Million Naira) as special and general damages. The facts of the case can be summarised thus;

Mr. Nwabuwah was one of the deregistered students of the University who filed this action contesting his deregistration over unqualified entry into the Department of Petroleum Engineering in 1997. He was deregistered because he did not have the requisite entry requirements (the Certificate Verification Committee of the University's Senate recommended his deregistration on the grounds that he had a pass result in English which is considered core for Petroleum Engineering). Mr. Nwabuwah claimed that JAMB advertised that 5 passes were what was relevant for studying Petroleum Engineering. He disclosed the fact of possessing a pass in English at the time of entry into the University. He also participated in the University's matriculation ceremony, all academic activities and fulfilled all the conditions for the award of his degree certificate by the University.

The Judge ruled that JAMB Act is the primary law that governs undergraduate admissions and that the University is only empowered to make statutes to regulate the admission of students where the admission is done by the University, admissions like postgraduate admissions and other non-undergraduate admissions. The import of the judgment is that University of Port Harcourt has no power to organise or conduct undergraduate admissions into the University or make rules and regulations (statutes)

in respect of same. It is, therefore, suggested that section 7 (1) be modified to read thus:

*'Subject to section 6 of this Act and subsections (3) and (4) of this section, and to the general provisions of this Act relating to the Visitor, it shall be the general function of Senate to organise and control the teaching of the University, the admission of students and prescribe the minimum entry requirement for their registration thereof and the discipline of students and to promote research at the University.'*

## **8.5 Uniformity in Federal University Acts**

A review of the Act indicates that universities find it difficult operating under their various establishment Acts as a result of their uniformity. This uniformity imposes a stringent condition in the powers of Council to make or amend statutes. This practice does not take into cognisance current realities confronting universities.

## **8.6 Recommendations**

- 8.6.1 It is recommended that a review of the Interpretation Section of the University of Port Harcourt Act be carried out to incorporate relevant wordings to avoid ambiguity.
- 8.6.2 Section 7 pertaining to admission should also be reviewed to empower the University to make statutes and to regulate undergraduate admissions into the University.
- 8.6.3 There is the need for Government to empower Councils to pass statutes which are unique to their peculiar circumstances
- 8.6.4 The process of statute-making by Council should be relaxed to allow for prompt response to emerging issues confronting universities.



## CHAPTER 9

### TERM OF REFERENCE 8

*To trace the historical evolution of the University and take stock of its net achievements and problems as well as its style and direction.*

#### **9.1 Brief history of the University**

The University of Port Harcourt was established as a College of the University of Lagos in 1975 by the Federal Government of Nigeria. It gained full university status in 1977 through the University of Port Harcourt Act Cap U13, Laws of the Federation of Nigeria, 2004. The objectives set out in the Act are as follows:

- (i) To encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex, or political conviction the opportunity of acquiring a higher and liberal education.
- (ii) To provide courses of instruction and other facilities for the pursuit of learning in all its branches, and to make those facilities available on proper terms to such persons as are equipped to benefit from them.
- (iii) To encourage and promote scholarship and conduct research in all fields of learning and human endeavour.
- (iv) To relate its activities to the social, cultural and economic needs of the people of Nigeria.
- (v) To undertake any other activities, appropriate for a university of the highest standard.

The University is located about 15 Kilometres northwest of the central business district of Port Harcourt city, Nigeria's second largest sea port hub of the Petroleum and Gas industry. The University is located between southwest part of the West African tropical forest and northern fringe of the wetlands/swamps, rivers and mangrove forests that make the Niger Delta a special tourist attraction. It is surrounded by rural agrarian and

artisan communities that have been positively impacted by its presence. The Institution also runs effective and extensive service through its specialised Institutes and Centres which have advanced economic and social growth in its catchment areas.

Aside from realising the national aspirations of raising the educational and manpower levels, the University was aimed to achieve regional equality in view of the demand of the area currently occupied by the Rivers and Bayelsa states for the establishment of a Federal University.

The mission of the University was to contribute to national development, self-reliance and unity through the advancement and propagation of knowledge and to use such knowledge for service to the community in particular and humanity at large. The University was envisaged to be ranked amongst the best universities in the world, renowned for teaching, research, innovation and knowledge transfer.

In the opening address of the first Vice-Chancellor (then Principal), Professor Donald E.U. Ekong, he set the pattern for an innovative spirit. He said that the new University would not routinely adopt the “academic or administrative practices, traditions, or programmes” of the older universities. The new University would rather determine their policies from first principles by identifying their goals and the facilities for achieving them and thereby create a “unique university”.

The University had eight (8) substantive and one (1) Acting Vice-Chancellors to pilot its affairs between 1975 and 2015, as follows:

- |                                    |           |
|------------------------------------|-----------|
| a. Professor Donald Ekong (late)   | 1975-1982 |
| b. Professor Silvernus J.S. Cookey | 1982-1988 |
| c. Professor Kelsey A. Harrison    | 1989-1992 |
| d. Professor Ngida Gadzama (Ag.)   | 1992-1995 |
| e. Professor Theophilus Vincent    | 1996-2000 |

f. Professor Nimi D. Briggs	2000-2005
g. Professor Don M. Bridam	2005-2010
h. Professor Joseph A. Ajienka	2010-2015
i. Professor Ndowa E.S. Lale	2015-date

The University of Port Harcourt has continued to remain faithful to its vision, mission and objectives since its establishment. As part of its philosophy, the University is committed to academic freedom, tolerance, probity, equal opportunity and respect for cultural diversity. The University has translated this vision to the pursuit of academic excellence, advancement of knowledge and community service through quality teaching, life-long learning, social inclusion, strengthening of civil society and relevant policy research that addresses the challenge of contemporary society.

## **9.2 Growth of the University**

The University has grown phenomenally in terms of physical facilities, academic programmes, students and staff projections.

### **9.2.1 Physical Facilities**

The University of Port Harcourt started from the scratch. There was a helicopter ride undertaken for an aerial view of about 4,000 hectares of land situated 15 kilometres North-west of Port Harcourt. This was to serve as the permanent site of the University. The expanse of land, which was acquired before the Land Use Act of 1978, formed part of the traditional farmlands of the Choba, Alakahia and Aluu communities. For the take-off of the University, the Rivers State Government provided the buildings of an uncompleted Trade School which were solidly built but were in a swampy field with no access road, water or electricity supply. The location, now known as Choba Park, was adjacent to the proposed permanent site of the University.

After the initial provision of services at Choba Park, there was the need to commence the development of the rest of the permanent site now known as the Delta Park. It was

to house a temporary administrative complex and staff housing. A Master Plan was prepared to ensure the orderly development of the permanent site, known as the University Park. The University's Master Plan was prepared in 1977 based on a projection of 10,000 students when the University is fully developed. As at the 2012/13 academic session there were about six times the number of students envisaged in the Plan and the University does not have access to all the land acquired. As earlier reported, the Master Plan was guided by the solution of three major problems facing the location: drainage, climate and the requirement for continuous expansion. Unfortunately, the Master Plan has been distorted in several instances as buildings were sited without due recourse to the Master Plan.

The University operates from the three sites. Choba Park (36.50 hectares) is used as offices, staff and student accommodation, laboratories, classrooms and commercial spaces. Delta Park (43.30 hectares) which has now been fully developed serves as student and staff accommodation and commercial space. The permanent site, University Park (3,791.20 hectares), designed to accommodate the entire University is about 30% developed. This problem is not unconnected with the serious encroachment on the University land by the host communities (Appendix 15)

The non-payment of compensation by Government when the site for development of the University was acquired has continued to constitute a challenge to the orderly development and expansion of physical facilities. This was clearly demonstrated during the Panel's interaction with the host Communities and from memoranda received from them (Appendix 16A-16F). As it stands, the University has to pay the landowners before erecting a building on any part of the campus. As at the time of this visitation, the University had paid a total sum of N N35,209,436.85 (Thirty-Five Million, Two Hundred and Nine Thousand, Four Hundred and Thirty-Six Naira, Eighty-Five Kobo only) as compensation to the host communities (Appendix 6A-6E). In addition to the above, the lack of electricity is a major challenge. There is inadequacy of teaching facilities: classrooms are overcrowded; lecture theatres and large lecture halls are in short



supply. As a result of the non-availability of teaching space, lectures and sometimes examinations are held at the Convocation Arena.

The student hostels are in a deplorable condition and there is the need for urgent attention. All the student hostels, except the postgraduate halls, require maintenance and cleaning. In addition, there was problem with water supply in the students' hostels

### **9.2.2 Academic Programmes**

From inception, the academic objectives of the University of Port Harcourt were stated as follows:

*To contribute to national development, self-reliance and unity through the advancement and propagation of knowledge and to use such knowledge for service to the community and to humanity.* To this end, it was decided that:

- (i) Degree programmes shall be provided with the objective of producing persons who are well grounded in contemporary culture, have sound knowledge of one branch of learning, and are intellectually well equipped to make an effective contribution to national development, self-reliance and unity.
- (ii) Research facilities shall be provided for staff and students to undertake research relevant to the total development of Nigeria.
- (iii) Continuing education programmes shall be provided for the benefit of persons in the various sectors of the economy and in the public service, with a view to increasing their efficiency and productivity through advanced knowledge relating to their work.
- (iv) Programmes shall be provided to assist the community in which the University is situated to benefit from the facilities provided by the institution.

From the School system with which it began, the University has evolved into the Faculty/Collegiate system. The University currently has two Colleges, twelve Faculties and five schools as follows:

The College of Health Sciences is made up of three faculties, namely:

- i. Faculty of Basic Medical Sciences
- ii. Faculty of Basic Clinical Sciences
- iii. Faculty of Dentistry

Other Faculties are:

- i. Faculty of Agriculture
- ii. Faculty of Education
- iii. Faculty of Engineering
- iv. Faculty of Humanities
- v. Faculty of Law
- vi. Faculty of Management Sciences
- vii. Faculty of Pharmaceutical Sciences
- viii. Faculty of Social Science
- ix. Faculty of Science
- x. College of Continuing Education
- xi. School of Science Laboratory Technology (SSLT)
- xii. School of Basic Studies
- xiii. School of Graduate studies
- xiv. School of General Studies
- xv. The Port Harcourt Business School

There are currently sixty-four (64) academic departments running seventy-three full-time undergraduate degree programmes, many of which are also run on part-time basis. Fifty-three (53) degree programmes had full accreditation as at 2015.

There are two (2) World Bank Centres of Excellence (ACE), three (3) Entrepreneurial Centres and over thirty (30) other Centres/Units and Institutes that run at both undergraduate and graduate levels. In addition to accreditation by the National Universities Commission (NUC) some of the programmes run in the Centres also have international accreditation.

Apart from the Law programme and the nine newly established programmes, all the other academic departments in the University run graduate programmes approved by the National Universities Commission.

### **9.2.3 Students**

The University which started with 382 students in 1977 has grown over the years to a total of 21,006 students in 2015. Only about half of the students are undertaking their studies on full-time basis. About 41% of the full-time students are female. Seven (7) out of the existing twelve (12) faculties are science-based. As 59% of the full-time students are in the sciences, the University has almost met the national policy which stipulates that student enrolment should be in the ratio 60:40 in favour of science.

The University of Port Harcourt had a student population of 21,006 in 2014/2015 academic session pursuing 63 academic/professional programmes. A total of 36, 187 first degree/diploma/certificate holders and 5,581 postgraduate (4839 masters and 742 PhD) degree holders graduated from the university between 2011 and 2015.

### **9.2.4 Staff**

The University which set out with 72 academic staff and 38 non-teaching staff in 1977, had 688 academic staff and 498 non-teaching staff as at December 2015, excluding casual staff and pensioners.

## **9.3 Style and Direction**

9.3.1 The major managerial departments in the university are the Registry, Bursary and Library. In addition to these, there are integral directorates and units

under the office of the Vice-Chancellor notably among which are:

- i. Directorate of Academic Planning, Research and Control
- ii. Quality Assurance & Quality Control.

9.3.2. The University has a Strategic Plan for the period between 2003 and 2013.

The immediate past Vice-Chancellor in 2010 set up an 11-man Committee to review the plan and evaluate the level of implementation.

9.3.3 The ten goals of the Strategic Plan were upgrading of infrastructure and utilities; human capacity building; internationalisation of the University; strengthening University governance; financial management; extension of educational opportunity to the wider society; excellence in teaching, training and research; contribution to the Nation's health sector needs; optimal working conditions and promotion of the Mission of the University. The intention of the University is to faithfully implement the plan to become a unique world-class Entrepreneurial University.

9.3.4 The main focus of the University is to develop strategic partnerships with stakeholders, professional bodies, the private sector and intensify the drive for internationalisation through collaborations, exchange and linkages. The University plans to develop mutually-beneficial, town-gown, industry-institute relationships.

## **9.4 Recommendations**

9.4.1 There is an urgent need to review the Master Plan of the University which was prepared in 1977 to ensure the orderly and well-planned development of the University. In addition to this, an Academic Brief, which will detail the envisaged academic development of the University, should be put in place to guide the preparation of the Master Plan.

9.4.2 The University should, as a matter of urgency, prioritise the provision of

adequate facilities for academic activities such as classrooms, lecture theatres, large lecture halls, staff offices and conveniences.

- 9.4.3 Priority attention should be given to the maintenance and sanitation of the student hostels. Moreover, due attention should be paid to overcrowding to avoid health problems associated with such conditions.
- 9.4.4 There has been spiral increase in student population which was not commensurate with existing teaching facilities and academic staff. Therefore, there is the need to employ more academic staff and to improve existing facilities to cater for increased capacity.
- 9.4.5 With eight (8) out of twelve faculties in the sciences, the University has attained the aim of 60:40 national policy on science: art enrolment ratio. This should be sustained
- 9.4.6 The University should pursue the implementation of its reviewed Strategic Plan to ensure the realisation of the objectives of the Plan.
- 9.4.7 The University should ensure adequate provision of water supply in the student hostels

## CHAPTER 10

### TERM OF REFERENCE 9

*To examine the general security in the University, how the University has dealt with it, and recommend appropriate measures.*

#### **10.1 Background**

10.1.1 The security in the Niger Delta region, of which Port Harcourt is a part, started initially as a genuine protest against the failure of the oil companies to remedy the environmental degradation caused by exploration activities. This was followed by the agitation for resource control, which was a political protest against the Federal Government's sharing formula, economic neglect and infrastructural decay which became pronounced in the region. This resulted in the violence that engulfed the entire region, leading to armed gangs who roamed the street to terrorise people and take innocent people hostage.

#### **10.2 Findings**

10.2.1 The activities of the University of Port Harcourt spread over three campuses (University, Delta and Choba Parks) which are separated from one another by major public roads. Choba Park is separated from the University and Delta Parks by the East-West Road which is a very busy connection between the oil-producing states of Rivers, Akwa Ibom and Cross River on the one hand and those of Bayelsa, Delta and Edo on the other.

10.2.2 The University operates multiple campuses as well as security companies. One company oversees each campus. The total staff strength of the security company is 347 spread across three campuses. Despite the rapid development of the University, the staff strength has remained static for the past five years and the limited manpower posed a lot of challenges in the performance of their duties.

- 10.2.3 It was generally believed that the Federal Government amnesty programme brought the ex-militants, who were camped at the Rural Development Centre, Aluu, close to the University from where, on different occasions, they broke into the University, raped female students, destroyed vehicles and attacked innocent people. It was highly suspected that these militants connived with cultists amongst students to perpetrate their nefarious acts.
- 10.2.4 The porous nature of the University has made it a thoroughfare to host communities of Choba, Aluu and Alakahia. Criminals have unhindered access into the campuses through neighbouring villages.
- 10.2.5 In spite of the collaborative efforts by the University, the law enforcement agencies and the neighbouring villages, several cases of security breaches were recorded during the period under review (2011-2015). On the 5<sup>th</sup> of October, 2012, four (4) students (Ugonna Kelechi Obuzor, Biringa Chidiaka Lordson, Mike Lloyd Toku, and Tekena Elkana) were killed at Omuokiri, Aluu. The National Association of Nigerian Students organised a protest where a mob attacked Omuokiri, Aluu and burnt houses, cars and damaged properties. The University was thereafter shut down
- 10.2.6 On the 18<sup>th</sup> of October, 2012, a female student and her male NYSC friend, a Uniport graduate were killed in Rumuchakara, Choba in cult-related activities.
- 10.2.7 In February 2014, there was a robbery incident at No.17 Banjul Circle, University Park. Two suspects were arrested and handed over to the Police with stolen items. The Investigation Police Officer later informed the University that the suspects escaped on their way to the hospital.
- 10.2.8 The Panel found that several measures were taken by the University and the law enforcement agencies to tackle the precarious security situation in and around the Campuses of the University as follows:
- i. a Council/Campus Security Committee was established in collaboration with the Security Unit of the University, to coordinate all security matters in the University.
  - ii. issuance of verifiable identity cards to staff and students.

- iii. improvement on the security lighting of major buildings
- iv. closure of the main gate of the University by 9 pm
- v. procurement of bomb detectors and under-vehicle viewing systems
- vi. strengthening of neighbourhood intelligence gathering
- vii. procurement of additional operational security vehicles
- viii. purchase of curtained coaster buses to convey high security risk University visitors
- ix. mounting of iron barriers at entrances of Senate, Library and ICT buildings.
- x. replacements of Choba park gate to benefit the University status.
- xi. provision of funds (350,000 monthly) for neighbourhood intelligence gathering.
- xii. completion of perimeter fence along Aluu axis to monitor movement of people in and out of the University.
- xiii. completion of the perimeter University fence at Ali Cape Verd
- xiv. establishment of Divisional Police Headquarters between the University Demonstration Secondary School and Omuokiri village.

10.2.9 There is a peculiar problem of water supply in the student hostels forcing students to go out in search of water and exposing them to all manner of risks.

10.2.10 Incidences of land encroachment have continued unabated, with neighbouring communities of Choba, Aluu and Alakahia insisting that they had not been adequately compensated for the land they relinquished to Federal Government for the establishment of the University. This has continued to heighten tension in the University environment which can lead to security threats and breaches

10.2.11 Records indicate that the Council and Senate took serious views of the heightened security situation in the University at that time.

### **10.3 Recommendations**



- 10.3.1 The Security Unit of the University should be provided with adequate communication facilities such as Intercom, Close Circuit Cable Television (CCTV) and Walkie-Talkie as a matter of urgency.
- 10.3.2 As a matter of urgency, Government should source for funds and provide fencing for the whole University campus to secure lives and property.
- 10.3.3 A permanent water supply scheme should be provided through the construction of a dam to keep especially female students from going out to look for water.
- 10.3.4 There is the need to employ more staff in the Security Unit to beef up security in the University.
- 10.3.5. The Federal Government in conjunction with the Rivers State Government should provide special fund to compensate the landowners once and for all.

## **CHAPTER 11**

### **TERM OF REFERENCE 10**

*To examine the processes and structures of the mechanisms for the discipline of students in the University in order to ascertain compliance with due process of the rule of law.*

#### **11.1 Background**

11.1.1 Every university needs a peaceful atmosphere to enable the University Community accomplish its vision which includes the propagation, dissemination and application of knowledge. Since its establishment in 1975, the University of Port Harcourt has been working assiduously to contribute to national development, self-reliance and unity through the advancement and application of knowledge. Like any other tertiary institution in Nigeria, the University of Port Harcourt has had challenges of anti-social behaviours amongst students, which had dimmed the reputation of the institution. These vices include examination malpractices, cultism and brigandage.

#### **11.2 Findings**

11.2.1 Prior to the year 2004, there had been incessant killing of students due to cult activities. Records showed that there were about 10 cult groups in the University which was then regarded as the headquarters of cultism in Nigerian universities. From 2004, past and present administrations initiated various approaches which resulted in the drastic reduction of this menace. Measures introduced included

the restructuring and equipping of the security apparatus of the university to reflect the challenges of the time.

11.2.2 The cases of examination misconduct were handled within the University by the Student Disciplinary Committee (SDC) in conjunction with the Directorate of Student Affairs. Criminal cases such as violent activities, fraud and robbery were handed over to the Police for investigation and prosecution. Cases of misconduct were reported to the Dean of Student Affairs, the Security Unit or the University Administration depending on the nature of the offence. It was envisaged that an Ad-hoc Committee might be set up to investigate the allegations and recommendations forwarded to Senate for approval through the Vice-Chancellor. The Registrar communicated the decisions of Senate to the affected students through their respective departments. In criminal cases, the recommendations of SDC to Senate were influenced by the findings of the security agencies, especially the Police. The accused were always granted fair hearing and the right to appeal SDC recommendations to Senate through the Vice-Chancellor and the office of the Dean of Student Affairs.

11.2.3 Records showed that several cases were handled by the SDC during the period under review (2011-2015) and reports were submitted to the Dean of Students Affairs for onward transmission to the Senate through the Vice-Chancellor and Chairman of Senate. Nine of such Reports, dated June 29, 2011; February 27, 2012; October, 2013; January 10, 2013; February 13, 2013; January 1, 2014; July 2014; October 27, 2014 and October 20, 2015, were sighted by the Visitation Panel. (Appendix 17A-17I)

11.2.4 The orientation programme for freshly admitted students was held yearly where Students' Handbook and the Statement of Academic Policies and Programmes were handed over to them. These documents contain the rules and regulations of the University with clearly defined sanctions against violators. Information was also disseminated through the University website.

11.2.5 Students are represented on the Students Welfare Committee, Students Affairs Advisory Committee and the Central Hostel Maintenance Committee. The Vice-

Chancellor's interactive session with students was another channel for free exchange of ideas and opinions to enable students provide accurate and first-hand information. This has promoted greater understanding and reduced membership of secret societies.

11.2.6 The University supervised Student Union activities including elections and financial management. The University ensured the prompt release of examination results to prevent malpractices, rumblings and intimidation of lecturers by cultists.

### **11.3 Recommendations**

11.3.1 University should ensure that only *bona fide* students, clearly identified by identity cards, are accommodated in the student hostels

11.3.2 The present practice of publishing the names and identities of students expelled from the University should be sustained

11.3.3 The orientation programme for fresh students should be designed to involve parents/guardians, who should be made to sign undertaking for good conduct of their children and wards throughout the period of their study.

11.3.4 Fresh students should pay, as part of their school fees, a refundable caution deposit which can be used to defray the cost of any damage to property arising from violent protest and destruction of property by students.