

Academic Records, Administrative Negligence and the University's Duty of Care: A Critical Analysis of *Victor v. Federal University of Technology, Akure* (2026) 8 NWLR (Pt. 2044) 33.

Grace Abraham Ahiakwo

PhD (RSU), LLM (RSU), LL.B (Uyo) BL,(Abuja) PDE,(FCET). Lecturer, Faculty of Law, Department of Private and Property Law, University of Port Harcourt; Notary Public. Email-graceahiakwo@gmail.com 08034054911

Abstract

The relationship between universities and students has evolved beyond one governed solely by academic discretion and institutional regulations to one increasingly characterised by enforceable legal obligations. Despite this development, uncertainty has persisted regarding the extent of university liability for negligence arising from the management of academic records, particularly in light of the traditional judicial reluctance to interfere in matters regarded as internal academic affairs. This has created challenges for students who suffer harm as a result of administrative incompetence and record-management failures. This article examines the Supreme Court's decision in *Victor v. Federal University of Technology, Akure* and analyses its contribution to the evolving jurisprudence on university liability and the duty of care owed to students. Adopting a doctrinal methodology, the study relies on judicial authorities, statutory provisions, and relevant literature in tort, educational, and administrative law. The article finds that the Supreme Court builds on earlier authorities concerning wrongful expulsion and the misrepresentation of academic standing, while strengthening the emerging doctrine of university accountability. The article concludes that the judgment is a landmark development in Nigerian educational law that enhances the protection of student rights and reinforces administrative responsibility within higher education institutions. It recommends the adoption of robust digital record-management systems, effective grievance mechanisms, regular record audits, timely correction procedures, and stronger administrative accountability measures to minimise institutional liability and improve university governance.

Keywords: *Academic Records, Administrative Negligence, Duty of Care, Educational Law, Higher Education Governance, Student Rights, Tort Law, University Liability.*

1.0 Introduction

Universities occupy a unique position within modern society. They are centres of learning, research, and professional development, entrusted with the responsibility of shaping future leaders and preserving the integrity of academic standards.¹ In performing these functions, universities exercise considerable authority over students' academic lives, including admission, assessment, graduation, certification, and the maintenance of academic records. While this authority has historically been regarded as an aspect of institutional autonomy, judicial attitudes have gradually shifted toward recognising that the exercise of such powers carries corresponding legal obligations.²

The increasing complexity of higher education administration has made academic records one of the most valuable assets in a student's educational journey. Academic records are not merely administrative documents; they constitute the official evidence of a student's academic achievements, qualifications, and progression within an institution. They influence access to employment opportunities, professional licensing, postgraduate studies, scholarships, and numerous other life opportunities. Errors, omissions, manipulations, or negligent handling of these records can therefore have devastating consequences for affected students.³

For many years, courts in common law jurisdictions displayed reluctance to interfere in academic affairs on the premise that universities possessed specialised expertise and enjoyed a degree of autonomy in managing internal affairs.⁴ Judicial intervention was generally confined to instances where clear breaches of statutory provisions or principles of natural justice could be established. However, developments in educational law have increasingly challenged the notion that academic institutions should enjoy immunity from ordinary legal principles. Courts have become more willing to scrutinise university decisions where students suffer identifiable harm arising from negligence, procedural unfairness, or abuse of institutional powers.⁵

¹ A.A. Yusuf, *University Administration in Nigeria: Problems and Prospects* (University Press Plc, 2012) 1.

² H.W. R. Wade and C.F. Forsyth, *Administrative Law* (12th edn, OUP 2021) 623.

³ M. Taggart, 'The Province of Administrative Law Determined?' in Michael Taggart (ed), *The Province of Administrative Law* (Hart Publishing, 1997) 35.

⁴ *R v University of Cambridge, ex p Persaud* [1998] ELR 99.

⁵ P. Cane, *Administrative Tribunals and Adjudication* (Hart Publishing, 2010) 287.

Over the past two decades, Nigerian courts have repeatedly affirmed that universities cannot exercise their powers arbitrarily or without regard to the rights and legitimate expectations of students. Decisions involving wrongful expulsions, unlawful withholding of certificates, delayed graduation processes, and irregular disciplinary proceedings have demonstrated a growing judicial commitment to ensuring accountability within higher education institutions.⁶

The decision in *Victor v. Federal University of Technology, Akure* marks a particularly significant development in this regard. The Supreme Court moved beyond the traditional framework of contractual and administrative obligations and expressly articulated the concept of a university's duty of care in relation to academic administration. The Court held that universities owe students a responsibility to exercise reasonable care in the management of academic records, and that a failure to do so may constitute actionable negligence where foreseeable harm results.⁷ In doing so, the Court aligned Nigerian educational jurisprudence with emerging international trends recognising the tortious dimensions of the university-student relationship.

This article critically examines the decision in *Victor v. Federal University of Technology, Akure* and evaluates its implications for the future of university governance in Nigeria. The article analyses the facts and reasoning of the Court, situates the judgment within the broader trajectory of Nigerian case law on university accountability, and explores the emerging doctrine of institutional duty of care in higher education. It argues that the decision represents a logical but transformative extension of existing principles and may become a leading authority in future disputes involving academic administration and student rights.

2.0 Facts and Procedural History of the Case

The appellant instituted an action at the trial court seeking the remarking of the scores and marks awarded for the courses he took during his degree programme in Mechanical Engineering in the Faculty of Engineering at the first respondent's

⁶ *Modibbo Adama University of Technology v Yarai* (2020) 15 NWLR (Pt 1748) 395; *University of Ilorin v Dunmade* (2013) LPELR-21383 (CA); *University of Ilorin v Akinola* (2014) LPELR-23275 (SC); *University of Port Harcourt v Nwuzor* (2024) LPELR-62382 (SC).

⁷ *Victor v Federal University of Technology, Akure* (2026) 8 NWLR (Pt 2044) 33; H.S. Okorie & N.N. Ikeocha, *The Law of Torts in Nigeria: A Functional Approach* (Abia State University Press, 2026) 85–120.

university. The appellant contended that the respondents awarded him a lower cumulative grade point average than his true scores warranted and that, if his scores had been properly computed, he would have qualified for the award of a Second Class (Upper Division) degree in Mechanical Engineering. Instead, he was awarded a Second Class (Lower Division) degree. He therefore sought an order directing that his papers be remarked by independent assessors and that his transcripts and certificate be issued thereafter.

On 16 January 2013, the trial court struck out the appellant's claim as statute-barred. The appellant successfully appealed to the Court of Appeal, and the matter was remitted for trial on the merits. After the parties joined issues, the trial court directed the respondents to have the appellant's scripts remarked by external examiners and to issue a final result and transcript reflecting the outcome of that process. The trial court consequently awarded ₦500,000.00 as general damages in favour of the appellant.

Dissatisfied with the judgment of the trial court, the respondents appealed to the Court of Appeal, while the appellant filed a cross-appeal. The respondents' appeal was dismissed, and the appellant's cross-appeal succeeded in part. Still dissatisfied with the judgment of the Court of Appeal, the appellant further appealed to the Supreme Court.

The issue for determination before the Supreme Court was whether the awards of damages made by the trial court and affirmed by the Court of Appeal were justified in light of the circumstances proved by the appellant. The appeal was allowed in part. The Supreme Court set aside the ₦500,000.00 awarded by the trial court and substituted it with ₦18,000,000.00 as damages against the respondents for breach of the duty of care owed to the appellant and for the resulting emotional and physical stress suffered since 2007, when he completed his course of study but did not receive his results. The Court also awarded ₦2,000,000.00 as costs of litigation.

The decision thus represents a departure from the older tendency to characterise disputes between universities and students exclusively through the lens of contract or administrative law. By expressly recognising a duty of care in the handling of academic records, the Supreme Court elevated academic administration into an area capable of attracting tortious responsibility. The judgment accordingly occupies an important place within the evolving jurisprudence on university accountability in

Nigeria and provides the foundation for a broader discussion of the legal framework governing institutional responsibility in higher education.

3.0 The Legal Framework Governing Academic Records in Nigerian Universities

The management of academic records within Nigerian universities is not merely an administrative function performed at the discretion of institutional authorities. Rather, it is a responsibility grounded in constitutional principles, statutory provisions, institutional regulations, and established doctrines of administrative law.⁸ Academic records constitute the official repository of a student's educational achievements and serve as the basis upon which important decisions concerning graduation, certification, employment, professional accreditation, and further studies are made. Consequently, the legal framework regulating the creation, preservation, and management of such records reflects the broader commitment of the law to fairness, accountability, and administrative justice. The decision in *Victor v. Federal University of Technology, Akure* must therefore be understood against this wider legal backdrop, which imposes obligations upon universities and simultaneously protects the rights and legitimate expectations of students.⁹

The Constitution of the Federal Republic of Nigeria 1999 (as amended) does not expressly regulate academic records. However, several constitutional provisions provide the normative foundation for protecting students against arbitrary administrative conduct. Foremost among these is section 36, which guarantees the right to a fair hearing in the determination of civil rights and obligations. The Supreme Court has consistently interpreted the right to a fair hearing broadly, extending its application beyond conventional judicial proceedings to decisions made by administrative and quasi-judicial bodies whose actions affect legally protected interests.

⁸ A.A. Yusuf, *University Administration in Nigeria: Problems and Prospects* (University Press Plc, 2012) 3.

⁹ *Ibid.*

Within the university context, decisions concerning academic standing, graduation eligibility, degree classification, transcript issuance, and certification inevitably affect the civil rights and future prospects of students. Where such decisions are based upon inaccurate records, undisclosed information, or procedures that deny affected students an opportunity to challenge errors, constitutional concerns arise. The principle of fair hearing therefore requires universities to ensure that academic decisions are based on accurate information and that students are afforded reasonable opportunities to contest mistakes that may adversely affect them.¹⁰

Closely connected to the right to a fair hearing is the broader constitutional commitment to the rule of law and administrative justice. Public universities, being statutory bodies established by law and funded substantially through public resources, are required to exercise their powers in a manner consistent with constitutional norms of legality, rationality, and procedural fairness.¹¹ Consequently, administrative decisions relating to academic records cannot be insulated from judicial scrutiny merely because they occur within educational institutions.

The statutory framework governing Nigerian universities further reinforces the obligation of institutions to maintain integrity in academic administration. The Universities (Miscellaneous Provisions) Act establishes important principles concerning the governance, administration, and regulation of federal universities.¹² Implicit within these powers is the responsibility to ensure that academic records are properly maintained and accurately reflect the academic performance of students.

Furthermore, because universities exercise powers derived from statute, their actions remain subject to judicial review where those powers are exercised arbitrarily, negligently, or in a manner inconsistent with the purposes for which they were conferred.¹³ The statutory autonomy granted to universities is therefore not absolute; it exists alongside a duty to act responsibly and within the limits prescribed by law.

Beyond constitutional and statutory provisions, the primary regulatory framework governing academic records is found within individual university statutes, regulations,

¹⁰ *Garba v University of Maiduguri* (1986) 1 NWLR (Pt 18) 550.

¹¹ B. Nwabueze, *Constitutional Democracy in Africa* (Spectrum Books, 2003) 412.

¹² Universities (Miscellaneous Provisions) Act, Cap U10, Laws of the Federation of Nigeria, 2004.

¹³ *University of Ilorin v Oluwadare* (2006) 14 NWLR (Pt 1000) 751.

handbooks, examination rules, and Senate resolutions. In virtually all Nigerian universities, the Senate serves as the highest academic authority and is vested with responsibility for regulating admissions, examinations, academic progression, degree classifications, and graduation requirements.¹⁴

The exercise of these powers necessarily depends upon the availability of accurate and reliable academic records. Senate decisions regarding graduation, academic standing, withdrawals, distinctions, and certifications are ordinarily based on records generated and maintained by faculties, departments, examinations units, and registry departments. University regulations also commonly establish procedures for result verification, transcript processing, correction of errors, appeals against academic decisions, and maintenance of student files.¹⁵

The obligation to maintain accurate academic records is an indispensable aspect of modern university administration. Academic records serve as official evidence of educational attainment and constitute the basis upon which institutions communicate academic outcomes to employers, professional bodies, government agencies, and other educational institutions. Their accuracy is therefore fundamental to the credibility of the university itself.¹⁶ Where errors occur, universities are expected to investigate complaints diligently, correct inaccuracies promptly, and implement safeguards capable of preventing foreseeable harm.¹⁷

The Supreme Court's reasoning in *Victor v. Federal University of Technology, Akure* reflects this understanding. By recognising that negligent management of academic records may give rise to liability, the Court effectively acknowledged that record keeping is not merely an administrative convenience but a legal responsibility whose breach can have serious consequences for affected students.¹⁸

An equally important aspect of the legal framework is the doctrine of legitimate expectation. Originating in administrative law, the doctrine protects individuals who have been led to expect that public authorities will act in a particular manner based on

¹⁴ Universities (Miscellaneous Provisions) Act, Cap U10 Laws of the Federation of Nigeria 2004; also individual university statutes.

¹⁵ E. A. Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press 2017) 214.

¹⁶ *Attorney General of Hong Kong v Ng Yuen Shiu* (1983) 2 AC 629 (PC); *Federal Civil Service Commission v Laoye* (1989) 2 NWLR (Pt 106) 652.

¹⁷ Paul Craig, *Administrative Law* (9th edn, Sweet & Maxwell, 2021) 734.

¹⁸ *Victor v Federal University of Technology, Akure* (2026) 8 NWLR (Pt 2044) 33.

established practices, representations, or institutional policies.¹⁹ In the university context, students legitimately expect that their academic performance will be accurately recorded, fairly assessed, securely preserved, and correctly communicated by the institution. When institutions fail to meet these expectations, the resulting harm often extends beyond the academic environment and may affect professional advancement, employment prospects, and personal wellbeing.²⁰

4.0 The University's Duty of Care in Academic Administration

The concept of duty of care refers to the legal obligation imposed on a person or institution to exercise reasonable care in order to avoid acts or omissions that may foreseeably injure others.²¹ Since the celebrated decision in *Donoghue v Stevenson*, courts have recognised that liability in negligence arises where a sufficiently proximate relationship exists between the parties and where harm resulting from careless conduct is reasonably foreseeable.²² Although the doctrine developed primarily in relation to physical injury and property damage, modern negligence law has expanded considerably to encompass professional relationships, economic interests, educational services, and other contexts in which one party reasonably relies upon the competence and diligence of another.²³

In *Victor v. Federal University of Technology, Akure*, the Supreme Court defined a university's duty of care to its students as the legal and ethical responsibility to ensure that students are treated fairly, supported appropriately, and protected from foreseeable academic, psychological, or procedural harm during their studies. The Court further explained that the scope of this duty includes academic, administrative, and pastoral responsibilities. To discharge its academic duty of care, a university must provide competent teaching and supervision, ensure that staff are qualified and able to support students' academic progress, design fair and transparent assessment systems, provide clear marking criteria and reasonable deadlines, make appeal processes accessible, provide accurate academic information on course content, prerequisites, and progression requirements, act fairly in academic decision-making, and handle

¹⁹ *University of Port Harcourt v Nwuzor* (2024) LPELR-62382 (SC).

²⁰ Winfield and Jolowicz, *Tort* (20th edn, Sweet & Maxwell, 2020) 113.

²¹ E. E. Aloba, *Law of Tort* (Ikeja, Princetom and Associate Publishing Co. Ltd, 2022) 338.

²² *Donoghue v Stevenson* [1932] AC 562 (HL).

²³ *Caparo Industries Plc v Dickman* [1990] 2 AC 605 (HL).

academic misconduct and disciplinary matters in accordance with due process and institutional regulations.

To discharge its administrative and procedural duty of care, a university must process student records, appeals, and complaints accurately and within reasonable time frames. It must also ensure that academic policies are accessible, consistently applied, and fairly implemented. To discharge its pastoral and welfare duty of care, a university should consider how academic decisions may affect student welfare. Although pastoral support may not be strictly academic, international best practice increasingly requires universities to provide access to support services, such as counselling, disability services, and learning support; to take reasonable steps to protect vulnerable students from foreseeable harm; and to offer reasonable adjustments or accommodations for students with disabilities or health conditions.

The relationship between a university and its students possesses many of the characteristics traditionally associated with the existence of a duty of care. Students entrust universities with responsibilities that have profound implications for their academic, professional, and personal development. Universities assess performance, determine progression, maintain academic records, award degrees, and certify qualifications. In performing these functions, they exercise considerable control over matters that directly affect the future opportunities available to students. The dependence of students upon institutional competence creates a relationship sufficiently proximate to justify the imposition of legal duties where negligence results in foreseeable harm.²⁴

The significance of *Victor's* case lies precisely in its movement beyond purely contractual analysis. Rather than limiting the University's obligations to compliance with regulations or academic policies, the Supreme Court recognised an independent duty to exercise reasonable care in the management of academic records. The Court thereby aligned Nigerian law with emerging developments in other common law jurisdictions where universities have been held accountable for negligent administrative conduct that causes foreseeable harm to students.²⁵ The recognition of

²⁴ S. Deakin and others, *Markesinis and Deakin's Tort Law* (8th edn, OUP 2019) 129.

²⁵ *Ross v University of New Brunswick* (2009) 312 DLR (4th) 1; *Phelps v Hillingdon London Borough Council* [2001] 2 AC 619 (HL).

a tortious duty of care broadens the scope of institutional accountability and enables courts to address forms of misconduct that may not neatly fit within traditional contractual categories.

The academic dimension of the duty of care concerns the responsibility of universities to ensure that academic processes are conducted competently, fairly, and in accordance with established standards. This includes the maintenance of reliable assessment systems, accurate recording of results, proper supervision of academic programmes, and the faithful implementation of regulations governing progression and graduation.²⁶ Nevertheless, autonomy does not absolve institutions of the obligation to administer those processes competently. Where errors arise from negligence rather than academic judgment, courts are entitled to intervene.²⁷

The distinction is important. A court will ordinarily refrain from reviewing whether a student deserved a particular grade. However, a court may properly examine whether a student's grade was recorded incorrectly, whether examination results were negligently processed, or whether administrative failures led to the miscalculation of academic standing. Such matters concern the integrity of academic administration rather than the merits of academic judgment itself. The Supreme Court's reasoning in *Victor v Federal University of Technology* reflects this distinction and demonstrates an increasing willingness to hold universities accountable where negligence infects academic processes.²⁸

Closely connected to the academic duty is the administrative and procedural duty of care. Universities operate through extensive bureaucratic structures involving registries, examination units, faculties, departments, senate committees, and administrative officers. These structures are responsible for generating, storing, processing, and communicating academic information. Errors occurring at any stage of this process may have significant consequences for students.²⁹

The administrative duty of care requires universities to establish systems capable of ensuring accuracy, consistency, and reliability in the management of student records.

²⁶ E.A. Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press, 2017) 221.

²⁷ *R v Higher Education Funding Council, ex p Institute of Dental Surgery* [1994] 1 WLR 242.

²⁸ *Victor v Federal University of Technology, Akure* (2026) 8 NWLR (Pt 2044) 33.

²⁹ W. Wade and C. Forsyth, *Administrative Law* (12th edn, OUP 2021) 611.

It also requires prompt investigation of complaints, timely correction of discovered errors, and adherence to procedures designed to protect students from administrative injustice. In modern higher education, where many academic processes depend on digital databases and complex information management systems, the importance of administrative competence cannot be overstated.³⁰

A critical element in establishing negligence is the foreseeability of harm. Liability ordinarily arises only where a reasonable person in the defendant's position ought to have foreseen that careless conduct could cause injury to another.³¹ In the context of academic records, the foreseeability of harm is particularly compelling.

Universities are acutely aware that academic records serve as the foundation upon which important life opportunities depend. Employers rely on transcripts and certificates in making recruitment decisions. Professional bodies require academic verification before granting licences to practise. Postgraduate institutions depend on academic records when evaluating applicants for admission. Government agencies and scholarship bodies frequently require proof of educational attainment. Errors in academic records can therefore delay employment, prevent professional qualification, frustrate further studies, and undermine a student's reputation and confidence.³²

The existence of a duty of care necessarily raises the question of the standard by which university conduct should be measured. The law does not require perfection. Rather, it requires institutions to act with the degree of care and competence reasonably expected of comparable institutions operating under similar circumstances.³³ A reasonable university is expected to maintain accurate records management systems, employ qualified personnel, implement safeguards against errors, establish effective complaint mechanisms, and respond promptly when inaccuracies are identified. It should have procedures for verifying results, correcting mistakes, preserving records, and communicating academic information accurately.

³⁰ P. Craig, *Administrative Law* (9th edn, Sweet & Maxwell 2021) 742.

³¹ *The Wagon Mound (No 1)* [1961] AC 388 (PC).

³² *University of Port Harcourt v Nwuzor* (2024) LPELR-62382 (SC).

³³ *Bolam v Friern Hospital Management Committee* [1957] 1 WLR 582.

The standard is therefore one of reasonable institutional competence rather than absolute infallibility.³⁴

Importantly, the standard must evolve alongside developments in technology and administrative practice. In an era where universities increasingly utilise digital databases, automated result-processing systems, and electronic record management platforms, the expectation of administrative reliability has become significantly higher than in previous decades. Institutions that fail to adopt adequate safeguards may find it increasingly difficult to justify serious administrative errors.³⁵

In contemporary society, where educational credentials increasingly determine access to employment, professional advancement, and social mobility, academic records have acquired immense legal and practical significance.³⁶ The decision in *Victor v. Federal University of Technology, Akure* reinforces this reality by recognising that the management of academic records is not merely a bureaucratic task but a responsibility capable of generating legal consequences when negligently performed.³⁷

Academic records are administrative documents, institutional records, and legal instruments.³⁸ Unlike ordinary internal correspondence or routine university paperwork, academic records serve as authoritative statements of fact regarding a student's educational history and achievements. They record admissions status, course registrations, examination results, cumulative grade point averages, degree classifications, disciplinary notations, graduation eligibility, and the eventual award of academic qualifications.³⁹

Their legal significance arises from the fact that universities enjoy exclusive control over their creation, maintenance, and dissemination. A student cannot independently create a transcript, confer a degree upon himself, or issue an official statement of result. The authenticity and credibility of such records derive entirely from the authority of the institution that produces them. Consequently, students are compelled

³⁴ S. Deakin and others, *Markesinis and Deakin's Tort Law* (8th edn, OUP 2019) 137; E. E. Aloba, *Law of Tort* (Ikeja, Princeton and Associate Publishing Co. Ltd, 2022) 338.

³⁵ P. Craig, *Administrative Law* (9th edn, Sweet & Maxwell 2021) 744.

³⁶ M. Taggart, *The Province of Administrative Law* (Hart Publishing, 1997) 43.

³⁷ (2026) 8 NWLR (Pt 2044) 33.

³⁸ S. Marginson, *Higher Education and Public Good* (Melbourne University Press 2016) 16.

³⁹ E.A.Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press 2017) 226.

to rely on universities to preserve and communicate accurate information concerning their academic achievements.⁴⁰

Academic records encompass a wide range of documents, including transcripts, examination results, degree classifications, statements of result, and certificates. Collectively, these records provide a comprehensive account of a student's academic performance and qualifications.⁴¹ A transcript is often regarded as the most detailed academic record maintained by a university. It provides a chronological account of courses undertaken, grades obtained, credit units earned, and cumulative performance throughout a student's programme of study. For employers, postgraduate institutions, scholarship boards, and professional regulatory bodies, the transcript frequently serves as the primary basis for evaluating an individual's academic competence.⁴²

Similarly, examination results and cumulative grade point averages determine a student's academic standing and progression within the university. Degree classifications carry significant implications for employment opportunities, postgraduate admissions, and professional recognition. Certificates and statements of results provide formal confirmation that a student has successfully completed the requirements for a particular qualification. In many professions, the possession of an authentic certificate is a prerequisite for registration, licensing, or employment.⁴³

The legal importance of these records cannot therefore be overstated. An error in a transcript may result in the rejection of a postgraduate application. An incorrect degree classification may deprive a graduate of employment opportunities. A delayed or withheld certificate may prevent professional registration. Consequently, the accuracy and timely availability of academic records are matters of considerable legal and practical importance.⁴⁴

The consequences of inaccurate or mishandled academic records are often profound and far-reaching. Unlike many administrative errors that can be corrected without significant consequences, mistakes relating to academic records frequently occur at critical moments in a student's life when opportunities are time-sensitive and highly

⁴⁰ P. Craig, *Administrative Law* (9th edn, Sweet & Maxwell 2021) 741.

⁴¹ E.A. Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press 2017) 229.

⁴² E.A. Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press, 2017) 229.

⁴³ *Ibid*, 231.

⁴⁴ *University of Port Harcourt v Nwuzor* (2024) LPELR-62382 (SC).

competitive.⁴⁵ A graduate seeking employment may lose a job offer because a transcript is unavailable or contains inaccuracies. A candidate applying for postgraduate admission may miss application deadlines due to delays in the issuance of academic records. Professional licensing bodies may refuse registration where discrepancies exist between official records and the qualifications claimed by an applicant. In some instances, students may be compelled to repeat academic exercises, incur additional financial expenses, or endure prolonged delays in completing their educational objectives.⁴⁶

What makes these consequences particularly troubling is that they often arise through no fault of the affected student. In many cases, the student has fulfilled all academic obligations and reasonably expects that the institution will accurately record and communicate the results of those efforts. When administrative failures intervene, the student bears the burden of consequences generated by circumstances entirely outside his control.⁴⁷

Academic record mismanagement causes harm that extends beyond administrative inconvenience. It may produce career, professional, financial, and psychological consequences. Students often devote several years to obtaining educational credentials that they expect will improve their social and economic prospects. Errors in recording or certifying academic achievements can therefore have devastating effects, and opportunities once lost may never be regained. Students who face persistent bureaucratic obstacles in the recognition of their academic achievements may experience anxiety, frustration, humiliation, and loss of confidence. The emotional distress arising from uncertainty about one's academic status can be particularly severe where future plans depend on the timely resolution of the problem.

Contemporary jurisprudence increasingly recognises that where academic records affect identifiable legal interests, universities may be held accountable for negligence, arbitrariness, or abuse of power.⁴⁸ Nigerian courts have progressively developed this position through decisions involving wrongful expulsion, withholding certificates, denying graduation rights, and misrepresenting academic standing.

⁴⁵ P. Cane, *Atiyah's Accidents, Compensation and the Law* (9th edn, CUP 2018) 95.

⁴⁶ *University of Ilorin v Dunmade* (2013) LPELR-21383 (CA).

⁴⁷ (2026) 8 NWLR (Pt 2044) 33.

⁴⁸ *Garba v University of Maiduguri* (1986) 1 NWLR (Pt 18) 550.

In *MAUTECH v. Yarai*, the Court protected the student's entitlement to certification following wrongful expulsion.⁴⁹ In *University of Ilorin v. Dunmade*, judicial intervention became necessary after the university refused to issue a doctoral certificate despite completion of academic requirements.⁵⁰ Similarly, in *University of Ilorin v. Akinola*, the courts condemned the continued refusal to issue a certificate despite prior agreements and judicial pronouncements.⁵¹ More recently, in *University of Port Harcourt v. Nwuzor*, the Supreme Court affirmed substantial damages against a university that sought to deny a qualification previously represented as valid.⁵²

Against this jurisprudential background, *Victor v. FUTA* represents the next logical step in the evolution of university accountability. Rather than focusing solely on the withholding or denial of academic credentials, the Supreme Court addressed the underlying processes through which academic records are created and maintained. By recognising negligent management of academic records as a basis for liability, the Court effectively elevated such records from mere administrative documents to legally protected interests deserving of judicial protection.⁵³

5.0 Comparative Analysis with Earlier Nigerian Authorities

The decision in *Victor v. Federal University of Technology, Akure* did not emerge in a doctrinal vacuum. The foundation for this development can be seen in *Modibbo Adama University of Technology v. Yarai*.⁵⁴ In that case, the respondent was wrongfully expelled by the university, which subsequently withheld his statement of result, certificate, and mobilisation for the National Youth Service Corps scheme. The courts at every level rejected the university's actions and upheld the student's right to the recognition of his academic achievements. The decision underscored the principle that academic rights, once validly acquired, deserve legal protection against institutional abuse.⁵⁵

⁴⁹ (2020) 15 NWLR (Pt 1748) 395.

⁵⁰ (2013) LPELR-21383 (CA).

⁵¹ (2014) LPELR-23275 (SC).

⁵² (2024) LPELR-62382 (SC).

⁵³ (2026) 8 NWLR (Pt 2044) 33.

⁵⁴ *Modibbo Adama University of Technology v Yarai* (2020) 15 NWLR (Pt 1748) 395.

⁵⁵ *ibid.*

A similar commitment to institutional accountability is evident in *University of Ilorin v. Dunmade*.⁵⁶ The respondent had successfully completed the requirements for a doctoral degree, yet the university refused to issue his certificate on the ground that he had exceeded the permissible duration for the programme. The Court of Appeal rejected the university's position and affirmed the judgment in favour of the respondent. Crucially, the dispute centred not on academic competence or scholarly merit, but on the university's refusal to acknowledge and certify an accomplishment that had already been attained. The Court's intervention reflected an emerging recognition that universities must act consistently, reasonably, and fairly in matters affecting students' academic status.⁵⁷

The principle of accountability was further reinforced in *University of Ilorin v. Akinola*.⁵⁸ In that case, the respondent had been involved in prolonged disputes with the university arising from his participation in student union activities. Despite judicial pronouncements and settlement arrangements facilitated by the university's Visitor, the institution continued to withhold the respondent's certificate. The Supreme Court ultimately affirmed the lower court decisions and upheld substantial damages against the university.⁵⁹

The most immediate precursor to *Victor's* case is undoubtedly *University of Port Harcourt v. Nwuzor*.⁶⁰ In that case, the university initially informed the respondent that he had successfully completed his Master's degree programme with a cumulative grade point average of 3.44 and would be issued a certificate. Years later, however, the university sought to reverse its position, asserting that the respondent had not met the degree-award requirements. The Supreme Court rejected this attempt and upheld the exemplary damages awarded against the university. The case was notable because the Court recognised the university's conduct exceeded administrative error and constituted a serious abuse of institutional authority. By affirming substantial damages, the Court signaled that educational institutions would be held accountable when their actions inflict avoidable harm on students through carelessness, inconsistency, or abuse of power.

⁵⁶ (2013) LPELR-21383 (CA).

⁵⁷ *ibid.*

⁵⁸ (2014) LPELR-23275 (SC).

⁵⁹ *ibid.*

⁶⁰ (2024) LPELR-62382 (SC).

Against this jurisprudential background, *Victor v. FUTA* occupies a distinctive and important position. Earlier cases primarily concerned wrongful expulsion, refusal to issue certificates, denial of graduation rights, or misrepresentation of academic standing. In each instance, the courts intervened to protect students from arbitrary or oppressive conduct by university authorities. However, *Victor's* case extends the analysis beyond these traditional categories and focuses directly on the quality of academic administration itself.⁶¹

The decision's central innovation is its recognition that managing academic records is not merely an internal administrative function, but a legal responsibility that can lead to negligence liability. Collectively, these authorities reveal a clear trajectory in Nigerian educational law. Courts have progressively moved from protecting students against overt power abuses to recognising broader obligations of fairness, competence, and reasonable care.

6.0 The Decision and Its Implications for Nigerian Higher Education

The decision in *Victor v. Federal University of Technology, Akure* represents a significant moment in the development of Nigerian educational law. Beyond resolving the dispute between the parties, the judgment carries far-reaching implications for the governance of higher education institutions and the protection of students' interests.⁶²

The judgment affirms that students have legally protectable interests in the accurate management of their academic records. It recognises that academic records are closely tied to educational opportunities, professional advancement, and personal aspirations, and that students are entitled to expect reasonable care in their administration.

Victor's case extends liability into the realm of negligent academic administration.⁶³ Institutions may now face legal consequences where failures in record management, result processing, or academic documentation cause foreseeable harm to students. This development will likely encourage universities to improve administrative systems and adopt proactive risk management.

⁶¹ (2026) 8 NWLR (Pt 2044) 33.

⁶² (2026) 8 NWLR (Pt 2044) 33.

⁶³ *Modibbo Adama University of Technology v Yarai* (2020) 15 NWLR (Pt 1748) 395; *University of Port Harcourt v Nwuzor* (2024) LPELR-62382 (SC).

A particularly important implication of the decision is the growing necessity for robust record management systems within Nigerian universities. In an era where academic records are increasingly digitised and integrated into broader information management frameworks, institutions must invest in technologies and procedures capable of ensuring accuracy, security, and accessibility.⁶⁴ The judgment highlights the risks associated with poor record preservation, inadequate verification mechanisms, and inefficient complaint-resolution processes. Universities that do not modernise their administrative systems may become increasingly vulnerable to legal challenges stemming from preventable errors.

The decision has direct implications for university registrars, examinations officers, records departments, and Senate committees. These bodies are responsible for creating, maintaining, verifying, and certifying academic records. The recognition of a legal duty of care means that decisions concerning student records can no longer be treated as routine bureaucratic exercises without legal consequences. Greater attention must be paid to record accuracy, internal auditing, procedural compliance, and the timely correction of identified errors. Senate committees responsible for approving results and graduation lists may also need to adopt more rigorous verification procedures to minimise the risk of administrative mistakes.

7.0 Critical Evaluation of the Judgment

The decision in *Victor v. Federal University of Technology, Akure* is undoubtedly one of the most significant contributions to Nigerian educational jurisprudence in recent years. Its importance lies not merely in the Supreme Court's outcome, but in the broader legal principles it articulated regarding university responsibilities in academic administration.

One of the greatest merits of the judgment is its recognition of the realities of modern higher education. Today, universities are not just intellectual centres; they are complex institutions whose decisions significantly influence students' future opportunities. Academic records determine eligibility for employment, postgraduate admission, professional licensing, scholarships, and many other opportunities. Errors in managing such records can have severe, enduring consequences.

⁶⁴ E.A. Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press, 2017) 245.

The judgment significantly contributes to advancing student protection jurisprudence in Nigeria. Historically, judicial intervention in university disputes was largely confined to cases involving breaches of natural justice, wrongful expulsions, or violations of statutory procedures.⁶⁵ Although these decisions provided important safeguards, they often failed to address situations in which harm arose from administrative incompetence rather than deliberate misconduct. *Victor* expands the protective reach of the law by recognising that students may suffer substantial injury even in the absence of bad faith. The decision therefore broadens the spectrum of circumstances in which courts may provide remedies to students whose academic interests have been adversely affected by institutional failures.⁶⁶

Equally commendable is the Court's exposition of the concept of duty of care. This approach reflects developments in other common law jurisdictions where educational institutions have increasingly been required to exercise reasonable care in the discharge of responsibilities affecting students.⁶⁷ The Court correctly recognised that universities exercise substantial control over academic records and that students are entitled to rely upon the accuracy and integrity of those records. The resulting relationship of reliance and vulnerability provides a compelling basis for the imposition of a duty of care.⁶⁸

The Court did not assume the role of an academic examiner or substitute its views for those of university authorities. Rather, its focus remained on the integrity of administrative processes and the competence with which academic records were managed. The decision therefore preserves an important distinction between reviewing academic merit and assessing administrative conduct.

The Court recognised that universities need enough independence to discharge their educational functions effectively. At the same time, it emphasised that autonomy cannot justify negligence or shield institutions from responsibility where their actions

⁶⁵ *Garba v University of Maiduguri* (1986) 1 NWLR (Pt 18) 550.

⁶⁶ *Victor v Federal University of Technology, Akure* (2026) 8 NWLR (Pt 2044) 33.

⁶⁷ *Phelps v Hillingdon London Borough Council* [2001] 2 AC 619 (HL).

⁶⁸ S. Deakin and others, *Markesinis and Deakin's Tort Law* (8th edn, OUP 2019) 132.

cause foreseeable harm to students.⁶⁹ This balanced approach reflects the reality that autonomy and accountability are not competing values but complementary principles.

Ultimately, the most enduring significance of *Victor* may lie in its contribution to the emergence of what can properly be described as Nigerian educational tort law. Previous authorities such as *MAUTECH v. Yarai*, *UNILORIN v. Dunmade*, *UNILORIN v. Akinola*, and *University of Port Harcourt v. Nwuzor* established important principles concerning student rights and institutional accountability. However, those cases were largely decided within the frameworks of administrative law, contractual obligations, and statutory compliance. *Victor* goes further by recognising that universities may owe students a duty of care in negligence.

In that sense, the judgment represents a new frontier in Nigerian educational law. It signals a movement away from the traditional perception of educational disputes as purely internal matters and toward a recognition that universities, like other professional institutions, may incur tortious liability where they fail to exercise reasonable care in the performance of their functions.⁷⁰ Whether future courts will extend this reasoning to other aspects of university administration remains to be seen.

8.0 Conclusion and Recommendations

This article demonstrates that the judgment in *Victor v. Federal University of Technology, Akure* does more than resolve an individual dispute over academic records. It reflects an important judicial recognition that universities owe students a duty of care in academic administration and that negligence in the management of academic records may give rise to liability for foreseeable harm. By situating academic record management within the framework of negligence law, the Supreme Court expanded the scope of student protection and reinforced the principle that institutional autonomy must be exercised in accordance with standards of fairness, competence, and responsibility. The decision's major contribution is its affirmation that academic records are legally protectable interests, not merely administrative documents.

⁶⁹ *Victor v Federal University of Technology, Akure* (2026) 8 NWLR (Pt 2044) 33.

⁷⁰ *Victor v Federal University of Technology, Akure* (2026) 8 NWLR (Pt 2044) 33.

Given the decision's implications, universities must adopt robust measures to safeguard academic record integrity. Institutions should invest in modern digital record preservation systems to ensure student information accuracy, security, and long-term accessibility. Regular internal audit mechanisms should be established to detect discrepancies before they result in harm. Universities should also strengthen student grievance procedures by creating transparent, accessible channels to promptly investigate and resolve complaints about academic records. Equally important is the development of timely correction protocols that enable identified errors to be rectified without undue delay. Administrative accountability measures, including clear lines of responsibility for record management and periodic compliance reviews, should become integral components of university governance.⁷¹

Ultimately, *Victor's* case signals the emergence of a new era in Nigerian higher education law. The decision confirms that universities are no longer insulated from scrutiny when administrative failures adversely affect students' rights and legitimate expectations. As higher education relies more on complex administrative systems, courts will likely demand higher standards of institutional care. The future of university liability in Nigeria will therefore be shaped by a delicate balance, one that preserves academic autonomy while ensuring accountability. In striking that balance, the Supreme Court has taken an important step towards fostering a more transparent, responsible, and student-centred system of higher education governance.⁷²

⁷¹ E.A. Taiwo, *University Administration and Educational Law in Nigeria* (Ababa Press, 2017) 245–249.

⁷² H.W. R Wade and C.F. Forsyth, *Administrative Law* (12th edn, OUP 2021) 618–622.