



A COMPENDIUM OF 100 HIGH PROFILE CORRUPTION CASES IN NIGERIA

[As at 22nd of November, 2023]



A Publication of Human and Environmental Development Agenda
(HEDA Resource Centre)

Supported by:

**MacArthur
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By



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PREFACE

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The motivation for this compendium in 2017 was derived from the major concern for the cascading morality in the society with assorted nauseating manifestations. It became regular practice, celebrating those notorious for corruption and financial crime offences in the country, such that those accused are not only revered and elevated by social and religious institutions, but societies also elect them into otherwise respectable offices. The 2023 general elections still saw the election of suspects in corruption and financial crimes elected into political offices, especially the National Assembly. Obviously, the proceed of crimes are used by suspected Politically Exposed Persons to purchase immunity from prosecution and delay trials to escape public attention and possible justice.

For us at HEDA Resource Centre, researching, documenting and publishing this compendium has remained a remarkable achievement in the face of the threats and harassments. We have received impressive and remarkable accolades for the unprecedented and bold move inherent in the publication, and so are criticisms and threats from those affected by the audacity of this action. Our underlining objective, as stated from inception, was not to pass any verdict on any of the accused. “Rather, this is to document and assist the public, the media, especially those with a strong knack for insightful backgrounding as well as researchers with information handy enough for easy reference purpose.” Those affected by the publication or with reservation for bold move are advised to understand the civic duty of HEDA Resource Centre discharged through the work than taking it personal and attacking the organisation or its leadership. It is primarily pertinent for public to understand and interrogate why cases get delayed in courts. It is our belief that stakeholders in the dispensation of criminal justice, especially in corruption and financial crime cases are also due for scrutiny and account. Finally, the cost of corruption should be brought to public attention and consciousness. HEDA is strongly committed to these tasks.

Remarkable achievements of the compendium as we progress was the use by international law enforcement agencies in the United Kingdom and United States as background for investigation into some corruption and illicit assets recovery cases for Nigeria. Also, a research project led by Northumbria University and supported by the FCDO-funded Global Integrity Anti-Corruption Evidence (ACE) Programme on Tracking Beneficial Ownership and the Proceeds of Corruption: Evidence from Nigeria used the Compendium as the foundational basis for its project. According to the recently released report, “*The starting point for a more specific investigation into the use of BO in the hiding of the proceeds of grand corruption was an interrogation of data collected by the Human Environmental Development Agenda (HEDA), a Nigerian non-governmental organisation (NGO) interested in raising public awareness of the court delays around high profile cases of corruption. Its first edition in 2018 - Compendium of 100 High-profile Corruption Cases in Nigeria - has been followed by those of 2019 and 2020.24 It constitutes the most detailed secondary source of information on corruption in Nigeria we had found...*”

To retain our established high standard of neutrality, integrity and professionalism in the compilation and publication, we increased number of independent researchers contracted to undertake the tedious data gathering in respect of one hundred high profile corruption and financial crime cases beginning from 2017 to date without any specific restrictions from the organisation and also secured professional support in matching reported cases with appropriate photographs of suspects.

We are conscious of plethora of cases under the definition of corruption and financial crimes cases, but focused on only 100 for the publication as promised from inception with substitution of some previously reported and recently decided cases with some latest cases. Appropriate computer software are still deployed to generate meaningful infographics after an initial coding. Specifically, IBM SPSS used to analyse the coded extraction from the raw data. The exciting outcomes of both the research and the infographics are found in this compendium.

PREFACE

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Profound gratitude goes to our independent researchers, editors and analysts. Board members of the organization have consistently encouraged and support the management in organisation's projects. We have received valued feedbacks and opinions on the compendium, some of them published in this edition. We shall continue to solicit and welcome more of the comments, opinions and criticisms.

We thank and express immense appreciation to MacArthur Foundation especially the Africa Director, Dr. Kole Shettima, for providing the indispensable support for the production of this compendium and for seeing and believing in our vision on this project from inception till this 7th edition.

Mr Adeola Soetan provided thorough supervision for the editing legs of the engagement culminating in the publication of this compendium. We are most grateful to you all for your time and support. Our in-house lawyer, David Ogungbesan who supervised the research and Ismail Tijani designed the graphics.

It is our fervent belief that this intervention will continue to effectively impact on anti-corruption campaign in Nigeria while also assisting the illicit assets tracing efforts of the country at the international jurisdiction. A critical review of majority of the cases reveals unimpressive respect, fidelity and adherence to provisions of the Administration of Criminal Justice Act, 2015. Inaction on corruption pays no one.

Olanrewaju Suraju
Chairman, HEDA Governing Board

FOREWORD

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1

I have the honour to write the Foreword for the 7th Edition of the Compendium of 100 High Profile Corruption Cases in Nigeria, published by the Human and Environmental Development Agenda (HEDA Resource Centre). It is pertinent to note that seven years in a row, HEDA has consistently researched and interrogated into some high-profile corruption cases, which have either been under investigation or prosecution since 2005. I am gladdened by the tenacity, consistency, dedication and professionalism which this task has been carried out.

There cannot be peace without development and there cannot be development without peace. Corruption is an obvious threat to peace and development. The greatest impact of corruption is on the society, especially the weak and vulnerable populations. The costs of corruption have been document in the literature and even without recalling all, suffice it to state that corruption depletes national wealth; creates and widens inequality; hinders the development of fair market structures and distorts competition; it undermines the credibility of institutions and confidence in the government; and most importantly, corruption undermines the rule of law and stability of society. In this regard, corruption is an enemy to mankind. Yet, the fight against corruption remains a daunting task.

The good news, however, is that every one can stop corruption. The few examples of effective civil society actions against corruption, including the 2 million man-match in Hong Kong over the extradition of Peter Godber, and the 'Arab String' are landmarks for advocacy and anti-corruption crusade. Effective legislation is crucial to the fight against the menace, but that is not enough – pressurizing government to do the needful, supporting witnesses, raising awareness about the effects and impact of the problem, as well as involving critical stakeholders like the youth and civil society organizations are all opportunities for changing the narrative.

It is in this connection that the aim of HEDA in producing this compendium – which is to raise awareness by providing “members of the general public with verifiable information on some protracted 100 high profile corruption cases that began since 2005 detailing: parties involved, case number, nature of offence, amount involved, year case was filed, court and status, with the aim of increasing citizens' awareness of those cases and circumstances surrounding them”, is both laudable and commendable. As I understand, this initiative “is to also challenge the Administration of Criminal Justice system in Nigeria on the need for reforms and speedy dispensation of justice, while also emphasizing on the importance of transparency and accountability given corruption induced developmental setback in Nigeria”.

FOREWORD

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The primary purpose of government is the well-being and welfare of the citizens. In this regard, fighting corruption is critical to attaining that goal. Section 15 (5) of the Constitution of the Federal Republic of Nigeria (1999) as Amended states that 'the State shall abolish all corrupt practices and abuse of power; while Section 4 vests the legislative power in the National Assembly. To this extent, the National Assembly is an important institution for the fight against corruption. Unfortunately, public complaints about certain corrupt practices, including budget padding, (mis)management of constituency projects, oversight functions and public hearings/investigations which revealed corrupt practices in the process, as well as the concealed allowances and other benefits of members of the National Assembly seem to have undermined the capacity of the National Assembly to effectively discharge its constitutional function in the fight against corruption.

The Executive Arm of the Government, which is responsible for enforcement of the law is equally bereft and incapacitated in several ways. Most of the names on the high-profile cases were from the executive either at the federal or state level. The anti-corruption agencies are no longer seen to be as effective in investigating corruption cases; while the Judiciary, despite its efforts to adjudicate corruption cases, has not impressed the public. That is not to say that the court of public opinion is the final arbiter, but perception, though could be subjective, is everything.

Nevertheless, hope is not lost as there are islands of integrity and patriotic citizens who are committed to pressurizing the government and consistently advocating for accountability to strengthen democratic practices. I sincerely commend HEDA for its commitment and dedication and appreciate the support of development partners, including MacArthur Foundation for supporting this effort.

Professor Abdullahi Shehu Yibaikwal
Former Director General, ECOWAS
Inter-Governmental Action Group against
Money Laundering in West Africa (GIABA)

BACKGROUND AND METHODOLOGY

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Corruption has robbed Nigeria of opportunities for development in critical sectors. It is perhaps the most troubling issue in Nigeria as of today. It is a major setback to the development of Nigeria. Corruption has reduced the incentive for investment, increases the cost of the transaction and provides an environment dictated by a questionable approach to issues of economic and political magnitude. It is responsible for political instability, economic underdevelopment, low administrative efficiency, insurgency, forced migration, infrastructural decay and widespread poverty. It is the single greatest hindrance to socioeconomic development and it weakens the institutional foundation on which economic growth and development depend.

Transparency International has consistently rated Nigeria as one of the most corrupt countries in the world. Nigeria was once ranked as the most corrupt country in the world in 2000. It became the second most corrupt country between 2001 and 2003, falling next to Bangladesh; 2004's report showed a little improvement, as it fell to 3rd position. The country became the 8th most corrupt country in 2005 and astronomically improved to the 21st most corrupt country in 2006. In 2007, Nigeria ranked 33rd most corrupt country while in 2012 the Nation got 37th position. 2013 report returned Nigeria to 33rd position while 2014 report placed the nation as 38th most corrupt country on earth. In 2015, Nigeria was ranked 32nd most corrupt country and in 2018 it reduced to the 40th position. The 2017 report ranks Nigeria as the 39th most corrupt country in the world. Currently, in the 2022 corruption perception index, Nigeria ranks 150 with 24 points. (<https://www.transparency.org>).

Corruption cases in Nigeria run into hundreds, making up billions of dollars if successfully prosecuted. Commendably, the Economic and Financial Crimes Commission has recovered billions of Naira in local and foreign currencies through non-conviction based asset recovery action. Yet, progress has been very slow. This document contains information on the current situation of some high-profile cases in Nigeria.

Consultant researchers were mandated to comb all possible sources of information and report conscientiously. Defying all traditional inhibitions, they finally succeeded in gathering information on no fewer than 100 high profile cases as mandated to produce the original version of this publication. Subsequently, three researchers were mandated to provide a review of the cases and they finally turned in what we refer to as helpful updates on all the cases.

Given our strong focus on the importance of making the resultant findings reasonably reader-friendly, we went further to identify assorted content categories to make for due computer processing to generate meaningful infographics. After the initial coding, we resorted to IBM SPSS Version 23. The interesting outcomes in forms of tables and histograms follow the prosaic accounts that you find in the first section of the report. Indeed, the resultant infographics readily qualify as an executive summary that may as well be found quite insightful and, for newshounds, provide exciting news angles. It has ten different sections in all.

WHY THE COMPENDIUM?

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Corruption cases like other court cases do not initially enjoy any special sequencing since there were no courts dedicated to them. Consequently, sheer mentions and even trials endure with the citizens for a limited time only to pale into insignificance with time. Some citizens who tend to take keen interest manage to follow through the media if there are exciting dimensions that readily attract the media from some of the cases.

Unfortunately, beat associations including that of judicial correspondents are now very influential on the perspectives of coverage of all issues and events, including court cases. Yet, citizen journalists may not be totally reliable for credible accounts especially, for such that may require specialized skills like court reporting. For these and other related reasons, we felt compelled to rise to the challenge of providing the concerned members of the general public, including researchers, what we consider verifiable information on as many as 100 high profile corruption and financial crimes cases that had begun since 2005. The ultimate goal is to raise the bar of citizens' consciousness for the indispensability of transparency and accountability, in their quest for the country's recovery from economic hardship, which hardly attracts any explanation or fuel any popular mobilization.

The specific objectives of the compendium are:

To investigate and collate otherwise isolated high-profile cases of corruption and financial crimes in governments at all levels, beginning from 2005.

To examine the pattern of the management of the cases by officers (Prosecutors, defense counsels, judges, court officials etc) in the temple of Justice.

To investigate and document the amounts involved in relation to the official status of each suspect.

We shall in future analyse, the cost of investigating and prosecuting an average case of corruption and financial crimes.

Its is to set in motion the process of reviewing and identifying contributions of each stakeholder to the delays experienced in the speedy dispensation of corruption and financial crimes cases.

Recommendations for speedy prosecution of corruption cases

Achieving prosecution of corruption related cases within a short time in Nigeria's Court is very possible if the following recommendations can be implemented:

1. Appointment of more honest and competent judges in all hierarchy of Courts.
2. Digitization of the court system to allow for electronic transmission and collation of court processes and documents.
3. Creation of special division within the Court to specifically handle corruption related cases. Lagos State already created a "Special Offenses Court" to prosecute corruption cases and other peculiar offenses.
4. Strict adherence to the provisions of the Administration of Criminal Justice Act especially Section 396.
5. Amendment of the Constitution to restrict appeal of economic and financial crime cases and corruption related cases to the Court of Appeal.

David O. Ogungbesan, Esq
Legal Officer
HEDA Resource Centre

OPINIONS ON PREVIOUS EDITIONS

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“The one hundred prosecutions that are summarised in this useful report establish the intent of prosecution authorities in Nigeria to investigate and indict those against whom evidence of corruption has been amassed. It is equally important that the trials of those charged should be pursued with vigour and efficiency. This Report is likely to encourage that result. It is much to the credit of those who have collected and recorded this information.”

Justice Richard Goldstone (Rtd)
Former Justice of Constitutional
Court of South Africa

“It is very good and reasonably up-to-date. It gives Nigerians and even foreigners a good picture of how corruption is being fought in Nigeria. It demonstrates how CSOs, the Federal Government and Anti Corruption Agencies are jointly tackling corruption. Publication of this nature is very essential as it will ensure transparency and accountability. We need to monitor corruption cases, confiscation and management of properties. Hence, we may need to advocate for a SPECIAL CRIMES COURT and the PROCEEDS OF CRIME ACT.”

Prof. Isah Raddah
Former Executive
Secretary, PACAC

“The publication on stolen public funds and the main actors as an anti-corruption drive is unique. It empowers people to act on their own in preventing corruption and exposing those responsible for stolen public funds. It is impactful and refreshes memory of Nigerians about the past and the present, strengthening our consciousness and determination never to relent in the crusade against corruption. It is another alternative dark list that puts a tag on corrupt officials as a reminder of Nigeria's sordid past.”

Mr. Wale Adeoye
Journalists for Democratic
Rights (JODER)

“The publication is a commendable initiative by HEDA. The compendium is no doubt a good advocacy to call on both government and citizens to the problem in these cases. It provides useful information but most importantly more has to be done. At a close look you will realize that more than a number of the cases have been in court for close to 10 years. It will help policy makers in asking questions: Why are the cases being delayed in court? Who has the fault? The Judiciary? Is it poor investigation or lack of diligent investigation?”

Prof. Shehu Abdullahi
Professor of Criminology, Former
Director General, GIABA

“It is a pioneering publication that is so data laden, that no researcher on development in Nigeria can afford to ignore. It has come to fill a huge vacuum of hitherto scattered statistics on corruption especially at the very high levels of governance in the country. It is by no means a most fulfilling initiative that has come to help preserve for generations indispensable bits of information on corruption across different spheres of governance in the country.”

Prof. Tunde Akanni
School of Communication,
Lagos State University.

OPINIONS ON PREVIOUS EDITIONS

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“Having a compendium of high-profile cases in Nigeria is a useful addition to available resources to evidence the scale and depth of corruption in the country. It is capable of enriching the quality of discussions on cost of corruption in Nigeria. As such, I commend HEDA for taking up the challenge.”

Mr. Dayo Olaide
Deputy Director, Nigeria Office,
MacArthur Foundation

“HEDA's Compendium of 100 High Profile Corruption Cases in Nigeria is a commendable effort. At first sight, I was astounded to realize there are so many cases. My other concern is the credibility of the exercise. We need to be more sensitive to the fact that one or few of those mentioned may not be liable, we must be clear that they are all allegations. I am of the opinion that such compilation is good for our history.”

Mrs. Maryam Uwais
Former Special Adviser to the
President on Social Investments

“I continue to wonder, what type of system makes high profile corruption so easy and the prosecution of corruption cases in court so difficult? Such system needs to be discarded forthwith for the nation to survive this elite conspiracy to loot with impunity and immunity. Going through the 100 high profile cases compendium and the wide range of actors involved cutting across all arms of government and the private sector, will lead to a conclusion that elite corruption in Nigeria is a highly endemic and contagious social disease that endangers the nation's development. HEDA has really done a very good incisive work to educate and broaden the vista of advocacy against corruption.”

Comrade Adeola Soetan
National Coordinator,
Democracy Vanguard

“HEDA is to be congratulated for this groundbreaking report. It is an invaluable and much needed tool in the fight against corruption. Those who have stolen Nigeria's wealth must be exposed - and their assets reclaimed. The book provides a rich resource for activists and investigators not only in Nigeria but also abroad.”

Mr. Nick Hildyard
Journalist, The Corner House

“A Compendium of High Profile Corruption Cases is a painstaking effort at documenting the struggle of the Nigerian state with the incubus of corruption. While it exposes the rot terrorising the well-being of the people, denying them of provision of public utilities and infrastructures, the publication is a complete shaming of the anti-people elements whose paternalistic toga in politics and business needs be shredded to assist posterity in its balanced judgement. This publication is, therefore, a just attempt at putting history straight in a society lacking in adequate preservation of public record. It gives a reference material to all researchers on corruption in Nigeria and efforts being made to tackle the monster. It should grace the libraries of public offices to guide in a quick search on integrity of some public figures.”

Mr Kunle Adegoke SAN
Principal Partner, Kunle Adegoke & Co

ECONOMIC, SOCIAL AND POLITICAL IMPLICATIONS OF CORRUPTION

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Introduction

Nigeria's battle with corruption has been an unrelenting struggle since independence in 1960, permeating all facets of society and hindering the nation's progress. This insidious issue has far-reaching economic, social, and political consequences that impact the lives of everyday Nigerians. From the highest levels of government to the average citizen, the deep-rooted nature of corruption seeps into the fabric of daily life, eroding public trust and impeding Nigeria's potential.

The reported cases in this compendium underscore the profound impact of endemic corruption across all sectors, from executives to legislators, and even the judiciary, who should serve as the moral compass for society. These specific examples of corruption highlight Nigeria's efforts in tackling this persistent challenge since independence and the ongoing struggle to root out entrenched graft to unlock the country's immense promise. The multifaceted implications of systemic corruption in Nigeria continue to this day - with economic, social and political consequences - as the nation relentlessly seeks to combat this scourge and build a just, equitable society founded on good governance and economic prosperity.

Economic Implications

The scourge of corruption has wrought immeasurable havoc on the economy of Nigeria, hindering the influx of foreign investments, hampering the flourishing of the economy, and aggravating the gap between the rich and poor. The nation bears the brunt of the self-serving actions of public servants, who embezzle funds earmarked for the development of public services and other initiatives. Consequently, the infrastructure of public amenities, including roads, schools, and hospitals, are left to crumble, depriving the most vulnerable sections of society of basic necessities.

It remains ever surprising that the courts are willing to take the easy way out when matters of prosecuting public officers who commit these crimes are at play. A case in point will be the striking out of the suit for the forfeiture of 14 properties and the whopping sum of N400Million against Governor Yahaya Bello in *FRN v Yahaya Bello*. How the court conveniently ignored the logic in *EFCC V Fayose* and the Supreme Court's decision in *Fawehinmi V IGP* to suggest that a Governor cannot be tried during his term in office suggests that the court was more inclined to wriggling out of the matter than it was about recovering our commonwealth – this, it is submitted, presents the dilemma of corruption and justice in the Nigerian legal system. It offers flesh to the sentiments that our judiciary jettisons activism and cleaves slavishly to technicalities almost always to the benefit of those who engage in graft. The insidious nature of corruption has a profound impact on the business environment, where the reign of illicit practices supplants fair competition. This malfeasance creates an atmosphere of unpredictability, which obstructs the progress of both indigenous and foreign investors who crave stability and transparency. Consequently, Nigeria grapples to entice the critical investments required to diversify its economy, diminish reliance on oil, and cultivate an environment of sustainable development.

(2018) LPELR 44131 CA
(2002)7 NWLR (PT767)606.

ECONOMIC, SOCIAL AND POLITICAL IMPLICATIONS OF CORRUPTION

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As shown in the cases in this compendium, the act of draining public funds, aside from the negative image it provides any nation, results in the deprivation of essential services and support for the most susceptible members of society. As a consequence, the chasm between the affluent and the impoverished expands – this, it is obvious, has been the Nigerian story.

Funds that were intended for programs aimed at alleviating poverty, education, healthcare, and other social welfare endeavors are redirected into the personal coffers of officials who choose to engage in corrupt activities. How the justice system reacts to this remains an opinion to be formed by every reader who reads through the cases in this compendium.

Social Implications

The ramifications of corruption on the Nigerian society are profoundly distressing. It propagates an atmosphere of lawlessness, corrodes confidence in establishments, and amplifies disparity. Whether it be nepotism or mindless industrial looting as typified in most of the cases in this compendium, corruption distresses Nigeria. It beggars' belief that an accountant, trusted with the wages of pensioners – the lot on whose backs Nigeria was built – will loot a whopping sum of N26B. The case of *FRN VS. Garba Abdullahi Tahir* cited in this compendium is one out of many.

As unethical deeds become customary, the populace loses trust in any Government's potential to shield their entitlements and furnish vital amenities. This culminates in a disintegration of social harmony, with disappointment and vexation spawning unrest and tension around the nation.

Furthermore, the scourge of corruption intensifies the scourge of poverty and inequality. The funds that should be assigned to programs that relieve poverty, promote education, and enhance healthcare are frequently diverted by unscrupulous individuals. Whilst the adversarial system of justice that Nigeria practices does not allow for outright accusations until the decision of the court is reached, most of the cases in this compendium show the social effects of corruption. The nefarious practice of corruption results in the most underprivileged sections of society, already alienated, bearing the weight of the corruption cycle. The absence of egalitarian opportunities ignites social unrest, obstructs social mobility, and perpetuates an unrelenting circle of poverty.

Political Implications

Corruption serves as a malevolent force that corrodes the very essence of democratic institutions, while simultaneously subverting the rule of law within the Nigerian state. It insidiously distorts the electoral processes, thereby entrenching an aristocracy of political elites that prioritize personal aggrandizement over public welfare. The embezzlement of public funds and the act of bribery decimate the trust between citizens and their elected representatives, resulting in the gradual erosion of governmental legitimacy. Very recently, in Nigeria's last election, a large number of the populace rejected the outcome of the electoral process that produced the last set of leaders. Litigations bothering on the electoral processes have recently just been concluded but many continue to dispute even the logic of the court.. The reason for these issues does not pose in a distance – Corruption has become institutionalised and the consequence on our political system is only emerging.

Amongst other contestants, one of the major contestants in the 2023 general elections, Mr. Peter Obi, contended that the election that produced Mr. Bola Tinubu was flawed. He and his party have criticised the Supreme Courts' position on the matter. See < [https://www.reuters.com/world/africa/nigeria-oppositions-obi-slams-court-ruling-confirming-tinubu-election-win-2023-11-06/#:~:text=ABUJA%2C%20Nov%206%20\(Reuters\),for%20a%20%22New%20Nigeria%22](https://www.reuters.com/world/africa/nigeria-oppositions-obi-slams-court-ruling-confirming-tinubu-election-win-2023-11-06/#:~:text=ABUJA%2C%20Nov%206%20(Reuters),for%20a%20%22New%20Nigeria%22)

ECONOMIC, SOCIAL AND POLITICAL IMPLICATIONS OF CORRUPTION

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Ultimately, corruption impedes the efficacy of governance and diminishes the potential of the state. This is ever evident in the nepotic appointments made by leaders for their cronies and tribesmen to loot the system, never mind that they may be incompetent for those roles. Frequently, crucial policy determinations are influenced by personal agendas, rather than the greater good, thereby stifling the advancement of developmental schemes and impeding progress. This culminates in an environment of political instability and an erosion of trust in the government's capability to cater to the requirements of its people.

Conclusion

The ramification of corruption in Nigeria and its people are extensive and ruinous. From an economic standpoint, corruption hinders progress, discourages investment, and reinforces income inequality. On a social level, it worsens poverty, corrodes trust, and inflames civil unrest. Politically, corruption erodes democratic institutions and undermines governance.

To effectively combat corruption, Nigeria must prioritise comprehensive anti-corruption measures that encompass prevention, enforcement, and accountability. There must be advancement in judicial processes to ensure speedy justice delivery. Mention must be made that the Nigerian judiciary has made significant effort with timely delivery of judgements as there has been virtual rulings in a few cases – prominent amongst them would be the *Femi Kayode* ruling. But it goes beyond this; Enhancing transparency and accountability mechanisms, cultivating a culture of honesty, and ensuring the swift punishment of corrupt individuals are all crucial steps towards a brighter future for Nigeria and its citizens. Only by eliminating corruption can Nigeria unleash its full potential and establish a prosperous and equitable society for all.

Kamo Sende, Esq.

[https://www.reuters.com/world/africa/nigeria-oppositions-obi-slams-court-ruling-confirming-tinubu-election-win-2023-11-06/#:~:text=ABUJA%2C%20Nov%206%20\(Reuters\),for%20a%20%22New%20Nigeria%22.](https://www.reuters.com/world/africa/nigeria-oppositions-obi-slams-court-ruling-confirming-tinubu-election-win-2023-11-06/#:~:text=ABUJA%2C%20Nov%206%20(Reuters),for%20a%20%22New%20Nigeria%22.) > accessed 9 November, 2023.

It must be mentioned that many Nigerians have rejected the outcome of the elections even after the decision of the supreme court. Social Critic, Aisha Yesufu is quoted to have vowed that Mr Tinubu can never be her president. See < <https://dailytrust.com/tinubu-will-never-be-my-president-says-aisha-yesufu/> > accessed 9 November, 2023. Ace Nigerian author, Chief Chimamanda Adichie had also written to the US President to criticise the US Government for congratulating Mr. Tinubu for emerging victorious in a flawed process. See <

[https://www.premiumtimesng.com/news/top-news/592218-2023-election-nigerian-author-chimamanda-criticises-us-for-congratulating-](https://www.premiumtimesng.com/news/top-news/592218-2023-election-nigerian-author-chimamanda-criticises-us-for-congratulating-tinubu.html#:~:text=A%20Nigerian%20writer%2C%20Chimamanda%20Adichie,the%2025%20February%20presidential%20election.)

[tinubu.html#:~:text=A%20Nigerian%20writer%2C%20Chimamanda%20Adichie,the%2025%20February%20presidential%20election.](https://www.premiumtimesng.com/news/top-news/592218-2023-election-nigerian-author-chimamanda-criticises-us-for-congratulating-tinubu.html#:~:text=A%20Nigerian%20writer%2C%20Chimamanda%20Adichie,the%2025%20February%20presidential%20election.) > accessed 9 November, 2023

Chetwynd E, Chetwynd F and Spector B, 'Corruption and poverty: A review of recent literature' (2003) 600 *Management Systems International* 5.; Hodge A and others, 'Exploring the links between corruption and growth' (2011) 15(3) *Review of Development Economics* 474.

Though outside the scope of this compendium, a critical illustration would be the policies set by the immediate past Governor of the Central Bank of Nigeria. The policies did not just stymie advancement and growth, they affected the economy of Nigeria resulting into the pitiable state that the economy now wallows.

In this case, the Court of Appeal, via zoom, delivered a ruling on an appeal filed by one of the defendants challenging the jurisdiction of the Federal High Court, Lagos to hear the N4.6 billion corruption and money laundering charges preferred by the Economic and Financial Crimes Commission, (EFCC) against the former Aviation Minister, and a director in the All Progressives Congress Presidential Campaign Council (APC PCC), Chief Femi Fani Kayode, former Minister of Finance Nenadi Usman and others. This case is extensively discussed in the compendium.

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Case 1: Patrick Akpobolokemi (Ex-Nimasa D-G) - Forfeiture of Fraudulent Properties (N754.8 Million)

Hon. Justice Tijani Ringim of the Federal High Court, Ikoyi Division, Lagos on the 3rd of April, 2023 ordered the interim forfeiture of the sum of N725,345,897.77 and the property situated at Plot J 37A 218 Close, 2nd Avenue, Banana Island, Ikoyi, Lagos State linked to Patrick Akpobolokemi, a former Director-General of the Nigerian Maritime Administration and Safety Agency (NIMASA) who is on trial alongside Captain Ezekiel Bala Agaba for an alleged N754.8 Million fraud before Hon. Justice R.I.B Adebisi of the Lagos State High Court, Ikeja, Lagos State.

Hon. Justice Ringim following a motion ex-parte application brought by the counsel to the Economic and Financial Crimes Commission, EFCC, who argued that the property was reasonably suspected to have been acquired by the proceeds of unlawful activity while the said sum was reasonably suspected to be proceeds of an unlawful activity.

Meanwhile, Hon. Justice R.I.B Adebisi of the Lagos State High Court sitting in Ikeja, dismissed the no case submission of former Director-General, Nigerian Maritime Administration and Safety Agency (NIMASA), Patrick Akpobolokemi and that of former Executive Director, Ezekiel Agaba in another alleged N754.8 million fraud.

Akpobolokemi, a former Director-General of the Nigerian Maritime Administration and Safety Agency (NIMASA) and Ezekiel Agaba, a former executive director, NIMASA were initially charged alongside Governor Juan, Vincent Udoe, Ekene Nwaku, Adegboyega Olopoenia and a company, Gama Marine Nigeria Limited, by the Economic and Financial Crimes Commission (EFCC) before the charge was later amended to involve only both of them.

Justice Adebisi dismissed the no case submission of the duo, following the adoption of the written addresses of the prosecution and defence counsel.

The judge ruled that the prosecution had established a prima facie case against the two defendants on counts two, three, four, five and seven bordering on stealing, warranting them to enter the dock to tell their own sides of the story. Justice Adebisi further held that a prima facie case had been made against the second defendant on counts 9, 10, 11 and 12, bordering on forgery. The judge, however, discharged, and acquitted Akpobolokemi and Agaba of counts one, six and eight bordering on conspiracy.

Justice Adebisi adjourned the case to September 19, 2023, for the defendant to open his defence. The matter has been further adjourned to the 27th of November 2023 for continuation of trial. Akpobolokemi and Agaba are standing trial on a 12-count charge bordering on stealing, forgery and conspiracy proffered against them by the Economic and Financial Crimes Commission (EFCC).



Case 2: Gov. Yahaya Bello - Forfeiture of Fraudulent Properties

Hon. Justice Oweibo of the Federal High Court, Ikoyi Division, Lagos had earlier on Wednesday, 23 February, 2023 granted an interim forfeiture of properties linked to Gov. Yahaya Bello in Lagos, Abuja and the United Arab Emirates (UAE) and also the sum of N400 million recovered from one Aminu Falola which the Economic and Financial Crimes Commission (EFCC) argued was reasonably suspected to have been derived from unlawful activity and intended to be used for the acquisition of Plot No. 1224 Bishop Oluwole Street, Victoria Island, Lagos.

In response, Gov. Yahaya Bello through his counsel, argued that most of the properties sought to be forfeited were acquired by Bello before he became governor and that the EFCC lacked the power to prosecute the governor for any civil or criminal matter as he enjoys immunity from such prosecution under the constitution.

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After evaluating both arguments, Hon. Justice Oweibo on Wednesday, April 26, 2023 in a ruling agreed with the submissions of counsel to Gov. Yahaya Bello and struck out EFCC's suit for forfeiture of the 14 properties and the sum of N400 million linked to the governor citing immunity from prosecution by virtue of the Nigerian Constitution.

Flowing from this ruling, the EFCC through its prosecution counsel, Rotimi Oyedepo, SAN, filed a Notice of Appeal against the ruling on the 27th of April, 2023 stating that the judge erred in his ruling and that the immunity conferred on Gov. Yahaya Bello against civil or criminal proceedings during his incumbency as governor of Kogi State does not extend to properties reasonably suspected to be proceeds of crime traced to him and therefore urged the appeal court to allow the appeal and overturn the ruling of Hon. Justice Oweibo. The date for the hearing of the appeal as at the time of writing this report has not been given by the Court of Appeal.

Recently, Hon. Justice Nicholas Oweibo of the Federal High Court in Lagos, on Monday, May 15, 2023 refused to entertain an application filed by the Economic and Financial Crimes Commission (EFCC) seeking a stay of execution of the ruling that lifted a forfeiture order on some assets linked to the Kogi State Governor, Yahaya Bello. The judge adjourned the hearing of the application indefinitely because the matter is now before the Lagos Division of the Court of Appeal.



Case 3: Garba Abdullahi Tahir - N26.1 Million Money Laundering

The Economic and Financial Crimes Commission (EFCC)

on Friday, March 3, 2023 secured the conviction of Garba Abdullahi Tahir (Tahir Garba), a former accountant, Pensions Account, Office of the Head of Service of the Federation.

Tahir Garba was prosecuted by the EFCC before Hon. Justice Inyang Ekwo of the Federal High Court, Abuja Division, Abuja on an amended seven count bordering on money laundering which he pleaded not guilty to

upon re-arraignment, setting the stage for the commencement of trial in the matter.

Tahir Garba was found to have committed several breaches

of trust in the Office of the Head of Service of the Federation by issuing several amounts of money into a bank draft or manager's cheque through his Ecobank account in favour of one CHARO Bureau De Change, one Sani Abdullahi and several others as contained in the amended seven count charge.

Hon. Justice Ekwo on Friday, March 3, 2023 held that the prosecution had proved the case against the defendant and convicted him on all seven charges. The judge then sentenced Garba Abdullahi Tahir to three years imprisonment on each of the seven counts to run concurrently from the 3rd of April, 2023.

Recall that this case is a part of the Billion-Naira pension fraud in the Office of the Head of Service of the Federation for which a number of civil servants were investigated and charged to court by the EFCC.



Case 4: Prince Laseberry Okafor (Ex-Imo Commissioner) - N180 Million Fraud

The Economic and Financial Crimes Commission (EFCC)

on Tuesday, March 14, 2023, secured the conviction of Prince Laseberry Okafor Anyawu (L1laseberry Okafor), a former Commissioner of Transport in the Rochas Okorocho Administration of Imo State. The convict who was arraigned on a four-count charge bordering on abuse of office and fraudulent diversion of the sum of N180 million before Hon. Justice K. A Lewanya of the Imo High Court, Owerri, Imo State pleaded 'not guilty' to all the charges which set the tone for the full-blown trial following his plea.

Laseberry Okafor while being employed as the Chairman, Committee on Review of Imo Transport Company was found to have fraudulently diverted the sum of N180 million from the account of Imo Transport Company to a Polaris bank account belonging to Oma Oil & Industries Limited, a company in which he is a Shareholder/Director/Chief Executive and signatory to the bank.

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Delivering the judgment, Hon. Justice Lewanya held that the prosecution proved their case on only counts 2, 3 and 4, discharged the convict on count 1 and duly sentenced him to one year imprisonment on each count 2, 3 and 4 without an option of fine which sentence shall run concurrently.

Hon. Justice Lewanya further ordered that the N180 million in the account of the convict which is already the subject of an interim forfeiture order be forfeited to the Imo State Government.



Case 5: Moses Jitiboh. - Forfeiture Of Fraudulent Properties (N75.9 Million)

The Economic and Financial Crimes Commission (EFCC)

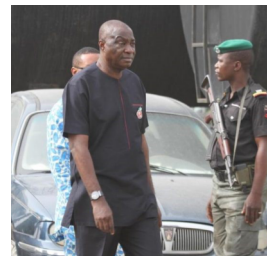
sought a permanent forfeiture to the Federal Government of large sums of cash totaling N75.9 million in several bank accounts linked to Mr. Moses Jitiboh, former aide-de-camp to ex-President Goodluck Jonathan before Hon. Justice Emeka Nwite of the Federal High Court, Abuja.

Jitiboh, currently a DIG of Police in charge of South South Zone, was ADC to Jonathan when he was Vice President to late President Umaru Yar'Adua between 2007 and 2010. The anti-graft agency is seeking the permanent forfeiture of the monies stashed in seven bank accounts following the expiration of the interim forfeiture order made by Justice Nwite on July 22, 2022. The order followed an ex-parte originating motion marked, FHC/ABJ/CS/1150/2022, which was moved by EFCC's lawyer, Christopher Mshelia.

Ogbole prayed for a court order extending the time within which to file their affidavit to show cause against the order of interim forfeiture made on July 22, 2022, Giving the four grounds upon which the application was brought, the senior lawyer said though a 14-day period was given within which interested parties should show cause and the matter adjourned until Oct. 27, 2022 for mention, his clients got to know of the existence of the order of interim forfeiture after the time allowed to show cause had elapsed.

Ogbole, who said that the court had the discretionary power to extend the time, prayed the court to grant the application in the interest of justice. Although the matter came up for hearing on Monday the 15th, the court did not sit as the Federal High Court had commenced its Easter vacation which would last till April 17.

The matter was rescheduled for 6th of June, 2023 and later 10th of October, 2023. The matter now stands adjourned to the 21st of November, 2023 for hearing. While the EFCC is the applicant, Jitoboh and Inspector Bernard Agaba are 1st and 2nd respondents respectively



Case 6: Captain Ezekiel Bala Agaba - N1.1 Billion Fraud

Captain Ezekiel Bala Agaba, a former Executive Director of the Nigerian Maritime Administration and Safety

Agency, (NIMASA) is standing trial alongside Patrick Akpobolokemi, a former Director-General of NIMASA and Captain Warredi Enisuoh on an amended twenty-two count charge preferred against them by the Economic and Financial Crimes Commission, (EFCC) bordering on money laundering to the tune of N1, 151, 214,000.00 (One Billion One Hundred and Fifty One Million Two Hundred and Fourteen Thousand Naira) before Hon. Justice Ayokunle Faji of the Federal High Court, Ikoyi Division, Lagos.

It should be noted that Agaba had been earlier charged and convicted of fraud related offences in his capacity as an Executive Director at NIMASA before Hon. Justice I.M. Buba of the Federal High Court, however he was pardoned by the Federal Government of the said offence.

It is on this basis that Agaba, through his counsel, E.D. Onyeke filed an application seeking to remove his name from the charge on the grounds that he had been convicted of the same charge before and that the plea of double jeopardy should avail his client since this

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instant charge is NIMASA related and that would amount to punishing his client twice and therefore urged the court to strike out the name of Agaba from the instant charge.

At the hearing of the application by the court on Tuesday, April 18 2023, prosecution counsel to EFCC, S. I. Sulaiman, informed the court that the prosecution had filed a counter-affidavit and a written address in response to Agaba's application. Sulaiman adopted the written address as part of his argument and urged the court to refuse the second Agaba's application arguing that the offence, which he was found guilty, convicted and pardoned is not the same as the case pending before the court and that both offences are not of the same facts or ingredients and therefore urged the court to refuse Agaba's application.

The matter has now been adjourned to the 7th of December, 2023.



Case 7: Shamsuden Bala Mohammed - N1.1 Billion Fraud

The Economic and Financial Crimes Commission (EFCC) on Wednesday, March 22, 2023, filed an appeal challenging the High Court judgment that discharged and acquitted Shamsudeen Bala, son of the Bauchi State Governor, Bala Mohammed, on N1.1 billion fraud charges. The anti-graft agency appealed the decision which discharged and acquitted the defendant on nine counts before Hon. Justice Nnamdi Dimgba of the Abuja Division of the Federal High Court.

Earlier on February 1, 2017, Shamsudeen was arraigned before Justice Nnamdi Dimgba of the Federal High Court sitting in Abuja on 20 counts bordering on money laundering. According to the commission, the crime was committed during his father's tenure as FCT minister. The EFCC had alleged that Shamsudeen made payments of huge sums in cash for the purchase of properties in different parts of Abuja without going through a financial institution. Delivering the ruling on December 14, 2021, on a no case submission,

Hon. Justice Dimgba upheld Shamsudeen's submission in part by dismissing 11 out of the 20 charges and he was called upon to enter his defence on the remaining charges for his failure to declare some of his bank accounts and the amount in them as well as the offences of identity fraud and forgery. However, delivering judgment in a suit marked FHC/BAJ/CR/252/2016 on February 7, 2023, Justice Dimgba held that the EFCC failed to prove the allegations beyond reasonable doubt. Aggrieved by the acquittal, the EFCC, lodged an appeal on Wednesday with the lower court's judgment on 15 grounds.

Recall that Mr. Muhammed Bala, his father also faced corruption charges in a different case until he gained immunity after he was elected Bauchi governor in May 2019.

The date for the hearing of the said appeal as at the time of writing this report has not been given by the Court of Appeal.



Case 8: Alhaji Idris Yahaya (Yobe Auditor General) - N19 Million Fraud

The Economic and Financial Crimes Commission (EFCC) on Monday, March 13, 2023 secured the conviction of Alhaji Idris Yahaya, the Auditor General of Yobe State. The convict is to spend five years in prison after he was convicted, pronounced guilty and sentenced by Hon. Justice Muhammad Lawu Lawan of the Yobe State High Court on a one count charge of criminal misappropriation to the tune of N19,900,000.00 preferred against him by the EFCC.

Yahaya was found to have received funds from the office of the Auditor General for Local Government and Emirate Affairs, Yobe State for the purchase of an official vehicle, a Toyota Corolla, but diverted part of the money for his personal use. Yahaya was first arraigned on Wednesday, November 9, 2022, had pleaded 'not guilty' to the charge, setting the stage for his full trial.

Delivering the judgment, Hon. Justice Lawan held that the prosecution had proved the case against the defendant and convicted him as charged. The judge consequently sentenced him to five years imprisonment with an option of fine. The judge further ordered the convict to pay the sum of N10,100,000.00 in restitution to the Yobe State Government through the EFCC or serve additional two years in prison.



Case 9: Abdullahi Ganduje - Dollar Gate Bribery & Corruption Scandal

Sequel to the bribery and corruption investigation of Mr. Ganduje, ex-governor of Kano State and currently the Chairman of the ruling All Progressives Congress including the viral videos showing the immediate past governor allegedly collecting wad of dollars believed to be a bribe, the Economic and Financial Crimes Commission (EFCC) and Code of Conduct Bureau, (CCB) invited the Chairman of the Kano State Public Complaints and Anti-Corruption Commission, PCACC, Muhuyi Magaji Rimingado for questioning over the commission's finances.

Mr. Rimingado stated that he conducted forensic analysis on videos showing the immediate past governor of Kano State, Abdullahi Ganduje allegedly collecting wad of dollars believed to be a bribe and intends to carry out an investigation.

It will be recalled that Mr. Ganduje while being governor was seen in a viral video receiving wads of dollars from a contractor and pocketing them in his flowing gown. Messrs Ganduje and Magaji have been having a running battle due to the latter's attempt to investigate the former over corruption allegations. Mr. Ganduje as Kano state governor later sack` Mr. Magaji from office as chairperson, Kano State Public Complaints and Anti-Corruption Commission. But upon assumption of office as Kano state governor in May 2023, Abba Yusuf, in obedience to a subsisting court order, reinstated Mr Magaji as the state's anti-corruption chairman.

Mr. Ganduje now the chairman of the ruling All Progressives Congress had earlier obtained an interim order restraining the anti-corruption agencies from investigating him, his family and any of his political appointees. This was supported by an application filed by the Kano State Government at the Federal High Court in Kano restraining the EFCC from probing and investigating the former governor and any other accused persons in connection with the video clips of bribery allegations against Ganduje.

However, the new administration of Abba Yusuf, the current Governor of Kano State in its bid to launch an investigation into the Ganduje's administration including the incident filed a notice of withdrawal before the said Federal High Court in Kano against the EFCC seeking to restrain it from investigating former governor Abdullahi Ganduje over alleged bribery scandal in a video clip. But in what appears a fight back, the EFCC and CCB have simultaneously launched investigations into Mr. Muhuyi Magaji Rimingado's activities at the commission from 2011 till date.

However, Mr. Muhuyi Magaji Rimingado through the Kano State Government approached a Kano State High Court on the 29th of August 2023 via an ex-parte application and the Court subsequently barred the EFCC, ICPC and CCB from probing Muhyi Rimingado, chairman of the Kano Public Complaints and Anti-Corruption Commission (PCACC). The matter was then adjourned to the 29th of September 2023 for hearing on the substantive motion seeking to bar the anti-graft agencies from the investigation.

Meanwhile, a civil society organization, the Human and Environment Development Agenda (HEDA), raised alarm in a statement by its chairman, Olanrewaju Suraju, that Mr. Magaji is being targeted for daring to probe “grand corruption allegations” involving Mr. Ganduje who recently assumed office as APC national chairman and also accused the former governor of exerting his influence on the EFCC, CCB to “intimidate” Muhuyi Magaji, chairman, Kano State Public Complaints and Anti-Corruption Commission. The spokesperson of the EFCC, Wilson Uwujaren,

denied the allegations as untrue while Veronica Kato, the spokesperson for the chairman of CCB, Isah Mohammed, a law professor, said she could not comment on the issue.

It should however be noted that formal charges have not been brought or filed against Ganduje as at the time of writing this report.



Case 10: Adesola Amosu & 2 ORS - N21 Billion Fraud

Adesola Amosu, a former Chief of Air Staff, and two others are being prosecuted before Hon. Justice C.J Aneke of the Federal High Court, Ikoyi Division, Lagos by the Economic and Financial Crimes Commission (EFCC) for alleged conspiracy and conversion of funds to the tune of N21 billion belonging to the Nigerian Air Force (NAF). Also being prosecuted with him are Air Vice Marshal Jacob Bola Adigun, a former Chief of Account and Budgeting, and Air Commodore Gbadebo Owodunni, a former Director of Finance and Budgeting.

It will be recalled that on Tuesday, November 13, 2018 EFCC re-arraigned Amosu and two others on an amended thirteen-count charge bordering on money laundering to the tune of N21 billion.

At the resumed sitting on Wednesday, March 8, 2023, the first prosecution witness, one Okechukwu Akube narrated how the sum of N2 billion was transferred from the Nigerian Maritime Administration and Safety Agency (NIMASA) into the NAF Special Emergency Account on September 15, 2014, and September 23, 2014, respectively. When asked by the prosecution counsel, Rotimi Oyedepo, SAN, to disclose his findings regarding where the funds deposited in Exhibit A3, which is a statement of account of NAF Special Emergency Account, ended up, Akube continuing his examination-in-chief, stated that several transfers were made into Delfina Oil and Gas Limited, McAllan Oil And Gas Limited and Trapezites BDC. He added that other sums of money from these three companies were sent to Divention Construction Limited.

Also, when asked what business his team had with the property on 40A, Bourdillon Street, Ikoyi, Lagos as well as his findings during investigations, the witness explained that after the inflows from NIMASA were received, “Divention Construction Limited was one of the recipients of the funds”.

Further investigations, according to him, revealed that the proceeds into exhibit A24 were used to procure property which was 40A, Bourdillon Street, Ikoyi, Lagos on behalf of the second defendant for personal use. The case which was adjourned to June 7 and 8, 2023 was further adjourned to the 12th of July, 2023 for continuation of trial as the prosecution was still giving evidence in the matter, there was a pending application filed by the defendant. The case has now been adjourned to the 12th of December, 2023 for ruling on the applications filed by the defendants.



Case 11: Senator Stella Oduah - N7.9 Billion Fraud

The Economic and Financial Crimes Commission (EFCC) on Friday, July 21, 2023 arraigned a former Minister of Aviation, Senator Stella Oduah, before the Federal High Court sitting in Abuja, on a 25-count charge bordering on N7.9 billion fraud charges

Oduah, who served as Aviation Minister from 2011 to 2014, is facing trial over an allegation that she laundered public funds to the tune of about N7.9 billion, in connivance with eight others. Other defendants in the charge marked: FHC/ABJ/CR/316/20, are; Gloria Odita, Nwosu Emmanuel Nnamdi, Chukwuma Irene Chinyere, Global Offshore and Marine Ltd, Tip Top Global Resources Ltd, Crystal Television Ltd and Sobora International Ltd.

However, the defendants, who were docked before Justice Inyang Ekwo, pleaded not guilty to the charge when it was read to them in the open court. The anti-graft agency, among other things, alleged that Oduah,

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who also represented Anambra North in the Senate, and Oditia, who was identified as her aide and the Company Secretary to Sea Petroleum & Gas Company Ltd (SPGC), had in February 2014, used their positions to transfer the sum of N1,629,250,000.00 from I-Sec Security Nig. Ltd account No. 2021756955 with First Bank Plc, to Global Offshore and Marine Ltd account No. 2022977296 also domiciled with First Bank Plc, which money they reasonably ought to have known that it formed part of the proceeds of an unlawful act.

The defendants were accused of opening a naira “anonymous Private Banking Nominee Account No. 2024414450 with First Bank Plc and thereby committed an offence contrary to Section 11(1) of the Money Laundering (Prohibition) Act 2011 (As Amended) and punishable under Section 11(4) (a) of the same Act.” They were equally accused of opening a United State dollar “anonymous Private Banking Nominee account No. 2024414498 with First Bank Plc and thereby committed an offence contrary to Section 11(1) of the Money Laundering (Prohibition) Act 2011 (As Amended) and punishable under Section 11(4) (a) of the same Act.”

Following the defendants' plea of innocence to all the allegations, trial Justice Ekwo allowed them to go home on the administrative bail the EFCC earlier granted them. More so, the court directed the EFCC to transfer the case file to the office of the Attorney-General of the Federation to ensure diligent prosecution of the defendants.

Justice Ekwo subsequently adjourned the case till October 17, 2023 for trial. The matter has now been further adjourned to the 14th of November, 2023 for trial. It will be recalled that though the charge was filed since 2020, the EFCC was unable to arraign the defendants owing to a petition they wrote to the immediate past Attorney-General of the Federation and Minister of Justice, Mr. Abubakar Malami, SAN. Malami had urged the court to put the trial on hold to enable him review the case file. However, he subsequently gave the EFCC the nod to go ahead with trial of the defendants.

At the last adjourned date, the matter has been taken over by the office of the Attorney-General of the Federation in compliance with the Court order. However, the matter could not go ahead as EFCC were yet to release the original case file to enable them commence trial. The Court thereafter adjourned to 28th March 2023 for trial.



Case 12: Jonah Ogunniyi Otunla - N24 Billion And N2 Billion Fraud

The Court of Appeal sitting in Abuja has set aside a judgment delivered on the 16th of July, 2021 by Hon. Justice I.E. Ekwo of the Federal High Court, Lagos which barred the Economic and Financial Crimes Commission (EFCC) from prosecuting Jonah Ogunniyi Otunla, a former Accountant-General of the Federation. In a judgment delivered on Monday, January 30, 2023, a three-member panel of the Court of Appeal held that Otunla failed to show documented evidence of a non-prosecution agreement between him and the EFCC.

The Court of Appeal upheld the arguments canvassed by the counsel to EFCC and resolved the four issues identified for determination in favour of EFCC. Hon. Justice Danlami Senchi, JCA who read the judgment, held that an agreement by mere words cannot be established. It was held that Mr. Otunla did not provide any written commitment except his words and that of his lawyer that such agreement existed.

Otunla was being investigated by the EFCC in relation to two cases - the alleged diversion of about N24 billion meant for disengaged staff of the defunct Power Holding Company of Nigeria (PHCN) and N2 billion allegedly received from the Office of the National Security Adviser (ONSA). The commission stated that the ruling not to prosecute the ex-accountant general after the N6.4 billion refund delivered by Justice Ekwo in July 2021, had been dismissed and that they intend to file charges against him. However, no charges have been filed against Otunla as at the time of writing this report.

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It will be recalled that Hon. Justice Inyang Ekwo of the Federal High Court in Abuja had in the 16 July 2021 judgment upheld the claim of Mr. Otunla (who served as the Accountant-General of the Federation between June 2011 and June 2015) of an existing verbal agreement between him and the then acting Chairman of the EFCC, Ibrahim Magu, that he would not be prosecuted if he makes a refund to the Federal Government.

Following petition to the Institute of Chartered Accountants of Nigeria (ICAN) by HEDA Resource Centre, a disciplinary action was brought against Otunla and on the 20th March 2023, the disciplinary tribunal gave its judgment finding Otunla guilty of professional misconduct and then suspended the membership of Otunla from the Institute for 10 years and also ordered to pay the cost of N1,000,000:00 being the cost of proceedings at the investigating panel and the tribunal.



Case 13: Abdulsalam Saleh Abdulkarim (APC Chieftain) - \$1.32 Million Fraud

The trial of the All Progressive Congress (APC) chieftain, Abdulsalam Saleh Abdulkarim on a four-count charge of obtaining by false pretence before Hon. Justice Mohammed Nasir Yunusa of the Federal High Court, Kano Division, Kano was stalled due to an application filed by the defendant asking for a stay of proceedings.

Recall that Saleh was arraigned by the Economic and Financial Crimes Commission (EFCC) on March 1, 2023 for allegedly defrauding a Kuwaiti citizen to the tune of \$1,320,000 (One Million Three Hundred and Twenty Thousand Dollars) under the guise that he was into real estate business in Dubai and other countries.

He pleaded not guilty to the charges and the matter was subsequently adjourned to May 2, 2023 for the commencement of trial. But while the case was pending, Saleh filed and served on the prosecution an application for stay of proceedings. In response to the said application, the prosecution filed a counter affidavit and argued that by virtue of section 360 of

Administration of Criminal Justice Act, ACJA and section 40 of the EFCC Act, the court cannot entertain stay of proceedings in criminal trial.

Justice Yunusa then adjourned the matter till May 31, and June 1, 2023 for hearing of the application. The matter has now been further adjourned to the 26th of September 2023. The case is now further adjourned to the 28th of November, 2023. It should be noted that the defendant's trial is starting afresh after the Court of Appeal nullified his acquittal by Justice A. L. Allagoa of the Federal High Court. He is alleged to have defrauded a Kuwaiti Citizen of the sum of \$1,320,000 (One Million Three Hundred and Twenty Thousand Dollars).



Case 14: Fasasi Bola & 2 Ors. - \$922m Fraud

Professor Adesanya Iyiola Adelekan, Bola Fasasi and Macmillan Nigeria Publishers were on Thursday, February 2, 2023 arraigned by the Economic and Financial Crimes Commission (EFCC) before Hon. Justice Mojisola Dada of the Special Offences Court sitting in Ikeja, Lagos State on a six-count charge bordering on conspiracy and obtaining by false pretence to the tune of \$922m (Nine Hundred and Twenty Two Million United State Dollars). It said that the defendants under false pretence promised to sell the books and remit the proceeds within two weeks of receiving the bill of lading.

One of the counts as preferred against them reads: "That you, Macmillan Nigeria Publishers, Prof. Adesanya Iyiola Adelekan and Fasasi Bola, sometime in 2018, within the jurisdiction of this Honourable Court, conspired amongst yourselves to obtain goods by false pretence, property of BHS Book Printing SD BHD of Selangor Malaysia and committed an offence of conspiracy to commit felony to wit: Obtaining goods by false pretence, contrary to Section 10(1)(2) of the Advanced Fee Fraud and other Related Offences Act No. 14 of 2006."

Another count reads: “That you, Macmillan Nigeria Publishers, Prof. Adesanya Iyiola Adelekan and Bola Fasasi, sometime in 2018, within the jurisdiction of this Honourable Court, obtained books for sale worth \$226,900.00 USD by false pretence, from BHS Book Printing SD BHD of Selangor Malaysia under the pretence that you would sell the books and remit the money from the sales within two weeks of receiving the bill of lading, which pretence you knew or ought to know is false and committed the offence of obtaining goods by false pretence, contrary to Section 1 (1)(c) and (3) of the Advanced Fee Fraud and other Related Offences Act No. 14 of 2006.”

All the defendants pleaded 'not guilty' to all the charges and in view of their pleas, the prosecution counsel for EFCC asked the court for a trial date. Hon. Justice Dada consequently adjourned the matter to March 31, 2023 for trial. Trial has been ongoing and the matter has been adjourned to the 5th of December, 2023 for continuation of trial.



Case 15: Hudu Yunusa-ari - Corruption Scandal on Adamawa State Governorship Election

The Federal High Court sitting in Abuja declined to extend its interim order seeking to stop the Independent National Electoral Commission (INEC), the Inspector General of Police (IGP) and the Attorney General of the Federation (AGF) from prosecuting the suspended Adamawa State Resident Electoral Commissioner (REC), Hudu Yunusa Ari. The court declined the interim order pending the hearing and determination of a motion filed by Senator Aishatu Dahiru, otherwise known as Binani.

Yunusa-Ari is facing a six-count charge before an Adamawa State High Court presided by Hon. Justice Benjamin Manji Lawan over alleged unlawful role he played in the Adamawa State governorship election that held on March 18, 2023 which arraignment was slated for Wednesday, 12th July 2023.

Since when the matter had been adjourned for trial by the court, the suspended INEC REC has failed to show up in court. The latest was on the 6th of November, 2023 when he was to be arraigned. The prosecution counsel to INEC informed the court during the day's proceedings that they had made several attempts at serving the hearing notice on the suspended INEC REC at his home but met his absence on all occasions and that his surety, Senator Ishaku Elisha Abbo, (who was recently sacked as a Senator by the Court of Appeal) could not be traced. Consequently, Hon. Justice Benjamin Manji Lawan adjourned and ordered INEC to produce him or his surety in court during its next sitting on November 23, 2023.

It will be recalled that INEC had initially declared that the gubernatorial election was inconclusive and it ordered a supplementary poll. However, midway into the collation of results of the supplementary poll that held on April 15, the suspended Adamawa REC, Yunusa-Ari, sidelined protocols and announced the candidate of the All Progressives Congress, APC, Senator Aishatu Ahmed Binani, as the winner. The action elicited instant reactions, the electoral body not only voiding Yunusa-Ari's action but equally placing him on an indefinite suspension.

Meanwhile, following INEC's eventual decision to prosecute the Adamawa REC, Senator Binani, through her team of lawyers led by former Attorney-General of the Federation and Minister of Justice, Mr. Michael Aondoaka, SAN, approached the court to challenge the legality of the planned trial. It was based on this application that Hon. Justice Donatus Okorowo restrained the INEC from going ahead with its plans to prosecute the suspended Resident Electoral Commissioner, REC, in Adamawa state, Hudu Yunusa-Ari and ordered all the parties in the suit to maintain the status quo ante bellum pending the hearing and determination of the matter. This has halted the trial of the defendant at the Adamawa State High Court.

Justice Okorowo subsequently adjourned the case till July 18, 2023 for hearing and he ordered the respondents to show cause why all the reliefs that were sought by Senator Binani should not be granted including the relief of permanently restraining INEC from prosecuting the suspended Adamawa State REC. During the proceedings of the 18th of July, 2023, the court declined extending the interim order earlier granted restraining INEC from going ahead with its plans to prosecute the suspended Resident Electoral Commissioner. Justice Donatus Okorowo subsequently adjourned the case till Monday July 24, 2023. Ruling on the application, the Federal High Court gave the nod for INEC to prosecute the said suspended INEC REC over the role he played in the 2023 governorship election in Adamawa state.



Case 16: Ismaila Mustapha (a.k.a. Mompha) N6 billion Fraud

Hon. Justice Mojisola Dada of the Special Offences Court sitting in Ikeja, Lagos has on Wednesday, November 1, 2023 further adjourned till December 19, 2023 the further hearing or trial of social media celebrity, Ismaila Mustapha, popularly known as Mompha (now at large) in the alleged N6 billion money laundering case brought against him by the Economic and Financial Crimes Commission (EFCC). Mompha was arrested on January 10, 2022 by the EFCC and arraigned on January 12, 2022 alongside his company Ismalob Global Investment Limited facing an eight-count charge bordering on conspiracy to launder funds obtained through unlawful activity, retention of proceeds of criminal conduct, laundering of funds obtained through unlawful activity, failure to disclose assets and property, possession of documents containing false pretence and use of property derived from an unlawful act.

At the proceedings of the 15th of May, 2023, the EFCC prosecuting counsel informed the court that the agency's international partners had succeeded in arresting Mompha. The court was also informed that the defendant is not yet in the custody of the EFCC in Lagos.

Trial resumed on the 3rd of July, 2023 as the prosecution is still giving evidence and same was consequently adjourned to the 18th of September, 2023 for continuation of trial. The court in its proceedings on Monday, September 18, 2023 admitted in evidence more documents tendered by the EFCC against the defendant through its third prosecution witness, Ayotunde Solademi, a staff of the Federal Bureau of Investigation, FBI, Office of Legal Attache US Consulate, Lagos. These documents include a report by the USA-based FBI and an investigative report on Mompha's phone which the agency claimed was used for fraudulent practices.

Despite raising objections to the admissibility of the documents by the defence counsel, same was overruled by the court. The case has been further adjourned to November 1, 2023 as the prosecution witness is still being cross examined. At a previous proceeding on September 22, 2022, Justice Dada had ordered that the trial of Mompha will continue in absentia following failed efforts by the EFCC to arrest him after he jumped bail

The EFCC also alleged that Mompha concealed his interest in expensive wristwatches and other movable assets valued at over N70 million. The offence is contrary to relevant sections of the Advance Fee Fraud Act of 2006 and the EFCC Act of 2004. Mompha had pleaded not guilty to the eight counts preferred against him. He also pleaded not guilty to the first six counts on behalf of his company, Islamob Limited.

On January 18, 2022 he was admitted to bail in the sum of N200 million with two sureties in like sum. One of the sureties, the judge ordered, must own property valued at N100 million within the jurisdiction of the court. The court also ordered the defendant return his international passport to the custody of the court while ordering his remand in any Correctional Centre of his choice in Lagos pending the perfection of the bail conditions. On March 28, 2022, he was released to his lawyer, Gboyega Oyewole, SAN, shortly after the court varied his bail conditions.

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Since then, he has failed to appear in court on at least three scheduled dates for his trial. On June 10, 2022, the EFCC accused him of flouting the court's order by travelling to Dubai with a new international passport and on June 22, 2022, the court issued a bench warrant for his arrest following his continued failure to present himself for his trial. The court also revoked the bail it granted the defendant. This is the second case in which the EFCC is charging Mompha. He is also standing trial at the Federal High Court in Lagos on an amended 22-count charge bordering on cyber fraud and money laundering to the tune of N32.9m



Case 17: Stephen Oronsaye & ORS. - N2 Billion Money Laundering

Hon. Justice Inyang Ekwo of the Federal High Court, Abuja

has discharged and acquitted a former Head of Service of the Federation (HoSF), Mr. Stephen Oronsaye, of the N2 billion fraud charges filed against him by the Economic and Financial Crimes Commission (EFCC). Justice Inyang Ekwo in his judgment on Monday June 5, 2023 held that the prosecution failed to provide enough evidence to warrant a conviction.

It will be recalled that Justice Inyang Ekwo had on Thursday, January 19, 2023, reserved judgment in the money laundering trial of a former Head of Service of the Federation, HoSF, Steve Oronsaye. Oronsaye corruption trial commenced in 2015 when he was docked alongside the Managing Director of Fredrick Hamilton Global Services Limited, Mr. Osarenkhoe Afe and three companies – Cluster Logistic Limited; Kangolo Dynamic Cleaning Limited, and Drew Investment & Construction Company Limited. “The 1st and 2nd defendants, had between 2010 and 2011, used the companies as vehicles to siphon public funds to the tune of N2 billion through contract fraud. They were prosecuted on an amended 27–count charge.

It should be noted that in the proceedings of the last date which was on the 19th of January, 2023, the prosecution counsel to the Economic and Financial Crimes Commission (EFCC) adopted its final written

address as ordered by the court on October 24, 2022 after the defendants closed their case.



Case 18: Professor Lawrence Adedibu Ojerinde & ORS. - N5 Billion Fraud

The Independent Corrupt Practices and Other Related Offences

Commission (ICPC) has again on Thursday, June 15, 2023 arraigned the former Registrar of the Joint Admission and Matriculation Board (JAMB), Professor Dibu Ojerinde and several others over allegations bordering on official corruption, abuse of office and forgery.

Professor Ojerinde was docked alongside his children, Mary Funmilola Ojerinde, Olumide Abiodun Ojerinde, Adebayo Ojerinde, Oluwaseun Adeniyi Ojerinde and six companies linked to him, namely: Doyin Ogbohi Petroleum Limited, Cheng Marbles Limited, Sapati International Schools Limited, Trillium Learning Centre Limited, Standout Institutes Limited and Esli Perfect Security Printers Limited.

ICPC in a Charge No: FHC//ABJ/CR/119/2023, brought before Hon. Justice Inyang Ekwo of the Federal High Court 7, sitting in Maitama, Abuja, informed the court of the multiple layers of fraudulent identities and conspiracies designed by the defendants to conceal crimes.

In one count out of a 17-count charge, the commission through its counsel, Mr. Ebenezer Shogunle, told the court of how the former JAMB boss conspired with three of his children (Oluwaseun Adeniyi Ojerinde, Olumide Abiodun Ojerinde and Adebayo Ojerinde) to sell off property worth One Hundred and Fifty Thousand Dollars (\$150,000:00) situated at House No. 4 Ahomko Drive, Achimota Phase 2, Accra, Ghana even after the property had been forfeited to the Federal Republic of Nigeria.

As a result of some of these acts, the former JAMB Registrar is also standing trial at the Niger State High Court as well as Federal High Court, Abuja for alleged corruption and other ancillary offences.

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These actions are according to the ICPC are contrary to, and punishable under sections 17, 19, 22 and 24 of the Corrupt Practices and Other Related Offences Act, 2000, and contrary to, and punishable under Section 1 of the Advanced Fee Fraud Act, 2006 as well as contrary to, and punishable under Section 1 of the Miscellaneous Offences Act, CAP M17 of the Revised Laws of the Federation, 2007.

The accused persons pleaded not guilty to all the charges when they were read to them. Bail was granted to the ex-JAMB boss on terms earlier granted to him by the Federal High Court Abuja where he is standing trial while the four children were admitted bail in the sum of Twenty Million Naira (N20,000,000) each and a surety in like sums who must have landed properties not below the value of the bail sum and within the jurisdiction of the court.

The matter was then adjourned to the 13th, 14th, 15th, and 16th of November 2023 for trial.



Case 19: Adebayo Adebowale Aderibigbe & Anor. - N60.4 Million Fraud

The Economic and Financial Crimes Commission (EFCC) has arraigned Adebayo Aderibigbe, a former general manager and head of legal services of the Nigeria Social Insurance Trust Fund (NSITF), before Hon. Justice O.A. Musa, of the Federal Capital Territory (FCT) High Court in Jabi over an alleged fraud of N60.4 million. Aderibigbe was arraigned alongside one Ogundele Yisa-Yemi, a lawyer, on a three-count charge bordering on conspiracy and obtaining the sum of N60,400,000 by false pretence. The commission alleged that Yisa-Yemi, between 2014 and 2016, gave the former NSITF general manager N60,400,000 “on account of a contract awarded to him as consultant for processing and regularizing of title deeds and survey plans for the property of the Fund at Era village Oto-Awori, Ijanikin, Badagry Expressway, Lagos”. The offence is said to contravene section 8(1)(a) of the Corrupt Practices and Other Related Offences Act, 2000, and is punishable under section 8(11)(b) of the same Act. The defendants pleaded 'not guilty' to all the charges as read to them before Hon. Justice Musa.

In view of their respective pleas, J.A. Karon and I.O. Salawudeen, the defendants counsel respectively prayed the court to grant their clients bail. Although the said application was not opposed by the prosecution counsel, he prayed the court to set terms and conditions that would compel the defendants to show up for trial. Hon. Justice Musa then granted the defendants bail in the sum of N50 million and one surety each in like sum. The surety is expected to be a Deputy Director in a Federal Ministry. Sureties are also expected to deposit their letters of appointment and clear pictures of their residences showing them standing in front of the houses. The judge adjourned the matter till February 21 and 23, 2023 for trial.

The matter has now been further adjourned to the 22nd of November, 2023 as the prosecution has commenced hearing in the matter by calling their witnesses. Trial is still ongoing in the matter.



Case 20: Muazu Babangida Aliyu & 2 ORS. - N2 Billion Fraud

The Economic and Financial Crimes Commission (EFCC) has closed its case in the money laundering charge against former governor of Niger State, Muazu Babangida Aliyu and two others: Tanko Beji and Umar Nasko, before Hon. Justice Mikail Aliyu of the Niger State High Court. The trio are facing prosecution by the EFCC for alleged criminal breach of trust, conspiracy, and diversion of ecological funds to the tune of over Two Billion Naira.

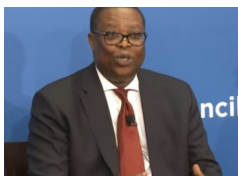
At the resumed proceedings on Thursday, 12 January 2023, prosecution counsel relying on an application dated October 24 and filed on October 26, 2022, closed the case of the prosecution. The prosecution counsel informed the court that the prosecution through the testimonies of witnesses and documents tendered in the course of the trial had established a prima facie case against the defendants to warrant them to open their defence.

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Counsel to the first defendant, Oladije Ayodele, SAN, however informed the court that the prosecution failed to establish the crime and moved for a no case submission. Also, counsel to the second defendant, Ibrahim Isiyaku, SAN, informed the court that the defence had entered a no case submission and also urged the court to dismiss the case as the charge his client was charged for cannot be sustained. Counsel to the third defendant, Mamman Mike Osman, SAN, further informed the court that he has filed a no case submission and prayed the court to discharge the third defendant.

Responding to the submissions of the defence counsel, the prosecution counsel, Abdallah, urged the court to dismiss all their no case submission and direct the defendants to enter their defence. Hon. Justice Mikail thereafter adjourned till February 16, 2023 for ruling on the various applications. Ruling on the applications was further adjourned by the court till the 26th of September, 2023. The case now stands adjourned to the 29th of November, 2023.



Case 21: Ayo Oke (EX-DG NIA) - \$43 Million, £27,000 And N23 Million Money Laundering.

The Economic and Financial Crimes Commission (EFCC) has terminated the money laundering case filed against Ayo Oke, former director-general of the National Intelligence Agency (NIA) over the discovery of \$43 million, 27,000 and N23 million in an Ikoyi flat. On Friday, June 9, 2023, Hon Justice Chukwujekwu Aneke, the presiding judge of the Federal High Court in Ikoyi, Lagos, struck out the case based on the application initiated by the EFCC, with no objection from Ayo Oke's defence counsel.

The case according to the EFCC counsel was terminated on national security grounds. It will be recalled that in April 2017, EFCC said it had discovered “\$43 million, £27,000 and N23 million stashed in a flat on Osborne Road in Ikoyi after a tip-off from a whistle blower. It will be recalled that following reports that the monies discovered belonged to the NIA, the agency had come out to clarify that it had

collected \$289,202,382 in cash for special operations from the account of the National Petroleum Investment Management Services (NAPIMS) at the Central Bank of Nigeria (CBN) in February 2015. NIA said the funds were part of “covert intelligence operations” but there was public outcry that it was a case of looting.

A three-man panel headed by ex-Vice-President Yemi Osinbajo indicted Oke and recommended his dismissal, which was effected in October same year. On January 20, 2019, Osinbajo said criminal allegations would be filed against Oke and Babachir Lawal, former secretary to the government of the federation, following a directive from former President Buhari.



Case 22: Nicholas Ashinze & ORS. - N1.8 Billion Corruption Charge

The Attorney-General of the Federation and Minister of Justice, Mr. Abubakar Malami, SAN, on Tuesday, May 2, 2023 terminated the N1.84 billion corruption charges filed against Nicholas Ashinze, a former military assistant to then National Security Adviser (NSA), Sambo Dasuki, and eight others. Dasuki was a former National Security Adviser (NSA) to former President Goodluck Jonathan.

The charges of alleged corruption were thrown out by Hon. Justice OkonAbang following its withdrawal by the Attorney General of the Federation AGF after seven years of trial. While striking out the 13-count amended charges, Justice Abang discharged the nine defendants from the alleged corruption issue but did not acquit them as prayed by David Kaswe, the counsel representing Mr. Abubakar Malami, SAN. Hon. Justice Abang held that no court of law can question the exercise of AGF's powers, under Section 174 (1)(b) of the 1999 Constitution (as amended), to take over or terminate any matter before any court of law.

Counsel to the Federal Government, Mr. David Kaswe had applied for withdrawal of the charges apparently acting on the instructions of the AGF, Malam Abubakar Malami, SAN.

Ashinze (1st defendant) was standing trial alongside an Austrian, Wolfgang Reinl; Edidiong Idiong and Sagir Mohammed were listed as 2nd to 4th defendants respectively. Other defendants in the case are five companies: Geonel Integrated Services Limited, Unity Continental Nigeria Limited, Helpline Organisation, Vibrant Resource Limited and Sologic Integrated Service Limited listed as 5th to 9th defendants respectively. They were re-arraigned by the Economic and Financial Crimes Commission (EFCC) on a 13-count money laundering charge. The amended charge, dated October 3, 2017, was filed in October 6, 2017. The money was said to have emanated from the Office of the National Security Adviser (ONSA) where Ashinze served as Special Assistant.

The nine defendants had at the commencement of the trial, pleaded not guilty to all the charges preferred against them setting the stage for their trial. In the course of the trial, EFCC through its counsel, Mr. Ofem Uket had called seven witnesses during the seven years the case lasted in the court.



Case 23: Major General Emmanuel Atewe, Retd - N8.5 Billion Fraud

Hon. Justice Chukwujekwu Aneke of the Federal High Court in Lagos has on Friday May 5, 2023 ordered the final forfeiture of the sum of six parcels of land, N293 million, and 30,000 units of MTN shares recovered from a former Commander of the Military Joint Task Force (MJTF), Operation Pulo Shield, in the Niger Delta, retired Major General Emmanuel Atewe.

Hon. Justice Aneke made the order for the permanent forfeiture of the assets to the Federal Government after entertaining an application to that effect filed by the Economic and Financial Crimes Commission (EFCC). The counsel to EFCC, Rotimi Oyedepo, SAN, had urged the judge to seize the assets without conviction under Section 17 of the Advance Fee Fraud Act 2006 and Section 44 (2b) of the 1999 Constitution of Nigeria (as amended).

The EFCC had arraigned Atewe alongside a former

director general of the Nigerian Maritime Administration and Safety Agency, Patrick Akpobolokemi, Kime Engozu and Josephine Otuaga before the court over allegations of conspiracy and fraud.

The anti-graft agency had accused the defendants of conspiring to divert the sum of N8.5 billion from the military Operation Pulo Shield in the Niger Delta.

In March 2020, Hon. Justice Mohammed Liman who was at the time sitting at the Lagos Division of the Court, ordered the interim forfeiture of the assets following an ex-parte application moved by Oyedepo. Arguing the application, Oyedepo claimed that the assets sought to be forfeited formed part of the proceeds of N8.5 billion, which Atewe allegedly diverted from the military operation between September 5, 2014, and May 20, 2015.

The landed properties were identified as 50 hectares of farmland at Plot No. FL746B Gaube Farmland Extension II Layout, Kuje, Abuja; a piece of land located at Commercial Layout, Yenagoa Gardens, Bayelsa State; one hectare of Kuje District, Abuja; Plot No. CP10, Sector Centre B Layout, Kuje, Abuja; Plot MF62 Outer Northern Expressway Cadastral Zone, Abuja; Plot No. 1228 Jahi, Abuja; four hectares of land designated as Plot No. CP6386 and a plot in Sabon Lugbe, Abuja. Then investigating officer of the EFCC, Adamu Yusuf, said Atewe purchased the 30,000 units of MTN shares for N170,350,000 and Oyedepo had argued that it would be in the interest of justice for the court to order the temporary forfeiture of the assets.

After listening to the arguments of the EFCC counsel, Justice Liman granted the prayers sought and ordered the temporary forfeiture order to be published in a national newspaper. The judge ordered the final forfeiture of the assets stated above when he had earlier adjourned for anyone interested in the assets to appear before him to show reasons why they should not be permanently forfeited to the Federal Government and in the absence of any objections, ordered the final forfeiture of the properties. The judge, however, refused to grant EFCC's prayer seeking the final forfeiture of the sum of N290m in the order above as same could not be traced to the defendant.



Case 24: Abdulrasheed Maina - N2.1 Billion Fraud

The Court of Appeal in Abuja on Friday, May 5, 2023 affirmed the eight years jail term for Abdulrasheed Maina, a former chairperson of the defunct Pension Reform Task Team (PRTT), for stealing over N2 billion in pension funds. The trial judge, Hon. Justice Okon Abang, had in November 2021, sentenced Mr. Maina after convicting him and his company, Common Input Property and Investment Ltd, on all the 12 counts of money laundering filed against them by the Economic and Financial Crimes Commission (EFCC). Affirming the Federal High Court's decision on Friday, a three-member panel of the Court of Appeal unanimously held that Mr. Maina was not denied a fair hearing at the trial court as he alleged. A member of the panel of justices, Hon. Justice Elfreda Daudu-Williams, who read the lead judgment, held that it was Mr. Maina who failed to take advantage of the opportunity offered him to defend himself.

The Court of Appeal per Daudu-Williams JCA held that there was no denial of fair hearing as opportunity was given to the appellant to defend himself by the lower court and that it behooves on the appellant to defend himself in the money laundering allegations that was leveled against him. The Honourable Court further held that there was not enough evidence in the defence given by Mr. Maina to prove that he did not commit the offence and resolved the whole issue against the appellant and therefore dismissed the appeal. Recall that in the charge marked FHC/ABJ/CR/256/2019, the EFCC alleged that Mr. Maina used fictitious names to open and operate various bank accounts. The anti-graft agency also said that he recruited his relatives and bankers to operate fake bank accounts through which illicit funds were channeled.

The EFCC arraigned him on a 12-count charge and alleged that the sums of N300 million, N500 million and N1.5 billion were stolen from pensioners and deposited in the accounts.

The Federal High Court then sentenced Mr. Maina to various jail terms ranging from three to eight years which are to run concurrently. The court sentenced the convict to three years in jail for count 1, five years for count 2, eight years for count 3, eight years for count 4, two years for count 5, five years for count 6, and eight years for count seven.

The trial judge, Hon. Justice Abang ordered that the terms of imprisonment shall run concurrently beginning from 25 October 2019, the date he was arraigned. As for Common Input Property and Investment Ltd's punishment, the judge ordered that it should be wound up and its assets forfeited to the federal government.

The court also sentenced Mr. Maina to three years in jail for count 8, five years for count 9, eight years for count 10, three years for count 11 and three years for count 12. The Honourable Court held that Mr. Maina stole over N2 billion belonging to pensioners. The convict, Mr. Maina, not satisfied with the said judgment, approached the appellate court challenging it but the Court of Appeal dismissed his appeal on Friday as aforementioned. No further appeal has been lodged or filed by Abdulrasheed Maina challenging his sentence as at the time of this report.



Case 25: Hon. Adeyemi Ikuforiji (Ex-speaker of the Lagos State House Of Assembly) & Oyebo Atoyebi - N333.8 Million Fraud

The Federal High Court sitting in Lagos fixed November 14, 2023 for the adoption of final written addresses in the trial of a former Speaker of the Lagos State House of Assembly, Adeyemi Ikuforiji, on allegations of laundering over N338.8m.

The ex-Lagos speaker and his personal assistant, Oyebo Atoyebi, are facing trial over a N333.8 million money laundering allegation. Ikuforiji served as the speaker of Lagos State House of Assembly from 2005 to 2015. Ikuforiji was also accused of using his position to misappropriate funds belonging to the Assembly.

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The Economic and Financial Crimes Commission (EFCC) contended that the defendants committed the offences between April 2010 and July 2011. According to the EFCC, the offences contravene the provisions of Sections 15 (1d), 16(1d) and 18 of Money Laundering Act, 2004 and 2011.

The Economic and Financial Crimes Commission (EFCC) accused the defendants of allegedly accepting cash payments of N338.8 million from the house of assembly without going through a financial institution. It would be recalled that the EFCC had earlier arraigned Ikuforiji alongside his former personal assistant; Oyebode Atoyebi on a 54-count charge bordering on the offence. Both of them had pleaded not guilty before Justice Mohammed Liman and were allowed to continue on an earlier bail granted to them in 2012 when they were first arraigned.

On March 17, 2021, the EFCC closed its case after calling the second witness for the prosecution, Mr. Adewale Olatunji, a former clerk of the Lagos House of Assembly. The prosecution called only two witnesses in support of its case. The case was then adjourned for the defence to open its case and begin its defence. However, Justice Liman was later transferred out of the Lagos Division and is now presiding over the case by fiat. The case was then adjourned for the defence to open its case and begin its defence.

On May 4, 2023, the defence counsel, Dele Adesina, SAN, had opened the case of the defence and had begun calling witnesses. The defence had called three witnesses including the first defendant (Mr Ikuforiji). Among others, Mr. Ikuforiji had testified how he was being prosecuted on a faceless petition. He gave evidence that the instant case arose from a petition written by an unknown person alleging that he had stolen about N7 billion from the Lagos State House of Assembly.

Before closing their case, defendant's counsel tendered the Certified True Copies (CTCs) of the court proceedings of 2014 before the previous trial judge, Justice Ibrahim Buba, signaling the close of its defence.

The counsel to the defendant, Dele Adesina, SAN, also recalled a witness, the former chief accountant of the Lagos State House of Assembly, Mr Adewale Olatunji, through whom he tendered the CTCs of the 2014 proceedings.

The court also admitted in evidence Olatunji's statement which he made during interrogation with the Economic and Financial Crimes Commission (EFCC). Olatunji, who was subpoenaed by the court, had earlier testified as the second prosecution witness in the trial.

The background to this case was that in March 2012, Ikuforiji and Atoyebi were first arraigned before Hon. Justice Okechukwu Okeke, a judge at the Federal High Court on a 20-count charge bordering on misappropriation and money laundering. The defendants pleaded not guilty and were granted bail. However, the defendants were re-arraigned before Hon. Justice Ibrahim Buba, a judge at the Federal High Court, following a re-assignment of the case. Hon. Justice Buba also granted them bail in the sum of N500 million each with sureties in like sum.

On September 26, 2014, the Hon. Justice Buba discharged Ikuforiji and his aide of the charges after upholding a no case submission of the defendants. Dissatisfied with the decision of the federal high court, the EFCC approached the appeal court. In November 2016, the Court of Appeal allowed EFCC's appeal and held that the money laundering trial against the defendants must continue.

Displeased with the ruling of the appeal court, the defendants headed for the Supreme Court. In its verdict, the apex court upheld the decision of the Court of Appeal and ordered that the case be sent back to the Chief Judge of the Federal High Court for reassignment. The case was then returned to the Federal High Court for continuation of trial.



Case 26: Professor Magaji Garba - N260 Million Fraud

The Economic and Financial Crimes Commission, EFCC, on Thursday, December 1, 2022 secured the conviction of Professor Magaji Garba, a former Vice Chancellor of Federal University Gusau, as Hon. Justice Maryam Hassan Aliyu of the Federal Capital Territory High Court, Garki, Abuja, found him guilty of a five-count charge bordering on obtaining money by false pretence and forgery and sentenced him to 35 years jail term.

Garba was arraigned by the EFCC on October 12, 2021, for allegedly extorting various sums from a contractor on the pretext of awarding him a N3 billion contract for the perimeter wall fencing of the university which offence is contrary to section 1 (1) (a) and punishable under section 1 (3) of the Advance Fee Fraud and Other Fraud Related Offences Act, 2006.

Count two of the charge preferred by EFCC against Garba reads: “That you, Professor Magaji Garba, whilst being the Vice Chancellor, Federal University, Gusau on or about the 15th of May, 2019 in Abuja within the jurisdiction of the High Court of the Federal Capital Territory Abuja with intent to defraud obtained the sum of N100,000,000 (One Hundred Million Naira) from Alhaji Shehu Umar Sambo, Managing Director/Chief Executive Officer of Ministaco Nigeria Limited, a contractor executing the construction of the Grand Convocation Square of the Federal University, Gusau under the false pretence of awarding a project for the perimeter wall fencing of the University valued at the total sum of N3,000,000,000.00 (Three Billion Naira) which representation/pretence you knew to be false”.

Count three of the charge preferred by EFCC against Garba reads: “That you, Professor Magaji Garba, whilst being the Vice Chancellor, Federal University, Gusau on or about the 1st August, 2019 in Abuja within the jurisdiction of the High Court of the Federal Capital Territory, Abuja with intent to defraud obtained the sum of N150,000,000.00 (One Hundred and fifty Million Naira) from Alhaji Shehu Umar Sambo,

Managing Director/Chief Executive Officer of Ministaco Nigeria Limited, a contract executing the construction of the Grand Convocation Square at the Federal University, Gusau under the false pretence of awarding a project for the perimeter wall fencing of the university valued at the total sum of N3,000,000,000.00 (Three Billion Naira), which representation/pretence you knew to be false”.

He had pleaded “not guilty” to the charges, thereby setting the stage for his full trial. After calling witnesses and tendering plethora of documents which were admitted in evidence, the EFCC closed its case on December 14, 2021.

Delivering judgment, Hon. Justice Aliyu held that the court was satisfied that the prosecution proved its case beyond reasonable doubt. The judge then pronounced the defendant “guilty” on the five counts, and sentenced him to seven years on count 1-3 without option of fine and seven years imprisonment on counts 4 and 5, with option of N10 million fine each.



Case 27: Senator Albert Bassey Akpan - N204 Million Fraud

The Calabar Division of the Court of Appeal, on Friday, June 23, 2023 upheld the conviction of Senator Bassey Albert Akpan on money laundering charges by a Federal High Court, Uyo, Akwa Ibom State and ordered his arrest. Hon. Justice Agatha Okeke had on December 1, 2022 found Senator Akpan, then governorship candidate of the Young Progressive Party, YPP, guilty of seven counts of money laundering preferred against him by the Economic and Financial Crimes Commission, EFCC and sentenced him to a total of 49 years imprisonment; 7 years for each of the 7 count charges and without an option of fine.

Akpan was prosecuted on allegation of receiving vehicles valued at N240 million as bribe from companies linked to one Olajide Omokore, a contractor who executed a N3 billion contract for the government of Akwa Ibom State whilst Senator Bassey was Commissioner for Finance and Chairman

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of the Inter-Ministerial Direct Labour Coordinating Committee. The offence contravenes Section 15 (2) (d) of the Money Laundering (Prohibition) Act, 2011 (as amended) and is punishable under Section 15 (3) of the same Act.

However, dissatisfied with the judgment, Senator Akpan on December 29, 2022, approached a Vacation Court in Port Harcourt, Rivers State, presided over by Justice S. I. Mark of the Federal High Court and secured a post-conviction bail on health grounds. But upon release from prison, Senator Akpan continued with his campaign to be governor of Akwa Ibom State and subsequently approached the appellate court in Calabar to set aside the judgment of Justice Okeke.

While arguing against the appeal, counsel to the EFCC, Ekele Iheanacho urged the court to uphold the judgment of the lower court, dismiss the appeal and revoke the said bail granted to Senator Bassey on the grounds that “the prosecution proved its case beyond reasonable doubt and the charge was validly filed”. Delivering judgment, the three-man panel of the appellate court, led by Justice Raphael Chikwe Agbo, upheld the conviction of Senator Akpan but varied the sentence by granting the appellant an option of fine while also revoking the bail of the appellant.

The court also affirmed that the appellant should reconstitute the sum of N240 million to the Federal Government through the EFCC and that the said restitution shall not be a prerequisite for his release from the correctional facility.



Case 28: Balarabe Hassan & Suraj Oyewepo - N114 Million Fraud

The Economic and Financial Crimes Commission (EFCC) on

Wednesday May 3, 2023 arraigned an accountant with the Ahmadu Bello University, ABU, Zaria, Balarabe Hassan alongside Suraj Oyewepo, a senior cash office staff, before Hon. Justice Darius Khobo of the Kaduna State High Court, Kaduna.

The duo were arraigned on a nine-count charge bordering on alleged theft to the tune of over N114 million (One Hundred and Fourteen Million Naira).

Among the allegations against Balarabe was that he fraudulently enrolled a company, RAYYAN GENERAL MERCHANT owned by Oyewepo into the GIFMIS platform on the basis of which the company received various payments without any legitimate reason. The EFCC further alleged that investigation also traced payments made by RAYYAN GENERAL MERCHANT into Balarabe's account. In addition EFCC revealed that Balarabe, who was also a signatory to the Staff Revolving Loan Account withdrew cash from the account and wasn't able to explain what it was used for.

They pleaded 'not guilty' when the charges were read to them. Based on their pleas, the prosecuting counsel urged the court to remand the defendants and fix a date for the commencement of trial. However, the defence counsel, applied for the bail of their clients.

Hon. Justice Khobo granted bail to the defendants in the sum of N10m each with one surety in like sum who must own a landed property within Kaduna. The matter has now been adjourned to the 4th of December, 2023 for continuation of trial.



Case 29: Ismaila Yusuf Atumeyi - N1.4 Billion Money Laundering

The first prosecution witness presented by the Economic and Financial

Crimes Commission (EFCC), Olusegun Falola, in the ongoing trial of Ismaila Yusuf Atumeyi, a Kogi State House of Assembly candidate of the New Nigeria Peoples Party, NNPP, and two others gave evidence before Hon. Justice Tijani Ringim of the Federal High Court Ikoyi Division, Lagos State on how N681 million was paid into the politician's business account. Atumeyi was the Kogi State House of Assembly candidate of the NNPP for Ankpa 11 Constituency. He is standing trial alongside Ngene Joshua Dominic and Abdulmalik Salau, a former employee of Union Bank Plc, on 18 counts bordering on alleged cybercrime and money laundering to the tune of N1.4 billion.

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Led in evidence by the prosecution counsel, Rotimi Oyedepo, SAN, Falola, an Internal Auditor and Team Lead, General Investigations, Union Bank Plc, testified that sometime in October 2022, during the periodic internal review of accounts of customers, they observed that some accounts that were placed on No-Debit were debited and in the course of their review, it was observed that the methodology employed in debiting the said accounts was different from the way accounts are being debited in the normal banking activity.

He further testified that it was based on the above that the case was assigned to him for further internal investigation. He stated that during his review, he observed that beyond the few accounts that were referred to him for investigation, there were other numerous accounts that were being debited. Furthermore, the debits on these accounts were traced to two beneficiaries, Atus Homes Limited account and Fav Oil and Gas Limited. These two accounts received the sum of N681m and N1.38bn respectively from the account of 429 customers.

Falola also gave evidence before the court that further investigations revealed that Atumeyi is the signatory to the Atus Homes Limited account, while the signatories to Fav Oil and Gas are Shuaibu Yusuf and Nurudeen. According to him, all illicit debits on the customers' accounts were done via internet banking on one of the bank's platforms known as Union 360. Giving further testimony, he stated that at the time of investigation, over N600m had been withdrawn from the account of Atus Homes Limited and over N800m withdrawn from Fav Oil and Gas. He stated that they were able to make those fraudulent transfers because the bank system was fraudulently manipulated. It was this realization that made us know that only a person with privileged information on the bank's information technology could have carried out such illicit transactions and that it was based on that knowledge that we reported the matter to the EFCC for further investigation.

Oyedepo sought to tender the petition written to the EFCC, the correspondences between the agency and the bank as well as the defendants' statements of account that had been identified by the witness.

However, counsel for the third defendant, Babatunde Ogunwo, objected to the admissibility of the attached statement of account on the grounds that the prosecution had not sufficiently complied with Section 84 (2) 2(4) of the Evidence Act, being a computer generated evidence. In a short ruling, Hon. Justice Ringim overruled the objection of the defence and admitted the exhibit in evidence.

The judge also granted the second defendant, Dominic, bail on the same terms as the 3rd defendant, as granted on January 6, 2023. Consequently, the matter was adjourned to February 2, 2023 for the continuation of trial. Trial is still ongoing in the matter as the prosecution is still giving evidence and the case has been further adjourned to the 6th of November, 2023 for continuation of trial. This case has now been further adjourned to the 29th of January, 2024 as trial is still ongoing in the matter.



Case 30: Mohammed Wakil & 4 ORS. - N450 Million Money Laundering

The Economic and Financial Crimes Commission (EFCC) on Wednesday, June 14, 2023, closed its case against a former Minister of Power, Mohammed Wakil and four others. The prosecution closed its case before Hon. Justice K. Dagat of the Federal High Court, Maiduguri, Borno State, after presenting three witnesses. Wakil, alongside Garba Abatcha, Ibrahim Shehu Birma, Dr. Abubakar Ali Kullima and Engr. Muhammad Baba Kachalla, were re-arraigned on a seven count charge of criminal conspiracy to commit money laundering to the tune of Four Hundred and Fifty Million Naira (N450,000,000.00).

They were alleged to have received the said sum from the \$115 million disbursed by a former minister of petroleum resources, Diezani Alison-Madueke to influence the outcome of the 2015 presidential election. One of the charges preferred against the defendants reads: "That you, Hon. Muhammad Wakil, Garba Abatcha, Ibrahim Shehu Birma, Dr. Abubakar Ali Kullima and Engr. Muhammad Baba Kachalla on or about the 26th day of March, 2015 at Maiduguri, Borno State within the jurisdiction of this Honourable

Court, did agree amongst yourselves to do an illegal act, to wit: conspiracy to commit money laundering and thereby committed an offence contrary to and punishable under section 18(a) of the Money Laundering (Prohibition) Act, 2022 (as amended).” They pleaded “not guilty” to the charges which set the stage for their trial.

Before closing its case on Wednesday proceedings, the prosecution counsel tendered some documents including the statements of the defendants, evidence of payment received by the three senatorial districts, a draft from the first defendant and a response letter from Fidelity Bank detailing the means of identification of the first and second defendants which were admitted as exhibits.

Hon. Justice Dagat thereafter adjourned till October, 3, 4 and 5, 2023 for the defendants to open their defence. The case has now been adjourned to the 23rd of November, 2023 for continuation of trial.



Case 31: Sanusi Mohammed Isa - N1.8 Billion Corruption Charge (220 Flats In 20 Estates Valued)

The Independent Corrupt Practices and Other Related Offences

Commission (ICPC) is set to appeal the ruling of the Bauchi State High Court which discharged and acquitted Sanusi Mohammed Isa, a former personal assistant to ex-governor of Bauchi state, Mallam Isa Yuguda.

Hon. Justice Rabi T. Umar, the Chief Judge of Bauchi State and the presiding judge in the case, had on the 13th of December, 2022, discharged and acquitted Sanusi Mohammed Isa on all the 36 count charges against him bordering on corruption, and ordered the release of “all his properties in the possession of the Commission”. The ICPC traced and seized 220 flats located in 20 estates belonging to Sanusi Mohammed Isa in 2017. The houses range from two-bedroom to three-bedroom flats. Other items seized were sophisticated guns, rounds of ammunition, exotic cars, designer watches, bales of brocade and air conditioners.

The commission expressed its dissatisfaction in the discharge and acquittal of Sanusi Mohammed Isa by the Bauchi State High Court. The agency averred that the State High Court's judgment was not in consonance with the weight of evidence before the court, including its refusal to allow civil forfeiture.

Part of the evidence presented to the court was the fact that the defendant couldn't have acquired the 220 two-bedroom and three-bedroom flats, located in 20 estates, and other assets based on his annual salary and allowance. The 220 flats in 20 estates are valued at N1,857,351,750:00. Sanusi Mohammed Isa worked with the Bauchi Investment Corporation from 3rd October, 1989 to 31st December, 2012 before joining the Office of the Head of Civil Service, Bauchi on 31st December, 2012 as a director on grade level 16. Isa was released for the special assignment of P.A to the then governor of Bauchi state, Mallam Isa Yuguda, on 22nd December, 2008. By the directive to release him for the special assignment, he was to enjoy his salary and other entitlements of N9,122,388.45 annually from the Bauchi Investment Corporation and was entitled to an allowance of N15,000.00 monthly as a personal assistant to the former governor.

The commission in its bid to overturn the judgment in this case is of the opinion that the assets seized from Sanusi Mohammed Isa were acquired with state funds and he was only a front for another politically exposed person who is the original owner of the confiscated assets. However, at the time of publishing this report, no appeal has been filed by the ICPC.



Case 32: Mansur Ali Mashi & 3 ORS. - N212.4 Million Fraud

Hon. Justice Sale Musa Shuaibu of the Federal High Court, Kaduna on

Thursday, June 15, 2023, convicted a former member of the House of Representatives, Mansur Ali Mashi on eight counts of conspiracy and obtaining by false pretence. Mashi, who represented Mashi Dutsi federal constituency, was convicted alongside three bank officials: Abdulmumini Mustapha, Shehu Aliyu and Muazu Abdu in a trial that lasted 12 years.

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Mashi was prosecuted by the Economic and Financial Crimes Commission (EFCC) for using fictitious companies to fraudulently obtain a loan facility to the tune of N212,439,552 (Two Hundred and Twelve Million, Four Hundred and Thirty Nine Thousand, Five Hundred and Fifty Two Naira) only from Sterling Bank, which he diverted to personal use.

Upon arraignment, the defendants had pleaded not guilty to the charges preferred against them and the case proceeded to trial. In the course of trial, the matter suffered several setbacks due to elevation or retirement of the trial judges. But the prosecution called six witnesses and tendered several exhibits to prove the case against the defendants. At the last adjourned date, counsel to the parties adopted their final written addresses and the matter was subsequently adjourned till June 15 and 16, 2023 for judgment. However, when the matter was called on Thursday, June 15, the 1st defendant was absent in court. But the court in a well-considered judgment pronounced him guilty on counts 1 to 8 and was convicted accordingly. The 4th defendant was also absent but the court found him guilty on all counts and got convicted. The court however reserved sentencing for the two absentee defendants until they are arrested and brought before the court.

The 2nd defendant Abdulmumin Mustapha who is the former branch manager of Sterling Bank was convicted on counts 1 to 15 and sentenced to five years imprisonment on each count without option of fine. The court further ordered the 2nd defendant to reconstitute Sterling Bank in the sum of N40, 000,000 (Forty Million Naira). The 3rd defendant who is the former Head of Operation of the bank, was discharged on count 1-8 but convicted on counts 9 to 15 and sentenced to 5 years imprisonment on each count without option of fine.



Case 33: Diezani Alison-madueke - \$20 Billion Fraud

The Federal High Court in Abuja has fixed October 23, 2023 for hearing of the suit filed by former Minister of Petroleum Resources, Diezani Alison-Madueke, challenging the order

obtained by the Economic and Financial Crimes Commission (EFCC) for final forfeiture of her seized assets. The Federal Government had last year secured orders for final forfeiture of properties in Nigeria and abroad allegedly linked to the former Minister of Petroleum Resources. Hon. Justice Inyang Ekwo fixed the date after Alison-Madueke's lawyer, Benson Igbanoi, and the EFCC's counsel, M.D. Baraya both regularized their processes in the suit.

In the motion marked: FHC/ABJ/CS/21/2023, dated and filed January 6, 2023 before Hon. Justice Inyang Ekwo of the Federal High Court in Abuja, Alison-Madueke is seeking among others, an order extending the time within which to seek leave to apply to the court for an order setting aside the public notice issued by the Economic and Financial Crimes Commission (EFCC) to conduct the public sale on her property. She said the motion is intended against the notice recently issued by the EFCC for disposal of forfeited assets, some of which included those belonging to her.

In her supporting affidavit, the former minister noted that the EFCC planned to conduct a public sale of all forfeited assets beginning from January 9 as contained in its public notice following various court judgments/orders issued in favour of the commission as final forfeiture orders against property and personal effects linked to her. Seeking five reliefs, Alison-Madueke argued among others that she was not heard before the orders for forfeiture were issued, thereby denying her the rights. Alison-Madueke added, "The various court orders issued in favour of the EFCC and upon which they issued the public notice to conduct public sale of items contained in the public notice, most of which affect her interest, were issued in breach of the right to fair hearing as guaranteed by Section 36 (1) of the 1999 Constitution, as altered, and other similar constitutional provisions."

She added that the forfeiture orders made in respect of assets linked with her were issued by the various courts without jurisdiction. She further stated that she was neither served with the charge sheet and proof of evidence in any of the charges nor any other summons howsoever and whatsoever in respect of the criminal charges pending against her before the court.

The ex-minister added further that the courts were misled into making several of the final forfeiture orders against her assets through suppression or non-disclosure of material facts.

In its counter affidavit, the EFCC faulted Alison-Madueke's arguments, noting that not only was she represented in some of the proceedings, publications were made in the media to alert interested parties about pending forfeiture applications. An EFCC official, Rufai Zaki, who deposed to the counter affidavit claimed to be part of the team that investigated a case of criminal conspiracy, official corruption and money laundering against Mrs. Allison-Madueke and some others involved in the case, said investigation showed that she was involved in some acts of criminality. He added that the forfeiture orders made in respect of assets linked with her were issued by the various courts with jurisdiction. Zaki stated that following the findings of his team, Mrs. Alison-Madueke was charged before the Federal High Court in a charge marked: FHC/ABJ/CR/208/2018.

He stated that the courts differently ordered the commission to do newspaper publications inviting interested parties to show cause why the said properties should not be forfeited to the Federal Government before final orders were made. Zaki recalled in his affidavit that one Nnamdi Awa Kalu represented the ex-minister in the hearing of one of such forfeiture applications. He added that not only was the order for the forfeiture of the effected properties made since 2017 and was not set aside on appeal, the assets in question had since been disposed of through due process of law. The matter has now been adjourned to the 12th of December, 2023.

In other news, the Attorney-General of the Federation and Minister of Justice, Lateef Fagbemi, SAN, on the 29th of October, 2023 has submitted a warrant of arrest and request to the Crown Prosecution Services in the United Kingdom for the urgent extradition of the Diezani Allison-Madueke to answer for her crimes. This followed EFCC's revelation on October 2, 2023 that it had commenced extraditing Diezani from the UK back to Nigeria over 13-count charges bordering on money laundering levelled against her by the commission

Meanwhile, in a statement on Tuesday 22 August, 2023 the United Kingdom National Crime Agency (NCA) announced that the former President of the Organisation of the Petroleum Exporting Countries (OPEC), Diezani Alison-Madueke has been charged with bribery offences relating to her time as Nigeria's oil minister. They further stated that Alison-Madueke who had been on bail since first being arrested in London in October 2015 will appear in court in the British capital on October 2, 2023. The head of the NCA's international corruption unit, Andy Kelly, said in a statement, "We suspect Diezani Alison-Madueke abused her power in Nigeria and accepted financial rewards for awarding multi-million pound contracts."

The NCA said Alison-Madueke allegedly benefited from at least £100,000 (\$127,000) in cash, chauffeur-driven cars, flights on private jets, luxury holidays for her family and the use of multiple London properties. The charges also detail financial rewards including furniture, renovation work and staff for the properties, payment of private school fees, and gifts from top designer shops such as Cartier jewellery and Louis Vuitton goods. "Bribery is a pervasive form of corruption which enables serious criminality and can have devastating consequences for developing countries," Kelly said. "These charges are a milestone in what has been a thorough and complex international investigation," he added.

At the time of her arrest, the NCA said it had detained five people in London on suspicion of international corruption without naming those held. The NCA said that assets worth millions of pounds in relation to the case have been frozen as part of the investigation. In March 2023, the agency which targets international and organised crime, provided evidence to the US Department of Justice allowing them to recover assets totaling \$53.1 million linked to Alison-Madueke's alleged corruption.

In addition to the above, the former minister of petroleum appeared at Westminster Magistrates Court in London on Monday October 2, 2023 in a case of bribery charges filed against her by the United Kingdom (UK) government. Despite the fact that the charges leveled against her were read to her, she was not asked formally to enter a plea but her lawyer

informed the court that she would be pleading not guilty. She was however granted bail by the court. Meanwhile, on Diezani's appearance at the Southwark Crown Court in the United Kingdom which is the court that deals with serious criminal cases on Monday 30th of October, 2023, the court adjourned hearing on the bribery charges preferred against Diezani to November, 2025.



Case 34: Sule Lamido & Ors. - N712 Million Money Laundering

The Court of Appeal, Abuja Division, has discharged Sule Lamido, former governor of Jigawa state and his two sons of N712 million money laundering allegation on all count charges by the Economic and Financial Crimes Commission (EFCC).

In a judgment delivered on Tuesday 25 July, 2023 the appellate court held that the no case submission filed by the defendants was meritorious and consequently discharged the defendants.

Recall that Lamido, his two sons, Aminu and Mustapha, Aminu Wada Abubakar and their companies, Bamaina Holdings Ltd and Speeds International Ltd were standing trial before Hon. Justice Ijeoma Ojukwu of the Federal High Court sitting in Abuja on a 37-count amended charge of money laundering..

The Economic and Financial Crimes Commission (EFCC) prosecuting the former governor said he allegedly abused his position between 2007 and 2015 and allegedly laundered several sums of money which he received as kickbacks from companies that were awarded contracts by Jigawa State Government under his leadership. The trial which commenced in 2015 has seen the anti-graft commission calling over 16 witnesses before closing its case. Rather than opening their defence, the defendants opted for a no case submission, arguing that the prosecution had not placed sufficient materials before the court to warrant their defence.

However, Justice Ojukwu threw out the no case submission by Lamido and upheld the submissions of EFCC counsel that Lamido and the other defendants

had a case to answer and ordered them to open their defence at the next adjourned date of the matter which was November 8 to 11, 2022. Dissatisfied, the defendants appealed the said ruling.

Reading the ruling, the appellate court led by Hon. Justice Adamu Waziri JCA held that the trial court ought not to have heard the suit since the offence committed was not within its territorial jurisdiction. The court held that the Federal High Court Abuja is not within the territorial jurisdiction where the offence was committed and so it does not have jurisdiction to hear the charges against the defendants and they were consequently discharged.

Meanwhile, in a Notice of Appeal filed at the Supreme Court and dated July 31, 2023, the EFCC is asking the apex court to set aside the whole decision of the Court of Appeal and order a return of the case to the trial court "to continue and conclude same" on the grounds that the appellate court erred in law when it discharged the defendants/respondents. No date as to the hearing of the appeal has been given by the Supreme Court as at this time.



Case 35: Hon. Chuma Nzeribe - N30 Million (Forgery of Documents)

The Chief Justice of the Federal Capital Territory High Court on Wednesday the 24th day of May, 2023 decongested the Nigerian Correctional Service Center. Among the prisoners he released was Hon. Chuma Nzeribe who was sentenced to ten years imprisonment without option of fine in the matter of Federal Republic of Nigeria v. Hon. Chuma Nzeribe in Charge No FCT/HC/791/2020 which was filed by the EFCC and presided over in Court 14 by Hon. Justice Yusuf Halilu. The convict earlier on filed an application for his bail pending appeal and the EFCC also responded that the FCT High Court does not have the jurisdiction to entertain any application by the applicant since there's a pending appeal before the Court of Appeal and all parties have filed their briefs of argument and issues were joined. While parties were waiting for a date to argue the application for the bail pending appeal before the court, the CJ went to the prison and released the convict.

It is pertinent to note that Nzeribe was convicted since May 23rd, 2022 in absentia. Justice Yusuf made an order after the conviction for the convict to appear before the court for sentencing. After thorough surveillance, the convict was subsequently arrested by the EFCC on the 15th of March, 2023 and was sentenced to 10 years imprisonment without an option of fine among others. The convict was sent to the Nigerian Correctional Service barely three months back.

Justice Halilu Yusuf of the FCT High Court, Abuja, had convicted Chuma Nzeribe, a former member of the House of Representatives for impersonation, possession of Federal Government documents and using same to fraudulently acquire land. Nzeribe, who contested the governorship ticket of the All Progressives Grand Alliance (APGA), was convicted on four-count criminal charges brought against him by the federal government.

The trial Judge ordered that the land in Maitama acquired with the forged documents be taken over by the owner, Ishaya Madi, with immediate effect. Nzeribe had shunned the court for the third time without any cogent reason. EFCC had told the court that Nzeribe wrote the commission a Memorandum of Understanding MoU surrendering the land he fraudulently acquired to the real owner, Ishaya Madi.



Case 36: Bashir Yuguda & ORS. - N23.338 Billion Fraud

The Federal Capital Territory (FCT) High Court in Abuja,

Maitama has further adjourned the N23.338 billion fraud trial against Bashir Yuguda, a former Ambassador and former Finance Minister of State and others for continuation of trial in the said case. Yuguda, ex-National Security Adviser (NSA), Col. Sambo Dasuki (ret'd) and three others are charged with 25 counts bordering on alleged N23.3 billion fraud by the EFCC. Others charged are former governor of Sokoto state, Attahiru Bafarawa, his son, Sagir and their company, Dalhatu Investment Limited. The matter which was slated for cross examination of EFCC first witness, Mr. Aliyu Mukadas, a staff of the Central Bank of Nigeria commenced in court.

The witness in his testimony, it will be recalled, told the court how N4.6 billion in the account of the Office of the National Security Adviser (ONSA) was moved to Dalhatu Investment. At the resumed sitting on Monday March 6, 2023 the EFCC witness, Mukadas, (PW1), told the court under cross-examination by counsel to Bafarawa and his son, Professor J. O. Olatoke, SAN, that ONSA's operations were covert for security reasons.

According to the PW1, who is a payment manager with the Central Bank of Nigeria, CBN, the operation of ONSA's accounts with the apex bank was in the exclusive domain of the account holder. He informed the court that though he was not a signature expert, it was only Dasuki and one S.A Salisu that signed the documents and presented the same for payment through their representatives. Mr. Mukadas added that he was not aware of the office of a procurement officer in government parastatals. PW1 also added that he was not the officer involved in the transaction that led to the case against the defendants. According to him, notwithstanding the fact that the ongoing case was instituted by EFCC in December 2015, he was only invited by the EFCC to give a statement on March 31, 2016 because he was a desk officer.

When Lateef Fagbemi (SAN), counsel to the 5th defendant, Dalhatu Investment Ltd, asked what his schedule of duty was, the witness told the court that he only effected payment when contracts had been executed. Justice Yusuf Halilu later adjourned the matter until May 17, 2023 at the request of the prosecution counsel, Oluwaleke Atolagbe. EFCC had arraigned the defendants first before Justice Peter Affen, now of the Court of Appeal, on Dec. 24, 2015. The matter was later transferred to Justice Hussein Baba-Yusuf, now the FCT Chief Judge in October 2016.

The case could not take off since it was first brought to court largely due to the detention of the former NSA by the Department of State Service (DSS). On May 24, 2022, the defendants were re-arraigned before Justice Yusuf Halilu on an amended 25-count charge bordering on misappropriation, criminal breach of trust and receiving stolen property.

They all, however, pleaded not guilty when the charges were read to them. The matter which was adjourned to the 4th of October, 2023 for continuation of trial has now been further adjourned to the 6th of December, 2023 for trial.



Case 37: Abubakar Ali Peters - N1.4 Billion Oil Subsidy Fraud.

Hon. Justice C.A. Balogun of the Lagos State High Court sitting

in Ikeja, on Tuesday May 16, 2023, dismissed the application filed by Nadabo Energy Boss, Abubakar Ali Peters, seeking him to disqualify or recuse himself from sitting on the alleged N1.4bn oil subsidy fraud trial “on the allegation of likelihood of bias.”

The Economic and Financial Crimes Commission, (EFCC) is prosecuting Abubakar and his company, Nadabo Energy Limited, on a 27-count charge for allegedly using forged documents to obtain the sum of N1,464,961,978.24 from the Federal Government as oil subsidy after allegedly inflating the quantity of Premium Motor Spirit, PMS, purportedly imported and supplied by the company.

One of the counts preferred by the EFCC against the defendant reads: “Nadabo Energy Limited and Abubakar Ali Peters, on or about the 3rd day of April, 2012 at Lagos, within the Lagos Judicial Division, with intent to defraud, fraudulently obtained the sum of N978,401,732.09 (Nine Hundred and Seventy-eight Million Four Hundred and One Thousand Seven Hundred and Thirty-two Naira Nine Kobo) from the Federal Government of Nigeria by falsely claiming that the sum represented subsidy accrued to Nadabo Energy Limited under the Petroleum Support Fund for the importation of 19,488,992 litres of Premium Motor Spirit (PMS), which Nadabo Energy Limited purported to have purchased from Ashland SA Geneva Switzerland, and transported the 19,488,992 litres of PMS through MT American Express (Mother Vessel) and MT. St. Vanessa (Daughter Vessel) to Nigeria, whereas Nadabo Energy Limited only imported 6,505,140.04 litres of PMS to Nigeria through MT Evridiki (Mother Vessel) and MT St Vanessa (Daughter Vessel).”

Another count reads: “Nadabo Energy Limited and Abubakar Ali Peters, on or about the 25th day of October 2011 at Lagos, within the Lagos Judicial Division, with intent to defraud and in order to facilitate your obtaining money by false pretence from the Federal Government of Nigeria under the Petroleum Support Fund (PSF), forged a document titled: Certificate of Marine Insurance no. 0047851 and purported the Marine Insurance certificate to have been issued by Staco Insurance Plc to Nadabo Energy Limited.”

He pleaded “not guilty” to all the counts which in view of his plea set the stage for a full trial. It should be recalled that while the fifth prosecution witness, PW5, Abdulrasheed Bawa, the suspended Executive Chairman of the EFCC, was still being cross-examined in the course of the trial by the defence counsel, the defence had brought an application dated July 5, 2022, urging the trial Judge to “disqualify or recuse himself on the grounds of existence of likelihood of bias”. The prosecution, through its counsel had also in September 2022, responded to the said application via its counter-affidavit. Ruling on the application, Hon. Justice Balogun held that the allegation of “likelihood of bias” raised by the defence was a “mere conjecture”. The trial judge further noted that “the perceived judicial bias is very unfounded”. While striking out the application, Justice Balogun ruled that “This court shall continue to hear this matter.” The case was consequently adjourned till July 11, 2023 for continuation of trial.

The court did not sit on July 11, 2023 and the matter has now been further adjourned to the 7th of November, 2023 for continuation of trial. The matter is now adjourned to the 6th of February, 2024 for continuation of trial.



Case 38: John Abebe - N120 Million Stealing

Hon. Justice Mojisola Dada of the Lagos State Special Offences Court sitting in Ikeja on Friday, February 17, 2023 has convicted and sentenced John Abebe, a younger brother of the late former First Lady, Stella Obasanjo, to a seven-year imprisonment for forgery and fraud. Justice Dada handed down the verdict after she found Abebe guilty of a four-count charge brought against him by the Economic and Financial Crimes Commission (EFCC). The judge however gave the convict an option of a N50 million fine instead of the custodial sentence to be paid within 30 days.

The EFCC had alleged that Abebe “knowingly forged” a November 30, 1995 letter written by BP Exploration Nigeria Limited to Inducon (Nigeria) Ltd. The anti-graft agency had also maintained that the businessman illegally inserted into page 2 of the said letter the following words: “Also note that the 'Buy-Out Option' only applies to the pre-production stage of the NPIA. The \$4m buy-out is thus irrelevant from production of Oil in any of our fields.” The oil company, Statoil Nigeria Limited, had, on June 22, 2010, accused the convict of forgery in a petition it wrote to the EFCC. Statoil Oil had alleged that the defendant forged parts of a Net Profit Interest Agreement (NPIA) dated November 30, 1995, which was drafted by British Petroleum (BP).

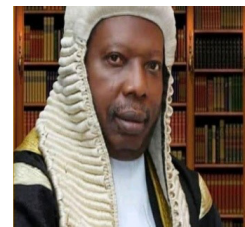
The EFCC had further claimed that the convict attempted to pervert the course of justice by tendering the forged November 30, 1995 letter “as a fabricated evidence” in court in Suit No. FHC/L/CS/224/2010 between Dr. John Abebe, Inducon Nigeria Limited and Statoil Nigeria Limited.

The commission also accused the convict of attempting to mislead the court by using fabricated evidence contrary to Section 120 (2) of the Criminal Code Cap C17 Law of Lagos State of Nigeria 2003. These offences as preferred by the EFCC violated Section 126 (2) of the Criminal Code Cap C17 and Section 467 of the Criminal Code Cap C17 Law of Lagos State of Nigeria 2003.

He had pleaded not guilty to the charge when he was arraigned on July 26, 2018 which set the stage for his full trial.

However, in the judgment as aforesaid, Hon. Justice Dada held that, with the evidence before the court, the prosecution effectively proved counts one to three against the defendant. The trial Judge, therefore, declared him guilty as charged on counts one to three. Justice Dada, however, discharged and acquitted the defendant of count four which involved conspiracy.

Hon. Justice Dada delivering the judgment on Friday, February 17, 2023 sentenced him to seven years at any Correctional Centre of his choice based on his allocutus or an option of fine of N50 million to be paid within 30 days.



Case 39: Hon. Olakunle Oluomo - N2.5 Billion Fraud

The Federal High Court, Abeokuta Division, has further adjourned the N2.5 billion fraud trial of the Speaker of the Ogun State House of Assembly, Olakunle Oluomo. The matter was then adjourned till March 29 and 30, 2023 for continuation of trial. It should be noted that this is the second time the court would adjourn the case after it was transferred from Lagos to Ogun State and since March 2023, no new date has been given in this matter as at the time of writing this report. The EFCC had in September 2022 arrested and later arraigned Oluomo for allegedly diverting N2.5 billion belonging to the Assembly, in suit no: FHC/AB/61C/2022. Oluomo was arraigned alongside the Clerk of the House, Taiwo Adeyemo; and the Director of Finance, Oladayo Samuel. The EFCC had accused the Speaker and others of forging receipts and signatures to divert billions of naira from the legislative house. They were thereafter granted bail after pleading not guilty, even as they were asked to submit their travel documents at the court registry. Meanwhile, a Federal High Court sitting in Lagos, has granted the Speaker of the Ogun State House of Assembly, Hon. Olakunle Oluomo the permission to travel abroad for medicals.

Justice Nicholas Oweibo granted Oluomo and two others the order following a Motion Ex-parte application dated and filed on July 26, 2023, seeking the permission of the court to hear the application for leave to travel abroad for a medical checkup during the annual vacation. His counsel moved the motion in court before the vacation judge, Hon. Justice Oweibo. The EFCC prosecution counsel did not oppose the application. In a short ruling, Justice Oweibo granted the application as prayed. Justice Oweibo then remitted the file back to Abeokuta the Ogun State capital for trial.



Case 40: Abba Kyari & ORS. - Drug Trafficking & \$61,400 Bribery

The Federal High Court, Abuja, on Wednesday, March 22, 2023

dismissed an application filed by suspended DCP Abba Kyari seeking an order dismissing the National Drug Law Enforcement Agency (NDLEA)'s charge against him. Justice Emeka Nwite, in a ruling, held that the court had the exclusive right and jurisdiction to hear drug related cases as enshrined in the constitution of the Federal Republic of Nigeria and the NDLEA Act. On January 18, 2023 Justice Nwite adjourned for ruling on the application filed by Kyari and three other co-defendants in the drug-related suit. The applicants in the said application are Kyari, ACP Sunday Ubia, Insp. Simon Agirigba, and Insp. John Nuhu. In the application filed by their lawyers on the grounds that the suit was incompetent, they asked the court to dismiss the criminal charge against them. They submitted that their trial be halted because they had not been subjected to internal disciplinary action by the Nigeria Police Council (NPC) and the Police Service Commission (PSC), as required by the constitution. They argued that the failure of the complainant (NDLEA) to await disciplinary action rendered the charge ineffective and deprived the court of jurisdiction to hear it.

In opposing the application, the NDLEA counsel, Mr. Joseph Sunday, argued that most of the cases cited by lawyers to the defendants did not relate to Police Service Act, saying the instant charge against the

defendant was a criminal matter. He submitted that the defendants through their applications had not, by way of affidavit or legal argument, established any condition precedence required for the filing of this charge and to that extent, their application must fail and therefore urged the court to dismiss the application and proceed to the hearing of the matter.

Delivering the ruling, Justice Nwite held that the powers of the Police Service Commission did not supersede the powers of the Federal High Court. He stated that the court had jurisdiction over the subject matter of the case. According to the judge, the court has the authority to hear and decide the charge under Section 251(2)(F) and (3) of the Constitution.

Earlier, the NDLEA accused Kyari of failing to disclose assets in a new suit filed at the Federal High Court on September 5, 2022. The NDLEA, in the new 24 charges, alleged that Mr. Kyari failed to declare his ownership of property in the Federal Capital Territory, Abuja, and Maiduguri. The anti-drug agency also stated that over N207 million and 17,598 Euro were discovered in his three bank accounts. Recently, trial in the case continued on Tuesday, May 16, 2023, however, the said trial was held behind closed doors. The case has now been further adjourned to the 9th of September, 2023.

The NDLEA via its counsel, Mr. Sunday Joseph, stated that the reasons it resorted to the trial of the suspended DCP Abba Kyari and his co-defendants behind closed doors was that there was security concern about the trial. He further stated that the classes of witnesses brought to court were undercover witnesses who needed to be protected. The lawyer also stated that bank documents he sought to be tendered as exhibits were opposed by the defendants and thereafter the court adjourned the matter till June 9, 2023 for ruling on the admissibility of the said evidence. Trial in the substantive suit is still ongoing as the matter has been adjourned to the 25th and 26th of October, 2023. The matter has now been further adjourned to the 1st, 5th and 7th of December 2023 for continuation of trial.

Meanwhile, a Federal High Court in Abuja has granted suspended DCP Abba Kyari N50 million bail in the said charge in which he and two of his siblings were

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accused of failing to declare assets to the National Drug Law Enforcement Agency, NDLEA. NDLEA had filed the 24-count charge against Kyari and his brothers - Mohammed Baba Kyari and Ali Kyari.



Case 41: Senator Peter Nwaoboshi - N805 Million Fraud

The Supreme Court on Friday, June 7, 2023 overturned the conviction and sentence of Peter Nwaoboshi, a former senator, to seven years imprisonment for offences of fraud and money laundering. The former senator representing Delta North was convicted by the Court of Appeal in Lagos on a two-count charge of fraud and money laundering in a suit filed by the Economic and Financial Crimes Commission (EFCC). Delivering Judgment, the apex court ordered his immediate release from the Ikoyi prison in Lagos where he is currently being held.

In a lead judgment by Hon. Justice Emmanuel Agim, the court held that Nwaoboshi and his two companies – Golden Touch Construction Project Ltd and Suiming Electrical Limited were unjustly prosecuted by the EFCC. Besides, the court said Nwaoboshi was subjected to a criminal trial with respect to civil transactions needlessly. The apex court set aside the July 1, 2022 judgment of the Court of Appeal, Lagos, which had nullified his discharge and acquittal by a Federal High Court in Lagos.

The EFCC had accused Nwaoboshi and his companies of illegally acquiring a property named Guinea House on Marine Road in Apapa, Lagos for N805 million. The property was said to belong to the Delta State Government. They had claimed that part of the money paid for the property was transferred by Suiming Electrical Ltd on behalf of Nwaoboshi and Golden Touch Construction Project Ltd, adding that the funds were believed to be proceeds of illicit activities.



Case 42: Kayode Odukoya - N1.7 Billion Fraud

Justice Mojisola Dada of the Special Offences Court sitting in Ikeja, Lagos, on Wednesday, October 11, 2023 adjourned till December 1, 2023 for judgment on

the alleged N1.7 billion fraud case involving the Chief Executive Officer of First Nation Airways Limited, Kayode Odukoya for the adoption of final written addresses. The Economic and Financial Crimes Commission (EFCC) is prosecuting Odukoya alongside First Nation Airways Limited and Belleview Airlines Limited on a seven-count charge bordering on forgery, use of false document, perjury, stealing and obtaining credit by fraud, contrary to the Criminal Law of Lagos State of Nigeria 2011.

He pleaded “not guilty” to the charges thereby prompting the commencement of trial. The prosecution, before closing its case on November 30, 2020, had called five witnesses and tendered several documents to prove its case against the defendants. However, the defendant through his counsel, had filed a no case submission which was subsequently dismissed by the trial judge on January 11, 2022, as he was then ordered to open his defence. The defendant, thereafter, took to the dock to defend himself.

Following the conclusion of his defence, Justice Dada on November 9, 2022, adjourned the matter till March 8, 2023 for the adoption of final written addresses.

At Wednesday's proceedings, the prosecution counsel adopted the final written address of the prosecution and urged the court to hold that the prosecution proved its case against the defendant.

The defence counsel also adopted their final address and urged the court to discharge and acquit his client. Consequently, Justice Dada adjourned till December 1, 2023 for judgment.



Case 43: Ike Ekweremadu - Forfeiture Of Fraudulent Properties.

The Federal High Court, Abuja, on Friday, January 20, 2023 set aside an interim forfeiture order on 40 landed properties linked to a former Deputy Senate President, Ike Ekweremadu, and his wife, Beatrice Ekweremadu. Hon. Justice Inyang Ekwo, who had issued the order on 4 November, 2022, ruled that the application for forfeiture filed by the Economic and Financial Crimes

Commission (EFCC) was not brought in good faith and ought to be struck out. The judge further held that the EFCC failed to disclose material facts about the matter.

Justice Ekwo noted that EFCC had launched the proceedings against Mr. Ekweremadu, who has been convicted and sentenced in the United Kingdom (UK) over an illegal organ harvesting offence, despite knowing about his predicament which would hinder him from defending himself. The judge stated that the commission did not deny writing a letter to the Crown Prosecution Service in the UK to furnish them with information about the lawmaker. Justice Ekwo noted that despite the fact that the ex-parte order in this case was obtained subject to the provision of Section 17 of the Advance Fee Fraud and Other Related Offences Act (AFFOROA) 2006, the validity of the order and indeed the entire proceeding leading to the order would be affected by non-disclosure, suppression or misrepresentation of material facts.

The judge also disagreed with the EFCC that since Mr. Ekweremadu had failed to file an application to show cause, the court should go ahead with the order for final forfeiture of the assets.



Case 44: Gabriel Suswam & Omadachi Okolobia - N3.1 Billion Fraud.

Justice A.R. Mohammed of the Federal High Court Abuja has adjourned the N3.1 billion fraud trial of a former Benue State governor, Gabriel Suswam, alongside his commissioner of finance in his administration, Omadachi Okolobia for continuation of trial to enable the Economic and Financial Crimes Commission (EFCC) tender a fresh Exhibit P6 before the court.

Exhibit P6 was earlier tendered before the court, but because of the movement of the case from Justice Mohammed to Justice Okon Abang of the same jurisdiction, some portions of the documents from page 41-98 got missing from the records of the court. However, prosecution counsel, Rotimi Jacob, SAN's record is intact and prayed the court to allow him use the copy to proceed with the trial, but defence counsel,

J. B. Daudu, SAN, and Paul Erokoro, SAN, objected, insisting that the prosecution continue with the case or tender the remaining documents as new exhibits. They also proposed that the case be adjourned for the prosecution to re-present the missing documents.

After listening to their submissions, Justice Mohammed adjourned the matter to June 8, 2023 for continuation of trial. Earlier, the prosecution called its prosecuting witness 6, PW6, an Assistant Commander of EFCC, ACE1 Mustapha Yusuf Ibrahim to testify before the court.

Ibrahim told the court that during investigations, his team wrote letters to UBA (1st defendant's salary account) and GT Bank (1st defendant's personal savings account) requesting for the statement of accounts of the first defendant. He informed the court that on analyzing the bank statements, it was discovered that the last salary the 1st defendant received was N443,000 (Four Hundred and Forty Three Thousand Naira) and that was in February 2013.

The witness further told the court that when they received the bank statement of Elexia Securities, they discovered a certain payment for the sale of shares belonging to the Benue State government was made into the account of Benue State's Ministry of Finance. He stated that between September 12, 2014 and October 22, 2014, the total sum of N5.3 billion in four tranches was made to the Benue State Ministry of Finance's Zenith Bank account from the sale of shares by Elexia Securities. The defendants are facing trial on an amended 11-count charge bordering on money laundering to the tune of N3.1 billion. It would be recalled that at the hearing on May 23 and 24, 2023, the 5th prosecution witness, PW5, one Mrs. Mshelia Clara-Whyte, an investment banker working with Investment Partners EFCC, was cross-examined by counsel to the 1st and 2nd defendants.

The Economic and Financial Crimes Commission is accusing the duo of allegedly diverting the money which was said to be part of the proceeds of the sale of shares of Benue State in a company to their personal use. The case has now been further adjourned to the 20th of November, 2023 for continuation of trial as the prosecution is still giving evidence in the matter.

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Case 45: Femi Fani-kayode & ORS. - N4.6 Billion Money Laundering

The Court of Appeal via zoom on the 20th of April, 2023 ruling on an appeal filed by one of the defendants, Nenadi Usman, challenging the jurisdiction of the Federal High Court, Lagos to hear the N4.6 billion corruption and money laundering charges preferred by the Economic and Financial Crimes Commission, (EFCC) against the former Aviation Minister, and a director in the All Progressives Congress Presidential Campaign Council (APC PCC), Chief Femi Fani Kayode, former Minister of Finance Nenadi Usman, Yusuf Danjuma, a former chairperson of the Association of Local Governments of Nigeria (ALGON), Jointrust Dimensions Nigeria Ltd and others, held that the charge filed before the Federal High Court, Lagos Division was defective and therefore the Federal High Court in Lagos lacked jurisdiction to adjudicate on the matter since the facts of the case showed that all the transactions carried out by the defendants took place in Abuja, hence the Federal High Court, Abuja has jurisdiction to hear the case.

The accused were re-arraigned before Hon. Justice Daniel Emeka Osiagor of the Federal High Court, Lagos on an amended 17-count charge bordering on conspiracy, stealing, corruption and making cash payments exceeding the amount authorized by law. They were alleged to have stolen and illegally disbursed the said sum belonging to the Federal Government of Nigeria for political and personal uses.

Although yet to be concluded by Hon. Justice Daniel Osiagor, the judge before whom the defendants were re-arraigned, an appeal was filed challenging the jurisdiction of the court. The appellate court upheld the appeal and consequently quashed the trial on April 20, 2023. The EFCC has neither filed an appeal at the Supreme Court nor file a fresh charge at the Abuja division of the Federal High Court at the time of this report.



Case 46: Saadu Maiwada & Sani Lawal Bk - N289 Million Fraud

The Economic and Financial Crimes Commission (EFCC) on Thursday June 8, 2023, arraigned the duo of Saadu Maiwada and Sani Lawal BK before Hon. Justice Musa Danladi of the Katsina State High Court on a five count charge of conspiracy and criminal breach of trust. The EFCC alleged that the defendants, in their capacity as then Sub Treasurer and Deputy Sub Treasurer in the office of Accountant General of Katsina State, allegedly conspired and converted the sum of N289,000,000 (Two Hundred and Eighty Nine Million Naira) from the coffers of Katsina State. The EFCC stated that their investigation revealed that the defendants laundered the stolen funds through the account of Integrated Gas Services Limited, a company where the first defendant (Maiwada) is a Director. The sum of N49,000,000 was also allegedly transferred from the account of Integrated Gas Services Limited to the personal account of the second defendant (Lawal BK) who is now the Deputy Accountant General of the state.

One of the counts preferred against the defendants reads, "That you, Saadu Maiwada and Sani Lawal BK sometime in 2017 at Katsina within the jurisdiction of this Honourable Court while being entrusted with dominion over money belonging to Katsina State Government dishonestly converted to your own use the sum of N120,790,942.86 (One Hundred and Twenty Million, Seven Hundred Ninety Thousand, Nine Hundred and Forty Two Naira, Eighty Six Kobo) which was transferred from Katsina State Government Sub-Treasury Expenditure Account number 1012424374 domiciled in United Bank for Africa (UBA) PLC to Integrated Gas Services Company Limited's Fidelity Bank account no 4010693761 (CO1717299) and you thereby committed an offence punishable under Section 297 of the Penal Code Law of Katsina State 2021".

Both defendants pleaded not guilty when the charges were read to them. In view of their pleas, counsel for the prosecution prayed the court for a trial date. Counsel for the defendants made an oral bail

application on behalf of his clients but the prosecution counsel objected, demanding for a formal application as the court is a court of record.

Hon. Justice Danladi, however, admitted the defendants to bail in the sum of N5,000,000 (Five Million Naira) each. The court ordered that each defendant must provide a surety with a landed property within Katsina state and present letters of introduction from a traditional ruler. Consequently, the matter has been adjourned to the 7th of December, 2023 for continuation of trial as the prosecution is still giving evidence in the case.



Case 47: Dr. Doyin Okupe. - N702 Million Fraud

A former Senior Special Assistant on Public Affairs to ex-President Olusegun Obasanjo, Dr. Doyin

Okupe, has appealed his conviction by a Federal High Court, Abuja, on charges bordering on corruption and money laundering.

Dr. Okupe, in the appeal filed, is asking the appellate court to set aside his conviction and discharge him from all the charges. Recall that Hon. Justice Ijeoma Ojukwu of the Federal High Court, Abuja had in a judgment delivered on December 19, 2022, found the former presidential aide guilty of accepting cash transaction above the N5 million approved by the Money Laundering Act and subsequently sentenced him to two years imprisonment. The court, however, gave an option of N13 million fine, which should be paid before 4.30pm of the close of work or he be taken to a correctional facility. Dr. Okupe immediately exercised the option of a fine and has been enjoying his freedom.

Dissatisfied, Dr. Okupe has approached the Court of Appeal to challenge the judgment of the trial court. The appeal which is predicated on four grounds amongst others is claiming that the trial judge erred in arriving at a guilty verdict against the appellant.

The crux of Okupe's appeal is that he had received the said sums in cash not in his individual capacity but on behalf of the office of the Senior Special Adviser to the President on Public Affairs, and under the instructions of the ex-president and hence, should not be penalised unjustly.

Specifically, the former SSA in the appeal complained about the part of the judgment which convicted him under Counts 34 to 59 of the charge sheet. Submitting that the judgment of the trial court was unreasonable and could not be supported, having regards to the evidence. He therefore prayed the court for, "An order allowing the appeal and setting aside the judgment of the trial court and to discharge and acquit the appellant of all counts of the charge sheet." The date for the hearing of the said appeal has not been given at the time of filing this report.



Case 48: Rabiun Kwankwaso Administration (Kano State Pension Fraud Trustees) - Forfeiture Of Fraudulent Properties

The Economic and Financial Crimes Commission (EFCC) on Wednesday May 3, 2023 secured the final forfeiture of 324 properties misappropriated by the

administration of a former governor of Kano State, Rabiun Kwankwaso (now the chieftain of the New Nigeria People's Party, NNPP). The properties were said to have been misappropriated by the Kano State Pension Fund Trustees during Mr. Kwankwaso's administration in 2015.

Hon. Justice Inyang Ekwo of the Federal High Court, Abuja, gave the order of final forfeiture while ruling on a motion by the EFCC, seeking a final forfeiture of the properties which they claimed are reasonably suspected to be proceeds of unlawful act. The properties forfeited comprised 168 homes situated at Sheikh Ja'afar Mahmud Adam Bandirawo City, Kano; 122 houses at Sheikh Nasiru Kabara (Amana City), Kano and 38 houses at Sheikh Khalifa Ishaq Rabiun City, Kano.

The background of the investigation which led to this forfeiture followed a 2015 petition issued on behalf of concerned Kano State Workers and Pensioners, who alleged that Mr. Kwankwaso violated the Kano State Pension and Gratuity Law of 2007 in the management of pension remittances amounting to about N10 billion contributed between 2011 and 2015. Mr. Kwankwaso was Kano's governor from 1999 to 2003, and from

2011 to 2015. According to the petitioners, Mr. Kwankwaso had directed that pension remittances be used for building houses for pensioners. A tripartite deal was reached between Kano State Pension Trust Funds as the investors and Kano State Investment and Property Limited and Kano State Housing Corporation Limited as developers on a 60:40 sharing ratio. However, after contracts for the construction of 1,579 houses were awarded for the development of the properties, the petitioners alleged Mr. Kwankwaso “manipulated” the process and terminated the term of the agreement. They claimed he then allocated the properties to his aides and cronies. The alleged misappropriation happened in May 2015, the month Mr. Kwankwaso left office as Kano state governor.

It should be noted that despite this revelation and the subsequent forfeiture of the above mentioned properties, no criminal charge has been preferred against Mr. Kwankwaso even to the time of filing this report.



Case 49: Muhammed Kuchazi - \$9.6 Billion P&id Money Laundering

The Federal High Court sitting in Abuja has further adjourned the \$9.6 billion fraud trial of Mr. Muhammed Kuchazi, a Commercial Director of the Process and Industrial Development (P&ID) Ltd. The counsel to the Economic and Financial Crimes Commission (EFCC), informed Hon. Justice Zainab Abubakar on Wednesday, January 25, 2023 that his lawyer was indisposed. Kuchazi is being tried over his alleged involvement in the alleged multiple fraud involving the P&ID scandal.

When the matter was called, though Kuchazi, who is the 2nd defendant in the case was in court, his lawyer was conspicuously absent. The counsel to EFCC then informed Hon. Justice Abubakar that Kuchazi's lawyer had called him earlier that he would not be in court at the day's resumed proceedings that he was indisposed. The EFCC lawyer argued that his absence was a deliberate attempt to delay the trial and therefore prayed the court for an order vacating the motion that counsel to Kuchazi filed on Kuchazi's behalf seeking

the leave of court for the release of his travel documents to enable him travel to the United Kingdom (UK) to give evidence against Nigeria between Jan. 23 and March 11 at a United Kingdom (UK) court.

However, after hearing the arguments of the counsel to EFCC, the judge ruled that since the EFCC counsel admitted that the defendant's lawyer informed him about his state of health, he should be given another chance in the interest of fair hearing. Consequently, the matter was then adjourned to March 2, 2023 for continuation of trial. The case which was adjourned to the 20th of July, 2023 for continuation of trial as the prosecution is still giving evidence in the matter has now been further adjourned to the 22nd of November, 2023 for continuation of trial.

Kuchazi is being prosecuted alongside his company on an eight-count charge bordering on failure to comply with regulations of the special control unit against money laundering (SCUML) as required by the Money Laundering Prohibition Act in the alleged 9.6 billion dollars fraud involving the P&ID Ltd. Recall that Hon. Justice Abubakar had on November 10, 2022, fixed Wednesday January 25, 2023 for continuation of trial before Kuchazi's lawyer informed the court about the motion he filed seeking the leave of court for the release of his travel documents to enable him travel to the United Kingdom (UK) to give evidence against Nigeria between Jan. 23 and March 11 at a United Kingdom (UK) court.

Kuchazi, in a motion on notice filed before Justice Abubakar, prayed the court to allow him travel to the UK to testify in the company's case against the Nigerian government. Giving seven grounds while the motion should be granted, Kuchazi said as a witness to P&ID, he had made a written witness statement on May 6, 2022 and he is required to attend the court hearing to be cross-examined on his evidence. In his motion, he stated that the trial scheduled would be between January 2023 and March 11, 2023 in the High Court of Justice, Business and Property Courts of England and Wales, Commercial Court (KBD) in the case between P&ID and FG marked: CL-2018-000182; and FG v P&ID with case number: CL-2019-000752.

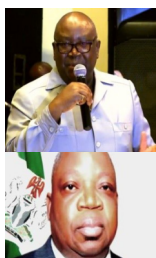
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It would be recalled that P&ID Ltd. had approached a British court to seek compensation, claiming the Nigerian government breached a 2010 gas contract agreement. The government had contracted P&ID to build gas processing facilities around Calabar, Cross River state. According to the contract, the government was required to supply wet gas of up to 400 million cubic feet daily.

The court initially granted the firm an arbitral award of 6.6 billion dollars. But the figure rose to about 9 billion dollars with an additional 2.3 billion dollars in accumulated interest at seven per cent rate after Nigeria refused to enter an appeal for more than five years after the original ruling.

However, on the 23rd of October, 2023 the Business and Property Court in London halted the enforcement of the 11 billion dollars arbitration award in favour of P&ID against Nigeria in the case marked CL-2019-000752. In the judgment delivered by Justice Robert Knowles, it was held that the process through which P&ID secured the 2010 contract was fraudulent.



Case 50: Colonel Bello Fadile & Jonah Otunla - Forfeiture of Fraudulent Properties (N775 Million)

The Economic and Financial Crimes Commission (EFCC) on the 16th of January, 2023, secured the final forfeiture of the sum of N775,000,000 and three properties belonging to a former Accountant General of the Federation, Jonah Otunla and Colonel Bello Fadile, an aide to former National Security Adviser, Col. Sambo Dasuki (ret'd). The properties are located at No. 8, Ajayi Crowther Street, Asokoro, Abuja; a plot of land at Plot 1960 Cadastral Zone A05 Maitama District, FCT, Abuja; a hotel which is under construction with generating set, located at Plot 621, Road 37, Gwarimpa, FCT, Abuja and a twin four-bedroom duplex with guard quarters located at Plot 736, 7th Avenue Gwarimpa, FCT, Abuja.

The forfeiture order was granted by Hon. Justice D.U. Okorowo of the Federal High Court, Abuja.

The EFCC had argued that the money and properties were the product of illicit activities of Otunla and Fadile. Moving the motion for the final forfeiture of the assets, counsel to the EFCC, Christopher Mshelia, informed the court that the assets recovered by the commission in the course of investigating contract fraud in the Office of the National Security Adviser (ONSA) under Sambo Dasuki, were proceeds of the unlawful activities by Fadile and Mr. Jonah Otunla.

He submitted that the N775, 000,000 was refunded by Otunla and Otunba Ade Adalaku (late) during the investigation, whilst the landed properties sought to be forfeited are reasonably suspected to be proceeds of an unlawful activity received, retained, concealed and converted by the respondents from the office of the National Security Adviser to the President.

The commission had on July 20, 2020, secured an interim forfeiture order on the assets and also published the order of the court in several publications for the respondent to show cause why the money and properties should not be permanently forfeited to the Federal Government.



Case 51: Ibrahim Abdulsalam (Ex Nama MD). Conspiracy, Forgery And Money Laundering - N2.8 Billion

The Federal High Court presided by Justice Babs Kuewumi has on Tuesday April 18, 2023, adjourned the trial of the ex-Managing Director of the Nigerian Airspace Management Agency, Ibrahim Abdulsalam's to May 30 and 31st 2023 for further hearing.

The Former NAMA boss was arraigned on a 21-count charge of conspiracy, forgery and money laundering to the tune of two billion eight hundred million naira (N2.8 billion).

Ibrahim Abdulsalam is facing trial alongside Nnamdi Udoh (still at large), Adegorite Olumuyiwa, Segun Agbolade, Clara Aliche, Joy Ayodele Adegorite, Randville Investment Limited and Multeng Travels and Tours Limited for conspiring to induce the agency to deliver the sum of N2.8 billion to Delosa Limited,

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Air Sea Delivery Limited and Sea Schedule Systems Limited on the pretext that the money represented the cost of clearing NAMA's consignments.

The case was therefore adjourned to May 30 and 31, 2023 for further hearing. Hearing is ongoing.



Case 52: Haruna Baba Jauro (Ex-NIMASA DG) - N304.1 Million - Money Laundering And Stealing

Justice Tijani Ringim of the Federal High Court Ikoyi, Lagos, on Wednesday March 15, 2023, ordered a trial-within-trial in the alleged fraud trial of a former acting Director-General of the Nigerian Maritime Administration and Safety Agency, NIMASA, Haruna Baba Jauro, and two others.

The former DG is being prosecuted alongside Dr. Dauda Bitrus Bawa and a company, Thlumbau Enterprises Limited, on a 19-count charge bordering on stealing and money laundering to the tune of Three Hundred and Four Million One Hundred and Eighteen Thousand Five Hundred Naira (N304, 118, 500).

At the proceedings on March 15, the third prosecution witness, PW3, Orji Chukwuma, an investigator with the EFCC, in his further evidence, told the court that both the first and second defendants were invited to the EFCC office and their voluntary written statements read to them line-by-line after which they signed. The statements were made voluntarily and signed.

The prosecution thereafter sought to tender in evidence the first defendant's statements dated January 28, 2016, October 12, 2015, March 16, 2015, March 17, 2016 and March 24, 2016; the second defendant's statements dated March 18, 2016, April 1, 2016 as well as the attestation document, but counsel to the defendants, Olalekan Ojo, SAN, objected to the five statements made and the attestations by the first defendant on the grounds that they were obtained in violation of the Section 29(2) of the Evidence Act as they were not made voluntarily.

He prayed the court to direct a trial-within-trial, in order to determine the issue of admissibility raised in respect of the first defendant but raised no objections to the statements made by the second defendant.

The prosecution counsel argued that the defence failed to explain how the first defendant was oppressed and how the statement was taken under duress and urged the court to discountenance the objection.

Justice Ringim ruled in favour of the defence and ordered a trial- within-trial, and adjourned to June 19 and 20, 2023 for continuation of trial. The matter also came up on 16th October 2023 for further proceedings. The third prosecution witness who is an investigator with the EFCC testified as to his evidence previously giving before Justice Olatoregun and adopted the record of proceedings which was admitted and marked Exhibits Twt1 to Twt5. The witness further gave evidence as to the way and manner he investigated the case and how he obtained the defendants' statements voluntarily.

Justice Ringim then adjourned to 21st and 22nd November, 2023 for continuation of trial.



Case 53: Supo Shasore (Ex Lagos Ag). - \$200,000 Money Laundering

The trial of a former Lagos state Attorney-General, Olasupo Shasore, for alleged 200,000 dollars corrupt offers before an Ikeja Special Offences Court suffered a setback on Tuesday April 4, 2023 due to discrepancies in the proof of service.

The Economic and Financial Crimes Commission, EFCC, had on 21 October, 2022, arraigned Mr Shasore on a two-count charge bordering on bribery of corrupt officers.

Mr. Shasore is accused of inducing one Olufolakemi Adelere to accept \$100,000 cash without going through a financial institution and also allegedly made cash payment of \$100,000 to one Ikechukwu Oguine. The anti-graft agency said the alleged offences were committed on or about November 18, 2014. He however pleaded not guilty to the charge.

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The defence counsel, Muiz Banire SAN, on resumption of proceedings on April 4, 2023, informed the court that the prosecution was yet to serve them with the documents they requested for at the last adjourned date. Mr Banire submitted that the defence would need the documents to challenge the jurisdiction of the court to entertain the charges against the defendant. But the EFCC counsel, Bala Sanga, in his response told the court that the prosecution had served the defence with the requested document and he showed the court the proof of service.

Justice Mojisola Dada confirmed that the proof of service was not in the court file and ordered the prosecution to file an affidavit of service. Justice Dada subsequently adjourned the case until June 20, 2023 for trial.

In another development, the defendant is also charged before Justice Aneke of the Federal High Court for contravening the Money Laundering (prohibition) Act 2011. When the matter came up on 27th June, 2023 for hearing of an application challenging the charge, the defendant's counsel, Mr Olawale Akoni SAN informed the court that recent event showed the possibility of amicable resolution of the matter including that of the Lagos State High Court. He thereafter sought for an adjournment to enable parties exhaust discussions and reach agreement in the matters. This was confirmed by the prosecution counsel, Mr. Bala Sanga.

The court thereafter adjourned the matter to 4th October, 2023 for hearing.

In a recent development, a Commercial Court of England and Wales while setting aside the arbitration award against Nigeria ruled that the former Attorney-General of Lagos, Supo Shasore SAN was not found to be corrupt or complacent in the \$11 Billion P&ID arbitration against Nigeria.



Case 54: Ahmed Idris (Former Accountant General of the Federation) And 3 ORS. - N109.4 Billion Illegal Diversion of Public Funds

A High Court of the Federal Capital Territory is trying Mr. Ahmed Idris for alleged complicity in the illegal diversion of public funds to the

tune of about one hundred and nine billion, four hundred million naira. (N109.4 billion).

Mr. Idris is charged alongside Godfrey Olusegun Akindele, Mohammed Kudu Usman and Gezawa Commodity Market and Exchange Limited on a 14-count charge bothering on conspiracy, criminal breach of trust and money laundering. Mr. Idris is said to have diverted funds between February and December 2021 while being the Accountant General of the Federation which he accepted from Mr. Olusegun Akindele as gratification to accelerate the payment of 13% derivation to the nine oil-producing states in the federation.

The ex-AGF was granted bail by Justice A.O. Adeyemi Ajayi on July 28, 2022 in the sum of N5bn with two sureties and equally granted the 2nd and 3rd defendants bail in the sum of N2bn each with two sureties that must be directors. However on October 26, 2022, the defendant was re-arraigned before Justice Yusuf Halilu after the Chief Judge transferred the matter from Justice Adeyemi's court. Following his not guilty plea, Justice Halilu granted him bail and adjourned to 23rd November 2022 for hearing.

On March 1, 2023, proceedings in the money laundering suit against the former AGF was stalled due to a missing statement dated 5 July, 2022, that was made by Ahmed Idris to the Economic and Financial Crimes Commission in the course of investigation. The statement could not be found in the court's record as well as in EFCC and the defence team's records.

At the resumed hearing, EFCC's lawyer, Oluwaleke Atolagbe, began trial-within-trial of Mr. Idris following his denial of voluntarily making some of his statements to the EFCC. The EFCC presented one of its witnesses, Hayatudeen Suleiman, for examination of 13 statements extracted from Mr. Idris but discovered that the statement of 5 July 2022, was missing. Being that it was crucial to their case, they sought an adjournment and the matter was adjourned for continuation of trial-within-trial.

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On Tuesday, 14th November 2023, the matter came up. However, it could not proceed as one of the Defendants, Geoffrey Akindele was absent in court and consequently, the court revoked his bail and ordered the Police and EFCC to arrest him and produce him in Court on next adjourned date which is 1st February 2024 for hearing.



Case 55: Mamman Nasir Ali - N2.2 Billion Fraud

The Economic and Financial Crimes Commission, EFCC, has re-arraigned Mamman Nasir Ali, son of Ahmadu Ali, a former chairman of the Peoples Democratic Party, PDP and co-defendant, Christian Taylor for an alleged N2.2 billion oil subsidy fraud.

The duo and Nasaman Oil Services Limited who were re-arraigned on Friday March 25, 2023, will answer questions in an amended 49-count charge bothering on conspiracy to obtain money by false pretence, contrary to Section 8 and 1(3) of the Advance Fee Fraud and Other Fraud Related Offences Act 2006; obtaining money by false pretences contrary to Section 1(3) of the Advance Fee Fraud and Other Fraud Related Offences Act 2006; forgery, contrary to Section 363 (3)(j) of the Criminal Law of Lagos State 2011; and use of false documents contrary to Section 364 of the Criminal Law of Lagos State 2011.

The defendants who pleaded not guilty to the charge were previously standing trial before Justice Adeniyi Onigbanjo of the Lagos State High Court, Ikeja before he withdrew from the case on health grounds, prompting re-assignment to Justice Mojisola Dada.

Following their plea of not guilty, defence counsel Kolade Obafemi, applied to the court to allow the defendants to continue to enjoy the bail already granted to them by Justice Onigbanjo. S.K. Atteh, the prosecution counsel, prayed the court for a trial date to enable the prosecution call its witnesses and tender necessary documents to prove the case against the defendants.

Justice Mojisola Dada thereafter ordered that the defendants be remanded at the EFCC custody till the

bail papers from the previous proceedings before Justice Onigbanjo are presented to the court and a formal application for the bail of the defendants is filed.

The case has been adjourned till May 29, 30 and 31, 2023 for trial. At the adjourned date, the EFCC investigator testified that the defendant executed six fuel importation transactions but supplied petrol only in three of the transactions. He stated that the defendants presented forged documents claimed to have been issued by Saybolt Nigeria Ltd, an inspection company for transfer of petrol from large vessels to smaller ones. The witness tendered about 18 documents to support its case. The case was subsequently adjourned to 14th September, 2023 for continuation of trial. Trial is still ongoing as the prosecution is still giving evidence.



Case 56: Umar Shehu Farouk (Deputy Director of the Niger State Ministry of Land Transportation) - N11 Million Corruption

A serving Deputy Director of the Niger State Ministry of Land Transportation, Mr. Umar Shehu Farouk, has been sentenced to seven years imprisonment by the Niger State High Court in Minna for demanding and receiving gratification of N11 million from a contractor.

The Independent Corrupt Practices and Other Related Offences Commission, ICPC secured the conviction on January 13, 2023. The commission had arraigned the convict before Hon. Justice Abdullahi Mikail in July 2020 on a seven-count charge bordering on gratification and conferment of corrupt advantage upon self, allegations to which he pleaded not guilty, thereby setting the tone for the long trial.

ICPC prosecutor, Osuobeni Ekoi Akpos, had told the court that Farouk while serving as the deputy director of Land Transport for the Niger State Ministry of Land Transportation in 2016, collected the sum of N11,000,000 as kickback from a contractor for the award of a contract for the registration of auto mechanic workshops, registration of auto spare parts dealers, registration of motorcycle/tricycle dealers and registration of colour code certification for commercial transport operators.

The prosecution explained to the court how the convict had received money on different occasions, sometimes in tranches of N100,000, N500,000, and N400,000 to the tune of N11 million from one Oyabambi Bolaji Stephen on behalf of Boyabam Services Global Limited in exchange for a contract.

The court was also informed that the said action of the convict was in contravention of sections 8 and 19 of the Corrupt Practices and Other Related Offences Act, 2000.

The trial judge stated that the prosecution had proven their case beyond reasonable doubt and thereby found the accused guilty on all the seven counts and sentenced him to seven years imprisonment, each for counts one to six and five years imprisonment for count seven. All the sentences are to run concurrently.



**Case 57: Abdu Bulama
(Former Minister of Science
and Technology) -
N450 Million Fraud**

The Maiduguri Zonal Command of the Economic and Financial Crimes Commission, EFCC, is prosecuting Mr. Bulama on a seven-count charge of criminal conspiracy and money laundering contrary to and punishable under Section 18(a) of the Money Laundering (Prohibition) Act 2011 as amended to the tune of N450 million.

Justice Fadima Murtala Aminu of the Federal High Court in Damaturu, Yobe State, has adjourned the trial of a former Minister of Science and Technology, Abdul Bulama, till March 21, 2023.

The ex-minister allegedly received the said sum from Diezani Alison-Madueke, a former Minister of Petroleum Resources, to influence the outcome of the 2015 presidential election as the coordinator of former President Goodluck Jonathan's 2015 Re-election Campaign Committee in Yobe State.

Bulama was re-arraigned on the new charge on Monday, November 8, 2021, alongside Mohammed Kadai, a former Commissioner for Integrated and

Rural Development in Yobe State, Abba Gana Tata, Muhammad Mamu and Hassan Ibn Jaks.

At the resumed hearing, counsel for the fifth defendant M. Tatama through a letter, asked for an adjournment on the grounds that he was before the Court of Appeal Abuja Division for a pre-election matter. Justice Aminu adjourned the matter till March 21, 2023, to continue the cross-examination of the third prosecution witness, PW3.

It will be recalled that the defendants were first arraigned on Friday, May 29, 2018, before Justice Hammada Isa Dashen of the Federal High Court, Damaturu, Yobe State on a 7-count charge of criminal conspiracy and money laundering to the tune of N450 million.

But the trial judge, Justice Dashen granted the defendant's application for a no case submission, discharged and acquitted them.

Dissatisfied with the ruling, the EFCC approached the appellate court to set aside the decision of the lower court, and on March 3, 2021, the Appeal Court, in its judgment, upheld the argument of the EFCC that the lower court erred in law by discharging and acquitting the defendant and thereafter ordered that the case be returned to the Federal High Court and assigned to a judge other than Justice Dashen to be heard afresh.

On 19th July, 2023, the case came up before Justice Fadima Aminu of the Federal High Court sitting in Damaturu, Yobe state. The court ordered while ruling on a no case submission filed by the defendants ordered the defendants to enter their defence. The judge ruled that based on the testimonies of witnesses and exhibits tendered before the court, the prosecution had established a prima facie case against the defendants to warrant them to enter their defence.

The court subsequently adjourned to 19th and 20th October for defendants to open their defence. Matter is still ongoing.

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Case 58: Rochas Okorocha (Former Imo State Governor) – N2.9 Billion Stealing and Fraud

The Federal High Court, Abuja, on February 6, 2023, discharged a former governor of Imo state and senator representing Imo West Senatorial District, Mr. Rochas Okorocha, of N2.9 billion fraud charges preferred against him by the Economic and Financial Crimes Commission, EFCC. Inyang Ekwo, in a ruling, struck out the charges for contravening section 105 (3) of the Administration of Criminal Justice Act (ACJA), 2015, which gives the Attorney-General of the Federation the power to recall a case.

Justice Ekwo said the directive of the AGF and Minister of Justice, Abubakar Malami, in a letter dated 12 September 2022, to the EFCC to forward the case file with its comments on the issues for consideration and review, was binding on the commission, and that from the moment the AGF gave the directive to the EFCC, the commission ceased to have the legal authority to prosecute or continue the prosecution of the case.

The ruling was based on a preliminary application filed by Mr. Okorocha on October 28, 2022, through his lawyer, Ola Olanipekun SAN praying for an order to quash the charge/count against him.

Mr. Rochas Okorocha was arraigned in January 2022, on a 17-count charge of stealing N2.9 billion public funds alongside chieftain of the APC, Ms. Anyim Nyerere Chinenye, and five companies- Naphtali International Limited, Perfect Finish Multi Projects Limited, Consolid Projects Consulting Limited, Pramif International Limited, and Legend World Concepts Limited.

They were alleged to have siphoned funds from the Imo State Government House account and Imo State Joint Local Government Project account, and diverted same into accounts of private firms between October 2014 and February 2016.



Case 59: Ayodele Fayose – N6.9 Billion Money Laundering Trial

The Federal High Court sitting in Ikoyi, Lagos, on Tuesday, March 21, 2023, adjourned further hearing in the trial of a former governor of Ekiti State, Ayodele Fayose, and his company, Spotless Investment Limited, over an alleged N6.9bn fraud, till May 8, 2023.

Mr. Fayose and Spotless Investment Limited are being prosecuted by the Economic and Financial Crimes Commission, EFCC for money laundering offences to the tune of N6.9 billion contrary to sections 15(1), 15 (2), 15 (3), 16(2)(b), 16 (d), and 18 (c) of the Money Laundering Prohibition Act 2011.

Justice Chukujekwu Aneke adjourned proceedings after listening to the testimony of the 12th prosecution witness, a former Minister of State for Defence, Senator Musiliu Obanikoro.

At the resumed hearing on March 21, 2023, and during cross-examination of Musiliu Obanikoro, he told the court that he never, at any time, showed the EFCC operatives any document showing that he gave instruction or withdrew the sum of N1.2 billion from the Diamond Bank account of Sylva McNamara Limited.

Recall that the defendants were first arraigned on October 22, 2018 before Justice Mojisola Olatoregun; but were on Tuesday, July 2, 2019, re-arraigned before Justice Chukwujekwu Aneke, after the case was withdrawn from Justice Olatoregun following EFCC's petition.

The case has been adjourned till May 8, 9 and June 6, 8 2023 for continuation of hearing. At the resumed hearing on 27th October 2023, an operative of the EFCC, Abubakar Aliyu Madaki who was the 13th witness revealed how the former minister of state for defence, Musiliu Obanikoro handed over the sum of N1,219,000,000 to the former Ekiti State governor, Ayodele Fayose. Matter is ongoing as the prosecution is still giving evidence.



Case 60: Prof Ibrahim Garba and ORS. (Ex-Abu Vice Chancellor) - N1 Billion Fraud

Ex-Vice Chancellor and Bursar of the Ahmadu Bello University, ABU, Prof. Ibrahim Garba and Ibrahim

Usman, have been taken to court for alleged fraud.

The Economic and Financial Crimes Commission, EFCC, arraigned the former officials before Justice R. M. Aikawa of the Federal High Court Kaduna State on Wednesday, March 30, 2023, on a nine-count charge bordering on money laundering of over one billion naira.

They are accused of diverting funds meant for the renovation of the popular Kongo Conference Hotel, Zaria sometime in December 2013, contrary to Section 18(a), 15 (2) (d) of the Money Laundering Prohibition Act, 2011 as amended. Garba and Usman pleaded 'not guilty' when the charges were read to them.

Prosecuting counsel, Jamil Musa, urged the court to remand them at the Kaduna Correctional Centre and fix a date for the start of the trial, while defence counsel, M.S. Aatu, SAN, however, urged the court to admit his clients to bail.

Justice Aikawa granted them bail in the sum of N5 million with one surety each, not below Grade Level 15 in the civil service, deposit their international passports with the court, and to report to EFCC every first Monday of the month.

Justice Aikawa thereafter adjourned the case till June 20-21, 2023, for hearing. Hearing is ongoing as the prosecution is currently giving evidence.



Case 61: Kenneth Minimah - N13 Billion Fraud

Justice Inyang Ekwo of the Federal High Court Abuja has threatened to strike out a suit filed by a former Chief of Army Staff, Lieutenant General Kenneth Minimah, and two others, challenging the propriety of a criminal

charge instituted against them by the Economic and Financial Crimes Commission (EFCC).

The warning came shortly after counsel to Minimah, Efut Okoi, asked the Judge for more time to complete his amended processes. Okoi told the court that in the process of filing the statement of claims, one of the deponents was indisposed and that caused delay.

Registering his displeasure, the trial judge stated that the application was brought since 2020. Justice Ekwo adjourned the case to March 23 for hearing. He, however, warned that he will strike out the suit if he wasn't ready by that date.

General Minimah and a one-time Chief of Accounts and Budget, Major General A. O. Adetayo, as well as the former Director, Finance and Accounts, Brigadier General R. I. Odi, had instituted a case in 2020, praying for an order restraining the Attorney General of the Federation and the EFCC, from trying them at an FCT High Court on an alleged diversion of N13 billion meant for procurement of arms. Part of their arguments is that they can only be tried by a court-martial within the Nigerian Army. The matter is still ongoing.



Case 62: Achigili Raph Ogili and 3 ORS. – Forgery

The Independent Corrupt Practices and Other Related Offences

Commission (ICPC) has arraigned an official of the Federal Road Safety Corps (FRSC), Achigili Raph Ogili and two others, Sunday Okpara and Rasaan Abdulrahman Dabiri, over allegations of conspiracy and falsification of documents.

The trio were arraigned on July 7, 2023 before Justice J. E. Obanor of the Federal Capital Territory (FCT) High Court 29, sitting in Jabi, Abuja.

In Charge No: CR/321/2023 filed before the trial court, the Commission alleged that the 1st accused person (Ogili) used a forged University of Abuja statement of result with Registration Number 2720700176 to support his application for upgrading in the Corps. He was also accused of forging a letter confirming the fake statement of result as genuine, purportedly written by the Deputy Registrar (Academics) of the University.

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On the other hand, both the 2nd and 3rd defendants were charged for their complicity in the forged letter confirming the fake statement of result as genuine. Their offences are contrary to sections 96 and 366 and punishable under sections 364 and 368 of the Penal Code Act, Cap 532, Laws of the FCT, Abuja 2006.

The accused persons entered a “not guilty” plea when the charges were read to them and their lawyers in three separate motions raised bail applications on their behalf which were not opposed by the prosecution counsel, Dorathy Suleman.

The defendants were then admitted to bail in the sum of Five Hundred Thousand Naira (N500,000) and a surety in like sum who must reside within the jurisdiction of the Court. The matter has been adjourned to the 30th and 31st of October 2023 for the commencement of hearing. Trial is ongoing.



Case 63: Mukhtar Ramalan Yero (Former Kaduna State Governor) - N700 Million Money Laundering

Mukhtar Yero is being prosecuted alongside a former Minister of Power, Nuhu Wya, a former Secretary to the Kaduna State Government, Ishaq Hamsa and a former chairman of the Peoples Democratic Party in Kaduna State, Abubakar Gaiya Haruna for their alleged involvement in the receipt and disbursement of N700 million paid to them by a former Minister of Petroleum Resources, Diezani Alison-Madueke to influence the outcome of the 2015 presidential election.

They were re-arraigned on Monday, November 21, 2022 before Justice R. M. Aikawa of the Federal High Court in Kaduna who took over the case from the former trial judge, Justice Mohammed Umar who is on transfer to another jurisdiction.

At the resumed sitting, the prosecution counsel, Nasiru Salele, told the court that the case was for rearraignment of the defendants and urged the court to ask them to take their pleas. The charges were read to the defendants and they all pleaded 'not guilty.'

Among the amended charges against the defendants include that they sometimes in 2015 “indirectly took possession of the sum of N700,000,000, which they ought to have known forms part of unlawful activity to wit; bribery and thereby committed an offence contrary to Section 18(a) of the Money Laundering (Prohibition Act 2011 (as amended) in 2012 and punishable under Section 15(3) of the same Act.”

After the defendants took their pleas, their counsel, Yunus Ustaz, urged the court to extend to them the terms of the bail earlier granted them by the former judge. The prosecution counsel, Nasiru Salele however did not object to the application. Justice Umar, therefore, granted bail to the defendants on the same terms earlier offered them by the court.

The case was adjourned till 16th, 17th and 18th January 2023, for trial. Trial is ongoing as the prosecution is still giving evidence.



Case 64: Peter Ayeni - N160 Million Fraud

The Independent Corrupt Practices and Other Related Offences Commission (ICPC) on February 7, 2023, secured the conviction of a former Permanent Secretary, Peter Ayeni and Director of Finance and Account, Pius Ojemolon at the Edo State Universal Basic Education Board (ESUBEB), over allegations bordering on fraud, conspiracy and abuse of office.

The anti-graft agency had, in a 2-count charge brought before Hon. Justice Acha J. I. of the Edo State High Court 1, sitting in Benin City, averred that the convicts, while being public officers in 2009, conspired among themselves and fraudulently placed the sum of One Hundred and Sixty Million Naira (N160,000,000) ESUBEB fund into a fixed deposit account with the then Equitorial Trust Bank, now Sterling Bank, for 30 days at a 15 percent interest rate.

The court was also informed of how the convicts shared amongst themselves the sum of one million, seven hundred and seventy eight thousand naira (N1,778,000) being profit yielded from the fraudulent fixed deposit investment.

Counsel to ICPC had argued that the action of the former public officers contravened sections 19 and 26 of the Corrupt Practices and Other Related Offences Act, 2000, and urged the court to mete out appropriate sanctions.

The trial Judge, having found that the prosecution had proved its case beyond reasonable doubt, convicted the duo on all the charges leveled against them. In handing down his judgment on Tuesday 7th February, 2023, Justice Acha sentenced them to five years imprisonment each with an option of fine of One Million, Seven Hundred and Seventy-Eight Thousand Naira (N1,778,000.00) which was the proceed of their crime.



Case 65: Ahmadu Umar Fintiri & 1 Other – N2.9 Billion

The Economic and Financial Crimes Commission had on June 30, 2016 arraigned the current Governor of Adamawa State and Mayim Construction and Properties Ltd before Justice Ahmed Mohammed of the Federal High Court, Abuja, on a five-count charge of money laundering to the tune of N2.9 billion. They pleaded not guilty.

As at 2016, Ahmed Fintiri was a former Speaker of the Adamawa State House of Assembly and also former Acting Governor of Adamawa State.

Fintiri was charged with laundering money through his naira and dollar accounts domiciled at Ecobank Plc, and made a large cash payment for the purchase of a piece of property at Plot no. 7, Gana Street, Maitama, Abuja. One of the counts reads: “That you, Ahmadu Umaru (Alias Rt. Hon. Ahmadu Umaru Fintiri) and Mayim Construction and Properties Limited on or about the 9th October 2014, in Abuja within the jurisdiction of this Honourable Court did indirectly disguise the origin of the aggregate sum of N550,000,000 (Five Hundred and Fifty Million Naira) through a term loan of twelve months purportedly granted to you by Ecobank Plc, for the acquisition of a tea plantation farm from Nigeria Agricultural Bank in Taraba State which loan you repaid within three

months as Acting Governor of Adamawa State from sum which you know formed part of proceeds of unlawful act to wit: Corruption and thereby committed an offence contrary to Section 15(2)(a) of the Money Laundering (Prohibition) Act, 2011 as amended in 2012 and punishable under Section 15(3) and (4) of the same Act.”

Upon reading of the charge to the defendants, they pleaded not guilty and the defence counsel made an application for the bail of the defendants which was vehemently opposed by the EFCC counsel. The court adjourned the case to the next day for ruling on the bail application and ordered the defendant to be remanded in Kuje prison. At the resumed hearing, the court granted bail to Fintiri in the sum of N500 million and adjourned for the commencement of trial.

Trial commenced on January 26, 2017, with the presentation of EFCC first witness, Ibrahim Andrew Welye, who was a Secretary to the Adamawa State Government and the author of a petition against Fintiri dated May 11, 2015. Welye, while being led in evidence by counsel to the EFCC, Larry P. Aso, told the court that when he was appointed Secretary to the State Government, he requested for briefing from various ministries and their responses showed that state funds running into billions of naira were misappropriated. He also explained how Fintiri, during the press briefing as the Acting Governor, claimed to have received N21 billion in the 86 days he spent in office. The witness went further to explain how the defendant also claimed to have spent N2.8 billion on projects, mainly in Malamre ward in Jimeta Local Government Area, which was under attack by the insurgency at that time. On the transaction of N475 million, which was meant for the construction of Faculty of Law at the Adamawa State University, the witness said that there was no construction, adding that only the foundation was laid. Two documents were tendered as exhibits. Though the defence counsel, M. A. Magaji SAN, objected to their admissibility, his objection was overruled and the documents were admitted as exhibit A and B. The case was thereafter adjourned to March 2, 2017 for the continuation of trial.

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The case had come up at different dates with the prosecution still giving evidence until the case was suspended due to the reason that Ahmadu Umar Fintiri was sworn in as Governor of Adamawa State on May 29, 2019. Section 308 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) grants all governors immunity from prosecution by providing that no civil or criminal proceedings shall be instituted or continued against a sitting governor.



Case 66: Cletus Ibeto – N4.8 Billion Fraud

The Lagos State High Court sitting in Ikeja on Friday, 3rd November, 2023 ordered the arrest of the Chairman of Ibeto Energy Development Company, Cletus Ibeto, for allegedly refusing to appear in court to face his alleged N4.8bn fraud trial.

Justice Ismail Ijelu issued the bench warrant after a motion moved by the counsel for the Economic and Financial Crimes Commission, Rotimi Jacobs, SAN, who informed the court that the defendant had flagrantly failed and refused to appear in court despite repeated hearing notice served on him. The EFCC had charged the defendant alongside his companies, Ibeto Energy Development Company and Odoh Holdings Limited, for an alleged N4.8bn fraud. The commission filed 10 charges bordering on conspiracy, fraud, forgery and fraudulent use of documents against him.

The defendant's arraignment was stalled on September 28 and October 5, 2023, due to his failure to appear in court, although he was represented by his lawyers. Twice, his lawyer, Dr Onyechi Ikpeazu, SAN, informed the court that his client was absent due to ill health. He, however, promised to produce him on Friday. But when the matter was called, he was represented by another counsel, Daniel Awosika, SAN, who told the court that the defendant was sick and could not be in court. Following the development, Jacobs urged the court to issue a bench warrant for the arrest of the businessman. Jacobs claimed that the defendant was in Lagos, and the commission could have arrested him, but it did not have the order of the court to do so. He said: "senior lawyers cannot come to

court and waste the court's time. We urge the court to grant us a warrant of arrest to force the defendant to court."

In his ruling, Justice Ijelu held that the defence counsel did not adduce any compelling reason for him to grant his request for adjournment. The judge further stated that the court did not exist for frivolities as it only exists for dispensing justice. The defence counsel decided to waste the court's time. The court is the symbol of the state and not an object of ridicule. Although the senior counsel appeared in this matter for the first time, two senior counsel had previously appeared and promised that the defendant would appear for his arraignment. In the absence of any cogent excuse to produce the defendant for arraignment, a bench warrant is hereby issued against the defendant," the court ruled. Justice Ijelu thereafter adjourned the matter till November 15, 2023, for the arraignment of the defendant.



Case 67: Bala Inuwa Muhammed & ORS. – N3,755,685,742:00 (Misappropriation of Public Funds)

The Kano State Public Complaints and Anti-corruption Commission on 24th October, 2023, filed an amended 10-count charge against Bala Inuwa Muhammed, his son, Bala Inuwa Muhammad (Jnr) and an NGO, Incorporated Trustees of Association of Compassionate Friends for Dishonest Misappropriation of Public Funds to the tune of N3,275,685,742.00, N480,000,000.00

The first count reads: "that you, Bala Inuwa Muhammed, together with Bala Inuwa Muhammed (JR) (your biological son) and Incorporated Trustees of Association of Compassionate Friends (your alter ego), between the period of August 2022 and April 2023, at Kano in the Kano Judicial Division agreed to do or caused to be done an illegal act, to wit: dishonestly misappropriated and/or converted to your own use the sum of N3,275,685,742.00 (Three Billion, Two Hundred and Seventy Five Million, Six hundred and Eighty Five Thousand, Seven Hundred and Forty Two Naira) being money disbursed and credited to Kano State Government as grant from the Federal Government Allocation Account No. 4968083012

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domiciled at FCMB, and credited to account No. 1014477161 domiciled in Zenith Bank Plc, belonging to the Kano State Agricultural Supply Company Ltd. (KASCO) of which you were then serving as the Managing Director, thereby causing wrongful loss to the people and Government of Kano State and thereby committed the offence of Criminal conspiracy contrary to Section 96 and punishable under Section 97 of the Penal Code (as amended), CAP. 105, Vol. 2, The laws of the Kano State Nigeria, 1991.

The third count reads: “that you, Bala Inuwa Muhammed, Male, adult, between the periods of August 2022 and April 2023, at Kano in the Kano Judicial Division while serving in your capacity as a public servant, to wit, Managing Director of Kano State Agricultural Supply Company, you were entrusted with the sum, or dominion over the sum of N480,000,000.00 (Four Hundred and Eighty Million Naira), disbursed to Kano State Government as a grant from the Federal Government Allocation Account No. 4968083012 domiciled at FCMB, and credited to Kano State through account No. 1014477161 domiciled at Zenith Bank Plc belonging to KASCO of which you were the Managing Director, and you dishonestly misappropriated and/or converted to your own use the said sum, by transferring the said sum into your two personal accounts, namely: account No. 0126068718 domiciled in Union Bank and another account namely: account No. 1011994467 domiciled at Xenith Bank Plc, belonging to the 3rd defendant, thereby causing wrongful loss to the people and Government of Kano State and punishable under Section 315 of the Penal Code (as amended), CAP 105, Vol 2. The laws of the Kano State of Nigeria 1991”

The defendants pleaded not guilty while they were all remanded in correctional centre pending their bail application. The court thereafter adjourned the matter to 6th December, 2023, for hearing of bail application. On Thursday, 24th November 2023, the court granted the Defendants bail in the sum of #500 Million and two sureties who are expected to be people with up-to-date tax clearance.



**Case 68: Hisham Imamuddeen
- N470,800,000:00
(Misappropriation of Public
Funds)**

The Kano State Public Complaints and Anti-corruption Commission on 18th October, 2023, filed an amended 4-count charge against Hisham Imamuddeen, Zailani Muhammad, Adamat Pharmacy Nigeria Limited and Aznaf Pharmacy Limited for criminally diverting and misappropriating public funds to the tune of N470,800,000:00.

One of the counts reads: “that you, Hisham Imamuddeen, male, adult, now at large, while serving as Managing Director of the Drugs and Medical Consumables Supply Agency (DMCSA) sometime in 2021 or thereabout, criminally conspired with the 2nd defendant and transferred the sum of N34,800,000:00 (Thirty Four Million Eight Hundred Thousand Naira) only into the 3rd defendant's account No. 0000622757 domiciled with Taj Bank, and also after being entrusted some time in 2023 with the sum of N436,000,000:00 (Four Hundred and Thirty Six Million Naira) only from Kano State Federation Account (FAAC), you transferred the said amount into the 4th defendant account No. 0693000027 domicile with GTBank from account of Drugs and Medical Consumables Supply Agency (DMCSA) No. 0019917483 domicile with Unity Bank meant for and were never supplied, thereby committed an offence contrary to section 96 of the Penal Code and punishable under section 97 of the Penal Code Law.

The matter is currently in court awaiting date for arraignment.



**Case 69: Prof. Cyril Osim
Ndifon - (Abuse of Office and
Sexual Harrassment)**

The Independent Corrupt Practices and Other Related Offences Commission, ICPC, has filed a criminal charge against Professor Cyril Ndifon, the suspended Dean of the Faculty of Law, University of Calabar (UNICAL), following the Commission's conclusion of an

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investigation into the Professor's alleged gross misconducts against some of his students.

In the charge sheet number: FHC/ABJ/CR/511/2023, ICPC is arraigning the Senior Lecturer on a four (4) count charge bordering on sexual harassment, official corruption and abuse of office contrary to sections 8, 18 and 19 of the Corrupt Practices and Other Related Offences Act, 2000.

One of the counts reads: "That you, Professor CYRIL OSIM NDIFON (m) between June-September, 2023 at Calabar, within the jurisdiction of this Honourable Court, and while being a public officer charged with responsibility for the certification of students as fit in learning and character as a prerequisite for the award of Bachelor's degree in law and admission into the Nigeria Law School, used your office and position as the Dean, Faculty of Law, University of Calabar to gratify yourself by soliciting for nude photographs and videos from one Ms. ABC (not real name), a year 2 diploma student of the University of Calabar, through WhatsApp chats on your telephone number 0803**** and thereby committed an offence contrary to and punishable under S. 19 of the Corrupt Practices and Other Related Offences Act, 2000".

Professor Ndifon would be arraigned in court on a date to be given by the court. It would be recalled that ICPC, in collaboration with the Department of State Services (DSS) had on 4th of October, 2023, arrested Professor Ndifon in Calabar, Cross River State after shunning several invitations extended to him.



Case 70: Edike Mboutidem Akpan (Deputy Commandant, Nigerian Security and Civil Defence Corp) – N26.7 Million Fraud Trial

Mr. Edike Mboutidem Akpan, is a Deputy Commandant of the Nigerian Security and Civil Defence Corps (NSCDC), enmeshed in alleged N26.7 million fraud scandal. Mr. Akpan, has been charged before a Federal Capital Territory High Court, sitting in Kwali, on a 17- count charge before Justice Garba by the Independent Corrupt Practices and Other Related Offences

Commission (ICPC), for using a private real estate company, Danemy Nig Ltd, to defraud land subscribers of N26.7m.

Mr. Akpan convinced many subscribers with the claim of being in partnership with NSCDC, to pay various sums of money for plots of land both in Karshi, Nasarawa State and Sabon Lugbe Extension, Airport Road, Abuja, which were never allocated to them.

ICPC told the court that the offence, committed between 2010 and 2015, violated Sections 19 and 26 (1) (c) of the Corrupt Practices and Other Related Offences Act, 2000 and was punishable under Section 19 of the same Act.

He allegedly received N13,350,000 in 2011 from a subscriber, Mr. Igwe Onus Nwankwo, through his company Danemy Nig Ltd, as payments for 10 plots of land at Airport Road, and also received N1,305,000 from Doctors Robert Okoro and Akuneme Marcel Ikwuoma, each, for the allocation of plots of land at the defenders Family Estate Homes Scheme, Airport Road. He equally received N2,610,000 from Mrs. Chidinma Obasi for two plots of land and N1,205,000 from Mr. Etuechere Martins for a plot.

Mr. Akpan pleaded not guilty to the charges and was admitted to bail in the sum of N5 million with two sureties in like sum. The matter which is currently on trial since November 7, 2022, last came up on October 7th 2023. Trial is still on-going.



Case 71: Prof John Ibu & 2 ORS - N24.65 Million Fraud Trial

The Economic and Financial Crimes Commission on June 28, 2021, arraigned the Chairman of Benue State University Teaching Hospital, Professor John Ibu for alleged N24.65 million fraud, alongside one Chief Abukenchi Suleiman and his company, ADB Motors Venters Nigeria Limited, before Justice Abdu Dogo of the Federal High Court sitting in Makurdi, Benue State. They were arraigned on charges of conspiracy and obtaining N24,650,000 (Twenty Four Million, Six Hundred and Fifty Thousand Naira only) by false pretence contrary to Section 8(a) of the

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Advance Fee Fraud and Other Fraud Related Offences Act, 2006 and punishable under section 1(3) of the same Act.

The EFCC alleged that the duo obtained the said sum from the Benue State University Teaching Hospital under the guise of purchasing a Toyota Landcruiser Prado 2018 Model which was never bought. And in addition, Professor John Ibu, being the Board Chairman, Benue State University Teaching Hospital sometime in July 2019, used his position to collect a bribe of N10, 900,000 from one Chief Abukenchi Suleiman of ADB Motors Venters Nig. Ltd, on behalf of Atirogo & Sons Enterprises, paid into Access Bank account Number 0049185884, a company he is the Managing Director.

The defendants pleaded “not guilty” to the charges preferred against them and bail was subsequently granted by the court. The case was adjourned to September 27, 2021 and subsequently to May 16, 2022 for the commencement of trial.

On September 22nd, 2022, the matter came up for adoption of final written addresses of the parties but the court did not sit. There is currently no adjourned date as election petition matters have taken precedence. On the 7th February, 2023, the main defendant, Prof. Ibu, passed on and that automatically brought an end to the criminal trial against him.



Case 72: George Turnah, Ebis Orubebe & Uzorgor Silas Chidebere – N2.9 Billion Scam

Justice A. T. Mohammed of the Federal High Court sitting in Port Harcourt, Rivers

State, has convicted and sentenced a former Special Adviser to Dan Abia, erstwhile managing director of Niger Delta Development Commission, George Turnah, and two others; Ebis Orubebe and Uzorgor Silas Chidebere, to six years imprisonment for obtaining money under false pretence, money laundering, conversion of funds and forgery contrary to Section 1 (1) (a) of the Advance Fee Fraud and Other Fraud Related Offences Act, 2006 and punishable under Section 1(3) of the same Act.

They were jailed on Thursday September 7, 2023, having been found guilty of charges preferred against them by the Port Harcourt Zonal Command of the Economic and Financial Crimes Commission, EFCC.

The defendants were originally arraigned by the EFCC in May, 2017 and re- arraigned on January 25, 2021 on 23-count charges bordering on obtaining by false pretence, money laundering and abuse of office to the tune of N2, 894, 500, 000 (Two Billion, Eight Hundred and Ninety Four Million, Five Hundred Thousand Naira).

Count 6 of the charge reads: "that you, George Turnah Alabh, Uzorgor Silas Chidiebere, El-Godams Global Services Ltd., Turnoil and Gas Nigeria Ltd, Kolo Creek Petroleum Dev. Ltd, Celtic Pride Consult and Events Ltd, Yenagoa Mall Ltd, The Incorporated Trustees of Concerned Niger Delta Initiative, Adaka Boro Marine Services Ltd, Sugarland Integrated Farms Nig. Ltd, Geohan Telecommunication Nig. Ltd and others at large, on or about the 24th day of November, 2014, at Port Harcourt, within the jurisdiction of this Honourable Court did take possession of the sum of Seven Hundred and Eight Million Five Hundred Thousand Naira (N708,500,000.00) which you reasonably ought to know that the money was obtained by false pretence from the Niger Delta Development Commission (NDDC) purportedly for the purpose of providing quick win jobs for 300 youths and women groups and thereby committed an offence contrary to Section 15(2)(d) of the Money Laundering (Prohibition) Act, 2011 as amended and punishable under 15 (3) of the same Act”.

Count 23 of the charge reads: "that you George Turnah Alabh in 2014 within the jurisdiction of this Honourable Court did receive the sum of \$1000,000.00 (One Million United State Dollars) (at the exchange rate of N184 to a Dollar) cash from one Umar Lawal of Hakuri Global Concept exceeding the statutory limit without going through a financial institution and thereby committed an offence contrary to Section 1 (a) of the Money Laundering (Prohibition) Act 2011 (as amended) and punishable under Section 16 (2) (b) of the same Act”.

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They pleaded "not guilty" to the charges. Prosecution counsel, I. Agwu, called several witnesses and tendered documents to prove the case against the defendants.

Justice Mohammed convicted and sentenced them to two years imprisonment each, starting from the date of their arrest. The 1st defendant was ordered to pay N1, 000, 000 (One Million Naira only) as an option of fine while the 2nd and 3rd defendants are to pay N500,000, (Five Hundred Thousand Naira only) into the Consolidated Revenue Account of the Federal Republic of Nigeria. Additionally, the 4th, 6th and 10th defendants are to return the sum of One Hundred and Eighty Million Naira (N180,000,000). Other restitutions include, N5,000,000, (Five Million Naira only) traced to the 1st convict, N100,000,000 (One Hundred Million Naira only) traced to the 6th and 10th convicts, N50,000,000(Fifty Million Naira only) traced to Optimal Sandard. They are to be forfeited to the NDDC.

Others are: N46,760,843.61 (Forty Six Million, Seven Hundred and Sixty Thousand, Eight Hundred and Forty Three Naira, Sixty One Kobo), N494,371.86(Four Hundred and Ninety Four Thousand, Three Hundred and Seventy One Naira, Eighty Six Kobo), N13,000,000(Thirteen Million Naira) and Twenty Three Million, Five Hundred Thousand Naira(N23, 500,000) to be forfeited to the NDDC by the 9th, 4th , 2nd and 3rd defendants respectively.



Case 73: Aisha Alkali Wakil A.K.A. Mama Boko Haram & 2 ORS. – N150 Million Fraud

Following the earlier conviction of Mama Boko Haram in June 2022, The Maiduguri Zonal Command of the Economic and Financial Crimes Commission, EFCC, has in October 2023 arraigned Aisha Alkali Wakil (a.k.a Mama Boko Haram) alongside Tahiru Saidu Daura and Prince Lawal Shoyode w before Justice Umaru Fadawu of the Borno State High Court, Maiduguri, on two -count charges bordering on conspiracy and cheating to the tune of N150,000,000.00 (One Hundred and Fifty Million Naira only).

Count two of the charges reads: “That you Aisha Alkali Wakil, Tahiru Saidu Daura and Prince Lawal Shoyode, while being the Chief Executive Officer, Programme Manager and Country Director respectively of Complete Care and Aid Foundation, (a Non-Governmental Organisation) and Saidu Mukhtar (at large) sometimes in August, 2018 in Maiduguri, Borno State within the jurisdiction of this Honourable Court, dishonestly induced one Alhaji Bulama Bakki CEO Bakki Commodity Investment Company Limited and Ngumati Investment Company Limited under the guise of executing a contract for the supply of 5000 bags of high quality white beans of 50kg each at the rate of N23,000 (Twenty Three Thousand Naira) only each and seven unit mobile ultra-scanning machines solar energy (2018 brand) at the rate of N5,000,000.00 (Five Million Naira) only totaling N 150,000,000.00 (One Hundred and Fifty Million Naira only) which he did and you refused to pay him and thereby committed an offence contrary to Section 320(a) of the Borno State Penal Code Law Cap 102 and punishable under section 322 of the same Law.”

The defendants pleaded 'not guilty' to the charges when they were read to them. Counsels for the prosecution, A.I Arogha and S.O Saka prayed the court for a trial date. Justice Fadawu thereafter adjourned the matter to a later date and ordered for the remand of the defendants at a Correctional Centre.



Case 74: Ojoko Robinson – N13 Million Fraud

The Independent Corrupt Practices and Other Related Offences Commission (ICPC), on 3rd February 2023 secured the conviction of one Mr. Ojoko Robinson, a Director with Rojoke CNE Services Limited, and the company for contract fraud to the tune of N13, 710,252.44. The Commission had filed a 7-count charge against Mr. Robinson and the company before Hon. Justice N. O. Dingba of the Federal High Court, Asaba Judicial Division, on allegations bordering on forgery.

ICPC, in a Charge No. FHC/ASB/3C/2022, informed the Court of how the defendants used forged documents in bidding and securing two World Bank contracts, contravening Sections 1(2)(c) of the

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Miscellaneous Offences Act, CAPM17, LFN 2004.

Having listened to both augments, the trial judge found the defendants guilty on all counts as the prosecution proved its case beyond a reasonable doubt. In handing down his judgment, Justice Dimgba ruled that the defendants should refund 25 percent of the benefits derived from the contracts to the World Bank through the Asaba Office of the ICPC. The trial Judge further ordered the 1st defendant, who is an Information Technology expert, to teach Information Communication Technology (ICT) at the Delta State ICT Hub, Asaba for two years at his own expense. The 1st defendant is to work out a programme with the management of the ICT Hub within two weeks from the date of the judgment and file a notice of compliance with the registrar of the Court.

The Judge also ruled that the 1st defendant, having been sent for training on Integrity by the World Bank, is to deliver regular talks on integrity to final-year students in three secondary schools (two in Asaba and one in his hometown) and file progress report every three months with the registrar of the Court.



Case 75: FRN V. Portia Emilia - N110 Million Fraud

The Economic and Financial Crimes Commission (EFCC) on Thursday March 16, 2023, re-arraigned an internet influencer,

Portia Emilia alongside her company, Savannah Crest Investment Limited for obtaining under false pretence and stealing the sum of N110 million, before Hon. Justice O.O Abike-Fadipe of the Special Offences Court sitting in Ikeja, Lagos State.

The EFCC had earlier arraigned Mrs. Portia alongside her company on the 17th of August, 2022 on a six count charge bordering on the offences stated above.

It is alleged by the EFCC in the charges brought against Mrs. Portia and her company that sometime in 2018 in Lagos with intent to defraud, stole and dishonestly converted the sum of N40 million for personal use and also fraudulently obtained the sum of N20 million from one Wendy Daniel.

Mrs. Portia, who also took the plea of the company, pleaded 'not guilty' to all the charges. However, since trial had already commenced before the said re-arraignment, counsel to EFCC informed the court of the agency's intention to close its case, having called two witnesses, through whom several documentary evidence were tendered. The Honourable Court granted prosecution's prayer and its case was therefore closed and ordered the defendants to open their case.

However, counsel to Mrs. Portia and her company asked for an adjournment to enable them prepare for the defence of the defendants and that she, that is, Mrs. Portia, be allowed to continue to enjoy the bail earlier granted by the court since she has been re-arraigned. Hon. Justice Abike-Fadipe granted both prayers as prayed by the defence counsel and the case was then adjourned to the 22nd of June, 2023 for defence. The court matter has been further adjourned to the 4th of October, 2023 for continuation of trial. Trial is still ongoing in the matter.



Case 76: Aso Adasa Morrison & Frank Biobarakuma – \$662,300 Fraud.

The Independent Corrupt Practices and Other Related Offences Commission (ICPC) in May 2023 secured a 7-year conviction of two fraudsters, Aso Adasa Morrison and Frank Biobarakuma.

The suspects were first arraigned sometime in March 2013 before Hon. Justice B. A. Georgewill of Rivers State High Court 16 on a 17-count charge bordering on conspiracy, forgery and obtaining by false pretence.

The court was informed of how the convicts and others at large between the month of March 2012 and February 2013 in Port Harcourt, fraudulently obtained the sum of \$260,000 and \$402,300 from one Mr. Jung Yongmin, a South Korean, under the pretext of selling Nigerian crude oil to him. Their actions were contrary to Sections 1 and 8 of the Advanced Fee Fraud and Other Related Offences Act, 2004 and Section 467 of the Criminal Code Act, 2004.

The convicts had earlier entered a “not guilty” plea when the charges were brought before them and that set the tone for a long legal battle.

However, it was only recently that the trial judge, Justice S. C. Amadi, Chief Judge of Rivers State (who inherited the case after the elevation of Justice Georgewill to the Court of Appeal) found the convicts guilty on all 17 counts. In their allocutus to the court, defence counsel pleaded that the convicts were first time offenders who have children to cater for and that the court should consider a non-custodial sentencing which was not granted.

Handing down judgment, Justice Amadi sentenced the duo to 3 years in prison for counts 1-4, 7 years in prison for counts 5 & 6, 3 years in prison for count 7-17 without any option of fine.

The sentences are to run concurrently. The court further advised that the South Korean Embassy (the petitioners) be informed of the judgment which is a consequence of their petition to ICPC.



Case 77: Senator Bulkachuwa – Corruption Allegation

A Federal High Court Abuja, on Tuesday September 19, 2023

dismissed the suit filed by Sen. Adamu Bulkachuwa seeking to stop the ICPC from investigating him over the comment he made during the valedictory session of the 9th National Assembly (NASS).

Justice Inyang Ekwo, in a judgment, held that the suit lacked merit and ought to be dismissed. Justice Ekwo said that Bulkachuwa, being a lawmaker, ought to understand the implication of the statement that he made on the floor of the Senate. According to him, the legislative immunity which the plaintiff (Bulkachuwa) claims in this case does not avail him. “It is the duty of every law-abiding citizen to assist and cooperate with law enforcement agencies in their quest to carry out their statutory function.” “It is only where a law enforcement agency breaches the fundamental right of a citizen in the process of carrying out their statutory function, then a cause of action could be said to have arisen,” the judge said.

The News Agency of Nigeria (NAN) reports that Bulkachuwa had sued the Attorney-General of the Federation (AGF), the NASS Clerk, State Security Service, ICPC and the Nigeria Police Force as 1st to 5th defendants respectively.

The plaintiff asked the court to declare that he “is covered, privileged and protected by the parliamentary immunity as enshrined in Section 1 of the Legislative Houses (Powers and Privileges) Act 2017 and freedom of speech and expression made thereto is privileged.” He also prayed the court to declare that without exhausting the internal disciplinary mechanism, recommendations and approval of the 9th Senate, no other law enforcement agent of the Federal Government, including the defendants can invite any member of the Senate for questioning/interview.

Justice Ekwo said the utterance made by Bulkachuwa on the floor of the Senate on June 10 was not covered by Section 39(1) of the 1999 Constitution. “The provision is that every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.” According to the judge, the clear words of Section 39 (1) of the 1999 Constitution (as amended) cannot be interpreted to mean that a person can say anything he likes.

“In a formal setting like that plenary session or committee proceedings of the Senate, It is not expected - a person who is privileged to voice any expression will utter words or express opinion or impart ideas or gives' Information that cannot be defended under the constitution.

“Upon studying the provision of Section 39 (1) of the 1999 Constitution (as amended), it is my opinion, that the words uttered by the plaintiff on the floor of the Senate on Saturday 10th June, 2023 was a confession of doing an act that is prohibited by law.

“When a person confesses that he influenced a judicial officer to help his friends and colleagues, such a person has gone beyond the limit of freedom of speech that is reasonably covered and protected by the provision of Section 39 (1) of the 1999 Constitution (as amended).

“A person who has used the opportunity given to him by the constitution to express himself freely and uses the opportunity to expose his actions or conduct which the law of the land criminalises, has unwittingly invited law enforcement agencies to question him. “This is what the plaintiff did in this case.

“I therefore find that that the speech of the plaintiff on the floor of the Senate on June 10, was a confession of illegal act and Section 39 (1) of the 1999 Constitution (as amended) cannot be invoked to cover such and I so hold,” he declared.

At the valedictory sitting of the 9th Senate, Senator Bulkachuwa told the world how he got favours from his wife, Justice Zainab Bulkachuwa, who was the President of the Court of Appeal, for his colleagues in the Senate.



Case 78: Umar Hussaini – N1.1 Billion Fraud

The Independent
Corrupt Practices and
Other Related Offences

Commission (ICPC) in March 2023 secured the conviction of Umar Hussaini, a lawyer to former Comptroller-General of Nigeria Customs Service (NCS), the late Abdullahi Dikko, over a N1.1 billion fraud.

ICPC, in a Charge No: FHC/ABJ/CR/74/2020, had arraigned Hussaini before Honourable Justice Ijeoma Ojukwu of the Federal High Court, Abuja over his complicity in inducing the Managing Director of Cambial Limited, Mr. Yemi Obadeyi, who was the complainant, to pay N1.1bn into the account of Capital Law Office on the 6th of March 2010, as refundable “completion security deposit” for the procurement of 120 units of houses as residential accommodation for officers of NCS.

When the matter was filed for trial, the convict deployed a lot of delay tactics to stall the trial including filing a “No Case Submission” before the Court arguing that the said sum paid into the account of Capital Law Office was induced by the deceased former Comptroller-General and a former Deputy

Comptroller General, Garba Bala Makarfi who instructed Mr. Obadeyi to pay the money, and that set the tone for a long legal tussle. However, prosecution was able to sufficiently link the defendant to the alleged offences with prima facie evidence. The Court was also informed of how the convict pretended to be an external solicitor to the NCS when he knew that he was not, which false pretence induced the complainants to deposit the funds into the account of his private law firm because the complainant believed that he was acting on behalf of the NCS.

Justice Ojukwu thereafter found Hussaini guilty on two counts of obtaining by false pretense, contrary to and punishable under the Advanced Fee Fraud and Other Related Offences Act, 2006.

The trial Judge then sentenced him to seven years prison term on each count with an option of fine of N100 million. The sentences are to run concurrently. He was also ordered to pay the sum of N100 million as compensation to the complainant, Yemi Obadeyi and the company, Cambial Limited. The Judge further ruled that the convict be remanded in prison custody pending the fulfillment of the terms of fine.



Case 79: Chika Benson Abazu - N23 Million Corrupt Gratification

The Abuja Division of the
Court of Appeal has fixed
February 13 for hearing in

the case brought by the Independent Corrupt Practices and other Related Offences Commission (ICPC) against the All Progressives Congress (APC) candidate for Ideato Federal Constituency, Benson Abazu. The ICPC in the appeal is specifically asking the appellate court to overturn the judgment of the High Court which upheld the no case submission earlier given in favour of the APC candidate.

The anti-corruption agency in the appeal marked: 786/2019, predicated its case on three grounds wherein it argued that the trial court erred in holding that it failed to substantiate its charges of corruption against the APC House of Representatives candidate. Meanwhile, all the records of proceedings at the trial court have been transmitted to the Court of Appeal.

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ICPC therefore asked the appellate court to overturn the High Court ruling in favour of Abazu and subsequently convict him of the corruption charges levelled against him.

In a copy of the six-count charge filed at the High Court, the ICPC alleged in count one that Abazu on April 14, 2014, while being a public officer, asked for and received the sum of N10,000,000:00 from a contractor as gratification thereby committed an offence contrary to Section 10(a)(i) of the ICPC Act which is punishable with imprisonment of seven years.

The contractor who testified, said that Abazu informed him that the N10,000,000:00 bribe was for the “First Lady”. The proof of evidence attached by the ICPC further showed that while still a public servant and against the code of conduct for public officers, Abazu registered the company Transtell Nigeria Limited through which he collected the bribes and was the sole signatory to the account of the company.

In counts three and six, the anti-corruption agency also alleged that Abazu also asked for and received of N4,000,000:00 and N3,000,000:00 respectively from the same contractor. It said the emboldened Abazu even collected the last N3,000,000:00 in his private account with the United Bank for Africa (UBA). The commission further alleged that when the said contractor could not complete the N23,000,000:00 bribe demanded of him, Abazu, who then was a Special Assistant to the Director General, used his office to arbitrarily terminate the contract. The appeal is still pending at the Court of Appeal.



Case 80: Dr. Solomon Okpa Ita & ORS. – N45 Million Fraud

The Independent Corrupt Practices and Other Related

Offences Commission (ICPC) on September 27, 2022, arraigned Dr. Solomon Okpa Ita, a director with Niger Delta Development Commission (NDDC), for alleged diversion of N45 million by using an NGO as front.

He was arraigned before Justice Zainab Abubakar of a Federal High Court in Abuja, and pleaded not guilty to the charge preferred against him. Solomon Ita was arraigned on a 4-count charge, filed by the ICPC via its lawyer, Osuobeni Akponimsingha, for diverting part of the funds paid for a contract awarded to a group, Radiant Women Association.

Following his not guilty plea, Justice Zainab granted him a N50 million bail with one surety who must own a property within the nation's capital, and the certificate of occupancy of the property, should be verified by the registrar and deposited at the court registry.

Justice Zainab Abubakar also ordered that he be remanded in the ICPC's custody pending when he meets the bail condition, and adjourned to October 25, 2022 for trial. The prosecution is giving evidence as trial is ongoing.



Case 81: Gabriel Nathaniel – N3 Billion Fraud

The Independent Corrupt Practices and Other Related Offences

Commission (ICPC) on September 27, 2022, arraigned Gabriel Nathaniel a staff in the Accounts Department of the Abuja Metropolitan Management Council (AMMC), over allegations bordering on diversion of about N3 billion from his office.

He was arraigned before Justice Zainab Abubakar of a Federal High Court in Abuja, and pleaded not guilty to the charge preferred against him. Nathaniel was arraigned on a fourteen-count charge filed by the ICPC lawyer, Osuobeni Akponimsingha.

Following his not guilty plea, Justice Zainab granted him bail and adjourned to October 25, 2022 for trial. The prosecution is giving evidence as trial is ongoing.



Case 82: Sarah Ocheke - N450 Million Fraud

A Federal High Court sitting in Jos in February 2022

sentenced former Minister of Water Resources, Sarah

Ochekpe to prison. She was sentenced alongside Raymond Dabo and Leo Jitung to three months imprisonment each over N450 million fraud.

The trio were in 2018 charged for conspiracy and money laundering by the Economic and Financial Crimes Commission (EFCC). They were alleged to have violated the law when, during President Goodluck Jonathan's regime, they took N450 million campaign fund to the party secretariat to distribute in cash.

Justice Musa Kurna in her verdict gave the convicts an option to pay a fine of N1 million each. The judge held that after withdrawing the said amount from the bank, they did not withhold the money to themselves but delivered same to a governorship candidate and as such were not guilty of retaining the sum for themselves. The appeal filed at the Court of Appeal is still pending.



Case 83: Yildiyel Musa Takat – Fraud And Employment Racketeering

The Independent Corrupt Practices and Other Related Offences Commission (ICPC) on July 2023, arraigned an Assistant Director in the Office of the

Accountant-General of the Federation (OAGF), Mr. Yildiyel Musa Takat over fresh allegations bordering on fraud and employment racketeering. The defendant was dragged before Honourable Justice A. A. Fashola of the Federal Capital Territory (FCT) High Court 34, sitting in Jabi, Abuja.

ICPC, in a charge no: CR/148/2022, informed the Court of how the accused person “while being a staff of the Accountant General of the Federation with the intent to commit fraud, did forge a letter dated 4th August, 2014 purportedly emanating from the Office of the Accountant General, under the hand of Director of Administration and addressed to Director-General, Nigeria Institute of Mining and Geo-science, Jos for the purpose of securing employment.”

In a 12-count charge, the defendant was also accused of forging several letters of employment supposedly originating from the Director (Recruitment and Appointment) of the Federal Civil Service Commission and offering same to his unsuspecting victims. The Commission led by its counsel, Eno Ighodaro – Yahaya further told the Court of how the accused person forged other letters such as, letters of promotion and posting to other government agencies, letters of request for assistance from State House and signed by the late Chief of Staff to the immediate past President to some government agencies including ICPC with the intention to commit fraud.

His actions are contrary to Section 13 and punishable under Section 14 of the Corrupt Practices and Other Related Offences Act, 2000 and contrary to and punishable under sections 364 and 366 of the Penal Code Laws of the Federation as well as Section 1 of the Advanced Fee Fraud Act, 2016.

The accused person pleaded not guilty to all the charges when they were read to him. In a “Motion on Notice” supported by a 14-paragraph affidavit deposed to by the defendant respondent, the defence counsel, John Bello, moved bail application on behalf of his client which was not opposed by counsel to ICPC. The trial judge thereafter admitted him on bail in the sum of Two Million Naira (N2,000,000:00) and two responsible sureties in like sum who must work in a reputable organization and must live within the FCT with a verifiable address.

The matter was adjourned to the 24th of October 2023 for commencement of hearing. The prosecution is giving evidence as trial is ongoing.



Case 84: Achigili Raph Ogili, Sunday Okpara & Rasaq Abdulrahaman – Falsification of Documents

The Independent Corrupt Practices and Other Related Offences Commission (ICPC) in July 2023, arraigned an official of the Federal Road Safety Corps (FRSC), Achigili Raph Ogili and two others, Sunday Okpara and Rasaq Abdulrahaman Dabiri, over allegations of conspiracy

and falsification of documents.

The trio were arraigned before Honourable Justice J. E. Obanor of the Federal Capital Territory (FCT) High Court 29 sitting in Jabi, Abuja, Nigeria's capital. In a Charge No: CR/321/2023 filed before the trial court, the Commission alleged that the 1st accused person (Ogili) used a forged University of Abuja statement of result with Registration Number 2720700176 to support his application for upgrading in the Corps. He was also accused of forging a letter confirming the fake statement of result as genuine, purportedly written by the Deputy Registrar (Academics) of the University.

On the other hand, both the 2nd and 3rd defendants were charged for their complicity in the forged letter confirming the fake statement of result as genuine. Their offences are contrary to sections 96 and 366, and punishable under sections 364 and 368 of the Penal Code Act, Cap 532, Laws of the FCT, Abuja 2006.

The accused persons entered a “not guilty” plea when the charges were read to them and their lawyers in three separate motions raised bail applications on their behalf which were not opposed by the prosecution counsel, Dorathy Suleman. The defendants were then admitted to bail in the sum of Five Hundred Thousand Naira (N500,000) and a surety in like sum who must reside within the jurisdiction of the court.

The matter has been adjourned to the 30th and 31st of October 2023 for commencement of hearing. The prosecution is giving evidence as trial is ongoing.



Case 85: Yildiyel Takat & Nankpat Dukbong – Fraud & Employment Scam N2.9million.

An Assistant Director in the Office of the Accountant-General of the Federation (OAGF), Mr. Yildiyel Musa Takat and an Administration Officer at the National Space Research and Development Agency (NASRDA), Mr. Nankpat Dukbong have been arraigned by the Independent Corrupt Practices and Other Related Offences Commission (ICPC), on July, 2023 over

allegations of fraud, employment scam and conspiracy. The duo were brought before Honourable Justice O. A. Musa of the Federal Capital Territory (FCT) High Court 7, sitting in Jabi, Abuja, via a Charge No: CR/151/2022.

In a 6-count charge, ICPC accused the defendants of conspiracy, abuse of office and defrauding unsuspecting job seekers to the tune of Two Million, Nine Hundred Thousand Naira (N2,900,000).

The Commission led by its counsel, told the Court of how the accused persons solicited and collected on separate occasions the sums of Five Hundred Thousand Naira (N500,000); and Two Million Four Hundred Thousand Naira (N2,400,000) from their victims in the guise of securing employment for them in the Federal Civil Service. While the first defendant (Takat) was charged on counts 1, 2, 4, and 5, the second defendant (Dukbong) was charged on count 1, 3, 4, and 6 respectively.

Their actions are contrary to Section 26 and punishable under Section 18 of the Corrupt Practices and Other Related Offences Act, 2000. The accused persons pleaded not guilty to all the charges when they were read to them.

In two separate “Motions on Notice” and pursuant to sections 34 and 36 of the 1999 Constitution as amended as well as Sections 162 and 163 of the Administration of Criminal Justice Act (ACJA) 2015, both counsel to the first and second defendants moved for bail application on behalf of their clients. They both sought the relief of the Court to use its discretionary powers to grant the bail in the most liberal of conditions. In a swift reaction, counsel to ICPC in a counter motion, opposed the prayers sought by counsel to first defendant, saying that he had been evading trial, describing him as a serial offender who had multiple court cases against him, and therefore urged the Court to deny him the prayers sought by his lawyer, while the bail application of the second defendant was not opposed.

The trial judge after listening to both parties admitted the first accused person to bail in the sum of Four Million Naira (N4,000,000) and a surety in like sum, who must be a civil servant on grade level 08 and above.

The surety was also ordered to surrender his letter of first appointment and last promotion as well as identity card. The second accused person was also granted bail in the sum Two Million Naira (N2,000,000) and a surety in like sum. Justice Musa also ruled that the sureties must show evidence of residency within the FCT with clear address and snap themselves in front of their residences and submit to court. He equally asked them to undertake a bond to compel the defendants to attend their trial, failure of which will not only result to the revocation of the bails, but the prosecution of the sureties.

The matter was adjourned to the 19th of October 2023 for hearing. The prosecution is giving evidence as trial is ongoing.



Case 86: Umar Abubakar – Forgery and Employment Scam

The Independent Corrupt Practices and Other Related Offences

Commission (ICPC) in June 2023 arraigned one Umar Abubakar, for offences bordering on alleged forgery and employment scam.

Abubakar was docked before Honourable Justice Hafsat Abdulrahman of Adamawa State High Court 1, sitting in Yola, the Adamawa state capital. The Commission in a Charge No: HC/ADSY/127C/2022, accused the defendant of obtaining by false pretence the sum of Two Hundred Thousand Naira (N200,000) from an unsuspecting job seeker with the promise that he was going to help his victim secure an employment with ICPC.

In a 3-count charge, ICPC informed the Court of how the accused person fraudulently faked, signed and issued a letter of temporary appointment from the anti-graft Commission to his victim when he knew such a letter did not emanate from the Commission. The Court was further told that the defendant demanded for gratification in the sum of One Million Naira (N1,000,000) to enable him carry out the nefarious exercise.

His actions are contrary to Section 17(1)(a) and punishable under Section 68 of the Corrupt Practices and Other Related Offences Act, 2000, and contrary to, and punishable under Section 1 of the Advanced Fee Fraud and Other Related Offences Act, 2006 as well as contrary to Section 349 punishable under Section 351 of the Penal Code Law of Adamawa State 2018. The defendant pleaded not guilty to all the charges when they were read to him.

The defence counsel thereafter moved for a bail application on behalf of his client which was not opposed to by counsel to ICPC, Mr. Anas Kolo, who however, enjoined the Court to impose stringent measure that will compel the defendant to attend his trial. The trial judge then granted the accused person bail in the sum of Two Hundred Thousand Naira (N200,000:00) and a surety in like sum who must reside within jurisdiction of the Court.

The matter has been adjourned to the 15th of June, 2023 for commencement of trial. The prosecution is giving evidence as trial is ongoing.



Case 87: Augustine Abah – Job Racketeering

Sometime in May 2023, a Deputy Superintendent of the Federal Fire

Service, Augustine Abah has been docked by the Independent Corrupt Practices and Other Related Offences Commission (ICPC), over allegations bordering on fraud and employment racketeering.

ICPC in a Charge No: CR/283/2023, brought before Honourable Justice F.A. Aliyu of the Federal Capital Territory (FCT) High Court 57, sitting in Apo, Abuja, accused the defendant of defrauding an unsuspecting job seeker to the tune of Six Hundred Thousand Naira (N600,000).

In a 2-count charge, the Commission through its counsel, Mr. Mashkur Salisu, told the Court that the accused person fraudulently induced his victim into parting with the said sum of money in the guise of securing employment for the victim in the Federal Fire Service. His action is contrary to Section 8(i)(a) and punishable under Section 8(i)(b)(ii) of the Corrupt

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Practices and Other Related Offences Act, 2000, and contrary to Section 320(b) and punishable under Section 322 of the Penal Code Act. When the accused person was admitted to take his plea, he entered a “not guilty” plea.

The defense counsel, Mr. G.E. Ejekela, via a “Motion on Notice” thereafter moved a bail application on behalf of his client. In the application which was supported by a 6-paragraph affidavit, the defence lawyer sought the relief of the Court to grant his client bail in the most liberal of conditions, stating that the accused person was willing to attend his trial. Although the bail application was not opposed by ICPC counsel, he however, urged the Court to impose conditions that will compel the defendant attend his trial.

The trial judge after listening to both parties, admitted the accused person to bail in the sum of One Million Naira (N1,000,000) and a surety in like sum, who must be a civil servant on grade level 12 and above. Hon. Justice Aliyu also ordered that the surety should submit his Appointment and Promotion Letters to the Court for sighting.



Case 88: Muhammed Sani Nuhu – Stealing (N6,173,400)

The Independent Corrupt Practices and Other Related Offences

Commission (ICPC), has secured the conviction of one Mr. Muhammed Sani Nuhu, a former academic staff of Waziri Umaru Federal Polytechnic, Birnin Kebbi, Kebbi State, for conferring corrupt advantage on himself to the tune of Six Million, One Hundred and Seventy Three Thousand, Four Hundred Naira (N6,173,400), belonging to the Polytechnic.

In a 4-count charge brought before Hon. Justice Hassan Usman of the Kebbi State High Court, Birnin Kebbi Judicial Division, the Commission averred that Mr. Nuhu, a dismissed academic staff of the Polytechnic, conferred corrupt advantage on himself when he converted into personal use the sums of Two Million Naira (N2,000,000:00) in 2015 and Four Million, One Hundred and Seventy Three Thousand, Four Hundred Naira (N4,173,400:00) in 2016.

The monies were a special grant given to him to attend an International Conference in Aberdeen, United Kingdom and the first tranche of payment advanced to him for Doctor of Philosophy (Ph.D) Programme at University of Technology Malaysia, respectively.

In a Charge No. KB/HC/4C/2020, counsel to ICPC, Mr. Mashkur Salisu, had told the Court in a trial which lasted for two years, how the convict refused to embark on the said Programme and converted the money to his personal use. His action was contrary to, and punishable under Section 19 of the Corrupt Practices and Other Related Offences Act, 2000 as well as Section 311 of the Penal Code, and punishable under Section 312 of the Penal Code Law (Cap 89) Laws of Northern Nigeria 1963.

The trial judge found the former Poly lecturer guilty on counts one to three, and dismissed count four leveled against him. In his judgment therefore, Justice Usman sentenced him to five years imprisonment on each of the three counts. The Court also held that the convict makes a restitution of the sum of Six Million, Five Hundred Thousand Naira (N6,500,000:00) being the proceed of the crime to the federal government. The sentences are to run concurrently.



Case 89: Prof Francisca Bassey - N20.6 Million Contract Fraud

In September 2022, the Independent Corrupt Practices and Other Related Offences Commission arraigned a Dean in the University of Calabar,

Prof Francisca Bassey, for alleged involvement in a N20.6 million contract fraud.

Bassey, a Dean and Director of the Pre-Degree Programme of the university, was arraigned for allegedly having private interests in multiple contracts awarded by the school to four companies owned by her in a 10-count charge filed before Justice Elias Abua, the Commission noted that the alleged crime occurred between 2013 and 2017, in violation of Section 12 of the Corrupt Practices and Other Related Offences Act, 2000.

The accused entered a not guilty plea when the charge was read to her, as her counsel, Joseph Oloku, filed a

bail application praying the court to admit her to bail on self-recognition. The bail was not opposed by counsel to ICPC, Kioba Anabraba, who prayed the court to grant her bail on terms that would make her attend her trial.

The presiding judge after granting her bail in the sum of N5 million with one surety in like sum and with landed property adjourned the matter. The prosecution is giving evidence as trial is ongoing.



Case 90: Mrs. Grace Taiga – \$10,000 Fraud

A former Director of Legal Services in the Ministry of Petroleum Resources, Mrs. Grace Taiga, has been arraigned before a High Court of the Federal Capital Territory over her alleged involvement in the signing of the controversial gas supply contract between the Ministry of Petroleum Resources and an Irish firm, Processes and Industrial Development (P&ID).

Taiga is facing prosecution by the Economic and Financial Crimes Commission (EFCC) for allegedly receiving \$10,000.00 bribe to facilitate the award of contract in the infamous Process & Industrial Development Limited (P&ID) scam.

Mrs. Taiga was arraigned on an eight-count charge bordering on criminal breach of trust and gratification among others. In the charges, the Economic and Financial Crimes Commission (EFCC), specifically accused Taiga of signing the said agreement without obtaining approval of the Federal Executive Council (FEC) as required by law. She has since pleaded not guilty to all the charges.

Following her plea, counsel to the EFCC, Bala Sanga, asked that the defendant be remanded in prison custody pending the commencement of trial. Sanga, at the last hearing, also asked for an adjournment to enable the prosecution call its witnesses to prove the charge against the defendant.

payment against the name Grace Taiga and marked with the narrative “Gas Contract”. Her counsel, Ola Olanipekun, SAN,

moved an oral application for her bail but was turned down by the court. The EFCC counsel also objected her demands to be remanded in its custody.

After hearing out parties, the trial judge, Justice Olukayode Adeniyi of the Federal Capital Territory High Court sitting in Abuja ordered that Taiga be remanded in Suleja correctional centre pending the hearing and determination of the bail application. She was later granted bail in the sum of N10 million.

Mrs Grace's trial was stalled due to ill health and she later died in September 2023.

In a recent judgment by Robin Knowles, Justice of the Commercial Courts of England and Wales, set aside an award of \$11 billion in favour of P&ID against Nigeria. In his judgment, Justice Knowles stated that Taiga certainly had a role in bringing about the controversial gas agreement. He is quite satisfied that Nigeria is correct in its allegations that bribe were paid to Taiga before and after the contract on behalf of P&ID. He stated further that shortly after the GSPA was entered into on 29th March 2010, Ms Taiga was paid £5,000 by Hobson Industries, the payment was again signed by Mr Cahil. The pdf schedule 'Taiga G-2019' showed the



Case 91: Professor Alex Akpa – N400 Million Fraud

The Independent Corrupt Practices and Other Related Offences Commission, ICPC, has arraigned a former Acting Director General of the National Biotechnology Development Agency (NABDA), Professor Alex Akpa, on a 4-count charge bordering on fraud, abuse of office and other ancillary offences. This was contained in a statement released to DAILY POST on Thursday by the commission's spokesperson, Mrs. Azuka Ogugua. Professor Akpa was docked alongside Mr. Famous Daunemigha and Wesley Ebi Siasia, a former member of the Governing Board and an ex-Director of Finance and Accounts of the Agency respectively.

ICPC in a Charge No: FHC/ABJ/CR/302/22, brought before Honourable Justice Inyang Ekwo of the Federal High Court sitting in Abuja, had accused the defendants of diverting into private pockets the sum of

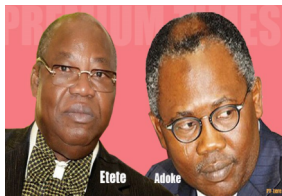
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N400m meant for the establishment of Bioresources Development Centres in four states of the Federation. The court was further informed of how the said sum of N400m which the former acting DG claimed to be an intervention fund for the biotechnology agency was shared among the trio in the ratio of N260m, N50m and N40m. Counsel to ICPC, Golden Iwuagwu, also told the court that the Commission has readied up seven witnesses to testify against the accused.

Their action is contrary to Section 18 (2) (d) and punishable under Section 18 (3) of the Money Laundering Prevention and Prohibition Act, 2022. The accused persons all entered a “Not Guilty” plea when the charges were read to them. The trial judge consequently granted them bail on terms of the administrative bail that had earlier been granted by ICPC. The Judge also ordered the prosecution to forward to the Registrar of the Court within seven days the documents of the administrative bail granted the defendants by the ICPC.

The matter was then adjourned to the 6th, 7th and 8th March 2023 for hearing. The prosecution is giving evidence as trial is ongoing.



Case 92: Mohammed Adoke, Dan Etete, Aliyu Abubakar and Others - \$1.09 Billion Malabu Scam

The EFCC on September 8, 2020, re-arraigned Malabu Oil Ltd, a businessman Aliyu Abubakar alongside six other companies on a 67-count charge bordering on money laundering. They were arraigned before Justice Inyang Ekwo of the Federal High Court, Abuja. The companies listed in the charge are: A-Group Construction Company Ltd, Rocky Top Resources Ltd, Mega Tech Engineering, Novel Properties Ltd and Carlin International Ltd. The suit which initially had a 9-count charge was filed in 2016 which had the names of former Attorney General of the Federation / Minister of Justice; Mohammed Adoke and former Petroleum Minister, Dan Etete. However, the names of Adoke and Etete were allegedly said to have been removed in the amended 48-count charge on July 1, 2021.

The EFCC has however denied removing the names of the indicted former ministers from the suit.

Mr Adoke is standing trial in two separate courts: Federal High Court, Abuja before Justice Inyang Ekwo in suit no: FHC/ABJ/CR/39/2017 and FCT High Court Gwagwalada before Justice Idris Kutigi in suit no: FCT/CR/151/2020.

At the commencement of court proceedings at the Federal High Court, all the defendants (except Dan Etete, Munamuna Seidougha and Joseph Amaran who were at large) pleaded not guilty to the charges. Before Justice Ekwo adjourned the commencement of trial to September 10, 2020. EFCC lawyer, Bala Sanga, told the court that Malabu Oil alongside former Petroleum Minister, Dan Etete, Munamuna Seidougha and Joseph Amaran, the alleged owners of Malabu Oil who have been on the run “took control of the sum of \$401, 540,000 paid from the Federal Government of Nigeria escrow account.” The Malabu scandal involved the transfer of about \$1.1 billion by oil multinationals, Shell and ENI, through the Nigerian government to accounts controlled by a former Nigerian Oil Minister, Mr. Dan Etete.

On January 28, 2021, EFCC re-arraigned former Attorney General / Minister of Justice, Mohammed Adoke before an FCT High Court on an amended 42-count corruption charge. Adoke is facing trial alongside six others over alleged role in the fraudulent transfer of ownership of the Malabu oil bloc deal to the tune of \$1.1 billion. It was alleged that Adoke mediated controversial agreements that ceded OPL 245 to two oil giants, Shell and ENI, which in turn paid \$1.1 billion to accounts controlled by Dan Etete.

Meanwhile, Dan Etete and some top executives from Shell and ENI had undergone corruption trial in an Italian court with all parties acquitted of corruption on March 18, 2021, in spite of the ongoing trial in Nigeria. The defendants who were initially arraigned on January 23, 2020, pleaded not guilty to the amended charge that was read to them before the trial Justice Abubakar Kutigi. The prosecution counsel, Mr. Bala Sanga, said the charge was amended “to enlarge the scope of criminal liabilities” against the defendants.

The case which was adjourned to April 14, 2021, for commencement of hearing was however halted by the strike embarked upon by judicial workers.

On July 2, 2021, an online media reported that Adoke had lodged a formal complaint with the Italian government alleging professional misconduct by prosecutors in the OPL 245 trial. The two Italian prosecutors are Fabio De Pasquale and Sergio Spadaro.

At the Federal High Court, the matter came up on 5th October 2022 for argument on Adoke's co-defendant; Abubakar's no case submission. Counsel to Abubakar, Chief Wole Olanipekun SAN, argued the no case submission and pray the court to uphold same. Counsel to Adoke, Kanu Agabi SAN, aligned with the argument of Olanipekun SAN. The Federal High Court adjourned the matter to 12th December 2022 for ruling on the no case submission.

At the Federal Capital Territory High Court, the matter came up on 18th October 2023 for continuation of trial before Hon. Justice Idris Kutigu. The Judge was furious with EFCC for failing to produce its witness in court to testify. EFCC counsel, Ofem Uket informed the court that the last witness has relocated to Canada and the need to be sure the court would sit before making arrangement for the witness to testify. A witness present in court however testified for the prosecution and a document tendered by the witness was objected by the defendants counsel on the ground that the same evidence was rejected by the Federal High Court. The court adjourned the case to 19th October, 2023 for ruling on the admissibility of the document.

In the meantime, the case filed by Nigeria at the Commercial Court of England and Wales against JP Morgan Chase Bank on the ground of “Quincecare duty” alleging that the bank ought to have known that there was corruption and fraud in the transaction which saw Malabu Oil & Gas Ltd sell its 100 percent stake in OPL 245 to Shell and ENI for \$1.1 billion in 2011. The UK Court delivered judgment against Nigeria stating that Nigeria did not prove its case.



Case 93: Air Marshall Mohammed Dikko Umar. (RETD.) - N9.7 Billion Fraud Trial

The Economic and Financial Crimes Commission (EFCC) on May 11, 2016, arraigned a former Chief of Air Staff, Air Marshall Mohammed Dikko Umar (retired) before Justice Binta Nyako of the Federal High Court, Abuja on a 7-count charge bordering on money laundering, criminal breach of trust and corruption to the tune of about N9.7 billion. EFCC alleged that the defendant while in office as the Air Force Chief, illegally withdrew the money from the Air Force account and used same for choice properties within Abuja and Kano. The accused person however pleaded not guilty to all the charges when they were read to him.

At the resumed hearing February 5, 2019, Justice Nnamdi Dimgba who presided over the trial drew attention of the prosecution to the fact that he was recently transferred out of Abuja. On February 23, 2021, the defendant was discharged and acquitted on 6 out of the 7-count money laundering charge. The court, in a ruling delivered by Justice Nnamdi Dimgba, said it found merit in a no case submission the defendant filed and held that a holistic review of the totality of evidence before the court showed that the EFCC failed to establish a prima facie case that would warrant the defendant to be called upon to enter his defence for 6 out of the 7-count charge. According to Justice Dimgba, the allegations in counts 1-6 of the charge were based on speculation, suspicion and assumptions. The judge however contended that the defendant has a case to answer with respect to the seventh count of the charge which borders on transfer of the sum of N66 million from the Air Force account into his lawyer's account to renovate his property in Abuja around March 2012. The court also directed the defendant to open his defence in relation to the seventh count. On September 27, 2021, the defendant gave evidence and Justice Dimgba thereafter adjourned the matter to September 30, 2021 for continuation of trial.

At the resumed hearing of the trial, both parties adopted their respective final written address and the court adjourned to March 17th, 2022 for judgment.

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At the resumed date, the court delivered judgment, discharging and acquitting the defendant.

In another development, the EFCC had earlier appealed the ruling on the no case submission wherein the trial court dismissed 6 out of the 7 count charge against the defendant. In a unanimous decision by the justices of the Court of Appeal in August 2022, the court overturned the judgment of the Federal High Court and ordered that the defendant continue with his defence on count 1,2,3,5 and 6. Trial is still ongoing. trial court.



Case 94: Abayomi Kukoyi & 3 Others - €2.556 Billion Fraud Trial

The Economic and Financial Crimes Commission (EFCC) on January 27, 2021 re-arraigned four directors of an oil firm; Petro Union and Gas Limited, on a 13-count charge of alleged \$2.6 billion fraud, approximately (N1.4trillion), at a Federal High Court in Lagos presided over by Justice Mohammed Liman.

The four directors, Abayomi Kukoyi (trading under the name and style of Gladstone Kukoyi & Associates); Kingsley Okpala, Chidi Okpalaeze and Emmanuel Okpalaeze were earlier on February 13, 2020, arraigned by the EFCC on a 7-count charge bordering on conspiracy, false pretence, attempt to steal and forgery. The accused persons are alleged to have forged a Barclay Bank's cheque and attempting to use it to obtain €2.556 billion pounds from the CBN. They are also accused of forging a CBN statement of account purporting to be that of Goldmatic Ltd with which they tried to prove there was actual transaction.

The trial of the defendants promptly commenced following their no guilty plea to the amended charge. Eight witnesses including Senator Nenadi Usman, former finance minister have testified against the defendants. At the resumed hearing of the case on February 3, 2021, the court admitted more evidence tendered by EFCC. The case was thereafter adjourned to March 10, 2021, for continuation of trial. The case came up at the adjourned date wherein the prosecution gave more evidence. The case was further adjourned to March 16, 2022, for the prosecution to continue.

At the resumed date, the prosecutor, EFCC, presented its 11th prosecution witness (PW11) Ahmad Sulaiman, an EFCC official. Sulaiman testified as to the investigation he carried out and also tendered some bank documents and copies of DVD in evidence. Since the defendants have not been served copies of the DVD, the court had to adjourn the matter for the defendants to be served and for cross-examination. The matter was adjourned to 24th and 25th May 2022 for continuation.

At the resumed hearing in May 2023, the EFCC presented its last witness, Nathaniel John Webb, a senior investigative officer at the National Crime Agency, UK. Following the testimony of Webb and closing of its case by EFCC, The defendants thereafter applied to file a no case submission. Further hearing was adjourned to June 2023. Trial is still ongoing.



Case 95: Orji Uzor Kalu & 2 Others - N7.1 Billion Fraud Trial.

Senator Orji Kalu, a former Abia State Governor and currently a Senator representing Abia North alongside Mr. Udeogu, Kalu's company, Slok Nigeria Limited have been on trial on corruption charges brought against them by the Economic and Financial Crimes Commission (EFCC) since 2017 leading to the conviction of the former governor on December 5, 2019.

The EFCC in 2007 slammed a 36-count charge against Udeogu, Kalu and his company. After series of counter applications and delay, Kalu was on December 5, 2019 sentenced to 12 years imprisonment by Justice Mohammed Idris for allegedly stealing public funds while in office. His co-accused Mr. Udeogu was sentenced to 10 years in prison. The third defendant, Mr. Kalu's company, Slok Nigeria Limited was ordered to be wound up and its assets forfeited to the Nigerian government.

However, the Supreme Court on May 8, 2020 considered null and void the trial following an appeal filed by Kalu's co-defendant. The Supreme Court nullified the trial on the basis that Mohammed Idris,

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the trial judge, had no subsisting legal ground to hear the matter since he has been elevated to the Court of Appeal.

Based on the apex court's verdict, the EFCC, which prosecuted the case, filed a retrial suit against Kalu and other defendants at a Federal High Court, Abuja and asked the court to transfer the matter to the Lagos division of the court.

Justice Inyang Ekwo of a Federal High Court, Abuja, on July 26, 2021 fixed September 29, 2021 for judgment in a suit filed by Slok Nigeria Limited against the EFCC. Slok, which is owned by Orji Uzor Kalu, was seeking the court order restraining the EFCC from retrying the firm and its chairman (Kalu) in the alleged N7.1 billion fraud case. Slok Nigeria Limited, in an ex parte application, requested for an order prohibiting the federal government through the EFCC, her agents, her officers, servants, privies and any other person or bodies deriving authority from the Federal Republic of Nigeria from retrying the applicant on charge No. FHC/ABJ/CR/56/07 or any other charge based on the same issue. The company which claimed that they were being embarrassed and harassed by the anti-corruption commission urged the court to stop the EFCC from further retrial.

Following adoption of processes filed by the counsel to the parties. Justice Ekwo adjourned the matter to September 29, 2021 for judgment in the suit filed by Slok Nigeria Limited against the EFCC. On September 29, 2021 the court granted the Motion on Notice filed by counsel to Orji Uzor Kalu urging the court to stay his prosecution. The EFCC however vowed to appeal the ruling. At the resumed hearing of the case on Thursday 10 March, 2022, the EFCC, through its lawyer, Oluwaleke Atolagbe, applied for the transfer of the trial to the Lagos division of the court. Mr Atolagbe cited Sections 18, 19, 22 and 45 of the Federal High Court Act 2010 and Section 93 of the Administration of Criminal Justice Act, 2015.

The EFCC, in its application, raised five grounds for seeking the transfer of the case to the Lagos division of the court. One of the grounds is that the Abuja division of the court lacks the requisite territorial jurisdiction to entertain and try the defendants in respect of the

charge. The anti-graft agency recalled that the charges were originally filed at the Federal High Court Abuja in 2007.

Mr Atolagbe said following the decision of the Supreme Court that many of the ingredients of the offences occurred in Lagos and that most of the proposed prosecution witnesses were residing in Lagos, the EFCC applied to the Chief Judge of the Federal High Court to transfer the matter to Lagos division of the court where the defendants were prosecuted and judgment delivered in the matter

The judge, Mr Ekwo, said he would not take the application in view of the approaching Easter holidays. The judge adjourned to May 17. At the resumed date, the prosecutor moved its application to transfer the case to Lagos. However the court refused the application on the ground that it is only the Chief Judge of the Federal High Court that has the power to transfer in line with Section 98 of the Administration of Criminal Justice Act 2015.

Justice Ekwo also held that the prosecution counsel, Mr Rotimi Jacobs had on two previous occasions written to the Chief Judge of the Federal High Court for the transfer of the case to Lagos. However, the request was denied and the prosecution ought to abide by the court's decision. This decision was reached notwithstanding the fact that the charge was originally tried and determined at the Lagos division of the Federal High Court.

Following the ruling of Justice Ekwo, EFCC filed a motion: CA/ABJ/PRE/ROA/CR/1125MV/2022 at the Court of Appeal seeking an extension of time to apply for leave to appeal against the said ruling. The appeal is currently pending at the Court of Appeal.



Case 96: Mr Chima Igwe – Certificate Forgery.

On Friday November 12, 2021, Mr Chima Igwe, a former acting Director General of the Federal Institute of Industrial Research, Oshodi (FIIRO), Lagos was arraigned before Justice Solebo of the Special Offences Court in Ikeja, Lagos by the Independent Corrupt Practices and Other Related Offences Commission (ICPC).

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He pleaded not guilty to the charge and was granted bail in the sum of N500,000 and two sureties with verifiable residential addresses in Lagos.

The former DG was amongst others accused of using false attestation letter to acquire many promotions which made him rise to director grade in the civil service. One of the three counts reads thus: Chima Cartney Igwe (m) sometimes in December 2002 or thereabout in Lagos within the jurisdiction of this Honourable Court, while being a Public Officer with Federal Institute of Industrial Research, Oshodi (FIIRO) knowingly gave, with intent to deceive, an attestation letter signifying the completion of PhD Degree programme from University of Abomey-Calavi (UAC), Republic of Benin, to the Federal institute of Industrial Research, Oshodi (FIIRO).

The court orders that Mr Chima Igwe be remanded at a correctional centre until he fulfills his bail condition and adjourned the case to February 20, 2022 for commencement of trial.

It will be recalled that the Human and Environmental Development Agenda (HEDA Resource Centre) wrote the petition that led to investigation of Mr Chima Igwe by the ICPC and when it appeared ICPC were not willing to prosecute Mr Igwe, HEDA Resource Centre instituted an action against ICPC at the Federal High Court, Lagos for an order to mandate ICPC to prosecute Mr Igwe. The matter at the Federal High Court had been withdrawn following the arraignment of Mr Igwe.

The matter which is assigned to Justice Sherifat Solebo was originally scheduled to commence trial on 12th September, 2022 but it could not go on as the judge is retiring from the bench by the end of this year. And the matter would be reassigned to a new judge. The matter has been adjourned to 12th January 2023 pending the re-assignment to another judge.

The matter which is starting de-novo has been re-assigned to another judge



Case 97: Vice Admiral Murtala Nyako (RETD) (Former Governor of Adamawa State), Senator Abdulaziz Nyako - N29 Billion Fraud

A Federal High Court in Abuja on January 24, 2022, gave a former Governor of Adamawa State, Vice Admiral Murtala Nyako (retd) and his son, Senator Abdulaziz Nyako, a 24-hour ultimatum to enter their defence in the N29 billion fraud charges brought against them by the Federal Government.

Justice Okon Abang issued the ultimatum following the persistent claims of the former governor and his son that they were not yet ready to open defence in the criminal charges against them. At the resumption of the trial, where the ex-governor and his son were billed to kick-start the process of establishing their innocence, the former governor told Justice Abang that he was not yet ready to do that. His position was adopted by his son who asked the court to give them time to go and prepare for the defence.

In a short ruling on the request for time, Justice Abang rejected the plea but stood down trial to enable the defendants put their house in order. Justice Abang recalled the judgment of the Court of Appeal delivered on January 18 which dismissed the no case submission of the two defendants and ordered them to return to the High Court to open their defence.

At the last date in February 2022, defence counsel sought to tender documents from the bar but was opposed by prosecution counsel Rotimi Williams, SAN. The court adjourned to March 10, 2022 for ruling on the application.

The Economic and Financial Crimes Commission, EFCC, had on January 18 secured nine judgments against the former governor, his son, Senator Abdulaziz Nyako and seven of his business partners. The Court of Appeal, Abuja Division, delivered all the nine judgments in separate nine appeals filed by the nine defendants to seek nullifications of the N29 billion money laundering charges against them.

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The appeals are: CA/A/CR/589/2021 (by Nyako), CA/A/CR/590/2021 (by Zulfizil Abba), CA/A/CR/591/2021 (by Crust Energy), CA/A/CR/595/2021 (by Sebore Farms), CA/A/CR/596/2021 (by Blue Opal Ltd), CA/A/CR/597/2021 (by Abdulaziz), CA/A/CR/594/2021 (by Pagado Fortunes), CA/A/CR/593/2021 (by Abubakar Aliyu) and CA/A/CR/592/2021 (by Tower Asset Mgt).

In the nine separate judgments, a three-member panel of the court led by Justice Peter Olabisi Ige, dismissed the appeals by Nyako and eight others and ordered them to return to the Federal High Court and enter their defence to the 37-count charge pending against them by providing answers to questions raised in the evidence presented by the Federal Government.

Nyako and the others had appealed against the July 19, 2021 ruling by Justice Okon Abang of the Federal High Court, Abuja, which rejected their no case submissions. The other defendants are Nyako's son, Abdulaziz; Zulfizil Abba, Abubakar Aliyu, Sebore Farms and Extension Limited, Pagado Fortunes Limited, Blue Opal Limited, Tower Assets Management Limited and Crust Energy Limited.

At the last date, the defendants in their usual tactics to delay the trial sought to change their counsel from Kanu Agabi SAN to Okoi Efut. This was however opposed by prosecution counsel, Rotimi Jacobs SAN and agreed by the court on the ground that the statutory three days' notice was not given. The trial is ongoing as the defendants are still giving evidence.



Case 98: Peter Hena (Former Director of Firs) & 8 ORS – N2.1 Billion Fraud

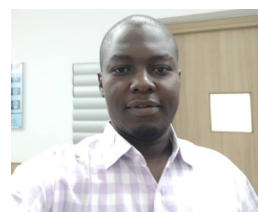
The Economic and Financial Crimes Commission (EFCC) on April 25, 2019 arrested the former Coordinating Director, Support Service Group of FIRS, Peter Hena, for an alleged N2.1 billion scam. Nine officials of the revenue agency were also interrogated by the EFCC in relation to the matter. The arrest and detention of Mr. Peter Hena was triggered by a petition written by an insider within the FIRS.

The EFCC arraigned the defendants on March 11, 2021 before Justice Ijeoma Ojukwu of the Federal High Court Abuja who granted bail to the defendants.

On June 23, 2021, EFCC re-arraigned Peter Hena and eight other officers of the agency before Justice Toyin Bolaji Adegoke of the Federal High Court, Abuja. The other defendants are Mohammed Bello Atta, Amina Sidi, Umar Aliyu Aduka, Obi Okeke Malachy, Obaje Napoleon Adofu, Udo-Inyang Alfred and Benjamin Jiya. Their re-arraignment followed the transfer of the former trial Judge, Ijeoma Ojukwu.

The defendants were docked on a 42-count charge bordering on corruption, fraud and criminal misappropriation of funds to the tune of N4.5 billion. The defendants, all staff of the FIRS between January 2017 and December 2018 were accused of conspiring to conceal funds which were said to be proceeds of unlawful activities to wit: corruption, fraud and criminal misappropriation of funds. The defendants however pleaded “not guilty” to the charges. Justice Toyin Bolaji Adegoke however granted the defendants bail and fixed September 28, 2021 for commencement of trial.

The absence of the eighth defendant, Udo-Inyang Effiong Alfred due to ill-health on the adjourned date stalled the trial. Justice Bolaji thereafter, adjourned to 12th and 17th May 2022 for definite hearing. On the new date, trial could not proceed. Trial is ongoing.



Case 99: Mohammed Ali Garba – Forgery, Extortion & Impersonation

A civil servant with the Yobe State Government, Mohammed Ali Garba, was on 15th December 2022 arraigned by the Independent Corrupt Practices and Other Related Offences Commission (ICPC), for offences bordering on extortion impersonation, and forgery. Garba was arraigned before Honourable Justice M.A. Hassan of the Federal Capital Territory (FCT) High Court sitting in Abuja, Nigeria.

In Charge No: CR/478/2022 filed before the trial court, ICPC is alleging that the defendant forged a letter of

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investigation activities of an ongoing investigation against the Provost of the Federal College of Education, Oji River, purportedly signed by the Commission's Director of Operations. The Commission further alleged that the accused person used the fake letter of investigation activities to extort the sum of Three Million, Five Hundred Thousand Naira (N3.5m) from the said provost in the guise that he was going to settle the Director of Operations to "kill" the non-existent investigation.

As part of the charges, ICPC accused the defendant of making a false statement by stating that he did not further his education beyond the primary level when he actually holds a Bachelor of Arts in Linguistics/English from the University of Maiduguri. His offences are contrary to, and punishable under Section 364 of the Penal Code Act, and Sections 10 and 25 of the Corrupt Practices and Other Related Offences Act, 2000.

He pleaded not guilty to all the charges when they were read to him. His counsel, A.D. Atanda and M.K. Akanbi, thereafter raised a bail application on behalf of their client which was not opposed by the prosecution counsel, Mashkur Salisu.

The matter was therefore adjourned to the 15th of January 2023 for determination of the bail application. Meanwhile, the Judge ordered the administrative bail earlier granted him by the Commission to subsist. Trial is ongoing as the prosecution is still giving evidence.



Case 100: : Colonel Sambo Dasuki (RETD.) & 4 Others - \$2.1 Billion Arms Fund Diversion Trial.

The trial of former National Security Adviser (NSA), Col. Sambo Dasuki (retd) and four others for alleged misappropriation of N109.4 billion arms funds was adjourned to 22 February, 2022 for continuation of trial.

Dasuki who is on trial on two separate cases alongside other defendants since December 2015 when he was arrested on allegations of diversion of \$2.1 billion from funds meant for the war against terrorism, denied any

wrongdoing. The EFCC arraigned Dasuki and others before Justice Peter Affen on a 22-count charge. He was charged with a former Minister of State for Finance, Bashir Yuguda; a former Sokoto State Governor, Attahiru Bafarawa; his son, Sagir and his company, Dalhatu Investment Limited on a 25-count charge bordering on criminal breach of trust and misappropriation of public funds to the tune of N109.4 billion.

Justice Affen granted Dasuki bail after the court heard that he had been arraigned on the same charges of corruption. Dasuki and his co-accused persons were granted bail in sum of N250 million each with two sureties in like sum. But the case was subsequently transferred to Justice Hussein Baba-Yusuf's Court following the defence team's complaints that it would amount to double jeopardy for their clients to be standing trial in two courts simultaneously on similar charges. The new judge however maintained the bail earlier granted by the former court.

Before the case was transferred to Justice Baba-Yusuf, Dasuki was standing trial before the judge alongside a former General Manager in the Nigerian National Petroleum Corporation (NNPC), Aminu Baba-Kusa, and two firms: Acacia Holdings Limited and Reliance Referral Hospital Limited. Mr. Dasuki and co-accused were re-arraigned on an amended 32-count charge bordering on criminal breach of trust and for illegally receiving various sums of money to the tune of N33 billion.

However, it was learnt that Justice Yusuf was appointed as the Chief Judge of the FCT, he again assigned the case to Justice Yusuf Halilu. The EFCC re-arraigned him and others on Monday 23rd May, 2022 on allegations of breach of trust and criminal misappropriation of public funds amounting to N23.3bn.

Dasuki, Bafarawa and Yuguda were slammed with 25 count charges and accused of diverting various sums in various currencies to different bank accounts under the false pretence of using the funds for procurement of security equipment. They all pleaded not guilty after which the former NSA applied for permission to travel

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overseas for medical reasons after which Justice Halilu adjourned the matter. The matter is still ongoing.

It is noteworthy that the defendants had once approached the Supreme Court for an order suspending his trial at the FCT High Court pending when the Federal Government obeys the bail order granted in his favour. However, the Supreme Court upheld the decision of the Court of Appeal dismissing the appeal on the ground that the bail granted had been obeyed by the EFCC and implemented by the Controller of Kuje Correctional Centre.

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TOTAL AMOUNT RECORDED: N 356,179,850,000.00
 \$ 36,357,253,700.00
 € 27,000.00

Male	Female
N 329,969,850,000.00	N 29,210,000,000.00
\$ 16,357,243,700.00	\$ 20,000,010,000.00
€ 27,000.00	

Table 1
Frequency Counts and Percentages of Major Defendants in the Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Former Ministers and Advisers	12	12.0	12.0	12.0
Senators	7	7.0	7.0	7.0
Former Governors	12	12.0	12.0	12.0
Others	69	69.0	69.0	69.0
Total	100	100.0	100.0	100.0

Results in Table 1 shows that a total of 100 corruption cases were considered. Of this, 12% involve Former Governors of States in Nigeria, while 12% represent the involvement of Former Ministers and Advisers for Government office holders. The involvement of Senators are at 7%.

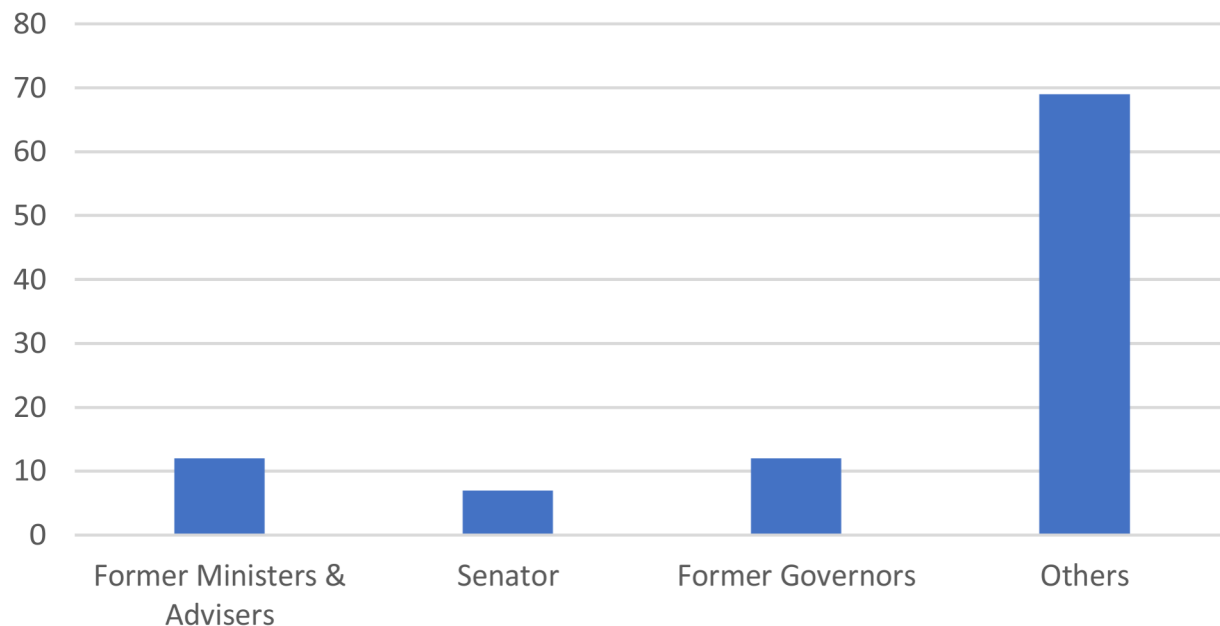


Fig 1: Chart of Personalities involved in the cases as Major Defendants.

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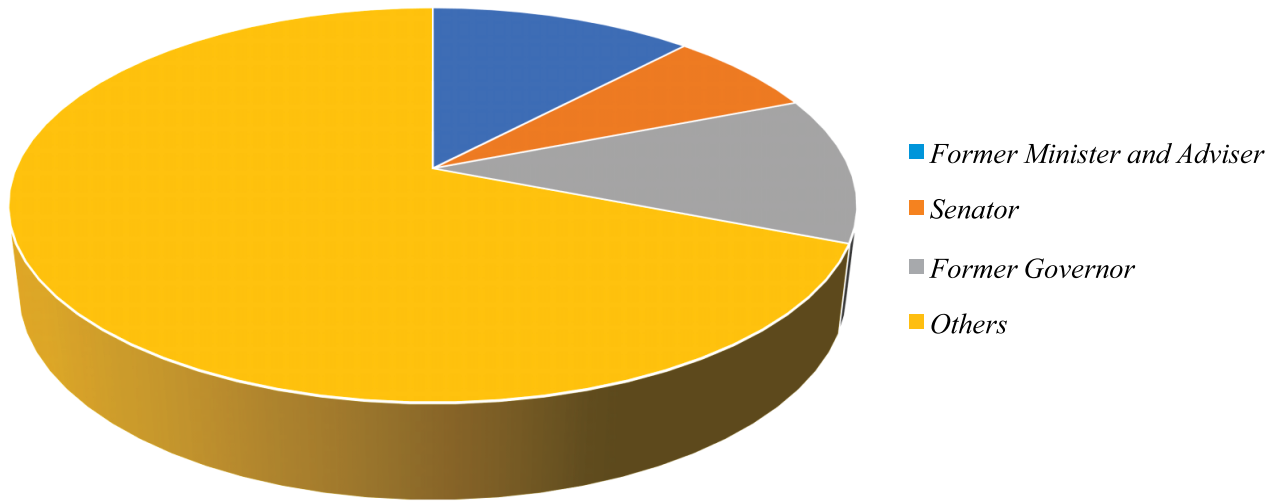


Table 2
Frequency Counts and Percentages of Year of Inception of Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
2007	1	1.0	1.0	
2008	0	0.0	0.0	
2009	0	0.0	0.0	
2010	1	1.0	1.0	
2011	2	2.0	2.0	
2012	1	1.0	1.0	
2013	2	2.0	2.0	
2014	1	1.0	1.0	
2015	6	6.0	6.0	
2016	3	3.0	3.0	
2017	5	5.0	5.0	
2018	3	3.0	3.0	
2019	2	2.0	2.0	
2020	6	6.0	6.0	
2021	5	5.0	5.0	
2022	27	27.0	27.0	
2023	35	35.0	35.0	
Total	100			

Results in Table 2 revealed that a total of 100 corruption cases were considered. In 11 (11.0%) of the cases, year of inception of cases was not available. The highest year of case inception was 2023 with 35 cases (35.0% of the total) and 2022 with 27 (27.0% of the total). Year 2020 and 2015 witnessed the inception of 6 (6.0%) cases. Others ranged from one to nine cases in a year. The distribution of the number of cases by year of inception is presented in Figure 2

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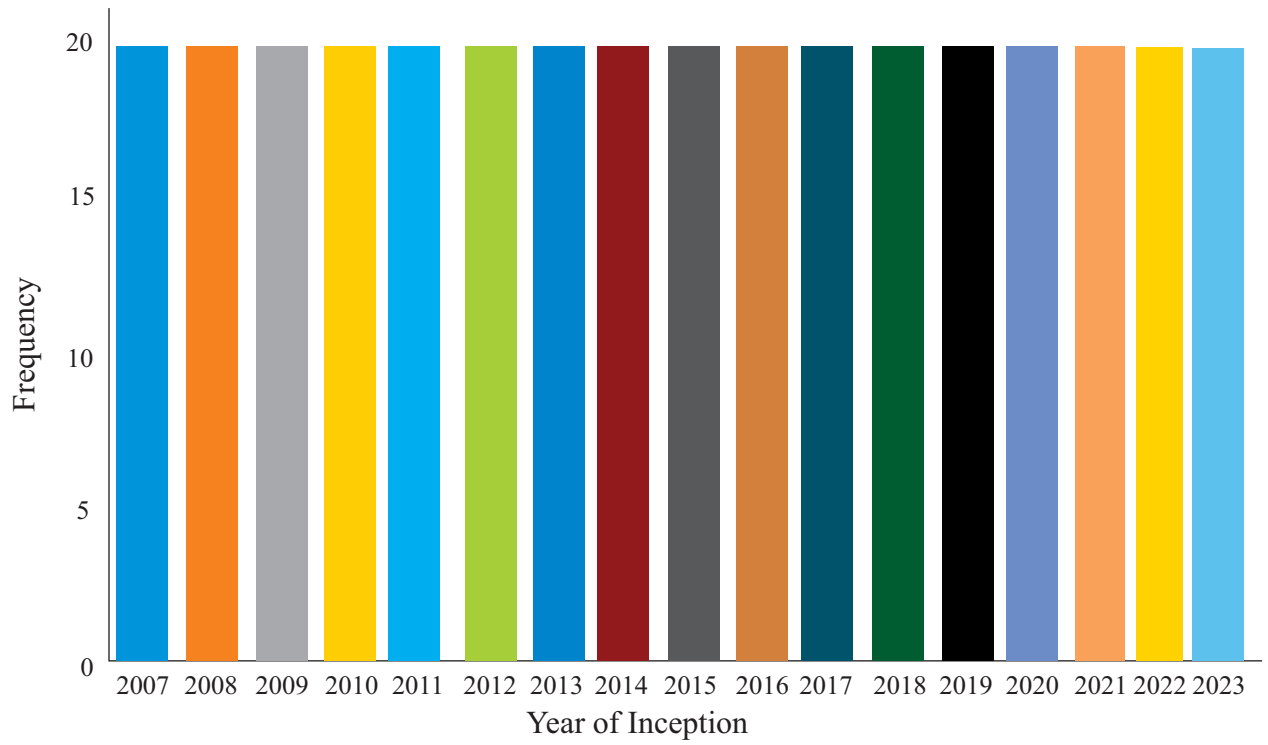
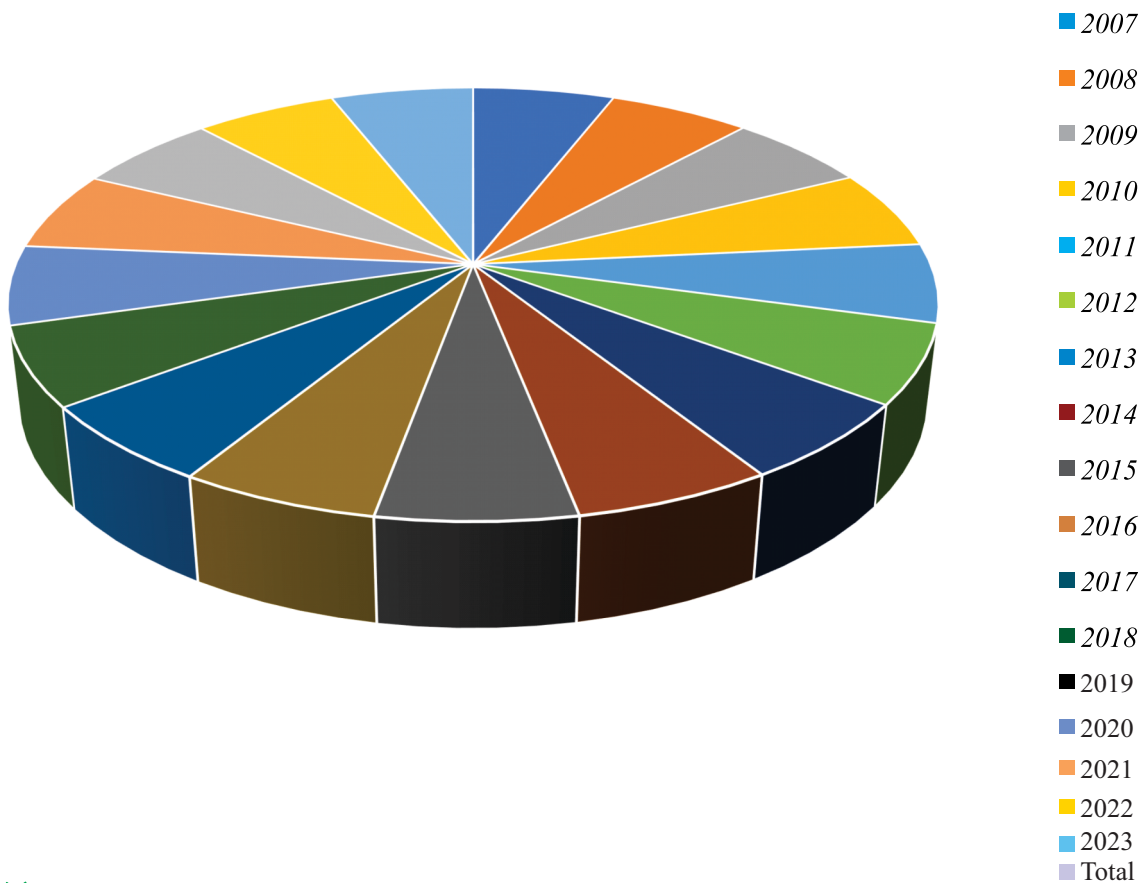


Fig 2: Chart of Year of Inception of Cases



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Table 3
Frequency Counts and Percentages of Prosecuting Agency of Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Information Not Available	4	4.0	4.0	
EFCC	69	69.0	69.0	
ICPC	23	23.0	23.0	
CCT	0	0.0	0.0	
SPIRPP	1	1.0	1.0	
NDLEA	1	1.0	1.0	
KSPCAC	2	2.0	2.0	
Total	100	100.0	100.0	

Results in Table 3 indicated that a total of 100 corruption cases were considered. Seventy nine (69.0%) cases were prosecuted by the Economic and Financial Crimes commission (EFCC) while thirteen (23.0%) cases were prosecuted by the Independent Corrupt Practices Commission (ICPC). The distribution of the prosecuting agencies is visually presented in Figure 3

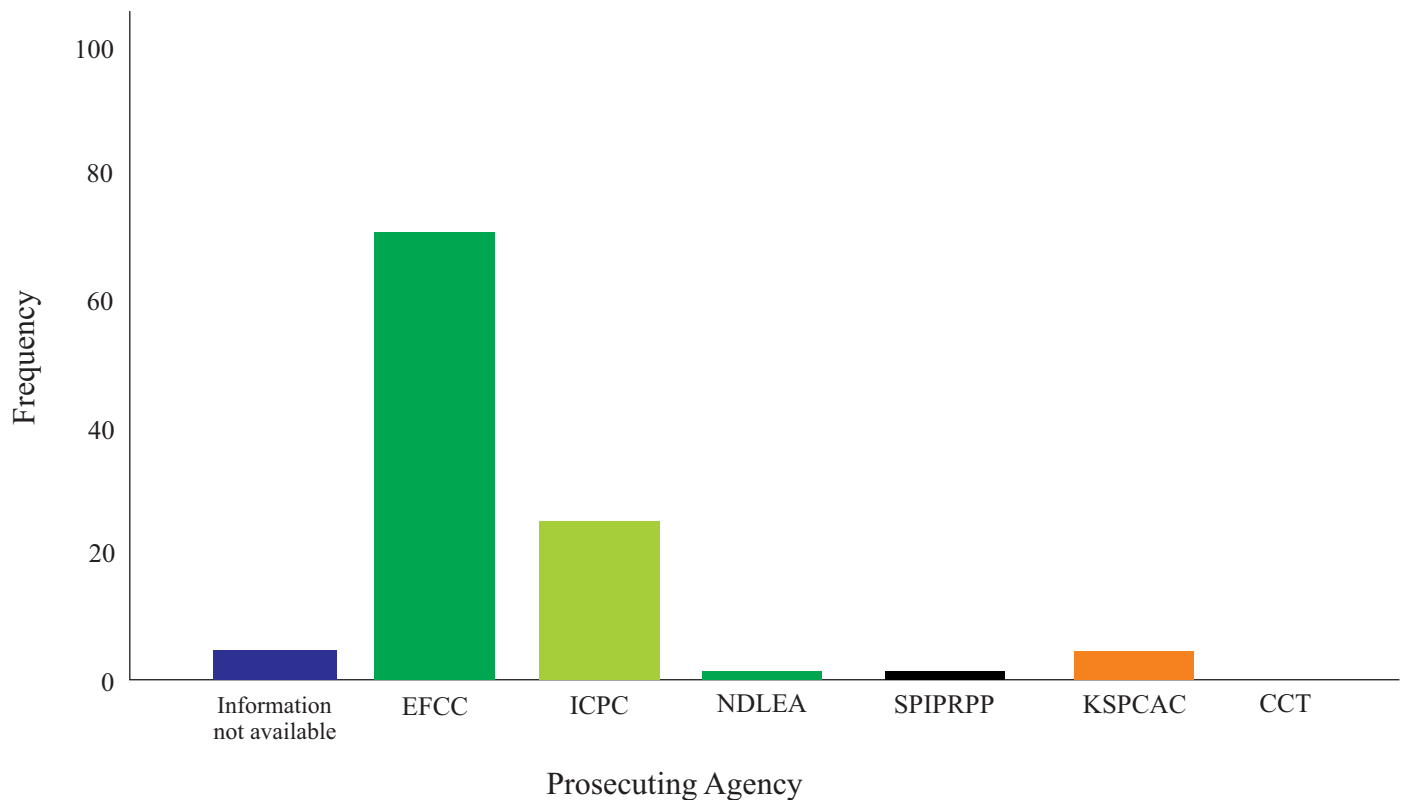


Fig 3: Chart of Prosecuting Agency

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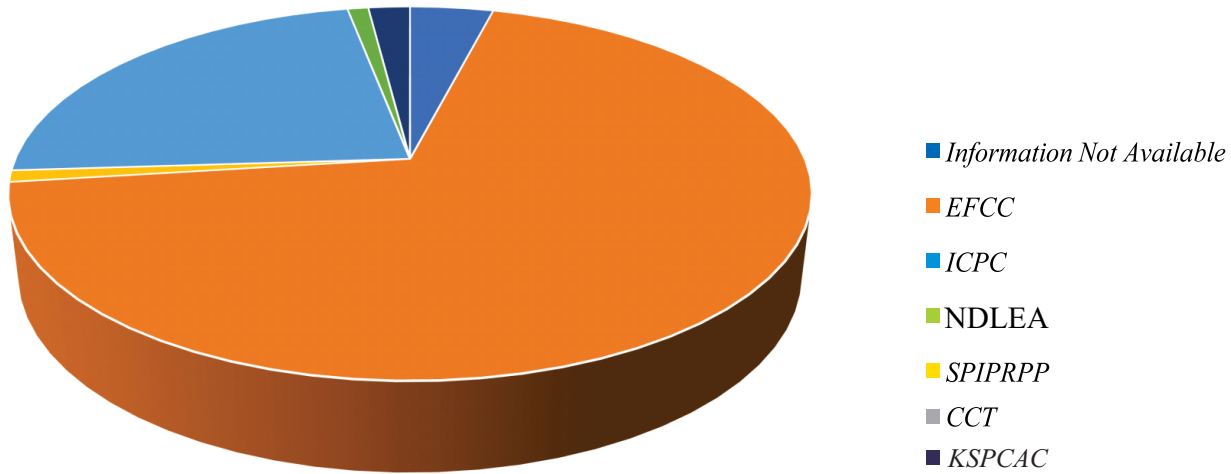


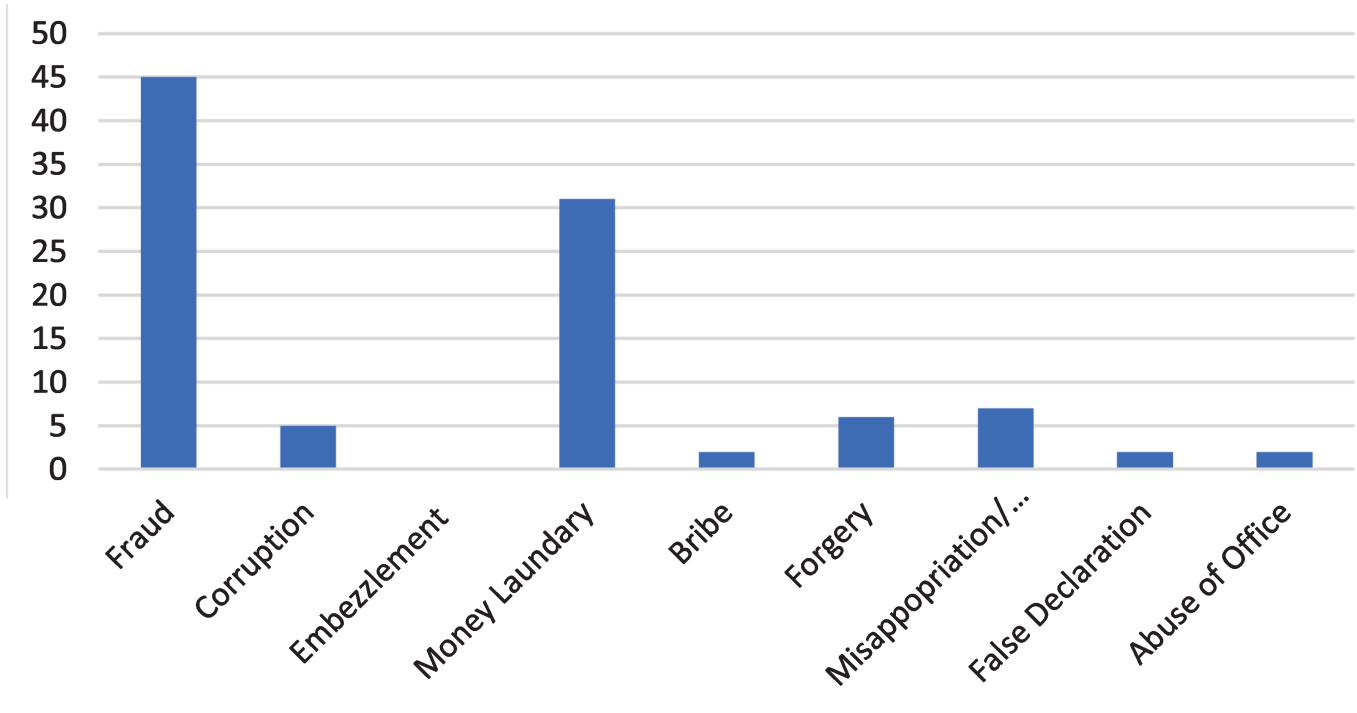
Table 4
Frequency Counts and Percentages of Main Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Fraud	45	45.0	45.0	
Corruption	5	5.0	5.0	
Embezzlement	0	0.0	0.0	
Money laundering	31	31.0	31.0	
Bribe	2	2.0	2.0	
Forgery	6	6.0	6.0	
Misappropriation/Mismanagement	7	7.0	7.0	
False Declaration	2	2.0	2.0	
Abuse of Office	2	2.0	2.0	
Total	100			

Results in table 4 shows that of a total of 100 corruption cases considered, 45 (45%) of the cases bordered on fraud, while 31 (31%) were based on money laundering. General corruption accounted for 5 (5%), while misappropriation or mismanagement of funds accounted for 7 (7%) of the cases examined.

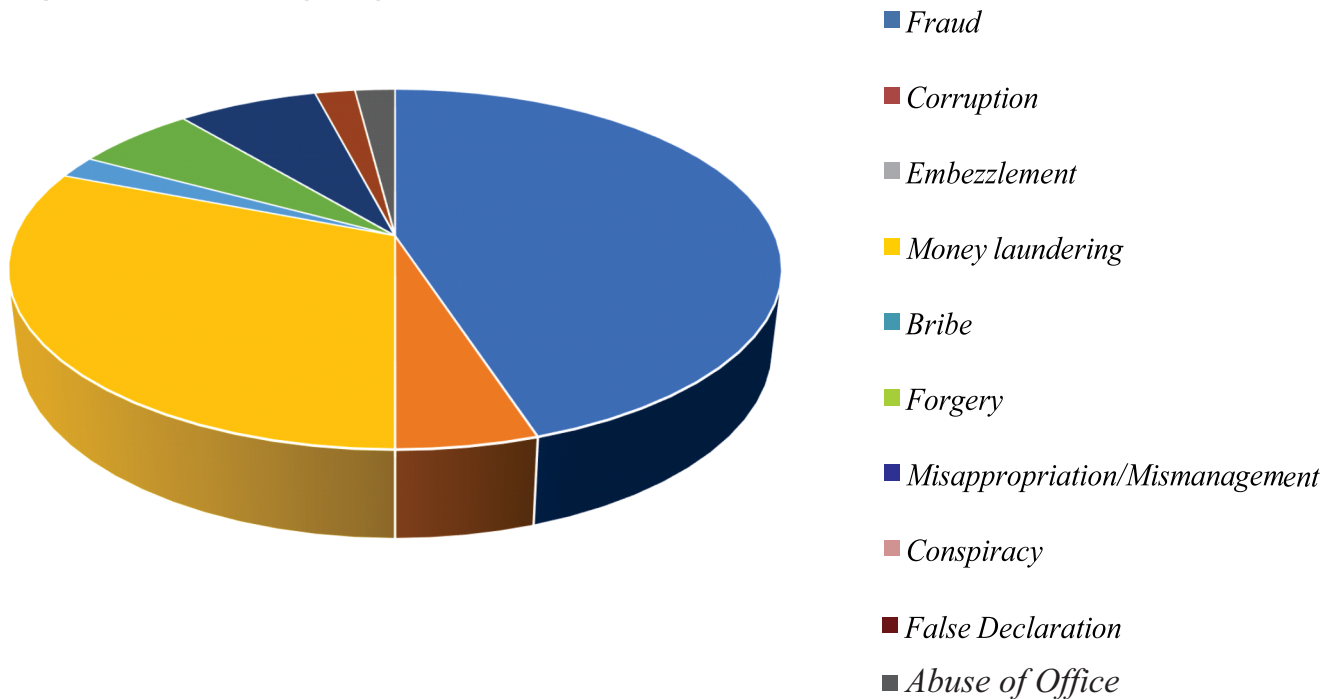
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Main Charges

Fig 4: Chart of Charges against Defendants



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Table 5

Frequency Counts and Percentages of Judgments in the Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Ongoing	60	60.0		
Pending	4	4.0		
Case Dismissed	13	13.0		
Sentenced	10	10.0		
Properties seized	3	3.0		
Convicted but later discharged	5	5.0		
Stalled	3	3.0		
Plea Bargaining	0	0.0		
Under Investigation	2	2.0		
Total	100	100		

Results in Table 5 indicate that a total of the 100 corruption cases considered number of cases under review. Sixty (60.0%) cases are ongoing while 4 (4.0%) are pending. 13 (13.0%) cases were dismissed while in Ten (10.0%) of the cases, defendants were sentenced. The distribution of the status of cases is graphically presented in Figure 5

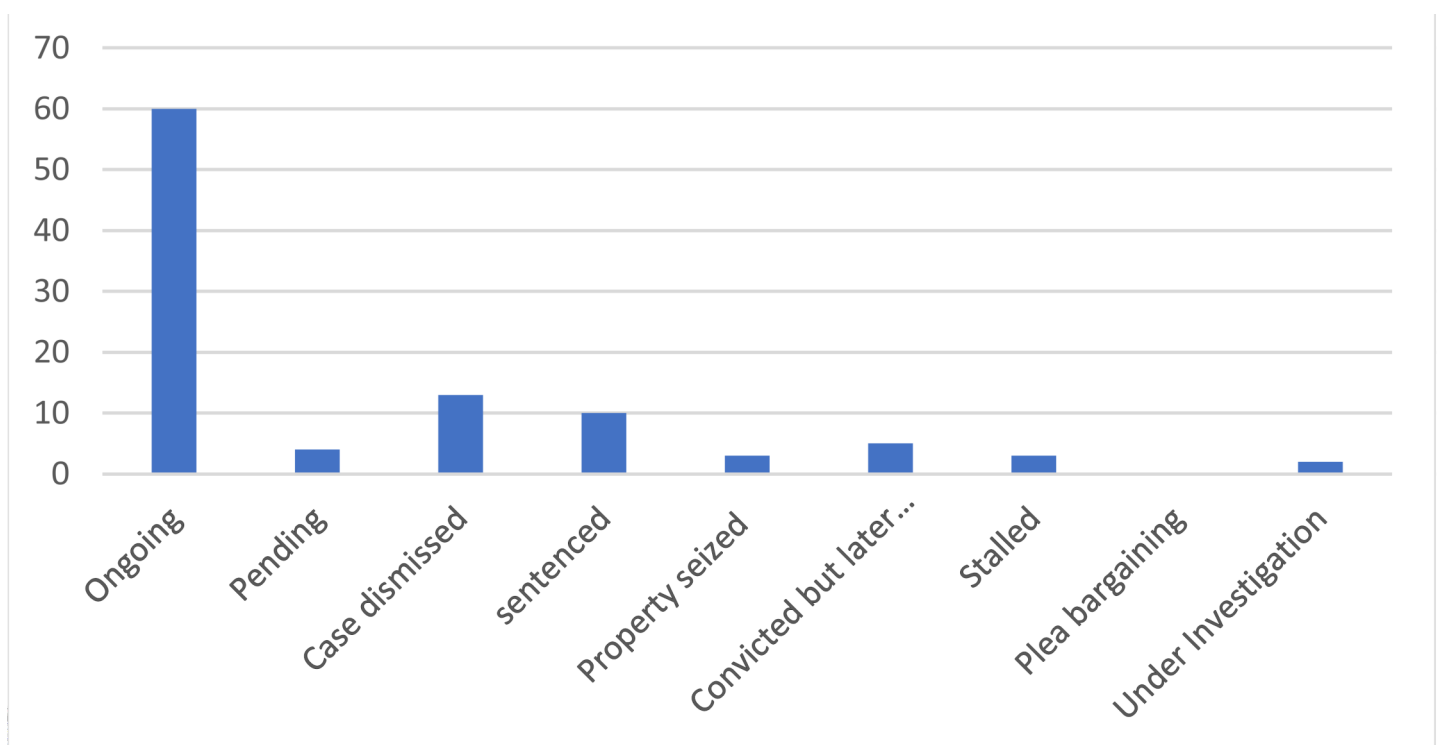


Fig 5: Chart of Status of Cases

Judgement

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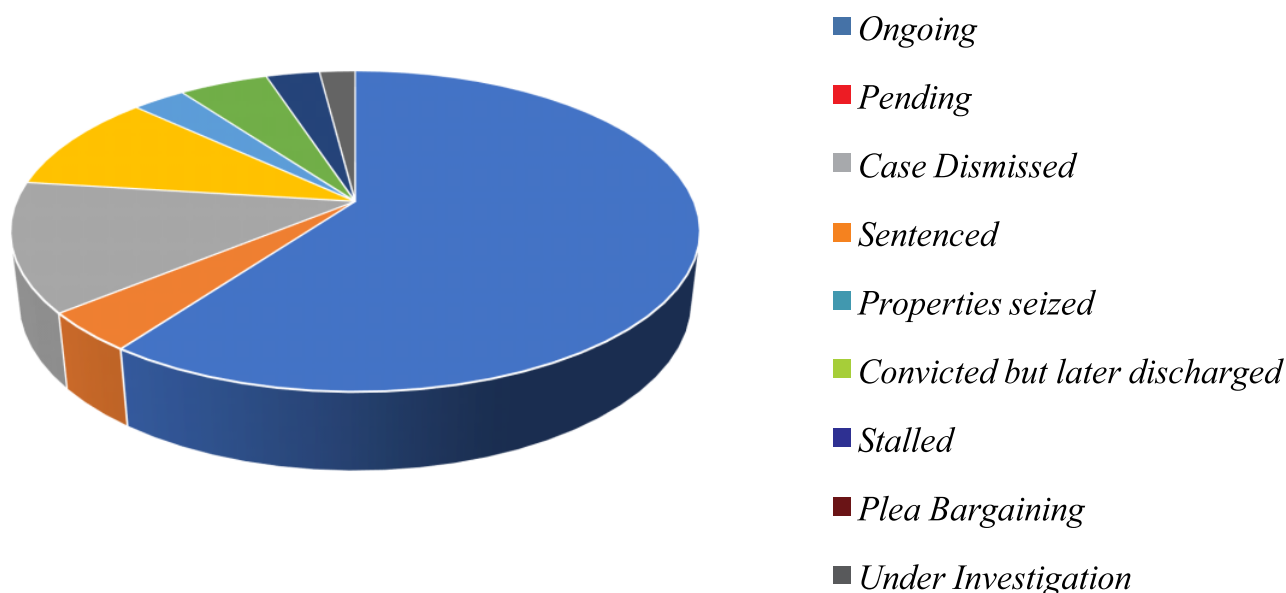


Table 6
Frequency Counts and Percentages of Amount in Naira (Billion) Involved in the Charges

	Frequency	Percent
0-100	95	95.0
100-200	1	1.0
200-300	0	0.0
300-700	0	0.0
700-900	0	0.0
900 and above	1	1.0
Other offences	3	3.0
Total	100	100.0

Results in Table 6 revealed that a total of 100 corruption cases were considered. Out of these, 95 (95.0%) were below 100 billion Naira while two cases were between 100 – 200 billion Naira. This result is graphically presented in Figure 6.

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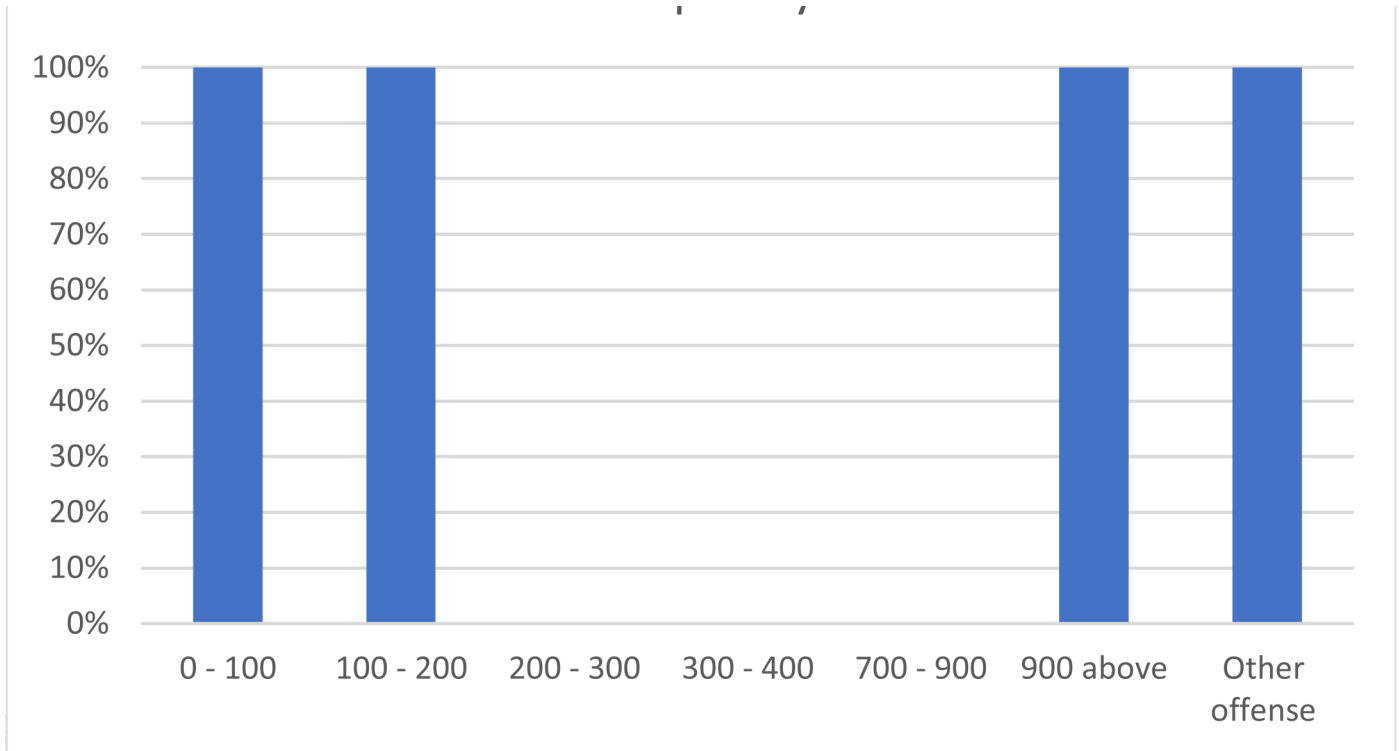
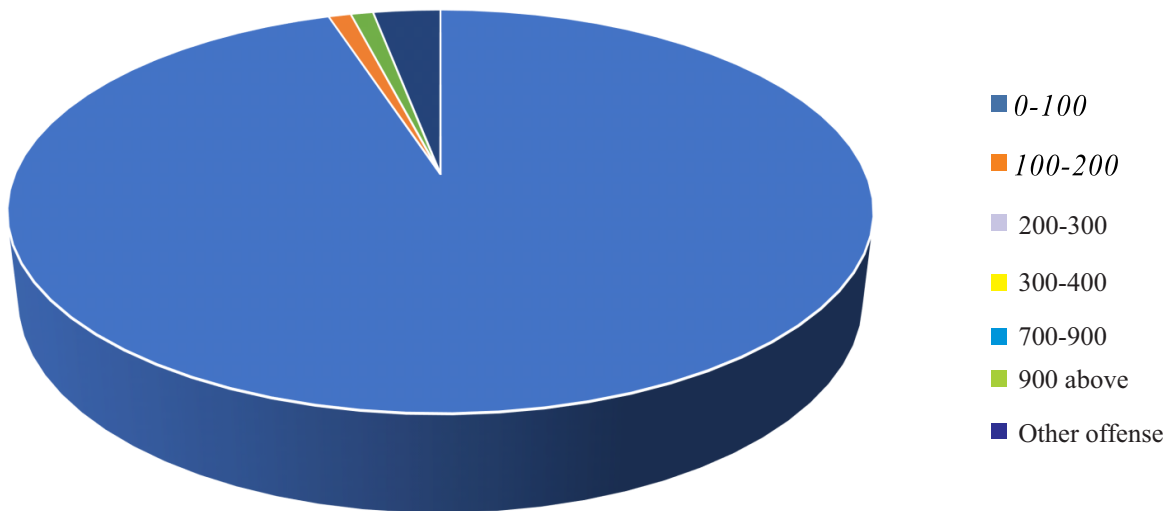


Fig 6: Chart of Amount involved in the cases (Billion Naira)



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Table 7

Cross-tabulation of Main Charges by Major Defendant in the Charges

	Major Defendant				Total
	Former Minister and Adviser	Senator	Former Governor	Others	
Fraud	7	0	11	22	40
Corruption	1	0	7	2	11
Embezzlement	0	0	3	0	3
Money laundering	3	2	13	10	28
Bribe	1	0	0	0	2
Forgery	0	0	0	1	1
Misappropriation/Mismanagement	0	0	7	2	9
Conspiracy	0	0	2	0	2
Election Scandal	0	0	0	1	1
False Declaration of Assets	0	1	1	1	3
Total	12	3	44	39	100

Pearson Chi-Square $\chi^2 = 66.679$; df = 36; Asymptotic Significance (2-sided) = .001

Results in Table 7 showed that there was a significant difference in the distribution of charges by major defendant ($\chi^2 = 66.679$; df = 36; $p < .001$). More of the former Governors faced charges of fraud, money laundering and misappropriation/mismanagement of funds. The results are as presented in Figure 4.2

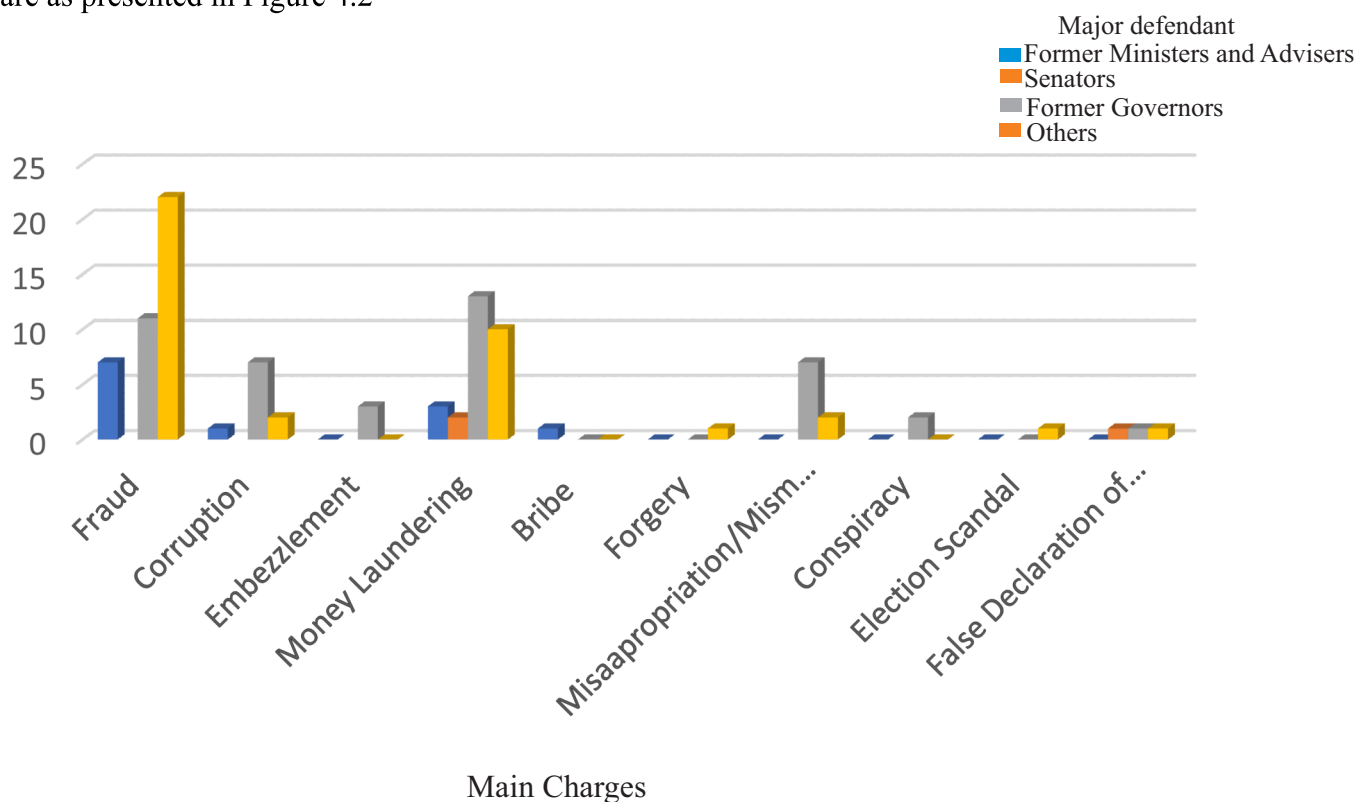


Fig 7: Chart of Charges by Major Defendant

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Table 8

Cross-tabulation of Amount in Naira (Billion) Involved in the Charges by Major Defendant in the Charges

	Major Defendant				Total
	Former Ministers and Advisers	Senators	Former Governors	Others	
0-100	13	2		34	92
100-200	0	0	1	0	2
200-300	0	0	1	0	2
500 and above	2	0	0	0	2
Total	15	2	43	34	96

Pearson Chi-Square $\chi^2 = 63.113$; $df = 12$; Asymptotic Significance (2-sided) = .000

Results in Table 8 revealed that there was a significant difference in the amount involved in the cases by major defendants ($\chi^2 = 63.113$; $df = 12$; $p < .001$). While 41 former Governors and 36 other defendants were involved in less than 100 billion Naira, two former Minister/ Special Adviser were involved in a staggering sum of over 700 billion Naira. This result is shown in graphically in Figure 8

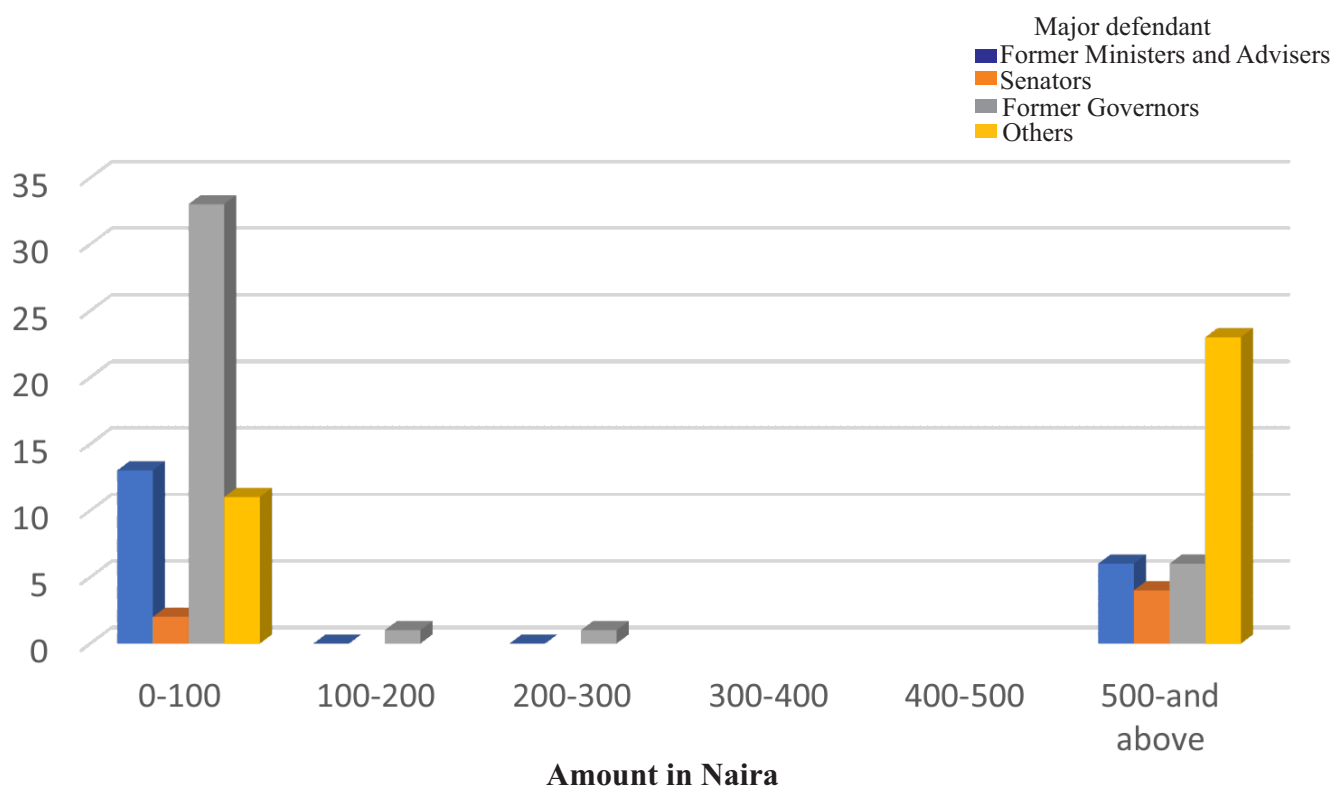


Fig 8: Chart of Amount involved in the cases (Billion Naira) by Major Defendant

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Table 9

Cross-tabulation of Judgments by Major Defendant and the Judgment

	Major Defendant				Total
	Former Ministers and Advisers	Senators	Former Governors	Others	
Ongoing	7	5	13	14	43
Pending	2	1	9	13	21
Case Dismissed	2	0	7	1	10
Sentenced	0	0	3	5	8
Properties siezed	1	0	0	3	4
Convicted but later discharged	0	0	1	3	4
Stalled	1	0	2	0	3
Plea Bargaining	0	0	2	1	3
Under Investigation	1	0	3	0	4
Total	14	6	40	40	100

Pearson Chi-Square $\chi^2 = 23.689$; df = 24; Asymptotic Significance (2-sided) = .846

Results in Table 9 showed that there was no significant difference in the status of the cases by major defendant. Most of the cases are either ongoing or pending. While thirteen former Governors have their cases ongoing, nine have cases pending against them. Also, whereas fourteen other government officials have their cases ongoing, 13 have the cases pending. The distribution of the case status and major defendant is graphically presented in Figure 9

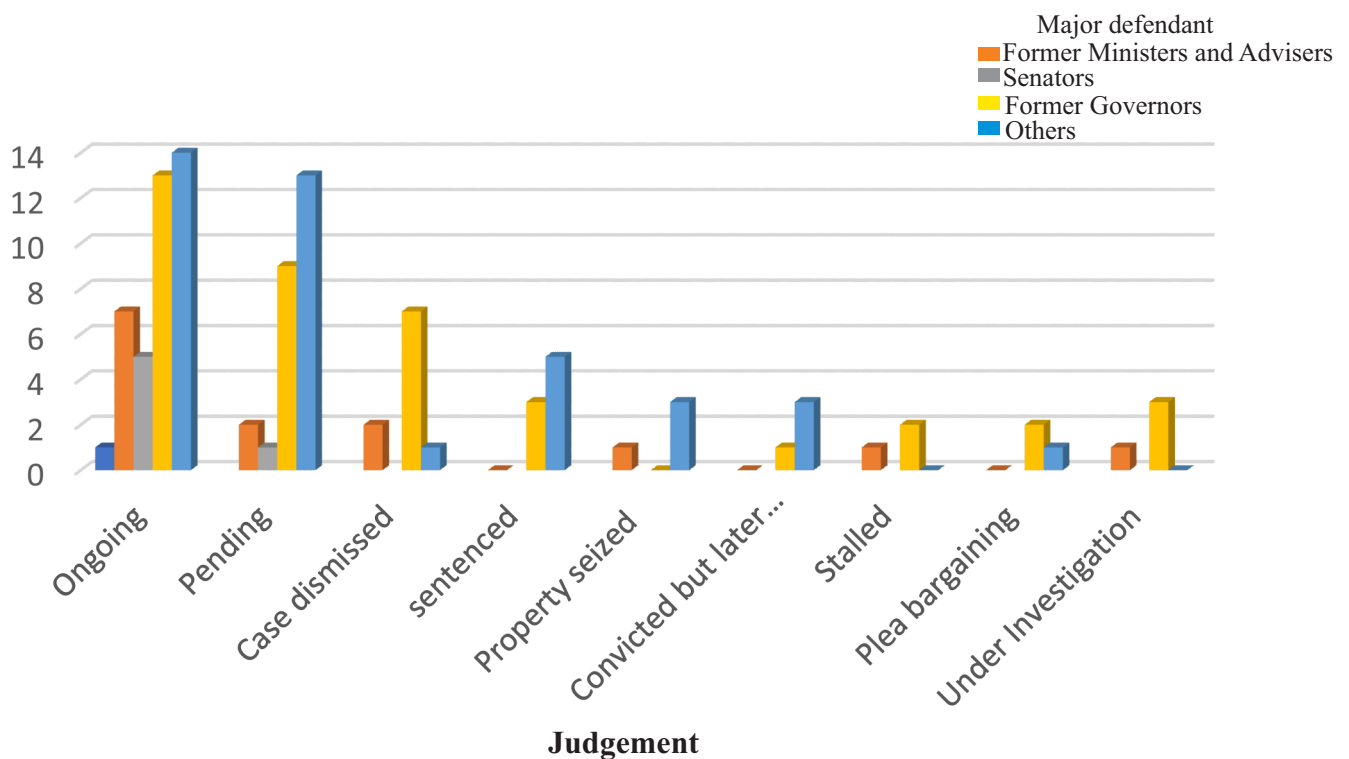


Fig 9: Chart of Status of Cases by Major Defendant

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Table 10

Cross-tabulation of Amount in Naira (Billion) by Judgments in the Charges

	Judgments									
	Ongoing	Pending	Case Dis- missed	Sentenced	Properties seized	Con- victed but later dis- charged	Stalled	Plea Bar- gaining	Under Inves- tiga- tion	Total
0-100	11	20	9	8	3	4	3	3	5	66
100-200	2	0	0	0	0	0	0	0	0	2
200-300	1	1	0	0	0	0	0	0	0	2
300-400	0	0	0	0	0	0	0	0	0	0
400-500	0	0	0	0	0	0	0	0	0	0
500-600	0	0	0	0	0	0	0	0	0	0
600-700	0	0	0	0	1	0	0	0	0	1
800-900	0	1	0	0	0	0	0	0	0	1
1 billion and above	19	9	0	0	0	0	0	0	0	28
Total	33	31	9	8	4	4	3	3	5	100

Results in Table 10 showed that there was no significant difference between amount involved in the cases and status of cases. Of the 100 cases with amount below 100 billion naira, 11 are ongoing while 20 are pending. Nine have been dismissed while eight defendants got sentenced. However, four got initial conviction but later got discharges by higher courts. Three of the cases went through plea bargaining while five are still under investigation. This result is visually shown in Figure 10

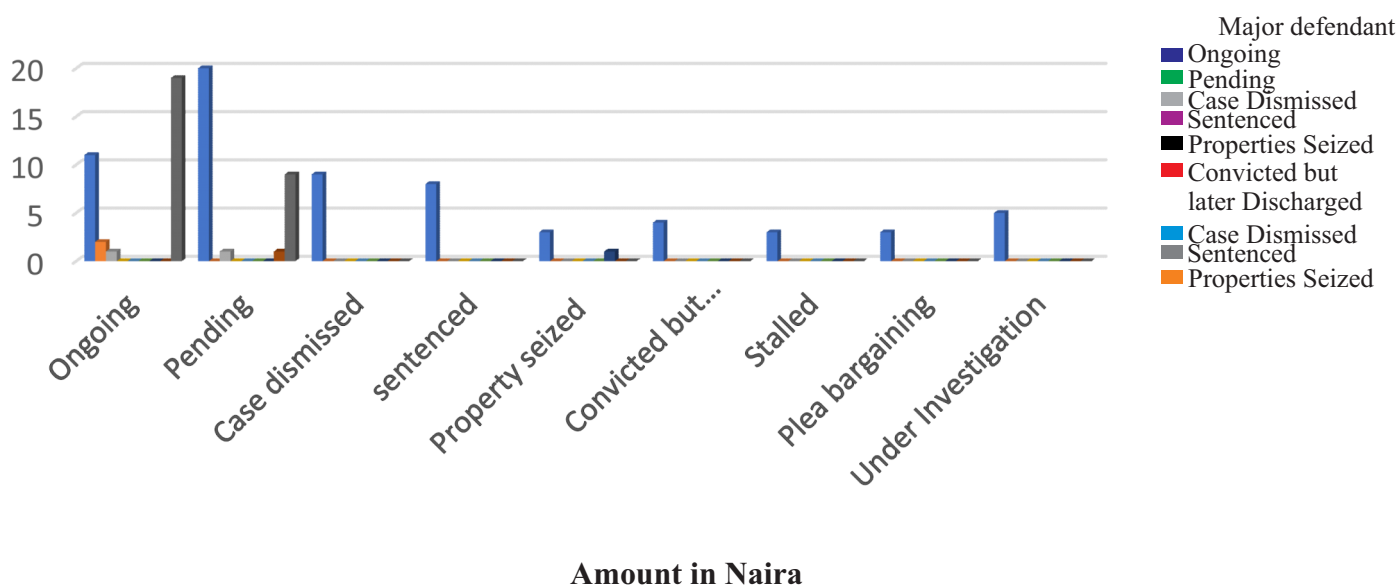


Fig 10: Chart of Amount involved in the cases (Billion Naira) by Status of cases



ABOUT HEDA

Human and Environmental Development Agenda (HEDA Resource Centre) was founded in November 2001 and incorporated in 2004 as a Non-Governmental Organization under Part C of the Companies and Allied Matters Act, 1990. The core mandate of HEDA is to partner global stakeholders towards entrenching – (a) Good Governance and Human Rights (b) Environmental Justice and Sustainable Development. The Centre deploys research, policy advocacy, training, as well as citizens' awareness and mobilization on critical human development issues, including agriculture, food security, climate change, human rights, public sector accountability and electoral reform processes. In partnership with local, international and multilateral institutions HEDA promotes transparency, accountability, inclusion and responsiveness in governance, whilst striving to shape the content and context of public policies and programs. HEDA works with others to advocate for fair economic and climate deals for Africa; in particular for small scale farmers and other vulnerable sectors. HEDA has observer status with the UN ECOSOC, UNFCCC as well as the Green Climate Fund. HEDA is keen on deploying new media as an advocacy and change tool and also maintains strong partnership with the broadcast and print media for informed views on policies/programs on good governance, food security and sustainable development. HEDA is a leading anti-corruption platform working with agencies and institutions within and outside Nigeria. In recognition of efforts, HEDA was given an observer status with the National Committee on the Monitoring of Trials of Financial Crimes and Corruption Cases across the country and also a member of the Monitoring and Evaluation Committee of the country's implementation of National Anti-Corruption Strategy.

Vision

To be a leading catalyst for development; ensuring that all persons; regardless of location and situation are treated with dignity with unhindered access to good governance in a sustainable environment.

Mission

To serve as a platform for promoting human rights, good governance and sustainable environment through research, training, advocacy and policy engagement.

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