



A COMPENDIUM OF 100 HIGH PROFILE CORRUPTION CASES IN NIGERIA

[As at 22nd of November, 2019]

3RD EDITION

A Publication of Human and Environmental Development Agenda

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Foundation

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BY



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Contents Page



	Page
1. PREFACE.....	3
2. FOREWORD.....	4
3. BACKGROUND	7
4. WHY THE COMPENDIUM?	8
5. METHODOLOGY.....	9
6. OPINIONS ON THE LAST EDITION.....	10
7. CHALLENGES.....	13
8. THE CASES.....	16
9. OUTCOME OF COMPUTER ANALYSIS.....	76
10. CONCLUSION.....	89

Preface

The motivation for this compendium and its subsequent revision is derived from the major concern for the cascading morality in the society with assorted nauseating manifestations. It is almost a regular practice now to celebrate those notorious for corruption and financial crimes, such that those accused are not only revered and elevated by social and religious institutions, societies also elect them into otherwise respectable offices. The morally bankrupt conduct high society weddings and celebrate their obscene wealth in the midst of abject poverty in their communities and abroad to exhibit their moral bankruptcy and shame. This is indicative of their assumption that citizens suffer collective amnesia and record-keeping culture is generally poor.

For us at HEDA Resource Centre, researching, documenting, publishing and updating this compendium is 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 ease of reference purposes. We equally believe that it may serve to readily hold responsible anti-corruption agencies and administration of criminal justice systems accountable to the people. It is, for instance, pertinent for the public to understand and interrogate why cases get delayed in courts for as long as a decade. It is our fervent belief that stakeholders in the dispensation of criminal justice, especially in corruption and financial crime cases, are also due for scrutiny and account.

To ensure a high level of neutrality in the compilation and publication, three independent researchers were contracted to update the cases published in the previous edition through tedious data gathering in respect of those one hundred high profile corruption and financial crime cases without any specific restriction.

We are conscious of the plethora of cases covered under the definition of corruption and financial crimes but focusing only on 100 for the maiden edition of the compendium and this reviewed version is to ensure tenacity in updating the public on these cases and monitoring of prosecution progress. Appropriate computer software was further deployed to generate meaningful infographics after an initial coding. Specifically, IBM SPSS version 23 was 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.

Profound gratitude goes to our independent researchers: Mr Stephen Fatonji of the LASU School of Communication; Mrs Naimah Ajikanle Nurudeen, a journalist, online publisher and LASU doctoral candidate in Communications Studies; and Fatimah Usman, Legal Practitioner. We also appreciate Azeez Salawu for his efforts on the computer analysis of the data.

Mr Adeola Soetan provided thorough supervision for the editing legs of the engagement culminating in the publication of this compendium. Mr Nurudeen Ogbara provided the legal advice and review of the findings. We are most grateful to you all for your time and support. Our in-house lawyer, Ms Rebecca David and other officers, Mayowa Ijasusi, Kolade Ositade, Tajudeen Giwa who under the supervision of Mr. 'Sina Odugbemi were also fully supportive throughout.

We thank and express immense appreciation to MacArthur Foundation especially the Africa Director, Dr Kole Shettima and Dr Amina Salihu for providing the indispensable support towards the production of this compendium and for believing in our vision on this project.

We believe that this intervention on the anti-corruption campaign in Nigeria will continue to renew the desired consciousness for speedy dispensation of justice through the enforcement and respect for provisions of the Administration of Criminal Justice Act, 2015. Inaction on corruption pays no one.

Once again, at HEDA, we assume every accused person to be innocent of the charges and allegations pending conviction by a competent court of law.

Olanrewaju Suraju
Chairman, HEDA Governing Board

Foreword

TO 100 HIGH PROFILE CASES OF CORRUPTION IN NIGERIA JUSTICE RICHARD GOLDSTONE (RTD) ¹

I am a member of the board of a recently established non-governmental organisation that has, as one of its goals, support for the establishment of a permanent International Anti-Corruption Court. Such a court would have similarities to the International Criminal Court but be quite separate from it. The organisation is called Integrity Initiatives International (III) or simply Triple I.

I doubt that any nation is free from corruption. However, what III is concerned about is Grand Corruption, i.e. the abuse of public office for personal gain. It also goes under the name of kleptocracy. In the great majority of cases, crooked leaders enjoy effective immunity because they control the police, the prosecutors and the courts - or at least, some of them.

In 2016, more than 40 countries met in London for an Anti-Corruption Summit. They endorsed a Global Declaration Against Corruption that commits each of them to the proposition that "the corrupt should be pursued and punished." The Declaration emphasised the "centrality" of the United Nations Convention Against Corruption ("UNCAC"), in which now 186 countries have pledged to enact laws criminalising corruption and to enforce them even against their nation's leaders. Implicitly recognising that existing institutions and efforts have not been adequate, the participating governments committed themselves to "exploring innovative solutions" to combat corruption.

Judge Mark Wolf, a senior Federal judge in Boston, is the chairman and founder of III. In a recent article published in the Magazine Daedalus Judge Wolf said:

"It is estimated that trillions of dollars are paid in bribes annually and that the cost of all forms of corruption is more than 5% of global GDP. Developing regions lose ten times more to corruption than they receive in foreign aid. Illicit outflows of funds that developing countries desperately need total more than \$1 trillion a year."

World-renowned South African judge, Richard Goldstone has served in the most influential courts in the country as Judge of the Appellate Division of the Supreme Court in 1989 and Justice of the Constitutional Court of South Africa from July 1994. He has also served as prosecutor and commission member in several other countries, including genocide investigations and judgments for Bosnia in The Hague. Goldstone has established himself as an international law expert as well as an academic. He was Chancellor of the University of the Witwatersrand, and served on the board of its law school. In Jerusalem, Israel, he was a Governor of the Hebrew University.

He also led World ORT, a global technology and technical training organisation. When the Argentinean government decided to monitor an International Panel established in August 1997 to study Nazi activities in their country since 1938, they included Goldstone. He has been honoured with numerous awards that include the International Human Rights Award from the American Bar Association in 1994, and Honorary Doctorates from the Universities of Cape Town, Natal, the Witwatersrand, Jerusalem, the Hebrew University, Notre Dame, the Mary University College and Wilfred Laurier in Ontario Canada. The Universities of Glasgow, and the Catholic University of Brabant in Tilburg, the Netherlands, Calgary and Emory also awarded him honorary qualifications.

Foreword



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The cost of corruption is not limited to poorer countries. For example, in 2011, Russia had the third largest outflow of illicit capital in the world. Bribery, theft, kickbacks, and corruption had cost the country \$427 billion from 2000 to 2008. Russia's leaders evidently contribute a great deal to the illicit capital that leaves the country."

In 2016, the massive leak of documents known as the "Panama Papers" revealed that close associates of President Vladimir Putin moved \$2 billion, in transactions involving as much as \$200 million at a time, through international banks and companies created to mask their true beneficial owners. Putin's closest friend, a cellist who had claimed he was not wealthy, had almost 19 million pounds in a Swiss Bank, as well as investments in numerous Russian and off-shore entities. This including a 3.9% share of a Russian bank with assets of almost \$11 billion. In 2017, it was revealed that Russian Prime Minister Dimitri Medvedev had accumulated more than \$1 billion worth of property, including vast estates in Tuscany as well as Russia, and owned two yachts.

Judge Wolf also quotes the former United Nations High Commissioner for Human Rights, Navi Pillay, as saying in 2013 that:

"Corruption kills...The money stolen through corruption every year is enough to feed the world's hungry 80 times over...[C]orruption denies them their right to food, and, in some cases, their right to life."

Nicholas Kristof of the New York Times reported in 2015 that:

"Grand corruption also has fatal consequences in other ways. In Sierra Leone one-third of the funds allocated to combat Ebola in 2014 could not be accounted for, although some of those funds were found in the bank accounts of health officials administering the program."

Corruption has marked the Administration of former President Jacob Zuma in my own country. Billions of South Africa Rands were stolen from government departments and state owned enterprises. The magnitude of what has been called "state capture" is coming to light in consequence of evidence led before ongoing official inquiries. Action to prosecute those responsible and attempts to follow the stolen funds have been set in motion by the administration of President Cyril Ramaphosa. I sincerely hope that the necessary political will continue to move this endeavour forward.

I was staggered by my experiences some fourteen years ago with the corruption associated with the United Nations Iraq Oil for Food Program. That Program was set up to maintain the strong sanctions against the regime of Saddam Hussein whilst maintaining minimum



Foreword

standards of health and nutrition for the people of Iraq. The Program lasted for seven years, from 1996 until the US led invasion of Iraq in 2003. It involved some \$110 billion of sales of Iraqi oil and the purchase with the proceeds of humanitarian goods – all under UN surveillance. It was the largest effort to provide humanitarian relief in the history of the United Nations. As the Program ran, so reports and rumours began to emerge of surcharges and bribes and, so too, of administrative failures and corruption within the UN itself. In the early part of 2004, the then Secretary-General of the UN, Kofi Annan, felt obliged to set up a UN inquiry into the allegations. I was one of the members of a three-person team. Four thousand and five hundred companies were involved in the supply of humanitarian goods. Some 2200 of them from 66 countries paid bribes to Saddam Hussein. The bribes amounted to over \$8 billion dollars. The universal nature of corruption was graphically demonstrated.

Too few States investigate corruption at home. The requirements of the UN Convention Against Corruption are hardly ever complied with and domestic laws are often weak and too frequently ignored.

To extend the jurisdiction of the International Criminal Court would not be practical or efficient. It would require an amendment of the Rome Statute and that would take some years to achieve. Even if that obstacle is overcome, it would be difficult for the Office of the Prosecutor to prioritise corruption over the most serious war crimes.

One of the most important advantages of an International Anti-Corruption Court would be the pressure it would place on domestic authorities to investigate and prosecute grand corruption at home within a reasonable time. In that way, and that way only, would they be able to avoid the international court assuming jurisdiction.

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

Background



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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 socio-economic 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 (<http://www.transparency.org>).

Expectedly, Nigeria has now overtaken India as the nation with the highest number of extremely poor people, according to a 2018 report by Brookings Institute. Before now, India used to occupy the unenviable position with a population of 1.324 billion people as against Nigeria's 200 million. According to the report, the number of Nigerians in extreme poverty increases by six people every minute. At the end of May 2018, our trajectories suggest that Nigeria had about 87 million people in extreme poverty, compared with India's 73 million. What is more, extreme poverty in Nigeria is growing by six people every minute, while poverty in India continues to fall.

Ironically, 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.

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 analysis 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.



Methodology



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Two 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.

Opinions on previous editions



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STATE HOUSE,
ABUJA.
NIGERIA.

Reference: SH/OVP/DCOS/ Misc./192752

27 May 2019

Olanrewaju Suraju

Chairman
Human & Environmental Development Agenda
20 Mojidi Street
Off Toyin Street
Ikeja
Lagos

Dear Sir,

RE: LETTER FORWARDING COMPENDIUM OF 100 HIGH PROFILE CASES

I am directed by His Excellency, Prof. Yemi Osinbajo, SAN, Vice-President, Federal Republic of Nigeria, to acknowledge with thanks the receipt of your letter dated 17th May 2019, as well as a complimentary copy of the Compendium of 100 high profile corruption and financial crimes cases.

2. I am also to commend your organization for lending its support to this administration's anti-corruption efforts.

3. With assurances of my best regards,

Ade Ipaye

Ade Ipaye
Deputy Chief of Staff to the President
Office of the Vice-President

Contact Tel. 09-6304100

e-mail: dcos@statehouse.gov.ng

Opinions on previous editions



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“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

“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.”

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

“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
Executive Secretary, PACAC

“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
Special Adviser to the President
on Social Investments

“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



Opinions on previous editions



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“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.”

Kunle Adegoke Esq.
Principal Partner,
Kunle Adegoke & Co

CHALLENGES IN PROSECUTION AND MANAGEMENT OF HIGH PROFILE CASES

The searchlight on all categories of law enforcement agents – Police, Anti-graft agencies, State Security Services, and other intelligent agencies have assumed lately increasing dimension given the declared war of the present administration against corruption and the urgent need to stamp out all forms of criminalities whether occurring in the past, present or the future. In many instances, Nigerians have expressed frustrations with the process blaming the state for not being able to bring alleged perpetrators of heinous offences to book. The blame game has shifted from the police to the lawyers with some other elements also pointing accusing fingers in the direction of the judiciary.

This intervention is designed to highlight some of the basic elements that could deliver successful prosecutions starting of course with the primacy of effective and efficient investigations and what ought to be put in place to achieve this objective. Investigation must focus on basic tenets i.e. identifying who committed the criminal act and gathering sufficient evidence to secure a conviction. The element of effective and efficient investigation is particularly very important given the fact that investigation is the gateway to the courts and unless it performs adequately, the quality of subsequent justice will be poor.

Before proposing factors that ought to be put in place to deliver quality investigation outcomes, the first proposal that I wish to make is that no case should be taken to court without proper investigation no matter the extent of public outcry. Secondly, emphasis should be placed on investigation led arrests as opposed to arrest led investigations. Thirdly, arraignment of suspects in court should be based on verifiable, conclusive and supportable findings arising from diligent investigations. Fourthly, investigators must be available at all times to give evidence in proof of the outcomes of the investigations. Fifthly, investigators must carry out all necessary steps including obtaining all relevant evidential materials in support of investigations. It is also important to guarantee the security and welfare of investigators including potential witnesses as well as sensitive documents in aid of the trial process. More importantly, it is important that the investigation process is adequately monitored to forestall compromise and severe sanctions should apply in the event of breaches. The other element that should be guaranteed is the security of evidential materials recovered during investigations if possible ensuring that such materials do not fall into private hands who could be subject of attacks targeting of course the recovery of those documents. It is also important to constantly test the character, integrity and moral standards of investigators including ensuring availability of up to date training programmes for investigators. There should also be stiffer penalties available to officers who deliberately bungled investigations for pecuniary or other vested interests. My final take on this is to call for a code of ethics to be put in place for all categories of investigators as a policy framework

Investigations play a crucial role in our criminal jurisprudence as they form the basis for all prosecutions and trials. There is no investigative judge under the Nigerian Legal System – the legal process is initiated by the prosecutor on the basis of the information received or obtained from sources, such as individuals, governments, international, inter-governmental or non-governmental organisations, or AU qua UN organs. Once the prosecutor is satisfied that there are reasonable grounds to believe that crimes within the jurisdiction of the court/tribunal have been committed, an investigation begins. By this token, the prosecutor is imbued with the responsibility of collecting evidence and information used for issuing indictment against suspected perpetrators; the prosecutor has the power to summon and question suspects, victims and witnesses, collect evidence and conduct on-sight investigations. In doing so, the prosecutor may seek the assistance of the state authorities concerned and such authorities are under obligation to cooperate with investigations and prosecutions. A fair and effective criminal justice system, an integral part of which is crime investigation built public confidence and underscores respect for law and order. In essence, crime investigation is the process by which the perpetrator of a crime, or intended crime, is identified through the gathering of facts/evidence, although it may also involve an assessment of whether a crime has been committed in the first place. Investigation can be reactive, i.e. applied to crimes that have already taken place or proactive, i.e. targeting a particular criminal or forestalling a criminal activity planned for the future. In this light, an effective investigation and efficient investigator are a necessary prerequisite for the prosecution to charge a defendant.

CHALLENGES IN PROSECUTION AND MANAGEMENT OF HIGH PROFILE CASES



Prosecution can charge defendants with two types of individual criminal responsibility. The first is for personally planning, instigating, ordering, committing or aiding and abetting in a crime. Such responsibility encompasses the doctrine of joint criminal enterprise, which has often been used to describe situations where several persons having a common purpose embark on criminal activities. The second is for being in the position of authority and knowing or having reason to know that a subordinate or subordinates were about to commit or had committed such crimes but failed to prevent or punish them. This is otherwise known as superior responsibility. In other words, in the commission of a crime, there are usually the principal offenders and the secondary offenders. The Principal offenders are usually the ones whose act is the most immediate cause of the actus reus. Secondary parties are usually those who aid, abet, counsel or procure the commission of a crime.

To conduct criminal investigations effectively, an investigator will need considerable powers. These include the power to detain a suspect; seize property as evidence; search for evidence; both in premises and on persons; interview suspects (and, in doing so, question their honesty and character, which in some countries may otherwise be considered to be an act of defamation, a criminal offence); require samples, such as fingerprints and DNA, and to take photographs; run identification procedures; interview witnesses, including victims; ask members of the public questions; keep and maintain personal and confidential information; use technical and personal surveillance and use other intrusive means to observe persons; work undercover (i.e. pretend to be someone else) or use informants; protect and relocate witnesses; undertake otherwise illegal activity, such as possess illegal substances, carry weapons, force entry to property, or monitor illegal internet traffic. Increasingly, an investigator also needs to be able to call on international assistance in order to track the activities of criminals across international borders. There are normally international organisations and bilateral agreements in existence that can offer support, but such facilities need to be accessible and viable for any investigator working at a local level.

In addition to developing an understanding of the strengths and weaknesses of a state's approach to the investigation of crime by police, the assessor should be able to identify opportunities for reform and development. Technical assistance in the area of police investigation in the context of a broader strategic framework may include work that will enhance drafting or amendment; implementation and monitoring of relevant legal framework, including Codes of Conduct and/or Criminal Procedure; development of forensic science capacity; enhancement of investigation skills and standards, especially in specialist areas, such as financial investigation, cyber-crime, interviewing techniques; equipment and processes for proper and secure handling of evidence and exhibits; enhancement of identification procedures, including use of photo-fit, photo identification, and identification parades; rules, guidelines and training on use of covert surveillance and informants; transmission of good practice in interviewing suspects; relevant guidelines and training materials. Investigators deal with many different categories of witnesses during the investigation, including victims and survivors, experts, internationals and insiders. Victim or survivor witnesses are a crucial source of evidence as they are in a position to describe what took place and identify those involved. This is critical in the preparation of the indictment and can often lead to new sources of evidence. Actually finding the first witness can sometimes be difficult. Investigations often started years after the events took place, and witnesses might have moved away or died. The passage of time and the removal to a location far from where the events unfolded can dull the memory of some witnesses. Often, while the evidence given will show who was directly involved, those identified tend to be lower level suspects, and eyewitness evidence cannot identify where the orders came from or who the commanding officers were. Finally, a witness may decide not to testify because they wish to forget the events that took place, or they are psychologically unable to give evidence. They may also fear intimidation or reprisals.

Expert witnesses are connected to the investigation in some manner but were not directly involved in the events. It can include, for example, military and political analysts called to provide a background to what was taking place across the country or to interpret document collections, or scientific researchers who may have helped uncover evidence such as mass graves or examined crucial aspects of the evidence such as DNA samples.

CHALLENGES IN PROSECUTION AND MANAGEMENT OF HIGH PROFILE CASES



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*International witnesses include diplomats or foreign military officers who were active in the conflict area at the time and can often provide valuable information to the investigators, especially if they held meetings with the suspects or other high-ranking civilian or military officials. They may, for instance, be able to provide proof that the suspect was informed about certain atrocities or military operations. Insider witnesses can provide valuable evidence in linking the accused to the crime base through direct or circumstantial evidence. Insider witnesses tend to be either witnesses with "blood on their hands", or those who have been privy to the orders given.

Investigation is a core duty of policing. Interviewing victims, witnesses and suspects is central to the success of an investigation and the highest standards need to be upheld. Forces need to develop and maintain the valuable resource of a skilled interviewer. Interviews that are conducted professionally and quality assured realize several benefits. In particular, they can direct an investigation and gather material, which in turn can lead to a prosecution or early release of an innocent person, support the prosecution case, thereby saving time, money and resources and increase public confidence in the police service, particularly with witnesses and victims of crimes who come into direct contact with the police.

Without the accounts of those who played a central role in the crime, or those who have witnessed an important aspect of the commission of a crime, other sources of material such as CCTV images, fingerprints and forensic material, although extremely important, may have little value. Conducting investigative interviews is, therefore, a crucial element of the process of investigation. The foregoing may have shown the urgent need to pay closer attention to the quality of investigations otherwise public outcry targeting bungled prosecutions would be meaningless as the law court not being a charity organisation can only act on the basis of the quality of materials placed before the judex.

**BY
WAHAB SHITTU**

The Cases

CASE 1: SAMBO DASUKI - \$2.1 Billion Arms Fund Diversion.



In November 2019, the Economic and Financial Crimes Commission, EFCC, told an FCT High Court in Maitama it would seek a court order for a separate trial for former National Security Adviser (NSA), Col. Sambo Dasuki (retd) different from his seven other defendants. Dasuki is being tried before the court in two separate cases alongside other defendants before Justice Hussein Baba-Yusuf by EFCC since 2015 on alleged misappropriation of over two billion dollars meant for the purchase of arms.

At the resumed sitting in one of the cases, EFCC counsel, Rotimi Jacobs (SAN), expressed frustration over the continued absence of Dasuki who is the first defendant in the case. Jacobs however said that the best thing to do in the present circumstance was the unbundling of the case so that Dasuki would be separated from other defendants. He said: "We can't be in the same place for four years without moving". Responding to this, counsel for Baba-Kusa, Solomon Umoh (SAN), submitted that Dasuki is central to the charge against other defendants, adding that, "If he is separated, how can we get a fair hearing?" The trial judge, Justice Hussein Baba-Yusuf, however, gave an open adjournment and asked the prosecution to file the amendment and serve same on the defendants for them to come to court and take fresh pleas.

Mohammed Sambo Dasuki, a former National Security Adviser (NSA) to ex-President Goodluck Jonathan has been standing trial over alleged diversion of \$2.1 billion meant for the purchase of firearms and illegal possession of firearms.

Three cases are pending against him before a Federal High Court and the High Court of the FCT, Abuja. Dasuki is being tried before Justice Ahmed Mohammed of the Federal High Court for money laundering and illegal possession of firearms.

He is being tried with Aminu Baba-Kusa and Baba-Kusa's two firms – Acacia Holdings Ltd and Reliance Referral Hospital Limited and some others on a thirty two - count charge pending before Justice Hussein Baba Yusuf of the Abuja High Court.

They were accused of diverting N32bn meant for purchase of arms and charges involving alleged diversion of about N13bn meant for arms purchase were filed before the same judge.

Between October 2018 when trial resumed on \$2.1bn arms fund diversion, Col. Sambo Dasuki (retd.)'s absence in court had stalled proceedings which made the High Court of the Federal Capital Territory, Maitama, Abuja, on Tuesday April 16, 2019, to serve the Department of State Services, DSS, a production warrant and ordered the Federal Government's agency to produce the detained ex-National Security Adviser, Col. (retd.) in court on May 24th, 2019.

He was at some point rumoured dead before his family and DSS refuted the information.

The Court of Appeal in Abuja in July 2019 declared the continued detention of Sambo Dasuki (retd), by the DSS as illegal, unlawful and unconstitutional and ordered Dasuki's release on conditional bail.

In the unanimous judgment of a three-man panel led by Justice Tinuade Akomolafe-Wilson, the appellate court held that the fundamental right of the former NSA had been brazenly and brutally breached by the prolonged detention without trial over any fresh charge or investigation contrary to the provisions of the 1999 Constitution.

Dasuki has been in the custody of the DSS since December 2015 and still being held by the DSS.

The Cases

CASE 2: OLISA METUH - N400 Million Fraud



Chief Olisa Metuh was a spokesman of the Peoples Democratic Party (PDP). He is standing trial over an alleged diversion of N400million collected from the office of the NSA.

The sum was said to be part of the arms money to which Dasuki is standing trial. Metuh was arraigned in 2016 by the Economic and Financial Crime Commission (EFCC) before Justice Okon Abang of the Federal High Court, Abuja.

The case is at defence stage and the former PDP spokesman is expected to continue his defence when the court resumes from vacation. As trial of the former National Publicity Secretary of the Peoples Democratic Party, PDP, Olisah Metuh, continued on Tuesday, May 28, 2019, Metuh told a Federal High Court sitting in Abuja, how he spent an alleged N400million traced to him as proceed of money laundering by the Economic and Financial Crimes Commission, EFCC.

According to Metuh, while testifying before Justice Okon Abang, he said: “We leased an office through the late Chief Tony Anenih amounting to N25million.

He requested for cash payment and over N21million was made in cheque in his name and delivered to him. He further revealed that N37million was used for media engagements and meetings with editors in Nigeria, adding that expenditures on analysts, content developers, core staff and support staff hired for the purpose of the assignment amounted to N13million, “while CNC Connect, one of the consulting firms, came to N7million”, he said.

He also revealed that workshops and perception management campaign cost N23million and that N10million was spent on new media, while the production of materials, appearances on radio and other media services gulped N15million. According to Metuh who is the first defendant in the matter, the cost of security, transportation, hotel allowances amongst others amounted to N47million.

He said that the total amount spent in the South - South zone was N55million, while the Northern zone, handled by the late Tony Anenih amounted to N97million with an additional N1.4million which was used for procurement of public address system. Metuh further told the court that the amount spent in the South – East region amounted to N40.4million, while honorarium for different recruited persons cost N200,000 each adding that there were 57 of them. While concluding his defence, Metuh said that a total sum of N421million was expended on supposed national assignment as contained in the exhibits before the court. Metuh, however, on Tuesday, September 24th, 2019, insisted that the Federal High Court, Abuja, presided over by Justice O.E. Abang should invite former President Goodluck Jonathan to give evidence in his ongoing trial. Metuh while on cross-examination said: “The payment of N400 million was made by the former President Goodluck Ebele Jonathan. Justice Abang adjourned the matter to Thursday, September 26, 2019, for the conclusion of arguments and admissibility of documents and for the continuation of trial. It will also on the new adjournment date consider the need to further adjourn the matter to September 30, October 2, 3, and 4, 2019, for the continuation of trial. Justice Ishaq Bello, on Thursday, October 17, 2019, turned down a no case application made by Metuh and ordered Metuh to enter defence in respect of the prima facie case already established against him by the prosecution. According to Justice Bello, “the view of this court is that the application for a nocase submission is lacking in merit. Justice Okon Abang of the Federal High Court, Abuja, on Wednesday November 27, 2019 adjourned till February 25, 2020 for judgement in the case involving the former national publicity secretary of Peoples Democratic Party (PDP), Olisa Metuh, who is being prosecuted by the Economic and Financial Crimes Commission, EFCC, for alleged money laundering to the tune of N400million.

Prosecution Counsel, Silvanus Tahir and his defence counterpart, AC Oziokwu, who represents the first defendant, Metuh, adopted their final written addresses. The Defence Counsel, while adopting his final written address, asked the Court to discharge his client as the allegations against him were not proved. Arguing likewise, Tochukwu Onwugbufor, SAN, Counsel to the second defendant, Destra Investment, said the prosecution failed to prove the allegations against the company. However, Tahir urged the Court to convict the defendants as the allegations against them have been proved beyond reasonable doubt.

CASE 3: GABRIEL SUSWAM - N9.79 Billion Fraud



Senator Gabriel Suswam is a former Benue State Governor. He was initially charged in the 32-count charge alongside Omadachi Oklobia, his former Commissioner for Finance, and Janet Aluga, former Accountant, Benue State Government House over diversion of N9.79billion. Part of the diverted funds was said to be for police reform and Subsidy Reinvestment and Empowerment Programme. In the charge, the trio allegedly cornered the said funds between 2012 and 2015 while Mr. Suswam was governor of the state.

They are also accused of conspiracy, conversion of property derived directly from corruption; collaboration to conceal property derived from corruption; obtaining by false pretence and accepting cash payments exceeding the amount authorised by law. Suswam, who is now the Senator representing Benue North East, is standing trial in three cases pending before the Federal High Court in Abuja. The case is a three-count charge of money laundering and illegal possession of firearms on which he was arraigned on July 6, 2018, before Justice Babatunde Quadri. Suswam is accused of illegally concealing weapons in his Mercedes Benz 550 4Matic car with Registration No: BWR 135 AH parked at Dunes Investment and Properties Limited, 44 Aguiyi Ironsi Way, Maitama, Abuja. Proceedings are expected to resume on October 24. In the first of the other two cases, Suswam is being tried with a former Commissioner of Finance in Benue State, Omadachi Oklobia. They were accused of diverting proceeds of the sale of Benue State's investments in some companies. The case is pending before Justice Ahmed Mohammed.

Suswam, Okolobia and Mrs. Janet Anuga, in the second charge, marked, FHC/ABJ/CR/48/2017, were accused of diverting funds meant for SURE-P projects in the State. The case was pending before Justice Gabriel Kolawole before the judge's elevation to the Court of Appeal. He was re-arraigned on Monday September 30, 2019 by the EFCC alongside the then Commissioner for Finance in his administration, Omadachi Oklobi, on N3.1bn money laundering charges. Suswam and his co-defendant pleaded not guilty to the nine counts read to them again before Justice Okon Abang of the Federal High Court in Abuja. Justice Mohammed had withdrawn from the case in July 2019 following a media report accusing him of unethical practices in respect of the case. The case was subsequently re-assigned to Justice Abang. Suswam, through his counsel, Chinelo Ogbzor, had urged the judge to return the case file to Justice Mohammed. Ruling, Justice Abang sustained the arguments put forward by the prosecuting counsel lawyer, Leke Atolagbe, who urged the judge to assume jurisdiction and order the defendants to be arraigned.

The judge said Justice Mohammed had in a letter of July 5, 2019, detailed the reasons he withdrew from the case, adding that he could not reverse the administrative decision of the Chief Judge, who re-assigned the case to him. The prosecution had called four witnesses before the recent withdrawal of the judge from the case. Justice Abang, on Monday, adjourned till October 29, 2019, for the commencement of trial.

Justice Abang on October 30, 2019, when the matter came up admitted more documents, presented by the prosecution against Suswam and refused to honour his request to adjourn proceedings sine die pending the determination of his appeal challenging the jurisdiction of the court at the Court of Appeal. What Suswam's request means is that the case brought against him by the EFCC would be adjourned for an indefinite time. The case was adjourned till November 4, 5, 6 and 7, 2019 for continuation of trial. However, Justice Okon Abang of Federal High Court, Abuja, on Tuesday, November 5, 2019, adjourned the trial of former governor of Benue State, Gabriel Suswam till November 6, 2019 to enable him attend to legislative functions in the National Assembly. Counsel to Suswam, Chinelo Ogbzor, had asked for an adjournment to enable her client, who is a senator and first defendant to attend to a national issue in the Senate. "There is an issue of national importance that affects the senatorial district of the first defendant who is serving senator from Benue State and also a sponsor of the motion," Ogbzor said. She added that the issue affecting Suswam's senatorial district, slated

The Cases

CASE 4: RASHIDI LADOJA - N4.7 Billion Fraud



The Federal High Court in Lagos on Friday February 8, 2019, discharged and acquitted a former Oyo State Governor, Alhaji Rashidi Ladoja, of the N4.7bn fraud charges pressed against him by the Economic and Financial Crimes Commission in 2008. Delivering judgment in the 11-year-old trial, Justice Mohammed Idris said the evidence brought to court against Ladoja and Waheed Akanbi, a former Oyo State Commissioner for Finance, was “too low on credible evidence”.

It could be recalled that the former Governor of Oyo State, Rashidi Ladoja, was in December 2016, arraigned alongside his aide, Waheed Akanbi, over N4.7billion fraud.

The duo were arraigned before Justice Idris of a Federal High Court Lagos on an 8-count charge of money laundering contrary to Section 17(a) and punishable under Section 14(1) of the Money Laundering (Prohibition) Act. In the course of trial, the EFCC tendered several documents through its witnesses in order to establish its case against the defendants. In the charges, the EFCC accused Ladoja and Akanbi of conspiring to illegally sell Oyo State's shares in FCMB, GTB, UBA and Intercontinental Bank, adding that they diverted the proceeds.

The anti-graft agency alleged that Ladoja used the proceeds of the shares to, among others, offset the debt he allegedly incurred while battling against his impeachment in 2007.

According to the prosecution, Ladoja purchased vehicles for Oyo State lawmakers and paid N385m to the lawyers he hired to challenge his impeachment in court. But Ladoja and Akanbi pleaded not guilty.

The anti-graft commission had since closed its case in the matter. Following the closure of the prosecution's case, the defence lawyers informed the court that they intended to make a no case submission to the prosecution's case and prayed the court for an adjournment.

The case witnessed further hearing on 27th September, 2018, while Ladoja was re-arraigned on November 5, 2018, along with his former Commissioner for Finance Waheed Akanbi, following an amendment of the charge by the EFCC. They, however, pleaded not guilty to the charges.

In the amended charge, EFCC added that Ladoja allegedly “compelled” a broker to sell the state's shares. The prosecution alleged that the former governor did not remit N1.9billion realised from the sale of the shares.

The commission told the court that the money allegedly went to Ladoja, his family and friends and was not refunded. EFCC had closed its case before the amendment, but rather than open their defence, the accused opted to file no case submissions. The trial, however, ended on Tuesday 27, November, 2018, after 10 years of legal battle at a Federal High Court Lagos. The trial ended before Justice Mohammed Idris, with Mr Ladoja mounting the witness box to give evidence in his trial. They pleaded not guilty to the charges and were granted bail.

After the close of prosecution's case, the accused had opted to file a no case submission before the court, contending that the prosecution failed to establish a prima facie case against them. In its ruling, the court dismissed the no case submission, holding that based on a preponderance of evidence as put forward by prosecution, there was no doubt that the accused had some explanations to make. The court then ordered the defence to open its defence.

Justice Mohammed Idris dismissing the case on Friday February 8, 2019, said the evidence brought to court against Ladoja and Waheed Akanbi, a former Oyo State Commissioner for Finance, was “too low on credible evidence”. The judge said the EFCC failed to call relevant witnesses that could have helped it to prove its case, adding that the six witnesses it called gave inconsistent and contradictory testimonies. The judge said most of the documents which the EFCC tendered in support of its case were lacking in probative value.

The Cases

CASE 4: RASHIDI LADOJA - N4.7 Billion Fraud- Contd.

He noted also that the prosecution was inconsistent with the amount of money it claimed that the defendants diverted and laundered. Justice Idris described the handling of Ladoja's case by the prosecutor, Mr Olabisi Olufemi, from the law firm of Festus Keyamo as an example of how a criminal case should not be handled. Describing the prosecution of Ladoja and Akanbi as unjust, Justice Idris said he found that if anyone was to be prosecuted for the alleged fraud, it should have been the persons who the EFCC fielded as prosecution witnesses two, three and four.

The judge said: "There is a thin line between success and failure; that thin line is called credible evidence". "The case of the prosecution is too low on credible evidence, for this reason, I agree with the 1st defendant when he stated that to sustain the 11 counts, the prosecution called six witnesses, three of whom, being PW2, PW3 and PW4, are particeps criminis, who adduced material evidence." The judge said there was no way government would succeed in its anti-corruption fight when real offenders are shielded.

Ladoja said: "I'm grateful to God. It shows that the judge actually understood the issue. What interests me about the judgment is the fact that the judge made some fundamental observations that if you want to fight corruption in Nigeria, the prosecution should work better. He pointed out that the people who were supposed to be charged were shielded from prosecution. Which means that they were only looking for big names; they wanted to prosecute Ladoja because he is a former governor whereas the people who stole the money were there, shielded by the prosecution." He added, "The 11-year-old trial has taken a toll on me. But I only hope that this will be a lesson to the prosecution." EFCC didn't appeal the judgment and the case closed.

CASE 5: OBARO JAMES, EHIZOJIE OMOKHUALE, EGHOSA ATEKHA and SEAONUS GLOBAL LOGISTICS LIMITED) - \$348, 277 and N817.3 Million Internet Scam



The Economic and Financial Crimes Commission, EFCC, on November 14, 2019, arraigned three alleged internet fraudsters; Messrs Obaro James Omemi, Ehizojie Slyvanus Omokhuale, Eghosa Atekha Osunde and a company, Seaonus Global Logistics Limited before Justice Oluwatoyin Taiwo of the Special Offences Court sitting in Ikeja, Lagos on a five-count charge bordering on conspiracy to obtain money by false pretence, retention of proceeds of a criminal conduct and obtaining money by false pretence to the tune of \$348,277.75 and N817,345,302.00.

The defendants were allegedly involved in computer related crimes through which they defrauded several persons across the world.

The defendants were also alleged to have received money from illegal cyber transactions through their Nigerian bank accounts.

One of the charges reads: "That you Obaro James Omemi, Ehizojie Slyvanus Omokhuale, Eghosa Atekha Osunde and Mr. Jeffery Okojie (still at large) on or about the 24th of April, 2019, at Lagos within the jurisdiction of this Honourable Court with intent to defraud, fraudulently obtained the sum of \$45,000.00 (Forty Five Thousand US Dollars) by false pretence, property of Rea Katherine Minta, on the representation that the money was meant for payment of goods which representation you knew was false".

Upon their plea, prosecution counsel, Samuel Deji, asked the court for a trial date and an order to remand the defendants in a correctional centre pending the determination of the case. The defence counsel, Gbenga Adetunji, informed the court that the defendants had indicated a desire to enter into a plea bargain with the EFCC. Trial of the case is ongoing.

The Cases

CASE 6: IKEDI OHAKIM - N270 Million Fraud



Former Imo State Governor, Ikedi Ohakim, is standing trial before the Federal High Court in Abuja over alleged embezzlement of N270million while in office.

The case, which started in 2015 before Justice Adeniyi Ademola (now retired), was recently transferred to Justice Quadri.

Ohakim was arraigned on July 8, 2015, on a three-count charge to which he pleaded not guilty. He was accused of paying \$2,290,000 (about N270million), for the purchase of a property at Plot No. 1098 Cadastral Zone A04, Asokoro District, otherwise known as No.60, Kwame Nkrumah Street, Asokoro, Abuja.

According to the prosecution, the amount was above the threshold approved for an individual going by the provisions of Section 1 of the Money Laundering (Prohibition) Act 2004.

His trial will resume before Justice Babatunde Quadri on October 30, 2018. No update on this case as we couldn't find information or access latest court proceedings on it to determine the current status of this matter.

CASE 7: ABDULAZIZ NYAKO - N29 Billion Fraud



Trial continued on Abdulaziz Nyako at the Federal High Court, Abuja, on Wednesday, April 10, 2019 and was again adjourned to May 13 for the defence to cross-examine the 20th prosecution witness, Chris Odofin. Senator Abdulaziz Nyako, is the son of former Governor Murtala Nyako and Senator representing Adamawa Central in the Senate. He is facing a N29bn fraud initiated against him by the EFCC. The Senator is being prosecuted alongside his father and two others on a 37-count charge of criminal conspiracy, stealing, abuse of office and money laundering.

Five companies that allegedly served as conduit pipes for the illegal diversion of the funds – Blue Opal Limited, Sebore Farms & Extension Limited, Pagoda Fortunes Limited, Tower Assets Management Limited and Crust Energy Limited, were equally charged before the court as co-defendants. The EFCC counsel, Oluwaleke Atolagbe, told the court that Mr Nyako's counsel, Kanu Agabi, (SAN) wrote a letter to the prosecution saying that he would be absent in court. Mr Atolagbe, however, told the court that the prosecution was ready to go on with the matter as they had their witness in court. A counsel from the defence team, Mr. Ogah, said they also needed more time to get records of proceedings of the court to enable them prepare to cross examine the witness. He said that the witness had testified over a long period of time and it was only right for the defence to properly prepare to cross examine him.

The trial judge, Justice Okon Abang, adjourned the matter to May 13, May 14 and May 15. The EFCC's principal witness, Mr Kobis Thimnu, in the ongoing alleged N29billion trial on Tuesday November 5, 2019, testified before the Federal High Court, Abuja. Justice Okon Abang had, on Oct. 30, 2019, granted the EFCC's prayer to allow it take the evidence of Kobis, who presently resides in the United Kingdom (UK), through video link in accordance with Section 232(3) of ACJA, following its counsel, Rotimi Jacobs' argument. According to the judge: "I will take all pending applications filed by counsel on Nov. 6". Justice Abang, however, adjourned till November 13th, 2019 for continuation of hearing based on the parties' agreement. Trial continues on Abdulaziz Nyako's case.

The Cases

CASE 8: FEMI FANI-KAYODE - N4.6 Billion Fraud



As Chief Femi Fani-Kayode, a former Minister of Aviation who is currently standing trial alongside a former Minister of State for Finance, Mrs. Esther Nenadi Usman, Danjuma Yusuf and a company, John Trust Dimensions Nigeria Limited, continues to appear before a Federal High Court in Lagos over an alleged N4.6 billion fraud, a judge of the court, Rilwan Aikawa, set May 31, 2019 for ruling on whether the court will admit the extra-judicial statements made by two former ministers to the Economic and Financial Crimes Commission (EFCC).

This is in a case of conspiracy to retain proceeds of theft the EFCC brought against the ministers and two others. During proceedings, the counsel to the EFCC, Rotimi Oyedepo, had sought to tender the statements of the defendants to the court through the third prosecution witness, Shehu Shuaibu. But this was met by objections by their counsel on the ground that they made the statements without legal advice.

Counsel to the first defendant, Ferdinand Orbit, told the court that the Constitution, the Evidence Act and ACJA clearly stated the procedure for obtaining statements from an accused. He said the prosecution failed to comply with it. Norrison Quaker, counsel to Mr Fani-Kayode, the second defendant in the matter, also argued that failure to comply with the ACJA in obtaining statements from the accused could not be ignored in the interest of justice.

Responding, the prosecuting counsel faulted the arguments of all the defence counsels. Mr Oyedepo said that the counsel misinterpreted all the authorities they cited. He urged the court to discountenance the submissions of the defence and admit the statements as exhibits.

On Tuesday October 29th, 2019 at the resumed trial of a former Minister of Aviation, Mr Femi Fani-Kayode, and others facing N4.6 billion money laundering charge, a prosecution witness, Mr Shehu Shuaibu, told the court in Lagos that the sum of N800 million was paid from the Ministry of External Affairs into the account of a company, Jointrust Dimension Ltd, without a contract. Since the EFCC opened its case, Shuaibu is the third prosecution witness.

During examination-in-chief by prosecution counsel, Mr Rotimi Oyedepo, the witness told Justice Rilwan Aikawa his findings while investigating the allegations against the defendants. He said investigations revealed that the N800 million was paid into Jointrust Dimension Ltd's account on January 16, 2015.

The witness said the money came from the Ministry of External Affairs (MEA), adding that the signatories to the account were one Darbisu and Benjamin, both former staff of the Ministry, but employees of the National Intelligence Agency (NIA). He further testified that on January 13, 2015, N400 million was paid by the Ministry into the same Jointrust account.

Shuaibu averred that investigations revealed that there were no contracts between the Ministry and the company to warrant such payment. Trial continues as the case is yet to be concluded.

The Cases

Case 9: PETER NWAOBOSHI - N322 Million MONEY Laundering



The Economic and Financial Crimes Commission (EFCC) on June 28, 2019, called its third witness in a Federal High Court Lagos, in the trial of Senator Peter Nwaoboshi who is facing money laundering charges. Nwaoboshi, a Peoples Democratic Party (PDP) chieftain, is the Senator representing Delta North in the National Assembly. The Federal High Court in Abuja ordered the interim forfeiture of 11 houses and 22 bank accounts linked to Delta-North Senator, Peter Nwaoboshi. Justice Taiwo Taiwo made the order on July 2, but a certified true copy of the order was only issued on July 5 (Friday), 2019. The judge issued the order following an ex parte application by the Special Presidential Investigative Panel for the Recovery of Public Property.

The ex parte application was moved by the panel's lawyer, Celsus Ukpung, who described the assets as suspicious or suspected to be far beyond the legitimate income of Nwaoboshi. Nwaoboshi, the Zenith Bank, Access Bank, United Bank of Africa and Sterling Bank are joined as the 1st to the 5th respondents respectively in the said ex parte application. Although, Ukpung had applied for interim forfeiture of 14 landed assets, the judge only granted the request in respect of 11, as he exempted three of them that were without addresses from the order. The affected properties include, Suiming Electrical Company (RC 1090069) located along Asaba Airport Road, Asaba, Delta State, PON Filling Station, along Asaba Airport Road, Asaba, Delta State and a multi-billion naira estate under construction at Maryam Babangida Road, Asaba, Delta State.

They also include, Cartage Cinema located at Okpanan Road, beside Rain Oil Petrol Station, Asaba, Delta State, Newbridge Filing Station, along Airport Road, Warri, Delta State, and a house at No. 8, Monu Olarewaju Crescent, GRA, Asaba, Delta State. The rest are, a multi-million building located at 41, Buma Road, Apapa, Lagos; Guinea House, No. 27, Marina Road, Apapa, Lagos, Plot 3011B, Kuranah Close, Maitama, FCT, Abuja, and Ceedeez School Hall Airport Road, Asaba Delta State.

Nwaoboshi on Wednesday August 14, filed a suit seeking the Federal High Court Abuja to vacate its earlier interim forfeiture order on his assets granted to the Federal Government. The court, however, on August 26, 2019, dismissed its earlier interim forfeiture order on Senator Peter Nwaoboshi's assets, including funds in four banks granted to the Federal Government. In the course of trial, a Federal High Court Lagos, had adjourned the case to May 28 and May 30, 2019 for the continuation of trial but could not proceed on Monday May 29, 2019, as the prosecutor said he was informed that the defendant would not be available, as such could not produce his witness. Earlier on Monday April 24, 2017, the Federal High Court in Lagos ordered the temporary forfeiture of a 12-storey building at 27 Marine Road, Apapa, belonging to Senator Peter Nwaoboshi until the conclusion of investigations. The order followed an application by the EFCC and argued by its counsel, George Chia-Yakua, against Senator Nwaoboshi and his two companies: Golden Touch Construction Project Limited, and Bilderberg Enterprises Limited.

Urging the court to grant the application, the EFCC counsel told the court that the application was pursuant to section 44(2)(k) of the constitution of the Federal Republic of Nigeria, 1999 (as amended), and Sections 28 and 29 of the EFCC (Establishment) Act 2004. He further told the court that the commission had received a petition from the anti-corruption group, 'Anti-Corruption and Integrity Forum', against the senator and his companies alleging money-laundering against the senator, who is the Chairman of the Senate Committee on Niger Delta Affairs. Justice Abdulaziz Anka, after listening to the EFCC counsel, ordered that the property at 27, Marine Road, Apapa, belonging to Senator Nwaoboshi, be temporarily forfeited to the Federal Government. Also, Nwaoboshi was on April 25, 2018, docked before a Federal High Court in Lagos over alleged money laundering. He was arraigned alongside two companies, Golden Touch Construction Project Ltd and Suiming Electrical Ltd.

Case 9: PETER NWAOBOSHI - N322 Million MONEY Laundering Contd.

The senator had pleaded not guilty to the charge and was granted bail by the trial judge, Justice Mohammed Idris, on self-recognition as a serving senator of the Federal Republic of Nigeria.

The trial judge, Justice Idris, could not proceed owing to the insistence of the EFCC that the matter should be reassigned to another judge. Justice Idris was given a fiat by the President of the Court of Appeal, Justice Zainab Adamu Bulkachuwa, to conclude the case following his elevation to the appellate court. However, the EFCC was opposed to the continued hearing of the matter by the judge on the grounds that it did not satisfy requirement of Section 494 of the Administration of Criminal Justice Act (ACJA) as a 'part-heard' matter. This view was dismissed by Nwaoboshi's lawyer, Dr. V. J. O. Azinge (SAN). The counsel expressed readiness of her client to face his trial, so that he can know his fate as soon as possible. In a ruling on the contentious issue, Justice Idris agreed with the anti-graft agency that the case did not fulfill the requirement of Section 494 of ACJA. He however expressed his readiness to conclude the case as long as parties agreed that he should do so. After the ruling on 31st July, 2018, the EFCC promised to revert to the court on its position on the matter.

The matter was later adjourned to the following day for the commission to report back. On 1st August, 2018, EFCC's lawyer, O. O. Odusanya, told the court that consultations were still on-going. She asked for a further date. However, at the resumed hearing of the matter the next day, the lawyer told the court that the commission was not willing to proceed with the case. Responding, Nwaoboshi's lawyer described the EFCC's action as unfortunate saying it is contrary to the spirit behind ACJA which sought speedy conclusion of criminal trials. Justice Idris later directed that the case file be taken away for reassignment to another judge. The trial started afresh before another judge of the Federal High Court in Lagos on October 22, 2018. The charge which was formerly before Justice Mohammed Idris and later moved to Justice Aneke, following the elevation of Justice Idris to the Court of Appeal. The case is however still pending as trial continues.

CASE 10: WARIPAMO-OWEI DUDAFI - N1.6 Billion Fraud



A former aide to ex-President Goodluck Jonathan, Waripamo Owei-Dudafa, was on August 29, 2019, discharged and acquitted by a Federal High Court sitting in Lagos on an alleged N1.6billion fraud charge. Justice Mohammed Idris in a 190-page judgment on Thursday, held that the Economic and Financial Crimes Commission (EFCC) failed to prove any of the 22-charge beyond reasonable doubt against Owei Dudafa and a Heritage Bank staff, Joseph Iwejuo. Justice Idris held that EFCC's case was "based on suspicions" and suspicions "cannot take the place of legal evidence." Justice Idris also held that the EFCC failed to call vital witnesses, like Jonathan, the former NSA Sambo Dasuki, and even the CBN governor, and such failure was fatal to the case of the EFCC. The judge held that a particular vital witness, Sompre Omeibi, who could have linked the defendants to the offences was not summoned to testify. He also said the prosecution failed to carry out a proper investigation as the EFCC did not conclude its investigation before rushing to court thereby leaving loopholes.

Justice Idris, therefore, dismissed the entire 22 counts charge against Dudafa and Iwejuo. The EFCC Prosecutor, Rotimi Oyedepo, indicated that the commission would study the judgment as there were legal grounds to challenge same. The EFCC had accused the defendants of concealing the N1.6billion through a company, Seagate Property Development and Investment Limited, an offence contrary to Section 18(a) of the Money Laundering (Prohibition) (Amendment) Act, 2012 and punishable under Section 17(a). They have also accused them of knowingly concealing proceeds of crime through Avalon Global Property Development Company Limited amounting to N399,470,000.00, among others. EFCC said Dudafa, between June 1 2013 and June 4, 2015, "procured" Iwejuo and Ebiwise Resources to conceal N150million, being proceeds of crime. Other companies allegedly used in laundering the money include Pluto Property and Investment Company Limited, Rotato Inter Link Services Limited and De Jakes Fast Food and Restaurant Nigeria Limited.

The Cases

CASE 10: WARIPAMO-OWEI DUDAFI **- N1.6 Billion Fraud** **Contd.**

It could be recalled that defendants pleaded not guilty to the charge before Justice Mohammed Idris of a Federal High Court in Lagos when he was docked on June 11, 2018, before him over alleged N1.6billion fraud. The defendants on January 23, 2019 closed their defence and pleaded not guilty to the charge. The EFCC on Friday August 30, 2019 filed a notice of appeal against the judgment of the Federal High Court in Lagos acquitting and discharging Waripamo-Owei Dudafa, of N1.6billion fraud charges. EFCC counsel, Rotimi Oyedepo, on Friday filed a notice of appeal against the judgement on nine grounds pursuant to Section 241 (1) (a) of the 1999 Constitution. According to the notice, Justice Idris was said to have failed to bind himself with the age-long principle of law which provides that conspiracy is complete upon agreement. The EFCC, however, sought an order of the court convicting the respondents as charged and sentencing them as prescribed by the Money Laundering Prohibition Act 2011 as amended and the EFCC Act of 2004. The case awaits the decision of the appeal court.

Case 11: DELE BELGORE **- N450 Million Fraud**



Though, a Federal High Court Lagos, Monday, fixed June 19, 2009, for continuation of trial of a Senior Advocate of Nigeria (SAN), Dele Belgore, and a former Minister of National Planning, Abubakar Sulaiman, standing trial over N450million fraud, no update was available on the matter.

The EFCC charged them on nine counts bordering on the alleged offences. They had, however, pleaded not guilty to the charges, and were granted bails.

On Monday June 17, 2019, Mr Rotimi Oyedepo appeared for the prosecution while Messrs Egun Shofunde (SAN), and Tayo Oyetibo appeared for the first and second defendants respectively. Oyetibo then informed the court that the second defendant was not in court as he had missed his flight to Lagos, adding that same had been communicated to the prosecutor. He told the court that it was not in the character of the second defendant to be away from court as he had always appeared in court to face his trial. He then urged the court to graciously grant a short adjournment. The prosecutor confirmed to the court that he was informed of the position but said that he would “grudgingly” concede to the request, adding that since the case was for him to conclude his cross examination, it should be fixed for Wednesday.

Following agreement of parties, Justice Rilwan Aikawa adjourned the case to June 19 for continuation of trial by 2pm. Belgore, who is a former campaign coordinator of the Peoples Democratic Party (PDP) in Kwara State had concluded his testimony in defence of the allegation on April 12, while the court had adjourned for cross examination. He had told the court that he was innocent of the charges preferred against him by EFCC, adding that the prosecution pressed charges against him, even though he did not benefit from the N450million which is subject of the charge. He had told the court that in his statement to EFCC, he had given detailed information about those who took possession, disbursed and used the said N450million. According to him, while he was being investigated by the EFCC on the alleged offence, he had given account of the role he played adding that he neither admitted orally to have committed the offences nor made any statement to admit that he was guilty of the offences. He had also told the court that the N450million which was set aside as campaign fund for the 2015 general elections, was from series of fund raising activities done by the PDP. Belgore had also refuted claims that the money was from a former Minister of Petroleum Resources, Diezani Alison-Madueke. According to him, throughout his tenure as the campaign coordinator in Kwara State, he had no dealings with Alison-Madueke, and was not aware that the N450million he signed for in 2015 came from her. He had said that claims that the money was part of the N23billion allegedly collected by Diezani from three oil marketers ahead of the 2015 general elections were false.

In the nine count charge, the EFCC alleged that Diezani (said to be at large) conspired with Belgore and Sulaiman on or about March 27, 2015, to directly take possession of the sum of N450million, which they reasonably ought to have known formed part of proceeds of unlawful act. They were also alleged to have taken the said funds in cash which exceeded the amount authorized by law without going through the financial institutions. The trial continues on the case.

The Cases

Case 12: ADESEYE OGUNLEWE - N409 Million Fraud



Senator Adeseye Ogunlewe who is a former Minister of Works and former Pro-Chancellor of the Federal University of Agriculture, Abeokuta, Ogun State, was arraigned on November 25, 2016, by the Economic and Financial Crimes Commission, (EFCC). In a suit No. AB/EFCC/03/16, Ogunlewe alongside the Vice-Chancellor of FUNAAB, Prof. Olusola Oyewole; and the Bursar of the institution, Mr. Moses Ilesanmi, were arraigned before the Ogun State High Court, Abeokuta, on 18 counts, bordering on conspiracy, stealing, obtaining money by false pretence and abuse of office in connection with an alleged N409million fraud. The court later sat on the case in January 26, 2017, before Justice Olatokunbo Majekodumi of an Abeokuta High Court where Ogunlewe requested that his name be removed from the corruption case. Wale Adesokan, counsel to Mr. Ogunlewe, had brought an application seeking to quash his client's name from the case, saying the court has no jurisdiction to hear the case.

Adesokan said that Counts 1,2,3,4,5,6,7 and 8 deal with stealing while Counts 12, 13, 14 and 15 deal with abuse of office. Also counts 2, 3, 4, 5, 6, 7 and 8 alleged that the defendant “stole and fraudulently converted certain sum of money.” According to him, Section 383(1) of the Criminal Code, Laws of Ogun State, provides that a charge cannot allege two offences; stealing by taking and stealing by conversion. The trial was adjourned to February 9 2017, and was later struck out on May 16, 2018. The Ogun State High Court sitting in Isabo, Abeokuta, discharged and acquitted Senator Adeseye Ogunlewe, the immediate past Vice Chancellor of FUNAAB, Professor Olusola Oyewole and the Bursar of the institution, Mr Moses Ilesanmi in the suit filed by the Economic and Financial Crimes Commission. The court, presided over by Justice Olatokunbo Majekodunmi dismissed the suit for lacking in merit. In the judgement, Justice Majekodunmi held that the EFCC failed to prove all the allegations against the accused persons.

The judge declared that all the evidences presented by the prosecution had been manifestly discredited through cross examination such that the court could not rely on them. The judge, thereafter, discharged and acquitted the accused, all of whom were present in court. The presiding judge in her judgement declared that the EFCC failed woefully in establishing a prima facie case against the accused persons. Case concluded.

CASE 13: PATRICK AKPOBLOKEMI - N2.6 Billion Fraud



The EFCC on November 5, 2018, filed fresh charges against Patrick Akpobolokemi, former Director General of Nigerian Maritime Administration and Safety Agency, NIMASA and six others before Justice Raliatu Adebisi of Ikeja High Court in Lagos. He was charged alongside former Governor Juan, Vincent Udoye, Ezekiel Agaba, Ekene Nwakuche, Adegboyega Olopoenia and a company, Gama Marine Nigeria Ltd. EFCC lead counsel, Rotimi Oyedepo, informed the court that the anti-graft agency had filed fresh charges against the defendants, noting that they should be re-arraigned and have their plea taken. The defence counsel to Agaba, E. D. Onyeke, however, requested for more time to examine the new charges and to advise his client accordingly. It could be recalled that Akpobolokemi was discharged and acquitted by the Appeal Court on June 1, 2018, which overruled the earlier decision of Justice Ibrahim Buba of the Federal High Court in Lagos who, in October 2017, dismissed Akpobolokemi's no-case submission. Meanwhile, the five other defendants were not discharged as the appellate court upheld Justice Buba's verdict that they had a case to answer. On Feb. 20, 2019, a prosecution witness narrated how Akpobolokemi instructed Access Bank of Nigeria to illegally transfer N138,000,000 (One Hundred and Thirty Eight Million Naira) to his company, Peniel Engineering Limited's account. On 22 May 2019, a bureau de change operator, Mohammed Yahaya, told a Federal High Court in Lagos State how Akpobolokemi used his letterhead to secure fake contracts. The case continues.

The Cases

CASE 14: IBRAHIM SHEKARAU - N905 Million Money Laundering



A former Governor of Kano State, Ibrahim Shekarau, is expected to open defence on the 18th and 19th November 2019, for the continuation of his trial in the ongoing alleged money laundering case filed against him and other accused persons by the Economic and Financial Crimes Commission. The EFCC arraigned Shekarau in May 2018 before the Federal High Court sitting in Kano together with Bashir Wali and Mansur Ahmad on six counts bordering on conspiracy and money laundering to the tune of N950million. Counsel to the EFCC, Mr. Johnson Ojogbane, told the court that the defendants had, between March 26 and 27, 2015, in Kano, conspired between themselves and received various sums of money without going through financial institutions. He told the court that the money was issued out to the defendants by the Peoples Democratic Party and former petroleum minister, Diezani Allison-Madueke. The prosecutor said that the offences contravened Section 18 (a) of the Money Laundering (prohibition) Act 2011 as amended and punishable under Section 16 (2)(b) of the same Act and Section 15(1) of Money Laundering Act. The trio had pleaded not guilty to the charges.

The Judge, Justice Zainab Bage Abubakar, granted the defendants bail in the sum of N100m each with two reliable sureties in like sum. Justice Zainab Bage Abubakar of the Federal High Court sitting in Kano on June 12, 2018, had refused an application by a former governor of Kano State Malam Ibrahim Shekarau for the release of his international passport to enable him travel to Saudi Arabia for lesser hajj. Shekarau approached the court with a motion on notice dated 28 May, 2018, praying the court to direct its Deputy Chief Registrar to release his international passport to enable him travel to Saudi Arabia from May 30 to June 23, 2018 for lesser hajj. In response to the motion, counsel for the respondent, Johnson Ojogbane, filed a nine paragraph counter affidavit opposing the motion. Meanwhile, Shekarau, on September 4, 2018, announced his final defection from the People's Democratic Party (PDP) to All Progressive Congress (APC).

The Federal High Court in Kano on Monday November 20, 2018, turned down a request by the EFCC's to move the fraud case from Kano State to Abuja for security reasons. The request was made by the EFCC but Shekarau, through his lawyer, Sam Ologunorisa (SAN), opposed it, insisting that he wanted to be tried in Kano State.

The prosecuting counsel for the EFCC, J.A. Ojogbane, had told the court that his life and those of three prosecution witnesses were being threatened by Shekarau's supporters, adding that they did not feel safe. He said, for instance, mayhem broke out on the court premises between Shekarau's supporters and security men on the day that the ex-governor was arraigned. He said operatives of the EFCC narrowly escaped being lynched in the mayhem and were held hostage in their office till about 8pm on that day.

Ojogbane said his witnesses had developed cold feet as they feared that they would be attacked in Kano by Shekarau's supporters. He begged the judge to transfer the case out of Kano State to Abuja. He said: "Considering the traumatic experience we went through during the arraignment, and the series of threats we have received so far, the prosecution is very apprehensive]" Shekarau alongside former Minister of Foreign Affairs, Ambassador Aminu Wali and Campaign Director of erstwhile President Goodluck Jonathan, Mansur Ahmed in July 2019, filed a no case submission in the alleged N950million fraud suit.

On Monday September 23rd, 2019, Justice Lewis Allagoa of the Federal High Court Kano struck out the 'no case submission' filed by Ibrahim Shekarau, and other accused persons in the corruption case against them. The court also ordered the accused persons to submit their international passports and other relevant documents before the next court date.

At the last appearance, the accused persons filed a no case submission against the prosecution and insisted that there was no ground to open any defence on the allegations level against them. In his ruling, however, Justice Allagoa maintained that the prosecution has proven beyond any known doubt to substantiate its allegations, leaving ample ground for the applicants to open defence. The defendants are however expected to open their defence on November 18 and 19, 2019.

The Cases

CASE 15: ORJI UZOR KALU - N3.2 Billion Fraud Contd.



Justice Mohammed Idris of a Federal High Court in Lagos, Tuesday, fixed December 2, 2019, to deliver Judgment in the alleged fraud trial of former Governor of Abia, State, Orji Kalu. Orji Uzor Kalu was first arraigned in a suit number FHC/ABJ/CR/56/07 in 2007.

The Economic and Financial Crimes Commission (EFCC) again, on October 31, 2016, charged Kalu, his former Commissioner for Finance, Ude Udeogo, and a Company, Slok Nigeria Ltd. with 34 counts of alleged fraud. The charges were however subsequently amended and increased to 39 counts. Kalu and others pleaded not guilty to the charges, and were granted bail. Justice Idris who had been sitting as trial judge over the matter against Kalu, has been elevated to the Court of Appeal.

In his address, defence counsel, Chief Awa Kalu, SAN, urged the court to uphold his submissions as canvassed. He, however, made reference to a portion of the prosecution's written address on pages 107 to 109 in which the prosecution had made references to first defendant.

According to him, the defendant did not give any character evidence to warrant such assertion. He, therefore, urged the court to order the prosecution to withdraw that paragraph and where the prosecution fails, the court should call on parties to address it on same. In response, the EFCC Counsel, Mr Rotimi Jacobs, SAN, refused to withdraw the said paragraphs.

According to Jacobs, the statement by the defendant was to the effect that he did not receive up to N7billion during his administration which sum he is being accused of and that he had provided some of the funds for running Abia State at the time. Jacobs told the court that he had shown in his processes that during the period, Abia received up to N137billion. Justice Idris then said he would consider all issues raised in his judgment. He adjourned the case to December 2, 2019 for Judgment.

The Federal High Court in Lagos on Thursday, 6th December, 2019 found former Abia State Governor, Orji Uzor Kalu, and two others guilty of N7.65bn fraud. Kalu's co-defendants are his firm, Slok Nigeria Limited and Udeh Udeogu, who was Director of Finance and Accounts at the Abia State Government House during Kalu's tenure as Governor.

The current APC Senator was subsequently sentenced to 12 years imprisonment for N7.65bn fraud, among other multiple sentences ranging from 3 years to 5 years on 27 counts.

Justice Mohammad Idris also convicted and sentenced his two other accomplices who were also found guilty of N7.65bn fraud. They got multiple sentences between 10 years and 3 years.

The Judge also ordered that Slok be wound up and its assets forfeited to the Federal Government.

CASE 16: ADESOLA AMOSU - N21 Billion Fraud



As the trial continues of a former Nigeria's Chief of Air Staff, Adesola Amosu, and two other accused persons standing trial over alleged diversion of N21billion belonging to the Nigerian Air Force, the defendants informed Justice Chukwujekwu Aneke of the Federal High Court, Ikoyi, Lagos on July 4, 2019 of their willingness to enter into a plea bargain with the Economic and Financial Crimes Commission, EFCC. Amosu, the first defendant, is standing trial alongside Air Vice Marshal Jacobs Adigun, a former Chief of Accounts and Budgeting and Air Commodore Gbadebo Owodunni, a former Director of Finance and Budget in the Nigerian Air Force, NAF.

Both former officers are second and third defendants respectively on an amended 13-count charge bordering on conspiracy and conversion to personal use of the sum of N21billion belonging to NAF. The defendants pleaded not guilty to the charges. At the July sitting, prosecution counsel, Rotimi Oyedepo, informed the court that the defendants through their lawyers, wrote the EFCC, expressing their willingness to enter into a plea bargain over their alleged crimes.

The Cases

CASE 16: ADESOLA AMOSU - N21 Billion Fraud. Contd.

Oyedepo, however, expressed worry that the defendants and their counsels have not shown commitment towards the plea bargain they requested and in the general resolution of the matter. He further stated that if the defence team refused to come for the meeting before the next adjourned date, the prosecution will have no choice than to continue with the trial. In his response, counsel to Amosu, Chief Bolaji Ayorinde, SAN, told the court that they did not honour the invitation to the meeting because the Commission had not formally responded to their letter. Ayorinde noted that the EFCC only made an oral rather than a formal invitation for the meeting. Counsel to AVM Adigun, the second defendant, Norrison Quakers, SAN, and counsel to Owodunni, the third defendant, aligned themselves with Ayorinde's submission, insisting that the EFCC needed to respond to their letter in writing.

They further told the court of their willingness to continue with the plea bargain with the Commission. Quakers also brought before the court a "Motion on Notice" seeking the temporary release of the international passport of his client to allow him travel out of the country on medical grounds. The EFCC had on June 29, 2016, arraigned the accused persons before a Federal High Court in Lagos on a 23 counts charge bordering on fraud, money laundering and stealing.

The EFCC alleged that the three defendants allegedly converted N21 billion belonging to the Nigerian Air force (NAF) to their personal use. They were alleged to have committed the offences between March 5, 2014, and May 4, 2015. According to the charge, the converted N21,467,634,707.43, property of the Air force, which sum was derived from stealing to their personal use. An initial plea bargain talks with EFCC broke down after they reportedly refunded about N2 billion to the Federal Government. However, the EFCC on Tuesday November 13, 2018, re-arraigned them before a Federal High Court in Lagos. Their re-arraignment before Justice Chukwujekwu Aneke followed the elevation of Justice Idris to the Court of Appeal. They pleaded not guilty to the charges while the court allowed them to continue with the bail granted by the previous judge. In the amended charge, the EFCC dropped the names of the companies which were joined as accused in the earlier charge. The companies are: Delfina Oil and Gas Ltd, McAllan Oil and Gas Ltd, Hebron Housing and Properties Company Ltd, Trapezites BDC, Fonds and Pricey Ltd and Solomon Healthcare Ltd. Justice Aneke adjourned the case till October 9, 2019 for hearing of the application and continuation of trial. Trial continues with no further update available.

CASE 17: RITA OFILI-AJUMOGOBIA - \$793,800 Fraud



Officials of the Economic and Financial Crimes Commission, EFCC, on April 16, 2019 re-arrested a former judge of the Federal High Court, Justice Rita Ofili-Ajumogobia, after corruption charge against her was dismissed. Justice Ofili-Ajumogobia was arraigned along with Godwin Obla, SAN, for allegedly receiving \$793,800 in several tranches from different sources from 2012 to 2015.

The EFCC which had initially closed its case against the judge on September 14, 2018 after calling 12 witnesses and tendering several documents, later turnaround to ask the court to dismiss the case for lack of jurisdiction. The EFCC request was sequel to an application filed by Ofili-Ajumogobia's counsel, Chief Robert Clarke, SAN, urging the court to discharge and acquit her.

In his ruling, Justice Hakeem Oshodi, dismissed the charges against Ofili-Ajumogobia and frowned at the EFCC for wasting the time of the court. Justice Oshodi said: "As at December 11, 2017, the EFCC was aware of the decision reached by the Court of Appeal in *Nganjuwa versus FRN*. As at that date, the amended information was yet to be filed and the 12th prosecution witness was still giving evidence". "The prosecution persisted like a bull running amok and still called two more witnesses and precious judicial time was wasted. In conclusion, the court has no jurisdiction to hear the first amended charge of February 21, 2018 of 31-counts. This suit is hereby struck out."

However, EFCC said in view of the ruling by Justice Oshodi and having complied with the NJC procedure, the commission was set to prefer fresh criminal charges against the first defendant, Ofili-Ajumogobia. Meanwhile, a Federal High Court in Lagos, on Thursday, May 23, 2019 fixed Friday, May 31, 2019 for hearing in a motion filed by embattled Justice Rita Ofili-Ajumogobia, challenging her trial in the court. The defendants were supposed to stand trial before Justice Rilwan Aikawa but Rita Ofili-Ajumogobia was said to be on admission in the hospital. No further update available on the case.

The Cases

CASE 18: KENNY MARTINS -7.74 Billion Fraud



Kenny Martins was the chairman of the defunct Police Equipment Trust Fund who was arraigned in 2008 for allegedly diverting N7.74billion belonging to the trust fund along with three other persons: Ibrahim Dumuje, Joni Icheke, and Cosmas Okpara. They were arraigned before a Federal Capital Territory High Court (FCT), Guru.

The accused in November 2016 were acquitted of the charge by the presiding judge, Justice Abubakar Talba, who ruled that the EFCC failed to establish a prima facie case against the defendants. Not satisfied with the judgment, the EFCC filed an appeal at the Appeal Court, the court on June 28, 2012, set aside the judgment of the lower court and order for re-trial. However, the defendants filed another appeal at the Supreme Court against the judgment of the Appellate Court.

On March 23, 2018, the Supreme Court dismissed the appeal filed by Martins and ordered his re-trial by the EFCC. With the Supreme Court judgment, the Chief Judge of the FCT is expected to reassign the case to another judge. No update.

CASE 19: SUNDAY EHINDERO - N16.4 Billion Fraud



Trial commenced on Wednesday, November 28, 2018, when the former IGP, Mr Sunday Ehindero was re - arraigned by the Independent Corrupt Practices and Other Related Offences Commission, ICPC. Mr Sunday Ehindero, along with a former Commissioner of Police, John Obaniyi, were arraigned for alleged N16.4m fraud. They pleaded not guilty to the 10 counts charge when read to them before Justice Sylvanus Orji of the High Court of the Federal Capital Territory in Apo, Abuja. The defendants were initially arraigned on six counts bordering on the said offences in 2012, but the case had been stalled due to the preliminary objection which Ehindero filed challenging the court's jurisdiction to entertain the case after it was amended to 10 charges. Ehindero and his co-defendant were to be re-arraigned on the amended 10 counts before the process was stalled by the objection filed by the former Inspector-General of Police. The objection was dismissed by the trial court to the dissatisfaction of the ex-IGP who appealed against the decision all the way to the Supreme Court.

The charges which they pleaded not guilty to border on conspiracy, fraud and making a false statement. The prosecuting counsel, Mr O.G. Iwuagwu, alleged that the defendants from May 2006 to November 2006, conspired to criminally convert public funds totaling N16,412,315. The defendants allegedly diverted the said N16.4m described as the interest generated from a total donation of N557,995,065 to the police by the Bayelsa State Government for the procurement of police equipment. The defendants were said to have placed the money in two fixed deposit accounts at Wema Bank Plc and Intercontinental Bank Plc. The deposits were said to have yielded a total interest of N16,412,315.06. The prosecution said the alleged offences contravened Sections 26(1) and 22(5) of the ICPC Act, 2000. After the defendants took their pleas on Wednesday, defence lawyers, Mr Kenneth Onorun and Mr Samuel Obairko, urged the court to uphold the bail granted to the two men when they were first arraigned in 2012.

The prosecution had after the arraignment opted to open their case by calling the first witness, but the defence objected on the grounds that the statements of the defendants were not served along with the amended charges. Justice Orji directed the prosecutor to serve the defence counsel with the statements and then adjourned till January 8 for hearing. The ICPC on Wednesday, May 8, 2019, closed its case against former IGP and former Commissioner of Police, John Obaniyi, after calling four witnesses in the alleged N16.4million fraud charge preferred against them. No further update available on the case.

The Cases

CASE 20: FAROUK LAWAN **- \$500,000 Bribe**



The trial of politician and former House of Representatives member, Farouk Lawan is expected to resume before Justice Angela Otaluka of the High Court of the Federal Capital Territory (FCT) in Lugbe, Abuja. The Federal Government, through the office of the Attorney-General of the Federation (AGF), is prosecuting Lawan on a three-count amended charge of corrupt collection of \$500,000 out of the \$3m bribe he allegedly requested from Chairman of Zenon Petroleum and Gas Ltd, Mr. Femi Otedola. The charge is marked: FCT/HC/CR/76/2013. Lawan, who was the Chairman of the House of Reps ad hoc Committee that investigated the fuel subsidy fraud under President Goodluck Jonathan, was accused of accepting \$500,000 as bribe to remove the name of Otedola's firms – Zenon Petroleum and Gas and Synopsis Enterprises Limited, from the list of companies found to have allegedly defrauded the Federal Government of billions of naira by allegedly abusing the fuel subsidy regime in 2012. Lawan was initially arraigned with the Secretary of his ad-hoc committee, Boniface Emenalo on a seven-count charge in which they were accused of accepting \$620,000 from Otedola. The prosecution later reviewed the case, reduced the count to three, the money to \$500,000 and removed Emenalo as a defendant who later featured as a prosecution witness.

Otedola, during cross examination explained how the said bribe was collected. According to him, the defendant had indicted his company in the alleged fraud and demanded \$3million to exonerate him. On Wednesday November 21, 2018, a prosecution witness, Femi Otedola, in the ongoing trial of a former member of the House of Representatives, Farouk Lawan, told an Abuja High Court that the defendant collected \$500,000 as bribe to exonerate his company from the fuel subsidy fraud list. The prosecution counsel, Chief Adegoyega Awomolo, (SAN), had called Otedola as his main witness. The prosecution had earlier played a video where Lawan was seen receiving \$500,000 from Otedola..He added that after the initial deposit of \$500,000 was paid into his account, Lawan declared Zenon Oil and Gas free of the initial indictment.

In a Tuesday January 9 2019 appearance before Justice Angela Otakula of the Federal Capital Territory High Court, Otedola explained that the Department of State Service (DSS) gave him the sum of \$500,000 to set up the former lawmaker. He also explained that the money was given under the supervision of the DSS. The defense counsel, Mike Ozekhome, questioned Otedola's account saying Lawan ought to have been apprehended immediately he was caught. The judge however adjourned the matter till March 8 to continue the cross-examination of the prosecution witness. On resumption of the case on Tuesday, May 7, 2019 the Prosecution Counsel, Chief Adegboyega Awomolo (SAN), informed the court that Otedola who was giving evidence for the prosecution was not in court because he was sick. The matter is still pending.

CASE 21: JONAH JANG **- N6.3 Billion Fraud**



Plateau State High Court sitting in Jos on Friday 11, October, 2019, ordered the Economic and Financial Crimes Commission to recall all the witnesses for fresh re-examination in the N6.3bn charge it brought against a former governor of Plateau State, Jonah Jang. Justice Daniel Longji gave the order on Friday after ruling on the fresh application by the anti-graft agency seeking to amend the earlier charges from counts 12 to 17. The EFCC on Thursday September 12, 2019 presented 11 witnesses against him. The 11th witness, Musa Sunday, appeared before a State High Court, sitting in Jos, Plateau State. Musa Sunday, a prosecution witness revealed to the court how Jonah Jang, a former governor of Plateau State, received money in cash from his aides.

Jang and the aide, Yusuf Pam, a cashier at the Office of the Secretary to the State Government, SSG, are accused of colluding to divert state funds to personal use and are standing trial before Justice Daniel Longji. During cross-examination by Mike Ozekhome, (SAN), counsel to Jang, Sunday explained how Pam, during investigations into the alleged fraud, took him through the hidden back passage through which he usually used to take cash to Jang.

The Cases

CASE 21: JONAH JANG

- N6.3 Billion Fraud. Contd.

A Plateau State High Court sitting in Jos on Friday 11, October, 2019, ordered the Economic and Financial Crimes Commission to recall all the witnesses for fresh re-examination in the N6.3bn charge it brought against a former governor of Plateau State, Jonah Jang. Justice Daniel Longji gave the order on Friday after ruling on the fresh application by the anti-graft agency seeking to amend the earlier charges from counts 12 to 17. The EFCC on Thursday September 12, 2019 presented 11 witnesses against him. The 11th witness, Musa Sunday, appeared before a State High Court, sitting in Jos, Plateau State. Musa Sunday, a prosecution witness revealed to the court how Jonah Jang, a former governor of Plateau State, received money in cash from his aides.

Jang and the aide, Yusuf Pam, a cashier at the Office of the Secretary to the State Government, SSG, are accused of colluding to divert state funds to personal use and are standing trial before Justice Daniel Longji. During cross-examination by Mike Ozekhome, (SAN), counsel to Jang, Sunday explained how Pam, during investigations into the alleged fraud, took him through the hidden back passage through which he usually used to take cash to Jang.

While identifying Exhibit P62, a response from the Plateau State House of Assembly dated July 19, 2018, and September 2014, alongside the letter from the EFCC requesting for information, Musa told the court that investigations revealed that memos were written by the Commissioner of Finance who was involved in seeking approval for the disbursement of the funds involved in the alleged fraud.

It could be recalled that EFCC in May, 2018, arraigned Jang in court alongside a former cashier in the office of the Secretary to the State Government, Yusuf Pam, over alleged diversion of about N6.3 billion public funds before he left office in 2015. The offences were said to have been perpetrated few months to the end of Jang's tenure as governor in 2015. The trial continues.

CASE 22: DANJUMA GOJE

- N25 Billion Fraud



The Federal High Court sitting in Jos, Plateau State, on Friday, March 22, dismissed 19 out of the 21 charges filed by the Economic and Financial Crimes Commission against a former Governor of Gombe State, Senator Danjuma Goje. The court, however, retained the remaining two charges preferred against the senator alongside three other accused persons. The charges bordered on conspiracy, money laundering and embezzlement of funds belonging to the state government, all to the tune of N5bn. The offences relate to fraudulent supply of food items to government house and public auction of government vehicles. During the trial, one of the accused persons, Mr Sabo Tumu, died which made the court to strike out his name in the case. While the trial was ongoing, Goje on January 25, 2019 made a no case submission, asking the matter to be struck out. The EFCC had through its counsel, Wahab Shittu, closed its case against the defendants on May 31, 2018, after calling 24 witnesses and tendering several documents to prove its case.

The counsel for Goje, Chris Uche, SAN, on September 14, 2018 filed a “no case” submission while the prosecution counsel urged the court to dismiss same. But ruling on the case in Jos on Friday, March 22, Justice Babatunde Quadri said: “I have carefully examined the evidence laid down by the prosecution before the court and it is clear that the prosecution failed to prove the ingredients of the offences as charged in counts 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 19 and 21 which bordered on diversion, money laundering and misappropriation of funds.” He ordered the defence to open its defence on the matter on May 8, 2019, the next adjourned date.

The EFCC has been prosecuting the case for almost eight years until on June 7 when it handed over the case file to the AGF. The case, which is before Justice Babatunde Quadri of Jos Federal High Court II, had even gone to the Jos Court of Appeal as Goje appealed against decision of lower court with no date fixed for the matter before EFCC handed over the case to the AGF. A new twist was introduced when the Attorney General of the Federation, AGF, Abubakar Mallami, was reported to have taken over the case from the EFCC. Justice Quadri however adjourned the case to July 4, for further hearing. On the next adjournment, Mr Pius Asika, counsel from the office of the attorney general however announced his appearance for the case. Asika then applied for an adjournment to enable him prepare for the case proper “having come into the matter”.

CASE 22: DANJUMA GOJE - N25 Billion Fraud. Contd.

The Human and Environmental Development Agenda, (HEDA) had on June 13, 2019, reacted that the Attorney General of the Federation's decision to take over the trial of Senator Danjuma Goje for corruption was likely to pervert the cause of justice. When the case came up for emergency hearing before Justice Babatunde Quadri of the Federal High Court II in Jos, the EFCC's counsel, Mr Wahab Shittu, said he was withdrawing from the case and handing it over to the office of the AGF in response to the appearance of a counsel representing the AGF office. "There is grave concern the takeover of the trial of Goje who has been accused of fraud involving huge sums of public funds will undermine justice. The decision of the AGF to take over the case from the Economic and Financial Crimes Commission, (EFCC) is raising a lot of concern. It sends wrong signals to local and international communities that vested political interests are bent on sabotaging the efforts of the EFCC and the entire gamut of anti-corruption campaign" the statement signed by HEDA Chairman, Olanrewaju Suraju noted. HEDA said there was no justification for the takeover except to fuel rife speculations that the case is being tailored to meet "political considerations" as in previous cases taken over by the AGF office.

A Federal High Court sitting in Jos had on Friday July 5, 2019 thrown out the corruption case against senator Goje. This development generated a lot reactions from Nigerians. A Nigerian professor of mass communication, Kperogi, who is based in the US reacted on twitter: "I've just learned from someone who witnessed Danjuma Goje's meeting with Buhari in Aso Rock that it was Buhari who PERSONALLY gave orders that Goje's N25bn fraud case be withdrawn. It was the condition Goje gave Buhari for supporting Ahmed Lawan for Senate President. I swear by the .Holy Qur'an that this was what actually happened. Buhari is himself a fraudster and has always been, so this didn't come to me as a surprise. I just pity the hordes of headless idiots who still think this old, duplicitous rogue embodies "integrity."

HEDA Resource Centre issued a 14-day ultimatum to the Federal Government to either prosecute former Gombe State Governor, or face court action and public protest. In a statement signed by the organisation's Chairman, Mr. Olanrewaju Suraju, the group said the action of the Federal Government confirms suspicion that Goje's trial has been waved aside because of his decision to step down as a contestant for the Senate President in deference to President Muhammadu Buhari and the ruling All Progressive Congress (APC) leaders' preferred choice, Senator Ahmad Lawan.

CASE 23: JOHN ABEBE - \$4 Million Fraud



John Abebe's trial was stalled on Wednesday July 10, 2019, due to the provision of incomplete documents by a defence witness. The trial could not proceed after defence witness, Oritsematosan Nabuyaka, Head, Registry Department, Corporate Affairs Commission (CAC), produced an incomplete set of documents necessary for Abebe's defence.

Two foreigners, Mr. Paul Piche, a Norwegian and Ms Charlene Cross, a Briton, on Tuesday told an Ikeja Special Offences Court on October 23, 2018, how Mr John Abebe the brother of late Stella Obasanjo, the former first lady of Nigeria, allegedly forged documents to perpetuate \$4million fraud. Abebe however denied the charges that were preferred against him by the Economic and Financial Crimes Commission (EFCC).

During proceedings, Piche who was led in evidence by EFCC prosecuting counsel, Mr Rotimi Oyedepo, revealed to the court how the alleged forgery of a Net Profit Interest Agreement (NPIA) by Abebe was unraveled by Statoil Nigeria. John Abebe, a younger brother to the late first lady of Nigeria, Stella Obasanjo was on July 26, 2018, docked before a Lagos Special Offences Court in Ikeja, for alleged forgery and \$4million fraud.

He was docked on a four-count charge of forgery, fabricating evidence, using fabricated evidence and attempt to pervert the course of justice. However Abebe pleaded not guilty to the charge. The presiding judge, Justice Mojisola Dada had on August 2, granted him bail and fixed 23, 24 and 25 of October, 2018, for his trial to commence. The case is still pending.

The Cases

CASE 24: BENJAMIN ADEFEMI OGUNBODEDE, - N177 Million Fraud



Prof. Benjamin Adefemi Ogunbodede is the former Director-General, Institute of Agriculture Research and Training, IART, Ibadan, Oyo State. He was charged for diversion of fund to the tune of N177million. On October 3, 2017, The Economic and Financial Crimes Commission (EFCC) secured the conviction and sentence to four years imprisonment of the former DG of the Agriculture Institute.

The judgment was delivered by Justice Nathaniel Ayo-Emmanuel of the Federal High Court sitting in Ibadan. Ogunbodede was prosecuted alongside Zacheaus Tejumola, the institute's accountant, Adenose Clement and Jalekun Omotowoju on a 17-count charge bordering on conspiracy, misappropriation and diversion of funds to the tune of N177 million. The case was closed following the conviction.

CASE 25: SAIDU KUMO - N450 Million Money Laundering



Saidu Kumo is a former senator from Gombe State who was on September 26, 2018, arraigned by the Economic and Financial Crime Commission (EFCC) before a Federal High Court in Gombe for alleged conspiracy and money laundering. He was arraigned alongside a former Peoples Democratic Chief in Gombe, Nuhu Poloma.

The anti-graft commission told Justice Nehizena Apolabi led court that the duo on March 27, 2015, collected the sum of N450million from a new generation bank which was suspected to be proceeds of illegal act. The EFCC alleged that Senator Kumo took the sum of N111million and instructed one Sunday Agaba, a bank official, to deliver the balance of N313,500million to a cashier of Gombe State Government House. The former Senator was alleged to have spent N3million for himself and gave N2million to Mr. Poloma but failed to account for the remaining balance of N106million. The presiding judge, Justice Apolabi, adjourned the case to December 5, 2018, after granting the accused persons bail. No update on the matter.

CASE 26: ADAMU ALIERO - N10.2 Billion Fraud



Adamu Aliero, is a former Governor of Kebbi State from May 1999 to May 2007. Between December 2006 and August 2008, the EFCC and the Independent Corrupt Practices and Other Related Offences Commission, ICPC, received three petitions asking the anti-graft agencies to investigate Aliero over N10.2bn fraud. Following an ex-parte application by an indigene of the state, Alhaji Sani Dododo, for an order of mandamus compelling EFCC and ICPC to investigate the allegations, Justice Adamu Bello summoned Aliero to appear before it. A Federal High Court in Abuja in July, 2018, summoned the Economic and Financial Crimes Commission (EFCC), the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and the former governor of Kebbi State, Adamu Aliero, over alleged N10.2billion fraud in the State.

Justice Adamu Bello summoned the two anti-corruption agencies to explain why they had failed to investigate Aliero over the alleged fraud. However, he is yet to stand trial for any corruption charges. Aliero on Sunday, September 9, 2018 declared his intention to represent his constituency for the third time in the Senate. H Adamu Aliero won his re-election bid into the Senate for the third time under the ruling party and nothing has been heard of the case since.

The Cases

CASE 27: CHIMAROKÉ NNAMANI - N5.3 Billion Fraud



A former Governor of Enugu State, Chimaroke Nnamani, was standing trial alongside his former aide, Sunday Onyekazor Anyaogu. Nnamani, Anyaogu and six companies had been first arraigned in 2007 for allegedly conspiring to divert about N5.3bn from the coffers of Enugu State. The case, which had been handled by three judges, was in December, 2017, transferred to Justice Obiozor.

However, a Federal High Court sitting in Lagos on February 20 2018, dismissed the corruption charges against him. The ruling delivered by the judge, Chuka Obiozor, struck out the charges against the former governor for lack of “proper charges” before it. Rickey Tarfa, counsel to Mr. Nnamani, had informed the court that the defendant filed a motion disclosing the facts that this case has been put to rest by Justice Yunusa in his judgement in suit no FHc/L/09c/07.

According to Mr. Tarfa, SAN, parties in the suit had entered a plea bargain before Justice Yunusa and there were no valid pending charges before Justice Obiozor, as the court cannot sit on appeal for the case of another judge of concurrent jurisdiction. However, the EFCC prosecutor, Kelvin Uzozie, argued that he had looked at the affidavits filed by the defendant in the case and was applying that the entire proceedings be expunged to enable him file fresh charges against Mr. Nnamani. But the judge ruled saying: “I agree that in view of the plea bargain judgement of this court delivered on the 7th of July, 2015, that there is no valid charge before me and I thereby expunge the entire proceedings before me.” With the court order, it means that the bench warrant earlier issued by the court against Nnamani has been discharged, and become null and void. Though, the EFCC after judgment announced that it will file a fresh charge against Chimaroke Nnamani, nothing has been heard of such development. Therefore, the case is assumed closed.

CASE 28: MU'AZU BABAGINDA ALIYU - N1.9 Billion Money Laundering



The Economic and Financial Crimes Commission (EFCC) on May 16, 2017, arraigned a former Niger State Governor, Muazu Babangida Aliyu, and his Commissioner for Environment, Parks, Gardens and Forest Resources, Umar Mohammed Nasko, before Justice Nnamdi Dimgba of the Federal High Court, Abuja, on an eight-count charge bordering on money laundering to the tune of N1.46billion. A Minna Federal High Court in 2019 ordered the immediate arrest of the former governor of Niger State. Dr. Babangidda Aliyu and his former Chief of Staff, Umar Gado, for shunning the court order to answer to a N1.9billion fraud case preferred against them by the EFCC. Hearing has commenced on the case.

CASE 29: MUKHTAR SHAGARI - N500 Million Money Laundering

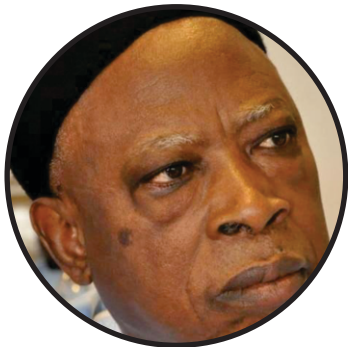


The Federal High Court in Sokoto, Sokoto State, on May 21, 2018, ordered the Economic and Financial Crimes Commission (EFCC) to arraign Mukhtar Shehu Shagari, former Minister of Water Resources, and four others for N500million fraud. Mukhtar Shehu Shagari was arraigned alongside Ibrahim Gidado, Nasiru Dalhatu, Ibrahim Milgoma and Abdullahi Mohammed Wali on charges ranging from conspiracy to money laundering in relation to the case against Diezani Alison-Madueke, former Minister of Petroleum Resources. The defendants were alleged to have participated in the sharing of the \$115million largesse from the former minister intended to influence the outcome of the 2015 presidential election.

The Cases

The EFCC has been in court with Diezani since the beginning of the Buhari administration. In the course of its investigation, it traced properties valued at millions of dollars to the former minister at Banana Island, Lagos. In August 2017, Justice Chuka Obiozor, a judge sitting at the Federal High Court in Ikoyi, Lagos, ordered the final forfeiture of a \$37.5m (N11.75bn) property on Banana Island, Ikoyi, Lagos, allegedly belonging to Diezani. The order followed an ex parte application filed on July 17, 2017, by the EFCC. The judge had on May 24, granted the accused bail in the sum of N25million each with two sureties in like sum and fixed July 5 for hearing. The case came up on Thursday July 5, 2018 before the Federal High Court in Sokoto but was adjourned till October 3, due to the absence of the judge. However, no further update is available to determine the current status of the case. We couldn't establish whether it came up in the court on the expected adjourned date which was October 3, 2018.

CASE 30: ABDULLAHI ADAMU **- N15 Billion Misappropriation**



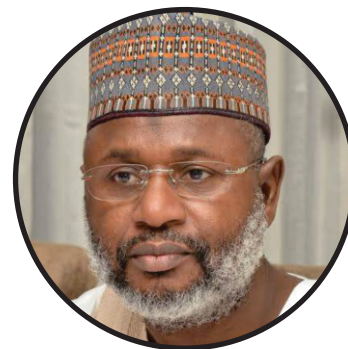
Senator Abdullahi Adamu, a former Executive Governor of Nassarawa State was in 2010 charged in suit No. FHC/LF/CR8/2010 before Federal High Court, Lafia. Alhaji Abdullahi Adamu was the governor of Nasarawa State from 1999 to 2007. He represents Nasarawa West Senatorial District and is the Chairman Senate Committee on Agriculture. In February 2010, the EFCC arrested the lawmaker for allegedly misappropriating N15billion alongside eighteen others. He was subsequently arraigned on a 149-count charge of fraud to the tune of N15billion, before Justice Ibrahim Buba, who was later replaced in the case by Justice Marcel Awokulehin.

The lawmaker and his co-accused denied all the charges and challenged the jurisdiction of the court to try the case, arguing that the money in question belong to the people of Nasarawa State and therefore does not fall under the purview of the Federal Government and the EFCC to investigate and prosecute. The court, however, ruled against the accused persons and ordered them to face trial. The lawmaker and his co-accused subsequently appealed the ruling to the Court of Appeal sitting in Markudi, Benue State.

However Adamu claimed that the case had been terminated in the ruling on his case by a Federal High Court in Lafia dated June 28, 2016 with reference number FHC/LF/CR/08/2010. The court presided over by Justice A. A. Okeke had while ruling on the application by the prosecution counsel struck out the case and discharged Adamu and the eleven other accused persons. Case closed.

CASE 31: SENATOR AHMED SANI **YERIMA**

- N1 Billion Fraud



Senator Ahmed Sani Yerima is a three-term Senator and Former Governor of Zamfara State. In January 2016, he was docked on a 19-count charge of corruption by the Independent Corrupt Practices and Other Related Offences Commission (ICPC) at the Zamfara State High Court in Gusau. He was charged before Justice Bello Shinkafi of High Court 4, in Gusau, the state capital,

The commission accused him of diverting part of the N1billion project funds for the repair of collapsed Gusau Dam and resettlement of the victims of flood to other purposes. The alleged offences were committed in 2006. The commission accused him of diverting part of N1billion project funds for other purposes. The fund was meant for the repair of the collapsed Gusau Dam and the resettlement of the victims displaced by flood waters. However, Justice Bello Muhammad Tukur on December 5, 2017, dismissed the 19-count-charge of corruption levelled against Senator Yerima after the counsel of the 1st defendant (Yerima) Barrister Ifeanyi Augustine Azuamah made a no-case submission to the court. Case concluded.

The Cases

CASE 32: GODSWILL OBOT AKPABIO - N108 Billion Fraud



Senator Godswill Obot Akpabio was the Governor of Akwa-Ibom State for eight years. He is currently representing APC, Akwa-Ibom North-West Senatorial District and he is being investigated for corruption. Akpabio, who is the Vice Chairman of the Senate Committee on Judiciary, Human Rights and Legal Matters, was twice invited by the EFCC in 2015, over allegation of N108bn fraud.

The Former Minority Leader has, however, described the allegation as a falsehood bandied about by people with no idea about the workings of government. Shortly after the Senator decamped to the ruling APC, the EFCC in August 2018 said, the case is still ongoing. However, while nothing has been heard of the N108bn corruption case against Godswill Obot Akpabio who is now serving as a minister under President Muhammadu Buhari's administration, the Socio-Economic Rights and Accountability Project (SERAP) on August 4, 2019, asked the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) to probe Godswill Akpabio and Isa Misau over alleged diversion of constituency projects.

CASE 33: MAHMUD TUKUR - N1.8 Billion Fuel Subsidy Scam



MammanTukur and others were charged before a Lagos high court in suit No: ID/120C/2012 in July, 2012, over a nine-count charge of fuel subsidy fraud amounting to N1.8billion. Mahmud Tukur is the son of Alhaji Bamanga Tukur, former Chairman of the Peoples Democratic Party (PDP). He was arraigned along with Maman Nasir Ali, son of Ahmadu Ali, and a son of the deceased Ibadan-based business man, Alhaji Azeez Arisekola-Alao.

They were all accused of obtaining different sums of money running into over six billion naira under false pretence. They were also accused of forging several importation and shipping documents to allegedly commit fraud. The prosecution alleged that the accused had between January and April 2011 in Lagos, fraudulently obtained the sum of N1.8billion from the Federal Government.

They were accused of obtaining the money from the Petroleum Support Fund for the purported importation of 80.3 million litres of Premium Motor Spirit (PMS). The accused persons were also alleged to have forged a Bill of Lading dated April 28, 2011, which they used in facilitating the fraud and therefore contravened Sections 467 and 468 of the Criminal Code Laws of Lagos State 2003. They all pleaded not guilty to the charges and then proceeded to argue their application for bail.

However, Mahmud Tukur was re-arraigned alongside Alex Ochonogor, Eternal Oil Plc, Axenergy Limited, and Star Inspection Services Nigeria Limited in May 2017. The prosecution was stalled after the defendants began negotiations with the anti-graft agency.

The talks fell through months later. In 2013, the EFCC re-arraigned the defendants before Justice Lateef Lawal-Akapo after the trial judge, Adeniyi Onigbanjo, was transferred to the Commercial Division of the court. The May 2017 re-arraignment of the defendants before Justice Hakeem Oshodi was the third since the trial began in 2012. The defendants pleaded not guilty to all the charges and the case is ongoing. No update is available on this case.

The Cases

CASE 34: WALTER WAGBATOMA - N1.9 Billion Fuel Subsidy Scam



Walter Wagbatoma is the Chairman Ontario Oil and Gas Limited arraigned along with Mrs. Adaoha Ugo-Ngadi, the Managing Director of the company and others in a suit No. ID/115C/2012 before the Lagos High Court over N1.9billion oil subsidy scam. Walter Wagbatsoma; AdaohaUgo -Ngadi; Fakuade Babafemi Ebenezer and Ontario Oil& Gas Nigeria Limited are alleged to have fraudulently obtained the sum of N1, 959, 377, 542, .63 (One Billion, Nine Hundred and Fifty Nine Million, Three Hundred and Seventy Seven Thousand, Five Hundred and Forty Two Naira, Sixty Three Kobo) from the Petroleum Support Fund for a purported importation of 39.2million litres of Premium Motor Spirit.

The Economic and Financial Crimes Commission (EFCC) had arraigned the convicts before the court on August 1, 2013, alongside Mr. Babafemi Fakuade, an official of the Petroleum Products Price and Regulatory Agency (PPPRA). Besides the fuel subsidy trial, Wagbatsoma was in 2017 arrested in Germany over his involvement in alleged money laundering in a multi-million pound fraud. He was held in the United Kingdom on charges relating to a £12million National Health Insurance Scheme (NHIS) Trust fraud.

The Lagos High Court in Ikeja sentenced Walter Wagbatsoma and Adaoha Ugo-Nnadi to 10 years imprisonment from January 13, 2017. She also ordered restitution for Ontario Oil and Gas, and asked the company to refund N754million being the amount it defrauded the Nigerian government. However, Lagos Division of the Court of Appeal on February 9, 2018, discharged the convicted persons in the case. Reading the appellate court's decision, Haruna Garba, one of the judges, while upturning the sentence held that the grounds upon which the appellants were convicted were faulty because Mr. Wagbatsoma's charges were not severed before the conviction. Wagbatsoma was also convicted by Leicester Crown Court in the United Kingdom in January 2018, for conspiracy to launder money in an international fraud and money laundering investigation.

CASE 35: JOSHUA CHIBI DARIYE - N1.2 Billion Money Laundering



Joshua Chibi Dariye is the Senator representing Plateau Central. He was the governor of Plateau State from 1999 to 2003 and was reelected in 2003 before he was impeached in 2006. Dariye stood trial since 2007 on a 23-count charge bordering on money laundering, abuse of office and corruption. He was accused of embezzling over N1.2billion ecological funds.

The Federal Capital Territory (FCT) High Court Gudu, in Abuja on Tuesday12/6/18 sentenced him to 14 years imprisonment for fraud and misappropriation of funds. The jail term was later reduced to 10 years by the Appeal Court. Case concluded. Equipment recovered are dialysis machine, ECG monitor, oxygen regulator, anesthetic machines, generators and other hospital equipment meant for a cottage hospital in Ukana, Essien Udim Local Government Area of Akwa Ibom State.

The items were recovered during the ICPC's ongoing tracking of constituency projects around the country. While the EFCC and ICPC are yet to interrogate the former lawmakers, Oluwadare posited that prosecuting Akpabio and Misau will serve as a proof of consistency to curb corruption by the anti-graft agencies. He opined that the allegations of diversion of constituency projects by public officers have weakened public confidence in the effectiveness of the system to deliver essential public services to the citizens. No further update on case yet.

The Cases

CASE 36: OLUWASEUN OGUNBAMBO - N5.46 Billion and N1 Billion Fuel Subsidy Scam



Trial is yet to re-open and no update is available in the case of Oluwaseun Ogunbambo as one of the five suspects the Economic and Financial Crimes Commission (EFCC) arraigned on November 12, 2012 over the looting of over N5.4billion under the guise of fuel supply. Oluwaseun Ogunbambo was arraigned alongside Nasaman Oil Services Limited, Mamman Nasir Ali, Christian Taylor, and Olabisi Abdul-Afeez before Justice Lateefa Okunnu of the Lagos High Court.

They were all accused of obtaining N5.46billion from the Federal Government by falsely claiming that the sum represented subsidy accrued to them under the Petroleum Support Fund for the importation of 61,049,937.00 litres of Premium Motor Spirit, PMS. Justice Adeniyi Onigbanjo on February 14, 2013, gave the EFCC approval to seize assets belonging to Seun Ogunbambo, Mamman Ali and two suspects standing trial for engaging in extensive fuel subsidy fraud. The EFCC was to take possession of the assets pending the outcome of the trial.

Justice Onigbanjo, on February 10, 2014 issued a bench warrant against Ogunbambo for failing to appear before the court for the continuation of his trial. In his ruling, Justice Onigbanjo said there was no exceptional circumstance to warrant the court vacating the bench warrant. The judge said the warrant was to ensure that Ogunbambo was brought to court for speedy conclusion of the trial. Justice Onigbanjo dismissed the application of the defence and advised the EFCC to arrest Ogunbambo.

He was declared wanted by the EFCC in 2016. The case is still pending with no updated record to determine the current status.

CASE 37: DIEZANI ALISON-MADUEKE - \$20 Billion Money Laundering



Justice Ijeoma Ojukwu of the Federal High Court in Abuja on Tuesday November 12, 2019, gave the Economic and Financial Crimes Commission until March 2020, to have a former Minister of Petroleum Resources, Mrs. Diezani Alison-Madueke, extradited to Nigeria. The commission had in November 2018 filed 13 counts of money laundering against the ex-minister accusing her of unlawfully taking into her possession \$39.7m and N3.32bn with which she allegedly bought choice properties in Abuja, Lagos and Port Harcourt in Rivers State, while she was in office. The judge threatened to strike out the money laundering case should the anti-corruption agency fail to produce the defendant in court by March 2020.

The prosecuting counsel, Mr. Faruk Abdullah, had earlier pleaded with the judge to adjourn the case sine die (indefinitely), on the grounds that the EFCC was facing challenges in its bid to extradite the defendant from the United Kingdom. Diezani has been in the United Kingdom facing corruption investigations since 2015 when she left office as minister. The prosecution on November 11, 2018, filed the 13 counts of money laundering accusing Diezani of unlawfully taking into her possession \$39.7m and N3.32bn when she reasonably ought to have known that the money formed part of the proceeds of unlawful activities. She was said to have purchased choice landed assets with the money using different fronts as the owners.

In September 2013, she allegedly used the name of Rusimpex Limited to acquire a property named Block B3 comprising of six penthouses and 18 flats at Zone N Federal Government Layout, also known as Bella Vista Estate, Banana Island, Ikoyi, Lagos, with \$37.5m. On June 4, 2012, she was said to have used the name of Azinga Meados Limited to buy 13 three-bedroom terrace houses with one room maids' quarters at Mabushi Gardens Estate, Abuja, with N650m.

The Cases

CASE 37: DIEZANI ALISON-MADUEKE **- \$20 Billion Money Laundering**

In May 2012, she allegedly used the name of Chapel Properties to buy eight four-bedroom terrace houses, two three-bedroom penthouses, six three-bedroom apartments, two three-bedroom mansionette, two two-bedroom apartments, one four-bedroom apartment at No. 4/6 Thorbun Avenue, and No 5 Raymond Street, Yaba, Lagos, with N937m.

She was also said to have in May 2012, purchased in the name of Blue Nile Estate Limited, 16 four-bedroom terrace houses, at Plot 2C, Omerelu Street Diobu GRA, Port Harcourt, Rivers State, with N928m. She was also said to have in January 2011, bought in the name of Vista Point Company Limited, six flats of three-bedrooms with one boy's quarters each, lawn tennis court, gym, garden and appurtenances, at 135 Awolowo Road,/Bourdillon Road, Ikoyi, Lagos State, with N805m.

The ex-minister was also said to have, in December 2011, bought in the name of Sequoyah Properties Limited a property at 12, Forces Avenue, Old GRA, Port Harcourt, measuring 4,890 square metres with \$2.2m. Her alleged offences which she was said to have committed between November 20, 2011 and September 2013 were contrary to section 15(2), (d) of the Money Laundering Act, 2011 as amended in 2012 and punishable under section 15(3) of the same Act. In October 2009, the Nigerian Senate indicted Diezani Alison-Madueke and recommended her prosecution for the transfer of N1.2billion into the private account of a toll company without due process and in breach of concession agreement. On October 2, 2015. She was arrested by the UK's National Crime Agency (NCA) in London, along with four other people on suspicion of bribery and corruption offences.

The EFCC on February 25, 2019, informed Justice Valentine Ashi of a Federal Capital Territory, FCT High Court sitting in Apo that it had written the Attorney General of the Federation, AGF, Abubakar Malami, SAN, in respect of her extradition from the United Kingdom. The Commission wrote the AGF with a view for the extradition process so as to enable her face her trial as she is still in the United Kingdom. Recall that earlier, a Federal High Court in Lagos on 28 August, 2017 ordered the final forfeiture of N7.6bn (\$21 million) alleged loot recovered from the former minister to the Federal Government. Justice Abdulazeez Anka granted an application by the EFCC seeking the final forfeiture of the money to the government.

Also in another case before Justice Mojisola Olatoregun of the Federal High Court sitting in Ikoyi, Lagos, the judge had on Wednesday, February 28, 2018, ordered the final forfeiture of two properties in Lagos belonging to a former Minister of Petroleum Resources, Diezani Alison-Madueke, to the Federal Government. The properties are: Pent House 21, Building 5, Block C, 11th floor (Bella Vista Estate) located at Plot 1, Zone N. Federal Government Layout, Banana Island, Ikoyi, Lagos. The other is Pent House 22, Block B (Admiralty Estate), located at Gerrald Road, Ikoyi, Lagos. The properties are considered as proceeds of her involvement in corrupt practices worth billions of naira while serving as the Minister of Petroleum and Natural Resources. The case continues.

CASE 38: SAMINU TURAKI **- N36 Billion Money Laundering**



Since February 2018, that the EFCC announced its plan to reopen 14 cases involving ex-governors and top politicians corruption cases in which Saminu Turaki's case is one of them, nothing has been done for continuation of his trial. Saminu Turaki is a former Governor of Jigawa State charged for money laundering allegedly committed by him while he was the governor of the state. In July 2007, the EFCC filed a 32-count charge of corruption and money laundering against Turaki at a federal high court in Dutse in charge No: FHC/ABJ/CR/86/07. The anti-graft agency alleged that the former governor laundered N36billion meant for his state. But his trial could not continue because, according to the EFCC, he absconded after being granted bail. Turaki, who was a senator between 2007 and 2011, “has continuously evaded appearance in court,” the anti-corruption agency said. The commission then declared him wanted in December 2014. But, at a book launch in Abuja on July 4, 2017, the EFCC rearrested Turaki and was in EFCC custody for 14 days before he was granted bail with N500million. Turaki was subsequently brought before a court for trial on September 19, 2017. No progress has been made since then as no available record on the case.

The Cases

CASE 39: AUDU ABUBAKAR **- N10 Billion Fraud**



Prince Abubakar Audu was a former Governor of Kogi State who was taken to a High Court in Lokoja, capital of Kogi State, by the Economic and Financial Crimes Commission (EFCC) on Monday, December 4, 2006, on 80-count charge. He was also paraded on July 9, 2007, over corruption charges preferred against him by the Code of Conduct Tribunal (CCT). In the CCT charge, Audu was tried on a six-count charge of corruption, abuse of office, conversion of public property to personal and family use. He was re-arraigned by the Economic and Financial Crimes Commission, EFCC on Monday March 18, 2013 alongside a former Director General of the Directorate of Rural Development in his administration, Alfa Ibn Mustapha before Justice A.O. Adeniyi of the High Court of the Federal Capital Territory, Abuja.

The duo were arraigned on a 36-count charge bordering on criminal breach of trust and misappropriation of public funds to the tune of N10,965,837,040 (Ten Billion, Nine Hundred and Sixty-Five Thousand, Eighty Hundred and Thirty Seven Naira, Forty Kobo).

Audu and his co-accused pleaded not guilty to the charge when it was read to them, prompting the prosecution counsel, Rotimi Jacobs, SAN, to request for a date for the commencement of trial. He was the governorship candidate of the All Progressives Congress (APC) in the November 21, 2015 election in Kogi State and was very close to becoming the governor when he died suddenly. No update is available as to whether the death of Audu signaled end of the case.

CASE 40: TIMIPRE SYLVA **- N2.45 Billion Fraud**



Chief Timipre Sylva is a former Governor of Bayelsa State who was slammed by the Economic and Financial Crimes Commission (EFCC) with a six-count charge concerning his alleged mismanagement of N2.45 billion while in office. The accused is alleged to have committed the offences through proxies under the false pretence of using the amount to augment salaries of the Bayelsa State Government.

The alleged offences are contrary to Sections 14(1) and 17(a) and punishable under Section 14(1) of the Money Laundering (Prohibition Act) 2004.

However, EFCC dropped both cases in 2015 after court dismissed it while Sylva recovered his 48 properties earlier confiscated by the anti-graft agency in September 2017.

In her ruling on the case, Ahmed Mohammed, the presiding judge, described the charge as an abuse of court process because the charges were based on the same set of transactions involved in the N2.45bn charges.

In April 2015, he was appointed to represent the incoming administration of Muhammadu Buhari in the Inauguration Committee that ushered in the new government on May 29, 2015, co-chairing the committee with Anyim Pius Anyim, then secretary to the government of the federation who represented the Jonathan administration. Case closed

CASE 41: LUCKY IGBINEDION - N25 Billion Fraud



The former Governor of Edo State, Chief Lucky Nosakhare Igbinedion was in 2008 sentenced to six months in prison (but with an option of fine of N3.5m which he paid) by a Federal High Court in Enugu after he pleaded guilty to a count charge following an initial 191-count charge of fraud, theft, embezzlement and money laundering running into 25 billion naira.

Igbinedion was again convicted in 2011 over N25bn fraud and was charged with 58 criminal counts. However, the Federal High Court sitting in Benin discharged him of money laundering and corruption in June, 2011, after a plea bargain he entered with EFCC.

The Federal High Court had ruled in 2011 that it would amount to double jeopardy and abuse of court process to try him again after the plea bargain he entered with the EFCC. But it's not yet over for Mr. Igbinedion as the Court of Appeal in Benin ruled on April 9, 2014, that he had a case to answer over a fresh 66-count money laundering and financial impropriety suit brought against him by the EFCC.

He was on April 30, 2015 fined N3.5 million fine after the initial controversial plea bargain agreement he reached with the EFCC which required that he returns N500 million and three of the houses he acquired with stolen public funds to the Federal Government. Case assumed closed because no record of any update on this case.

CASE 42: PETER AYODELE FAYOSE - N1.3 Billion Money Laundering



Peter Ayodele Fayose is the immediate past Governor of Ekiti State. Fayose has an impending trial for murder, money laundering and corruption. On April 21, 2014, Mr. Olayinka had, in a strongly worded petition to the Inspector-General of Police, pleaded passionately for the arrest of Mr. Fayose over his role in the cold murder of Tunde Omojola, Ayo Daramola, Taiwo Fasuba and others by an alleged notorious killer squad set up and funded by Mr. Fayose.

The renowned human rights activist, Femi Falana (SAN), recalled that Mr. Fayose was facing multiple charges of murder and corruption at the Ekiti State High Court and Federal High Court before his controversial re-election as a governor in June 2014. The N2.2bn fraud trial of the past Ekiti State Governor, Mr Ayodele Fayose, immediately commenced after his tenure as governor of the state in 2018, with his former ally Musiliu Obanikoro testifying against him. While being cross examined by the second defence counsel, Mr. Olalekan Ojo (SAN), former Minister of State for Defence, Obanikoro, told the court that he was testifying against Fayose reluctantly, noting that they enjoyed a good relationship while they were both members of the Peoples Democratic Party. Obanikoro has since defected from the PDP to the ruling All Progressives Congress, while Fayose remains a member of the PDP.

Obanikoro said despite testifying against Fayose, he wouldn't want their relationship to be destroyed. At a point in the course of being grilled by the defence counsel, Obanikoro said that: "I'm trying to restrain myself from saying things that will further damage our relationship." But pushing him further, Ojo asked, "So, will it be correct to say that you are giving evidence in this case reluctantly?" Obanikoro said: "It's painful for me to give evidence against him (Fayose); no doubt about it. It is indeed very painful."

The Cases

CASE 42: PETER AYODELE FAYOSE **- N1.3 Billion Money Laundering. Contd.**

The Economic and Financial Crimes Commission is prosecuting Fayose for allegedly taking N2.2bn from the office of the National Security Adviser for his governorship election in 2014. The EFCC said Fayose received the money from then NSA, Sambo Dasuki through Obanikoro. At the previous hearing, Obanikoro admitted receiving N2.2bn from Dasuki for onward delivery to Fayose in Ado Ekiti, adding that on Fayose's instructions, a part of the money was changed to US dollar before delivery. Under cross-examination by the second defence counsel, Obanikoro affirmed that he took the money to Fayose in Ado Ekiti as a leader who was carrying out a mission for his party. The former Minister of State for Defence told the Federal High Court, Lagos, that he gave the money to the former governor three days to the 2014 Ekiti governorship election in his hotel room in Ado-Ekiti. Obanikoro, fifth prosecution witness for the Economic and Financial Crimes Commission (EFCC), testified before Justice Mojisola Olatoregun. The court had granted him bail in the sum of N50million with one surety in like sum when the trial commenced fully on November 19, 2018. Trial is ongoing.

CASE 43: JOLLY NYAME **- N1.6 Billion Misappropriation**



Jolly Nyame is a former Governor of Taraba State. Nyame is facing trial on a 41-count charge of criminal breach of trust and misappropriation of state funds to the tune of N1.64billion between 1999 and 2007 during his tenure. The EFCC had during the trial which started in 2010 called 14 witnesses. The commission on Tuesday, November 22, 2016, closed its case against former Taraba State governor, Jolly Nyame.

The Federal Capital Territory, FCT High Court, Gudu, ordered Nyame to begin his defence on March 8, 2017 after Justice Adebukola Banjoko, on February 14, 2017, dismissed his application for a “no case” submission.

Nyame, who is standing trial for a 41-count charge of criminal misappropriation of N1.64bn state funds, had on January 18, 2017 through his counsel, Charles Edosomwan, SAN, urged the court to "hold that the testimony of prosecution witnesses have been so damaged and can't be relied on", and “the crucial elements are missing in this case”. His ill-health also stalled his trial before Justice Adebukola Banjoko of the Federal Capital Territory, FCT High Court, Gudu, on September 18, 2017. Counsel to Nyame, H.T. Fajimite, told the court that his client suddenly took ill, and needed to attend to his health which caused his absence in court for the continuation of his defence. Counsel for the prosecution, Rotimi Jacobs, SAN, did not oppose the application for an adjournment.

On May 30, 2018, Justice Banjoko of the Federal Capital Territory, FCT High Court, Gudu, sentenced Nyame to 14 years for criminal breach of trust, two years for criminal misappropriation, seven years for gratification and five years for obtaining by dishonesty, with the sentences to run concurrently. The Appeal Court in November 2018 reduced the 14 year jail term to 12 years while adding N495m to the fines. Nyame is currently serving his jail terms. Case is closed.

CASE 44: BONI HARUNA **- N16.125 Million Fraud**



Boni Haruna, a former Governor of Adamawa State, was arraigned on a 28-count charge of fraud and embezzlement of public fund during his administration as Governor of Adamawa State between 1999 and 2007. He was arraigned alongside one Mohammed Inuwa Bassi, a former Minority Leader in the Adamawa State House of Assembly, John Babani Elias, his aide and Al-Akim Investment Nigeria Limited. They were first arraigned in 2008. Also, Haruna was alleged to have on or about the 13th day of November, 2002, at Yola, fraudulently uttered a Guaranty Trust Bank Plc cheque no.0348501 dated 13/11/2002 in the sum of N10,000,000.00 drawn on account number no 3613406139110 to Guaranty Trust Bank Plc, operated by him in the name of Mohammed

The Cases

CASE 44: BONI HARUNA **- N16.125 Million Fraud. Contd.**

Inuwa Bassi with intent that the said cheque may be acted as genuine and thereby committed an offence contrary to section 3 (2) (a) of Miscellaneous Offences Act, Cap 410 Laws of the Federation of Nigeria 1990 as amended by the Tribunals (certain consequential Amendments, etc) Decree no 62 of 1999 and punishable under Section 3 (2) of the same Act.

Similarly, he was alleged to have on or about the 12th day of March, 2003, while he was still a governor fraudulently uttered a Guaranty Trust Bank Plc, cheque No: 3049628 dated 12/3/2003 in the sum of N16, 125,000.00 drawn on account number No: 361 3406139110 to Guaranty Trust Bank Plc, operated by him in the name of Mohammed Inuwa Bassi with intent that the said cheque may be acted upon as genuine.

No update on the case. After entertaining some hearings on the matter, Justice Balkisu Bello Aliyu upheld a no case submission filed on Haruna's behalf by the Defence Counsel Barrister A.M Malgwi. The trial judge said no documents were presented on all the allegations against the defendants. Hence, he was discharged accordingly.

CASE 45: JAMES BALA NGILARI **- N167 Million Contract Scam**



Mr James Bala Ngilari was a member of Oputa Panel in 1999. He also served in the House of Representatives between 2003 and 2007. He became Deputy Governor of Adamawa State in 2007 and was impeached together with Governor Murtala Nyako in July 2014. He, however, bounced back as governor on October 9, 2014, after an Abuja High Court reversed his impeachment and ordered that he should be sworn in as governor. He eventually served for seven months during which the offences he was convicted of occurred. The Economic and Financial Crimes Commission, EFCC, had charged the former governor, along with two of his former aides, Mr Andrew Welye and Sunday Lamurde, Secretary to the State Government, SSG, and Commissioner of Finance respectively under his administration.

However, a Yola High Court on Monday March 3, 2017, sentenced Ngilari to five years in prison without the option of fine. He was found guilty of the corruption charge filed against him by Economic and Financial Crimes Commission. The case was filed in September 2016. The court presided over by Justice Nathan Musa acquitted the former Secretary to the State Government, Mr. Andrew Welye, and former Commissioner of Finance, Mr. Sunday Lamurde, who stood trial with the former governor on same offenses of 17 count charges.

Delivering judgment, Justice Musa said that the prosecution had proven beyond reasonable doubt that Ngilari violated the Public Procurement Act of the State by awarding contract for the procurement of 25 vehicles for his commissioners at the cost of N167million without following due process. Meanwhile, an Appeal Court in Yola presided over by Justice Folashade Omoleye on July 19, 2017, discharged and acquitted Ngilari of a five-count charge bordering on corruption and unlawful procurement.

The appellate court set aside the ruling of a Yola High Court presided over by Justice Nathan Musa. Justice Omoleye said Ngilari was acquitted and discharged on the grounds that he was not a procurement entity as the trial court noted in its earlier judgment. The court also averred that the former governor could not be charged as if he was an ordinary procurement officer. The case is closed.

CASE 46: PETER ODILI **- N100 Billion Fraud**



Dr. Peter Odili, former Governor of Rivers State, had a rough time with the EFCC even before the end of his two-term tenure in 2007. His travails started when the anti-graft agency investigated the finances of Rivers State, and he was alleged to have diverted over N100billion of the state's funds. The case was stalled when presiding judge, Justice Ibrahim Buba, heeded Odili's request and granted a perpetual injunction restraining the EFCC from probing him.

CASE 46: PETER ODILI - N100 Billion Fraud Contd.

Former governor Odili is one of the nine governors whose corruption cases are in perpetual limbo in the courts. Draft charges that never made it to the court for prosecution regarding the brazen looting of Rivers State treasury by the state's former governor, Peter Odili, showed how Mr. Odili used a combination of government officials and personal companies as fronts to fleece Rivers State to the tune of N100billion between 2004 and 2007. The draft charges, which were prepared by well-known Nigerian lawyer Festus Keyamo on behalf of EFCC under the chairmanship of Mrs. Farida Waziri, revealed that between December 2004 and September 2006, Emmanuel Nkatakah, a personal staff of the governor operating at the Rivers State liaison office in Abuja, alone withdrew over N4billion from Zenith Bank account No: 6010916567 which belonged to Rivers State Government House. The 220-count draft indictment targeted Mr. Odili and 24 others regarding allegations of theft, conspiracy to commit theft, money laundering and fraud. The draft charges listed other accused persons and beneficiaries of Mr. Odili's extensive looting. The list includes founder of Arik Airline, Johnson Arumemi-Ikhide, former Minister of Aviation, Babalola Borisade, two former Peoples Democratic Party chairmen, Ahmadu Alli and Barnabas Gemade. Also listed as co-accused are Pauline K. Tallen, Mrs. Olufemi Agagu, Ike Nwachukwu, a retired general, and Ukandi Damanchi, a professor. Of particular interest in the indictments is Mr. Odili's corrupt entanglement with several major media organs.

The charge sheet listed some media companies that received huge sums of money from Mr. Odili's loot. The dole-out to the media were designed to buy their silence. The biggest chunk of the payoff went to Nduka Obaigbena's Leaders and Company Ltd, the publishers of ThisDay newspapers, Raymond Dokpesi's Daar Communications PLC, owners of African Independent Television (AIT) and Raypower FM, John Momoh's Channels Television Ltd, and Newswatch Communications Ltd, publishers of Newswatch magazine whose chief executive was then Ray Ekpu. In particular, the charge sheet stated that between 2004 and 2007, ex-Gov. Odili channeled almost N2billion to Daar Communication, over N300million to Leaders and Company, N50 million to Channels Television Ltd and over N100million to Newswatch Communications Ltd. all received as part of the loot from Mr. Odili's slush fund. In addition, Mr. Odili was notorious for doling out cash to numerous prominent editors, columnists and reporters. Subsequently, he received little or no negative publicity during his eight-year rule.

Mr. Odili's legal trouble started on October 31, 2006, when a petition came into the office of the Economic and Financial Crimes Commission (EFCC). The commission launched investigation into various allegations of corruption and financial crimes leveled against Mr. Odili and other officials of the Rivers State Government. On December 12, 2006, the EFCC issued an interim investigative report and prepared a draft of 223 charges against the governor. In a counter-move, the then Attorney-General of the state, and later Nigeria's Foreign Affairs Minister, Odein Ajumogobia, on February 23, 2007, sued the EFCC, the then Speaker of the Rivers State House of Assembly, Rotimi Amaechi, and other defendants at a Federal High Court in Port Harcourt. In the suit, Mr. Ajumogobia asked Justice Ibrahim Nyaure Buba of the Federal High Court in Port Harcourt to bar the EFCC from investigating, prosecuting or ever harassing Mr. Odili and officials of his administration. In the suit Number: FHC/PH/CS/78/2007, the then Attorney-General claimed that the EFCC had no powers to investigate the State Government and that such a move went contrary to provisions of Nigerian Constitution which gave such power to the State House of Assembly. The suit asked the court to bar the EFCC from sharing whatever information it had gathered with the media or coercing the State House of Assembly to commence impeachment proceedings on the governor. On March 20, 2007, Justice Buba granted the Rivers State Government all that the state's Attorney-General prayed for in what is now called a perpetual injunction.

Upon leaving office, Mr. Peter Odili again went to court and asked that he should be made a beneficiary of the perpetual injunction granting him permanent immunity from prosecution. Again, Justice Buba's court agreed. The judge imposed "a perpetual injunction restraining the EFCC from arresting, detaining and arraigning Odili on the basis of his tenure as governor based on the purported investigation." In 2007, the Nuhu Ribadu led EFCC claimed they immediately filed an appeal but the Court of Appeal never assigned the case as Mary Odili was a judge with enormous powers at the Appeal Court during the period. Again in 2008, the EFCC filed an appeal against Justice Buba's ruling. In the brief, the EFCC argued that the commission had the right under the statute that created it to investigate economic crimes allegedly committed by the State government and Mr. Odili. It also argued that the Buba court was wrong in proceeding with an "Originting Summon" when it was obvious that the parties were in serious contentions on the facts.

CASE 46: PETER ODILI - N100 Billion Fraud Contd.

The appeal described Justice Buba's action as “at best incompetent,” insisting that the court “lacked jurisdiction” to hear the case. It concluded that “the judge was wrong to have issued the declaratory order and injunction against the Appellant (EFCC) which amount to prohibiting the (EFCC) from carrying out its statutory functions and setting aside its report when in fact the report was not even placed before him.” Ten years after, the EFCC's appeal is still at the Appeal Court of Nigeria in the Port Harcourt judicial division waiting for the lower court's verdict to be vacated. Meanwhile, Mr. Odili also went to the same court and on January 27, 2011, won a ruling that he should be joined as an interested party in the substantial case. However, no date has been set for the hearing.

In his autobiography, *Conscience and History*, published in 2012, Mr. Odili acknowledged that he negotiated the charges against him with then President Olusegun Obasanjo. Mr. Odili offered to drop his presidential bid in exchange for a sort of soft landing that initially included being offered the Vice-Presidential slot. That slot was later given to Mr. Goodluck Jonathan. In spite of the swirl of corruption around Mr. Odili, he had no difficulty persuading Lincoln University, one of America's most prestigious historically Black Colleges, to accept donations from him, a fact noted by Human Rights Watch. By the end of 2006, Mr. Odili had become one of the school's largest donors with at least \$1.64 million donations. During that year, the university bestowed a controversial honorary degree on Mr. Odili. Lincoln held a luncheon in his honor, and named a building after him, the actions that drew outrage from Nigerian groups as well as Human Rights Watch. EFCC is yet to take any concrete step on the matter.

The Chairman of the Presidential Advisory Committee against Corruption, Professor Itse Sagay, once questioned the order stopping the EFCC from investigating Rivers State government officials. The Federal High Court had earlier given a judgment which set a perpetual injunction against the anti-graft agency from investigating, arresting or interrogating the state government officials suspected of corruption. He said the order is clearly illegal and unconstitutional and therefore should be appealed and set aside. He alleged that Nyesom Wike led state government has been resisting new set of investigations by relying on the unresolved Peter Odili's case.

CASE 47: ADAMU MU'AZU - N19.8 Billion Fraud



Alhaji Adamu Mu'azu is a former Chairman of the Peoples Democratic Party (PDP) and a former Governor of Bauchi State. Mu'azu has a pending case with the EFCC. His case borders on alleged mismanagement of N19.8 billion when he was governor between 1999 and 2007. In November 2013, ex-President Jonathan appointed the former Bauchi governor as chairman of the Nigerian Pension Commission, PENCOM. He was appointed to the position even though he was still being investigated for graft by the Economic and Financial Crimes Commission, EFCC.

The former governor has consistently denied any wrongdoing but he is yet to be cleared of the allegation. The civic group, Transition Monitoring Group, protested the appointment at the time, saying it was morally wrong for the president to appoint a man being tried for corruption to such a high office.

Mr. Jonathan and the National Assembly disregarded that position and proceeded to clear the former governor for the position. Ahmadu Adamu Mu'azu in April, 2017 'disowned' the house where the EFCC officers discovered more than \$50 million hidden behind false walls in a swanky apartment tower in the upscale Ikoyi area of Lagos despite the construction firm that built the house listed his name as a client. Mu'azu through one Akin Oyegoke who identified himself as the "Media and ICT Personal Assistant" to Mr. Mu'azu denied the ownership of the building. The case is pending.

The Cases

CASE 48: Tafa Balogun - N13 Billion Fraud



On April 4, 2005, Mr. Tafa Balogun was arraigned at the Federal High Court, Abuja, for stealing and laundering over \$100million (N13B) in his three years as Inspector General of Police from the Police treasury. The Economic and Financial Crimes Commission (EFCC) under Nuhu Ribadu brought 70 charges against him covering the period from 2002 to 2004 when he was the Inspector General of Police. Judge Binta Nyako said her sentence reflected that Balogun was a first time offender and had shown remorse. He was directed by the court to pay N500,000 on each of eight count charges totaling N4million.

His trial was full of drama. One of such was when he collapsed on his seat on June 29, 2005, at the Abuja High Court. The former police boss who pleaded guilty to eight of the 56 count-charges directly affecting him was convicted and sentenced to six months imprisonment on each of the charges, which were to run concurrently. He was released on February 9, 2006, after serving his sentence, part of it at Abuja's National Hospital.

In February 2009, the then Chairman of the House Committee on Police Affairs, Abdul Ahmed Ningi, asked Inspector General of Police Mike Okiro to provide details of the money recovered from Tafa Balogun, a request that he passed on to the then EFCC Chairperson, Mrs. Farida Waziri. However, the EFCC stated that they did not have records of the exact properties recovered from Balogun. It was said that some of the houses had been secretly sold to certain individuals at give-away prices. In April 2009, the House of Representatives Committee on Police Affairs invited Tafa Balogun, Mike Okiro and Mrs. Farida Waziri to explain how the N16billion allegedly recovered from Balogun went missing. The EFCC had since cleared itself from the allegation of missing recovered loot.

CASE 49: Gbenga Makanjuola - N3.5 Billion Fraud



The EFCC arraigned Mr. Gbenga Makanjuola, Deputy Chief of Staff to the former Senate President, Dr. Bukola Saraki, on eleven count charges of N3.5billion fraud. He was remanded in prison custody by Justice Babs Kuewumi of a Federal High Court in Lagos. This was in response to EFCC's request that the accused should be remanded in prison until trial begins. He was later granted N250million bail with two sureties in like sum. In 2018, Makanjuola was re-arraigned before the Federal High Court in Lagos for an alleged fraud of N3.5bn. He was re-arraigned alongside Kolawole Shittu, Obiorah Amobi and a firm, Melrose General Services Limited.

The four defendants were re-arraigned before Justice Maureen Onyetenu on eleven (11) counts. The re-arraignment followed the transfer of the criminal case from Justice Babs Kuewumi to Justice Onyetenu, following Justice Kuewumi's transfer from the Lagos Division of the Federal High Court.

The EFCC alleged that the defendants "took control of N3.5bn, transferred from the Nigeria Governors Forum's account into an Access Bank Plc account number:0005892453, operated by Melrose General Services Limited when you reasonably ought to have known that the said fund represented the proceeds of unlawful activities, to wit: conspiracy, stealing and fraud." Melrose General Services Limited, a company linked to former Senate President Bukola Saraki finally forfeited N1.4billion seized by the Economic and Financial Crimes Commission as initially ordered by a Lagos High Court in April. The money was part of the N3.5billion obtained from the Nigeria Governors Forum (NGF) through false claims. The Court of Appeal in Abuja on Friday endorsed the request of the Economic and Financial Crimes Commission (EFCC) for the final forfeiture of the money. Saraki's connection to Melrose is by proxy: two of his aides- Gbenga Makanjuola and Kolawole Shittu are being prosecuted by the EFCC in respect of the scam.

CASE 49: GBENGA MAKANJUOLA - N3.5 Billion Fraud Contd.

Justice Cecilia Olatoregun of the Federal High Court in Lagos on April 27, 2018, ordered the final forfeiture of the said N1.4billion to the Federal Government. Dissatisfied with the verdict, Melrose General Services approached the appellate court for redress, asking it to set aside the pronouncement of the lower court. But in its judgment, the Court of Appeal dismissed the appeal of Melrose and resolved the four issues in favour of the EFCC. The appellate court further held that Melrose appeal lacked merit and ordered the firm to pay N100,000 cost to the EFCC. The appellate court also held that Melrose could not show that the said funds were lawfully earned by it. It added that Section 17 of the Advance Fee Fraud Act, 2006, which the EFCC relied on to seek for the forfeiture of the said funds was constitutional. According to the Court of Appeal, Melrose was not denied fair hearing in the matter. Justice Tijjani Abubakar wrote the lead judgement. Justice E. Tobi delivered the judgment while Justice O. A. Obaseki-Adejumo concurred with the verdict. Lawyer to Melrose, Mr Olawale Akoni (SAN), argued the appeal while Mr. Ekele Iheanacho appeared for EFCC. EFCC had claimed that Melrose obtained N3.5bn from the Nigeria Governors' Forum by making false claims. Listed as defendants in the final forfeiture application filed before the Federal High Court were Melrose General Services Limited, WASP Networks Limited and Thebe Wellness Services.

The firms were accused of impersonating a consortium of consulting firms engaged by the NGF for the "verification, reconciliation and recovery of over-deductions on Paris and London Club Loans on the accounts of states and local governments between 1995 and 2002." But the EFCC insisted that the original firms engaged by the Governors' Forum were GSCL Consulting and Bizplus Consulting Services Limited. Usman Zakari of Melrose General Services Limited, Robert Mbonu made a false representation to the Governors Forum, causing the forum to pay N3.5bn to his company on December 14, 2016. Zakari said the money was credited into the Access Bank account of Melrose General Services Limited, adding that Melrose and others dissipated and laundered about N2.3bn out of the money between December 15, 2016, and January 20, 2017, leaving a balance of N1.2bn. Zakari said the anti-graft agency had also recovered N220m out of the laundered sum from WASP Networks Limited and Thebe Wellness Services.

The EFCC had on October 13, 2017 obtained an interim order from Justice Mojisola Olatoregun, placing a "Post No Debit" order on the accounts containing the N1.2bn and N220m.

The Judge had made the order following a plea by the lawyer to the EFCC, Mr Ekele Iheanacho, that it would best serve the interest of justice for Melrose and others to forfeit the N1.4bn temporarily to prevent them from dissipating same.

The Judge, after granting the interim freezing order in 2018, directed the EFCC to publish the order in a national daily giving anyone interested in the funds 14 days to appear before the court to show cause why the funds should not be forfeited permanently. Subsequently, one Prince Godwin Maduka and Linas International Limited showed up before the court, praying separately that the funds should be forfeited to them.

Maduka claimed that his firm, Udemgaba Maduka & Associates, had been engaged in 2011 as a consultant by Zamfara State Government to help the state recover some hanging funds with an agreement that it would be paid 20 per cent of the recovered funds. He urged the court to forfeit the N1.4bn to his company to cover Zamfara State's alleged indebtedness to him.

But the EFCC opposed Maduka, contending that the suit was not a debt recovery suit and that Zamfara State was not a party to the suit. In her verdict on the matter, Justice Olatoregun upheld the EFCC's argument and dismissed Maduka's claims. On its own part, Linas International Limited said it was entitled to the payment of \$6m from Nigeria Governors Forum. But Justice Olatoregun also dismissed its claim, holding that the suit was not a debt recovery suit. Having dismissed both claims, the judge ordered the permanent forfeiture of the N1.4bn to the Federal Government. The case is closed.

CASE 50: BODE GEORGE - N85 Billion Contract Scam



Chief Bode George is the former Chairman of the Nigerian Ports Authority (NPA). He was charged with suit No: ID/71c/2008 before Justice J.O.K Oyewole of High Court No.33, Criminal Division on Monday 26, October, 2009. In April 2005, Chief Olabode George threatened court action over a newspaper allegation that an N85billion scam was uncovered in the Nigerian Ports Authority (NPA) while he was chairman of the NPA board. He described the allegation as senseless, baseless and thoughtless. He was indicted by the Economic and Financial Crimes Commission (EFCC) when it was headed by Mr. Nuhu Ribadu on charges of fraud at the NPA. However, he was widely rumoured to have been shielded from prosecution by the then President Olusegun Obasanjo.

The EFCC report issued on 1st April, 2005, stated that NPA board members, including Chairman Bode George, and the management of the NPA should be held responsible for deliberate and flagrant violations of government rules and regulations governing the award of contracts and should be sanctioned for contract splitting and inflation of contract price in utter disregard to laid down government rules and regulations. Ex-President Obasanjo dismissed the findings as inconclusive, and ordered another investigation.

The second EFCC report cleared Bode George. In August 2008, the EFCC under its new head Farida Waziri arrested Olabode George in Lagos and arraigned him and four others on 163 count charges of conspiracy, disobedience to lawful order, abuse of office and alleged illegal award of contracts worth N84billion while he was chairman of the NPA. After the trial had started, the EFCC reduced the charges to 63 counts. In October 2009, Bode George was found guilty and sentenced to jail for 30 months. The sentence was handed out by Justice Joseph Olubunmi Oyewole. The judge found the defendants guilty on 47 out of the 68 counts.

The total sentences added up to 28 years, but the counts for disobedience to lawful order were ruled to run concurrently for six months, and the counts for contract inflation then to run concurrently for two years. George's lawyers filed an appeal and requested bail pending resolution of the appeal. The appeal was however refused by the court. As a prisoner, Chief Bode George and his colleagues were placed in the V.I.P. section of the prison. They were not required to wear prison uniforms and were allowed to have meals prepared by their families what ordinarily they will not subject other prisoners to. On December 13th, 2013, the Supreme Court discharged and acquitted Bode George. The court, headed by Justice John Afolabi Fabiyi said the EFCC had no evidence that George intended to commit fraud at the NPA, and the charges of "contract splitting" was unknown to law. Hence he was discharged and acquitted. The case is closed.

CASE 51: JAMES IBORI - N9.2 Billion Money Laundering



Chief James Ibori, a former Governor of Delta State (2003-2007), was arraigned by the EFCC at High Court Asaba on 170-count charges involving the sum of N9.2billion. The court quashed all the charges, thus exonerating him. The EFCC appealed against the judgment in 2009. James Ibori was later jailed for 13 years by a British Court on a 10 count charge for fraud and money laundering worth 50million pounds. Upon return to Nigeria after serving his jail term in the UK, the Court of Appeal and Supreme Court of Nigeria uniformly acquitted him claiming that there was no conclusive proof that the convict was James Onanefe Ibori. Ironically, the same James Ibori had pleaded guilty to a 10-count charge of fraud, money laundering and corruption before Judge Anthony Pitts of a Southwark Crown Court in London on February 27th 2012. On 6th September 2019, an ex-Goldman Sachs banker in London was convicted for helping launder money for James Ibori, with a £7.3million confiscation order by the National Crime Agency while James Ibori remains a freed man in Nigeria.

The Cases

CASE 52: THOMAS ISEGHOHI **- N15 Bilion Fraud**



Thomas Iseghohi, Group Managing Director, Transcorp Corporation, was arraigned before Justice D.U. Okorowo of the Federal High Court, Abuja on Wednesday May 27, 2009, by the Economic and Financial Crimes Commission (EFCC).

Thomas Iseghohi alongside Muhammed Buba, Company Secretary and Mike Okoli, Deputy General Manager were standing trial on a 35- count charge of criminal conspiracy, criminal breach of trust, money laundering and misappropriation of public funds to the tune of N15billion.

The officials were prosecuted before Justice S.C. Chukwu of Federal High Court sitting in Abuja. The EFCC on Wednesday, October 23, 2013, presented three more witnesses in the trial of top executives of Transnational Corporation, Transcorp Plc, making five witnesses who have testified in the case. The Federal High Court in Abuja dated October 20, 2014, delivered a no case submission on the case.

However, the Court of Appeal in Abuja on September 17, 2017, discharged and acquitted the former Group Managing Director of Transcorp Plc, Mr. Tom Iseghohi. In a unanimous decision, the court also set aside the decision of the Federal High Court in Abuja dated October 20, 2014, which overruled the no case submission. EFCC is yet to appeal the judgment at the Supreme Court.

CASE 53: DAYO OLAGUNJU **- N479 Million Fraud**



Dr. Dayo Olagunju, the former Executive Secretary of the National Commission for Mass Literacy, Adult and Non-Adult Education was on Friday July 24th, 2009, arraigned with charge No: FHC/ABJ/111/2009 at the Federal High Court, FCT, Abuja, before Justice Chikere on a 17- count charge of criminal conspiracy, criminal misappropriation of public funds, diversion, stealing, retaining and processing proceeds of crimes, and awarding of contracts in excess of the approved limit, all making N479million.

Olagunju and ten former directors - Joshua Durodola Alao, Alice Atteh Abang, Jibrin Rikichi Waguna, Ahmed Abubakar, Shehu Abdullahi, Dr. Victoria –King Nwachukwu, Adamu Khalid, Moses Oseni, Francis Awalewa and Bashir Tanko Suleiman, were standing trial for money laundering and flagrant violation of the Public Procurement Act.

However, three years after they were first arraigned by the EFCC, a Federal High Court sitting in Abuja on November 22, 2012, ruled on their re-arraignment and the count charge increased to 83.

At the resumed hearing of the case on Tuesday November 6, 2012, the new presiding judge, Justice E. S Chukwu, said he would be presiding over the case de novo since he was a new judge just transferred to the court. But before the plea of the accused could be taken, Mr. Joe Dappa, counsel to the 7th accused person challenged the jurisdiction of the court to entertain the matter. The matter is still pending.

CASE 54: ALIYU WAMAKO – N13 Billion Misappropriation



Alhaji Aliyu Wamako is a former Governor of Sokoto State from 2007 to 2015. Wamako who is now a senator is under investigation for alleged abuse of office, misappropriation of public funds and money laundering while serving as governor of Sokoto State alongside other government officials.

His predecessor, former Governor of Sokoto State, Alhaji Dalhatu Attahiru Bafarawa, had on August 1st, 2018 called on the Economic and Financial Crimes Commission (EFCC) to investigate his successor, Senator Aliyu Magatakarda Wamakko, over the alleged missing N13.5 billion state fund. Bafarawa claimed to have left the money in the state coffers at the expiration of his tenure in 2007, but said he was amazed at claims by his successor, Wamako, that the money was missing.

The former governor further alleged that Wamakko mismanaged the N1 billion realized from the sales of iron rod belonging to the State Government. Looking for a soft landing, Wamakko is in charge of Buhari's campaign in Sokoto State. He had few months ago held a massive rally on behalf of Buhari in order to prove to the President that Governor Aminu Tambuwal's defection would be of no effect.

Spokesperson for the EFCC, Wilson Uwujaren, had confirmed in April 2018 that the commission was investigating allegations contained in a petition against Wammako and that he would be invited to defend the allegations.

Trial is yet to commence despite the reminder given to EFCC in January 2019 by the former governor of Sokoto State, Alhaji Attahiru Dalhatu Bafarawa.

CASE 55: ALI MODU SHERIFF - N300 Billion Misappropriation



Ali Modu Sheriff, a former Governor of Borno State, was on June 3rd and 4th, 2015, detained by the Economic and Financial Crimes Commission, (EFCC) over allegations of corruption. Mr. Sheriff was said to have voluntarily handed himself to EFCC.

The anti-graft agency had on April 23, 2015, moved to declare Mr. Sheriff wanted when he failed to honour its invitations for questioning. He was alleged to have misappropriated N300billion allocation to his state from the federation account during his administration between 2003 and 2011. The investigation began in 2012 and had been ongoing ever since. Sheriff governed Borno State on the platform of the defunct All Nigeria Peoples Party. Before then, he was a Senator between 1999 and 2003 on the ticket of the same party. He was a founding member of the ruling All Progressives Congress, APC, before he defected to the Peoples Democratic Party, PDP. The EFCC on February 23, 2016 said, Sheriff was still under investigation. Sheriff was again on March 13, 2016, arrested by EFCC for interrogation. The former factional National Chairman of the Peoples Democratic Party, PDP, was detained and questioned for hours at the EFCC office in Abuja. It was gathered that Sheriff was questioned on how he raised \$72million to buy a G650 Gulfstream aircraft after leaving office in 2011. The Politician has at least two private jets.

Sheriff is also accused of benefiting from \$200million released by the former President Goodluck Jonathan administration to facilitate Boko Haram ceasefire in a neighbouring country in 2014. Aside these, Sheriff was also presented with records of monies shared ahead of the 2015 general elections. He was later granted an administrative bail while interrogation continues. After years of legal battle for the chairmanship position of the opposition party, Modu Sheriff lost at the Supreme Court and later decamped from PDP to the ruling APC. The case is still pending.

The Cases

CASE 56: ONI ADEMOLA DOLAPO - N8 Billion Money Laundering



Oni Ademola Dolapo is a former banker with Wema Bank Nigeria Plc who was convicted and sentenced to 12 years imprisonment in 2015 for conspiracy and money laundering by Justice Joyce Abudmalik of the Federal High Court, Ibadan, Oyo State. The court also ruled that he forfeits all his properties and cash in various banks as proceeds of crime. He also forfeited several sums in bank accounts. They include the sum of N43,259,441.22 in a fixed deposit account with FCMB, N70,614.60 in the name of De-City-Life Enterprise with account No. 22749019 also domiciled with FCMB, another N7,189.22 in the name of Oni Iyabo Mary in the same bank and N966,788.81 in the First Bank account of Ezomal Ventures, among others. The case is concluded.

CASE 57: UMAR SAIDU BAMALI AND ADENIYI ADEOSUN - N70 Million Contract Scam



The EFCC alleged that Engineer Umar Saidu Bamali, Director, Nigeria Institute of Mining and Geosciences, NIMG and his Procurement Officer, Adeniyi Adeosun, allegedly diverted over N70million, money meant for allowances of staff of NIMG and contracts of printing of security and non-security documents in 2015. Arraigned on May 28, 2018 before Justice Daniel Longji of the State High Court sitting in Jos, Plateau State, Bamali and Adeosun pleaded not guilty to the 6-count charge of conspiracy, misappropriation of funds and criminal breach of trust preferred against them by the EFCC. The case was closed after a successful plea bargain deal between Umar and the EFCC.

CASE 58: AYODELE FESTUS - N8.2 Billion Fraud



Ayodele Festus is one of the three employees of the Central Bank of Nigeria, CBN and five staff of First Bank Plc, who were arraigned on June 3rd, 2015, by the Economic and Financial Crimes Commission, EFCC, before a Federal High Court sitting in Ibadan, Oyo State, on a 28-count charge bordering on conspiracy, fraud and stealing. Ayodele Festus alongside other suspects: Kolawole Babalola; Olamiran Muniru Adeola and Toogun Kayode Phillip - (all Ex-CBN staff) and Isaq Akano; Ayodele Festus Adeyemi; Oyebamiji Akeem; Ayodeji Aleshe; Ajiwe Sunday Adegoke (all First Bank Staff) were docked before Justice A. O. Faji for defrauding the apex bank and First Bank of Nigeria Plc, of the sum of N8,265,100,356.22 (Eight Billion, Two Hundred and Sixty Five Million, One Hundred Thousand, Three Hundred and Fifty Six Naira, Twenty-Two Kobo only).

Justice Olayiika Faji ordered the prosecuting counsel to respond to all the applications for bail by June 5, 2015 and by Monday 8 June, 2015, hearing will proceed on the bail applications. He adjourned the matter to June 8, 2015, and ordered that the defendants be remanded in Agodi prison custody, Ibadan. Their bail applications were denied on June 8, 2015, at the opening of the trial proceedings. Also, Justice Olayinka Faji of the Federal High Court, Ibadan, on Friday, June 19, refused the bail application of Ayodele Festus and other persons standing trial for the CBN currency scam. Justice Faji refused to admit the accused persons to bail despite the argument canvassed by their counsel that they will be available to face their trial. In refusing them bail, Justice Faji noted that the evidence against the ten accused persons were weighty. He (Ayodele) was later granted bail in 2018 alongside Ishaq Akano, Hakeem Ayodeji and Sunday Ajuwe. In his ruling, Justice Faji held that the defendants had been languishing in Agodi Prison in Ibadan since 2015 because their counsel was unable to convince the court that they would not jump bail. Trial of the case has commenced.

The Cases

CASE 59: CHIDI ADABANYA – N1.9 Billion Money Laundering



Chidi Adabanya is an ex-staff of Shell Petroleum Development Company, SPDC, who was arraigned alongside 11 others on June 18, 2012 on a 22-count charge that borders on money laundering involving Ubie Gas Project. The accused persons were alleged to have, between April and July, 2010, transferred various sums of money totaling about N1.9billion from Forstech Technical Nigeria Limited in Stanbic IBTC Bank to Gastroil Venture Limited's account with Stanbic IBTC Stockbrokers Limited. According to the EFCC, it was an attempt to disguise the illicit origin of the fund which was alleged to be phony consultancy service charge for Shell to secure construction permit for the Gbaran-Ubie project from the Bayelsa State Ministry of Housing and Urban Development. The accused persons were on November 17, 2014, re-arraigned before Justice Ademola Adeniyi of the Federal High Court Abuja. However, a Federal High Court in Lagos which was unaware of the criminal charge pending before a sister court in Abuja lifted the freeze order but the EFCC swiftly applied for the order to be reinstated. The accused persons were re-arraigned in January 2015. The matter started afresh before Justice Adeniyi sequel to the retirement of Justice Gladys Olotu. The case is still pending.

CASE 60: ALIKO DANGOTE, THEOPHILUS DANJUMA AND OTHERS (Panama Papers' Scandal)



The Panama Papers are leakage of sensitive documents detailing how political world leaders, celebrities, athletes, FIFA officials and so on, have concealed money using anonymous Shell Corporations across the world. The 11.5million documents held by Panama-based Mossack Fonseca were released to Süddeutsche Zeitung, a German Newspaper, and an International Consortium of Investigative Journalists. Since the revelations were made, several countries have taken major steps to prosecute their citizens and officials involved, but reverse is the case in Nigeria. Former Senate President, Bukola Saraki, his predecessor David Mark; a former Delta State Governor, James Ibori; a former Army Chief and Minister of Defence, Gen. Theophilus Danjuma (retd.); Africa's richest man, Alhaji Aliko Dangote; and his cousin, Sayu Dantata, are the prominent Nigerians named to have links with the offshore assets revealed in the Panama Papers. Although the EFCC promised to investigate Nigerians fingered in the scandal, nothing has been heard of the case since 2016 when the promise was made.

CASE 61: SAMUEL IBI GEKPE - N5 Billion Contract Scam



Engr. Samuel Ibi Gekpe was arraigned along eight others on Thursday 14 May, 2009, on a-130 count charge in suit ID FCT/CR/39/2009 before the Federal High Court, FCT, Abuja, by the Economic and Financial Crimes Commission, EFCC. They were accused of criminal breach of trust in the sum of N5billion in the purported award of rural electrification contract. The nine accused persons have also been separated in the charges on Friday 30th October, 2009. The three lawmakers are jointly facing a- 62 count charge while the other six accused are jointly facing a-68 count charge. The three lawmakers are: Hon. Godwin Ndidi Elumelu, House of Representatives Committee Chairman on Power; Senator Nicholas Yahaya Ugbane, Senate Committee Chairman on Power and Hon. Jibo Mohammed.

The Cases

CASE 61: SAMUEL IBI GEKPE **- N5 Billion Contract Scam Contd.**

The EFCC had accused Samuel Ibi Gekpe and some of the accused persons of delaying trial when they requested stay of proceedings on May 26, 2010. At the resumed hearing of the matter before Justice Adebunkola Banjoko of the Federal High Court, FCT Abuja on Wednesday, April 18th, 2012, the witness said investigation into the alleged fraud revealed a lot of abuses in procurement processes which culminated in the award of contracts to only eighteen companies (18) in the pre-qualified list out of one hundred and thirteen (113) companies that eventually benefited from the grid extension contract.

Moreover, all the companies in the grid extension contracts were discovered to have only one official address and their contract letters signed by one Miss Uduak. It was further disclosed that none of the pre-qualified companies benefited from the solar-based system contracts which were finally awarded to forty-five (45) companies belonging to some officials of the agency and members of the national assembly.

On February 14, 2018, the High Court of the Federal Capital Territory in Gudu, Abuja, convicted and fined Engr. Gekpe. He and other directors of the agency were charged for disregarding the provisions of the Public Procurement Act by misappropriation of N6billion. The defendants, represented by Paul Ewekoro (SAN), made a no case submission, which was dismissed.

On a February 8, 2018 verdict, Justice Banjoko dismissed the first defendant's application challenging the court's jurisdiction to entertain the charge. The court found that the prosecution proved the ingredients of the offences of criminal breach of trust and conspiracy. Justice Banjoko held that the defendants, who disregarded Public Procurement Act, misappropriated over N6 billion in contract payments.

She convicted and sentenced Gekpe to three years imprisonment with an option of N5million fine. The judge also sentenced the other defendants to three years imprisonment but with an option of N500,000 fine each. The fines were to be paid within 30 days from judgment day. Case closed

CASE 62: GBENGA DANIEL **- N211.3 Million Fraud**



Extension of charges by the Economic and Financial Crimes Commission (EFCC) in the corruption charges being leveled against Gbenga Daniel, a former Governor of Ogun State is dragging his trial. The case ought to have been closed on June 8, 2018, as promised by the EFCC to allow Daniel to open his defence against the charges. On June 27, 2018, the EFCC further increased its official corruption charges against Daniel. The former governor was filing his fresh application to put a stop to endless amendments by EFCC to close the almost eight years old trial. Recall that Daniel was arraigned by the EFCC on November 28, 2011, at the Ogun State High Court on charge ID: AB/EFCC/02/11 on a 43-count charge of corruption allegedly committed while in office. The EFCC after the first 16 count charges earlier filed, amended the case with additional 27.

Daniel's lead counsel, Taiwo Osipintan, SAN, suggested January 19 and 20, 2012 as adjournment date after consultation with the EFCC counsel, Rotimi Jacobs, and was later granted bail by the judge. In his ruling on the adjournment date, Mabekeje stated that trial would commence by January 19 and 20, 2012 and that Daniel would take his pleas on the new corruption charges urging the two parties to prepare for the trial. However, in the EFCC charge sheet containing the fresh 27 charges among others allegations, the former Governor was alleged to have fraudulently converted aggregate sum of two billion, six hundred and thirty six million, nine hundred and forty thousand, ninety-nine naira and fifty kobo (N2,636,940,99.50k) to private use. The EFCC in its charge sheet alleged that Daniel in conjunction with Toner World Limited, TWL, (now at large) between 2009 and 2010 converted the said sum to the use of Toner World and Gas Limited, TWOGL. The State High Court in Abeokuta, Ogun State, on March 2, 2012, discharged and acquitted the former governor of Ogun State, Gbenga Daniel, of corruption charges. The Ogun state high court judge stated that the EFCC, had not provided sufficient evidence of corruption against Mr. Daniel.

The Cases

CASE 62: GBENGA DANIEL – N211.3 Million Fraud Contd.

On April 2, 2014, the EFCC tendered 25 evidences as exhibits against Daniel on the alleged corruption allegation leveled against him as his trial over corruption charges resumed proceeding before the trial Judge, Justice Olanrewaju Mabekoje admitted the exhibits. The commission also called two witnesses from the Bureau of Land who were cross examined by both counsels to Daniel and EFCC, Professor Taiwo Osipintan SAN, and Rotimi Jacobs SAN, respectively. Justice Olanrewaju Mabekoje adjourned further hearing till September 10 and 14, 2018. However, no available record to establish the current status of this case.

CASE 63: BABALOLA BORISHADE – N5.2 Billion Contract Scam



Prof. Babalola Borishade died on April 27, 2017 in London after a brief illness at the age of 71. Babalola Borishade, a former Minister of Aviation, and others were arraigned before the Federal High Court, FCT, Abuja in 2008 with charge No. CR/09/08 on November 19, 2009 by the EFCC on a 15-count charge of taking bribe and forging aviation contract documents. It was alleged that Borishade, his former personal assistant, Tunde Dairo, and two others allegedly mismanaged a N5.2 billion Aviation Safe Tower contract funds. Others on trial for the alleged offence were former managing director of the Nigeria Airspace Management Agency, Rowland Iyayi, an Australian, George Eider, and Avsatel Communications Ltd.

The EFCC on February 4, 2016, reopened the case before Justice Abubakar Sadiq Umar of the FCT High Court sitting in Maitama, Abuja following request by the AGF to be briefed about the the suit filed by the EFCC against the former Minister of Aviation, Babalola Borishade and four others. However trial was stalled by the AGF's request on the case. Borishade's death on April 27, 2017, in London after a brief illness at the age of 71 has put the case at lull. The case may therefore be assumed closed.

CASE 64: SANI LULU ABDULLAHI -N2.2 Billion Fraud



On Monday, July 29 2019, the former FCT Director of Sports, Sani Lulu Abdullahi, paid his N22.5m fee for nomination and expression of interest form for the APC Kogi State governorship primary election held on August 29 where he lost to the incumbent governor, Yahya Bello of Kogi State. The Appeal Court in Abuja had on Tuesday February 6, 2018, cleared Sani Lulu Abdullahi of any complicity or wrongdoing in the N2.2 billion corruption charges leveled against him by the Economic and Financial Crimes Commission, EFCC. Sani Lulu Abdullahi a former President of the Nigeria Football Federation (NFF) alongside former First Vice President Amanze Uchegbulam, former Executive Committee member, Taiwo Ogunjobi, and former Secretary General Bolaji Ojo-Oba were questioned on July 6, 2010, by the EFCC. The charges brought against the quartet were: payment of estacodes/allowances of \$800,000 to 220 delegates to the World Cup in South Africa, whereas only 47 were authorized, mismanagement of N900 million World Cup funds; purchase of over-inflated luxury buses for the Super Eagles; incurring a \$125,000 fine in South Africa over a deal with Hampshire Hotel; mismanagement of \$250,000 to charter a faulty aircraft for the Super Eagles from London to South Africa; and spending \$400,000 for a friendly match between Colombia and Nigeria in London.

The accused persons appealed the judgment. However, the Court of Appeal sitting in Abuja on February 6, 2018, set aside the judgment of the Federal High Court, Abuja, delivered on February 22nd, 2016, by Justice E. S. Chukwu which dismissed a 'no case submission' filed by Sani Abdullahi Lulu, a former President of the Nigeria Football Federation (NFF) in the corruption charge brought against him and three others by the EFCC. Justice Ahmad Belgore in his judgment, said: "This appeal has merit and the judgment of the Federal High Court delivered on February 22, 2016 is hereby set aside and the appellant, Sani Abdullahi Lulu is discharged and acquitted." Case closed.

The Cases

CASE 65: OTUNBA ALAO-AKALA - N11.5 Billion Money Laundering



Justice Olalekan Owolabi of a State High Court, sitting in Ibadan, Oyo State on March 13, 2019, adjourned the trial of a former governor of the state, Otunba Adebayo Christopher Alao-Akala, to May 2, 2019. At the proceeding, counsel for the EFCC, Ben Ubi, informed the court that the second prosecution witness, Abdulrasheed Bawa, who was meant to testify in court was now the Head of Operations of the EFCC Port Harcourt Zonal Office, and was unable to make it to court, due to election duties. “My Lord the reason our witness is not in court today is because he is involved in the election processes in Rivers State,” he said, praying the court for an adjournment. Counsel for the first and third defendants, Hakeem Afolabi, SAN, and his counterpart, Richard Ogunwole, SAN, holding the brief of the second defendant did not oppose the prayer.

Otunba Alao-Akala, a former Governor of Oyo State is facing corruption and money laundering charges. The former governor alongside a former Commissioner for Local Government and Chieftaincy Matters and for Senator of the Federal Republic of Nigeria, Hosea Agboola, and an Ibadan based business man, Femi Babalola, were arraigned by the EFCC before Justice Moshood Abass of Oyo State High Court II in October 2011, on 11 count charge involving N11.5billion in suit No: 1/5EFCC/201.

The case was pending until March 5, 2015, when Akala and two others were re-arraigned at an Oyo State High Court sitting in Ibadan. On June 4, 2018, Justice M. L. Owolabi of the Oyo State High Court in Ibadan dismissed an application for stay of proceedings pending the outcome of an appeal at the Supreme Court. The application was filed by a former governor of Oyo State, Adebayo Alao-Akala and the Chief Executive Officer of Pentagon Consults, Olufemi Babalola. Justice Owolabi, in his ruling, said the stay of proceedings requested for will do more damage to the case which has been pending since 2011. The case is still pending.

CASE 66: STEVE OROSANYE – N190 Million Fraud



The FCT High Court, Maitama, Abuja on Tuesday May 9, 2017, discharged Oronsaye of the N190million corruption charges leveled against him. The judge ruled that the prosecution failed to establish its case against him. Steve Orosanye, a former Head of Civil Service of the Federation, had faced trial for corrupt practices during his tenure as the Head of Service of the Federation. He was granted bail on self-recognition by a Federal High Court in Abuja, Nigeria's capital in July 2015.

Oronsaye, who was charged along with two others, was asked to deposit his travel documents with the court to fully secure his bail. Again, the EFCC on March 8, 2016 rearrested Oronsaye for alleged corruption and obtaining money by false pretence, otherwise known as 419. The re-arrest came about eight months after a federal court in Abuja ordered him released from detention after he was docked for alleged N6.2billion fraud. Mr. Oronsaye who is already being prosecuted by the EFCC on 24-count charge of money laundering before a Federal High Court, Abuja, is alleged to have abused his position as Chairman of the Presidential Committee on Financial Action Task Force and obtained a sum of N240million from the Central Bank of Nigeria in the guise of assistance to the committee without the knowledge of other committee members and proceeded to convert the said sum to his personal use.

On May 18, 2016, the EFCC amended the charges against Oronsaya on a fresh 35-count charge over alleged fraud and money laundering offences in the biometric data contract award to various companies during his tenure in 2010. Those who took plea with him include: Osarenkhoe Afe, Fredrick Hamilton Global Services Limited, Global Services Limited, Cluster Logistics Limited, Kangolo Dynamic Cleaning Limited, and Drew Investment and Construction Company Limited. Case closed.

The Cases

CASE 67: SANI TEIDI SHAIBU - N4.56 Billion Fraud



A Federal High Court sitting in Abuja presided over by Justice Adeniyi Ademola, on June 7, 2013, remanded Dr Sani Shuaibu Teidi, former Director of Pensions Account, Office of the Head of Civil Service of the Federation, in Kuje prison custody pending hearing on his bail application fixed for July 18, 2013. Teidi's remand followed his re-arraignment by the Economic and Financial Crimes Commission, EFCC, alongside one Udusegbe Eric Omoeffe and their companies, on a 22-count charge bordering on obtaining money by false pretence, conspiracy to commit fraud and concealing the illicit origin of stolen pension fund totaling over 18.3 billion naira. The companies are: Gozinda Enterprises, Bashinta Nigeria Limited, Haleath Enterprises, Uthatak Nigeria Limited, Krasiva Nigeria Limited, Badawulu Ventures Limited, Ebunu Attah Investment, Muha Millennium Motors Limited and Ribaile Petroleum Limited.

The accused were first arraigned on March 24, 2011, on a 134-count charge for allegedly defrauding the Pensions Account, Office of the Head of Service of the Federation, of billions of naira. The EFCC seized six properties belonging to Sani Teidi Shuaibu in 2011. The court also granted an order permitting the Executive Chairman of the EFCC to seize and retain custody of all the properties or assets of persons (as listed in the attached schedules) though not yet charged but found to be connected with the transaction or allegation contained in charge No: FHC/ABJ/CR/28/2011. Some of the properties belonging to Mr Shuaibu which the court asked the EFCC to seize include: (a) No 24, Ahmadu Musa Crescent, Jabi, Abuja; (b) Brefina Hotel at plot 1106, (Beside MTN) warehouse, adjacent to Vines Hotel, Durumi, Abuja; (c) A house at No 1, Shuaibu Close, opposite Governor's House, Idah; (d) Riba-ile Petroleum Ltd; (e) M.R.S Ajaka (registered as Riba-Ile oil Ltd); (f) M.R.S Idah station, Idah, registered with Hammo oil, Nigeria; (g) NNPC Mega station, Idah junction, Ayingba, registered with Hammo Oil, Nig. Ltd. No update is available on the current status of case.

CASE 68: TEMISAN OMATSEYE - N1.5 Billion Contract Scam



Temisan Omatseye, a former Director General of the Nigerian Maritime Administration and Safety Agency (NIMASA), was prosecuted at the Federal High Court, FCT, Abuja in 2011, with Suit No: FHC/L/482C/2010. He faced offences under the Public Procurement Act. The Economic and Financial Crimes Commission, EFCC, had on Thursday February 3, 2011 arraigned Temisan Omatseye, before a Federal High Court in Lagos on a 27-count charge before Justice Binta Nyako for offences that border on contract splitting, illegal transfer of fund and unlawful approvals. Omatseye was on May 20, 2016 sentenced to five years jail term by Justice Rita Ofili-Ajumogobia of the Federal High Court, Lagos, in a landmark ruling.

He was convicted on 25 of the 27-count charge bordering on alleged contract variation, bid rigging and awarding contract above his approval limit which violates the provisions of the Public Procurement Act, brought against him by the Economic and Financial Crimes Commission, EFCC.

Meanwhile, the Court of Appeal sitting in Lagos on May 11, 2017 discharged and acquitted Omatseye. The presiding judge, Justice Yargata Nimpur set aside the May 20, 2016 judgment that was delivered by Justice Rita Ofili-Ajumogobia which convicted Omatseye on a 27-count charge bordering on bid rigging and contract splitting. It said that the trial court did not properly evaluate the evidence. Case closed.

The Cases

CASE 69: ESAI DANGABAR - N24 Billion Fraud



The trial of former Director in the Police Pension Office, Mr Esai Dangabar, suffered a setback on Thursday October 18, 2019, following his death. The development made the Economic and Financial Crimes Commission (EFCC) filed a motion before Justice Hussein Baba Yusuf of the Federal High Court sitting in Maitama, Abuja.

In the suit, the anti-graft agency sought to amend the charges in the criminal breach of trust and fraud to the tune of N14billion in the police pension scheme, following the death of Dangabar who was the principal defendant and was facing charges alongside others. At the resumption of the trial, proceedings were stalled when the lead defence counsel, Adegboyega Awomolo, SAN, announced to the court the death of Dangabar whom he said died on July 24, 2019.

In his reaction, the prosecution counsel, A. Atolagbe, described Dangabar's death as unfortunate and extended his condolences to his family. He therefore prayed the court for more time to amend the charges since the deceased was no longer alive. Atolagbe said: "My lord, I have seen the death certificate of the first defendant. It's quite unfortunate". Justice Hussein also extended his sympathy to the family of the deceased and adjourned the case till December 5, for necessary amendments to the charges. Esai Dangabar was a former director at the Police Pension Office. He along with Atiku Abubakar Kigo, Ahmed Inuwa Wada, Mrs Veronica Ulonma Onyegbula, Sani Habila Zira, Uzoma Cyril Attang and Christain Madubuke were alleged to have defrauded the Police Pension Office to the tune of N24billion and were arraigned on April 10, 2013 on a 20-count amended charge bordering on criminal breach of trust contrary to section 315 of the Penal Code Act Cap 532 Laws of the Federal Capital Territory, Abuja. Abuja. At the resumed hearing, the court admitted as exhibit, a letter titled "Re-Investigation Activities" dated January 6, 2014 which the prosecution had sought to tender as exhibit. The case was adjourned to December 5, 2019, for necessary amendments to the charges.

CASE 70: SULE LAMIDO - N1.3 Billion Misappropriation



A Federal High Court in Maitama, Abuja, on Friday April 5, 2019, admitted more documents presented to it by the Economic and Financial Crimes Commission, EFCC, in evidence against a former Jigawa State Governor Sule Lamido and others. The documents were tendered and admitted in evidence. The trial judge, Ijeoma Ojukwu, adjourned the matter to May 20, 21 and 22, 2019, for the continuation of trial. Lamido was arraigned alongside two of his sons and others. He and his co-accused were arraigned before Justice Evelyn Anyadike of the Federal High Court, Kano on July 9, 2015 for allegedly misappropriating funds belonging to Jigawa State. They were arraigned alongside four companies where the Lamidos are believed to have interest. The companies are Bamaina Holdings Limited, Bamiana Company Nigeria Limited, Bamaina Aluminum Limited and Speeds International Limited.

In July 2017, they were re-arraigned before the Federal High Court sitting in Abuja after Justice Babatunde Quadri dismissed an application by the ex-governor that his case be returned to the former trial judge, Justice Adeniyi Ademola. In refusing the application, Justice Quadri held that it would better serve the interest of justice and public peace not to return the case to Justice Ademola. The court however granted them bail in various sums and two sureties each after pleading not guilty to the alleged offences. While the former Governor was granted bail in the sum of N100m, others including his two sons got N50m bail each with the same number of sureties. Again, the EFCC, on Wednesday October 24, 2018 re-arraigned Lamido on a 43-count amended charge bordering on abuse of office and money laundering before Justice Ijeoma Ojukwu of the Federal High Court sitting in Maitama, Abuja. The case is still pending as trial continues.

The Cases

CASE 71: MUSILIU OBANIKORO - N4.7 Billion Contract Scam



A former Minister of State for Defence, Musiliu Obanikoro, was on October 17, 2016 grilled by the Economic and Financial Crimes Commission. The EFCC accused him of using his sons, Gbolahan and Jide, to take out government contracts that were never executed. Mr. Obanikoro, on a separate charge, was also implicated in the Ekiti elections scandal. The EFCC had on October 23, 2016, said Musiliu Obanikoro, will be made to account for the N4.7billion traced to firms linked to him, if he is found to be culpable. Meanwhile, Justice Abdulaziz Anka of the Federal High Court sitting in Ikoyi, Lagos on Monday, April 24, 2017, struck out the N100m fundamental rights enforcement suit filed by Obanikoro against EFCC on the grounds of incompetence. The former minister; his wives, Fati and Moroophat, and sons, Gbolahan and Babajide, had through their counsel, Lawal Pedro, SAN, in the suit, sued the commission for "unlawful invasion of their houses and seizure of some of their properties." They urged the court to declare the seizure of items from their houses on June 14, 2016, by the commission as null and void.

However, in his ruling, Justice Anka upheld the preliminary objection by E.E. Iheanacho, counsel to the EFCC, who said: "since the main claim of the applicants was founded on tort, their principal reliefs are not maintainable under the Fundamental Rights (Enforcement Procedure) Rules, 2009." The judge ruled that the Commission had secured search warrants from the Lagos State Magistrate Court to carry out the search on the applicant's houses. Justice Anka also refused to declare the recovered items as null and void, so as not to prevent the commission from tendering them as exhibits in the pending criminal case against the applicants. Also, Justice Y. Halilu of the FCT High Court, sitting in Jabi, Abuja on Monday, February 27, 2017, ordered the forfeiture of a property belonging to Moroophat Obanikoro, the wife of a former Minister of State for Defence, Senator Musiliu Obanikoro, pending the outcome of investigations of her husband and children.

As part of investigations into the \$2.1bn arms scam involving the Office of the National Security Adviser, the EFCC had traced the transfer of about N4.7bn to the Diamond Bank account of Sylvan McNamara, a company allegedly owned by Obanikoro's two sons – Gbolahan and Babajide. Out of the N4.7bn, Obanikoro allegedly gave N3.880bn to Ayodele Fayose and Senator Iyiola Omisore in July 2014, when they were the Peoples Democratic Party governorship candidates in Ekiti and Osun states respectively.

The EFCC subsequently seized a house in the Ikoyi area of Lagos State allegedly belonging to Obanikoro's sons – Gbolahan and Babajide and a property located at 44, Mamman Kotangora Crescent, Katampke Extension, Abuja belonging to their mother. However, Obanikoro's wife argued that she bought the property over seven years before the alleged arms scam took place. Obanikoro is understood to be targeting N100million as the first installment of the refund. From ONSA, about N4.685billion was transferred to Sylva McNamara Limited, a company allegedly linked to the ex-minister.

At the last trial, Abiodun Agbele, an aide of the former governor of Ekiti State, Ayodele Fayose, narrated how he coordinated the movement of N1.2 billion slush fund in the build-up to the Ekiti governorship election in 2014, said Tony Orilade, EFCC's Acting Head of Media and Publicity who signed the statement. "At the court hearing today, the prosecution counsel, Wahab Shittu, presented Damola Otuyalo, who gave a vivid account of how the alleged sum was moved out of the local wing of the Lagos Airport and eventually handed over to Obanikoro." The witness said 65 "jumbo bags" filled with money were offloaded from the aircraft and he was instructed by his director, through a phone call, to hand over the bags to Obanikoro. The director's instruction, Otuyalo added, may be found in exhibit AA13, which was already filed and admitted in evidence. The former Diamond Bank employee made similar statements to the EFCC in 2016: "We loaded the first aircraft with money and Obanikoro flew with his friends on the first flight. The second aircraft was loaded with money but it could not carry all the cash due to the size of the aircraft and the weight it could carry," he had said. "I recall that another aircraft was also used to move the final batch of the money from the bullion van. The second and third movements were supervised by Gbolahan (the former minister's son) after Obanikoro had left with the first flight." Meanwhile, Obanikoro decamped from PDP to APC in 2017. Trial is ongoing.

The Cases

CASE 72: ABIODUN AGBELE - N1.2 Billion Money Laundering



Mr. Abiodun Agbele, an aide to the former Ekiti State Governor, Ayodele Fayose, is being prosecuted by the Economic and Financial Crimes Commission, EFCC. He was arraigned on Wednesday, August 3, 2016, by the EFCC, alongside a former Minister of Defence for State, Musiliu Obanikoro; Sylvan Mcnamara Limited; Lt. A.O Adewale; Tunde Oshinowo and Olalekan Ogunseye (all at large) on an 11-count charge of money laundering. Agbele is facing trial before Justice Nnamdi Dimgba of the Federal High Court sitting in Maitama, Abuja for allegedly diverting N1.2 billion from the office of the former National Security Adviser, Sambo Dasuki. After listening to both counsels, Justice Dimgba ordered the accused person to be remanded in Kuje prison and fixed Thursday, August 4, 2016, for ruling on the bail application. Justice Nnamdi Dimgba of the Federal High Court sitting in Maitama, Abuja on Thursday, August 4, 2016, granted him bail.

The defendant was remanded in prison pending the satisfaction of his bail conditions while the case was adjourned to October 26 and 27, 2016 for trial. On Monday, July 3, 2017, Justice Nnamdi Dimgba of the Federal High Court sitting in Maitama, Abuja berated Mike Ozekhome, SAN, over “attempt to frustrate” the corruption trial process of Agbele by EFCC. However, the court in granting Ojo's application frowned at the attitude of Ozekhome and ordered service of the process before the next adjourned date of October 12 and 13, 2017. The court later ruled that the continued detention of the applicant was illegal and a violation of his fundamental human right. The judge ruled that administrative bail be granted to the defendant while EFCC should pay N5 million to him as compensation for the unlawful detention. The matter is still pending as trial continues.

CASE 73: KAYODE FAYEMI - N2 Billion Financial Malfeasance



Dr. Kayode Fayemi is the Governor of Ekiti State and a native of Isan-Ekiti in Oye local government of Ekiti State, Nigeria. He previously held the office of the governor of Ekiti State between 2010 and 2014. He resigned as the Minister of Solid Minerals Development on May 30, 2018. Fayemi was said to have been indicted by the Ekiti State Judicial Commission of Inquiry headed by former Ekiti State Chief Judge and the Oluyin of Iyin-Ekiti, Ademola Ajakaiye, of sundry financial malfeasance totaling over N2 billion. EFCC is yet to commence any investigation on him as he currently enjoys immunity as governor of Ekiti State.

CASE 74: RAYMOND DOKPESI - N2.1 Billion Fraud



Chief Raymond Dokpesi is the founder of Daar Holdings Plc, and the Chairman of DAAR Communications, owner of African Independent Television and Raypower FM. Dokpesi was on Wednesday December 9, 2015, arraigned before the Federal High Court in Abuja over allegations of fraud by his company during the 2015 general elections. Dokpesi is facing a six-count charge bordering on corruption and violation of the public procurement law, brought against him by the Federal Government. The charges include receiving purported contract through the presidential media initiative by Daar Investment and Holding Company to the tune of N2.1 billion. The company received the sum through the office of the National Security Adviser, without a

The Cases

CASE 74: RAYMOND DOKPESI **- N2.1 Billion Fraud Contd.**

“certificate of no objection” from the office of the Bureau of Public Procurement, the government says the company is also alleged to have received the said sum without any competitive bidding for the contract. Mr. Dokpesi is also alleged to have made the proposal for the said contract on behalf of his company without any comprehensive request for same by the Federal Government.

The EFCC alleged that Mr. Dokpesi committed procurement fraud with its company through the office of the National Security Adviser. Mr. Dokpesi pleaded not guilty to all six charges. Justice Gabriel Kolawole of the Federal High Court sitting in Abuja on Monday, 14 December, 2015, granted Dokpesi, bail in the sum of N200million. The Economic and Financial Crimes Commission, EFCC, on Wednesday, February 17, 2016, re-arraigned Dokpesi, before Justice Tsoho of a Federal High Court, Abuja. His re-arraignment follows the reassignment of the case file by Justice Ibrahim Auta, Chief Judge of the Federal High Court, from Justice Gabriel Kolawole to the new judge. Shuaibu Salisu Abdulmalik, a prosecution witness in the trial of Chief Raymond Dokpesi on Tuesday, December 13, 2016, told Justice John Tsoho of the Federal High Court, sitting in Maitama, Abuja that Dokpesi's company account, Daar Communications Plc was paid N2.1billion as media campaign fund on the instruction of Sambo Dasuki, former National Security Adviser, NSA, insisting that the money was not captured in the budget. Abdulmalik, who testified as PW2, was at the time of investigation the Director of Finance and Administration, DFA, at the Office of the National Security Adviser, ONSA, between November 2010 - 2015.

On Friday, March 9, 2018, Abubakar Aliyu Madaki, the twelfth prosecution witness (PW12), revealed how the defendant received funds from the Office of National Security Adviser, under the leadership of Col. Sambo Dasuki (retd) for services not rendered. He testified before Justice John Tsoho of the Federal High Court sitting in Maitama, Abuja. He had on May 3rd, 2018, said that the US has revoked his visa after he was accused of looting Nigeria's treasury. Dokpesi also on May 28, 2018, told the court that he has no case to answer. He took the decision after EFCC closed its case having called a total of 14 witnesses that testified before the court. EFCC had through its last witness, Usman Aliyu, told the court that Dokpesi diverted the funds he allegedly got from ONSA, into accounts belonging to Daar Communications.

On September 20, 2018, Dokpesi and Bala Mohammed, a former Minister of the Federal Capital Territory (FCT) asked the Federal High Court in Abuja to nullify an Executive Order signed by President Muhammadu Buhari. Bello Mohammed, a former Ambassador, is also a plaintiff in the suit marked FHC/ABJ/CS/1012/2018. Apart from the President, Abubakar Malami, Attorney-General of the Federation (AGF), is a defendant in the suit.

In July 2018, Buhari issued Executive Order No.6 restraining owners of assets under probe from carrying out further transactions on such properties. The anti-graft agency, EFCC, concluded its prosecution of Raymond Dokpesi after calling 14 witnesses. At the last trial, Mr. Dokpesi told the Federal High Court in Abuja that he would be making a no case submission to wrap up his trial. The owner of Nigeria's first private radio station is facing trial for the alleged diversion of N2.1billion received from the office of former National Security Adviser, Sambo Dasuki.. Earlier, a witness brought in by the prosecution corroborated previous claims of financial diversions into accounts belonging to Daar Communications from the office of the former NSA. The witness, Usman Aliyu, also told the court that part of the fund, N68 million, was used for the construction of Mr. Dokpesi's country home in Edo State. The case is awaiting final ruling.

CASE 75: IBRAHIM ABDULSALAM **- N6.8 Billion Fraud**



Mr. Ibrahim Abdulsalam is a former Managing Director of the Nigeria Airspace Management Agency (NAMA) who was charged for N6.5billion alleged fraud. The Economic and Financial Crime Commission (EFCC) on April 7, 2016 arraigned Abdulsalam alongside three directors of the agency and the wife of one of the directors before a Federal High Court in Lagos for alleged stealing. They were arraigned before Justice Babs Kuewumi. The other accused are: Adegorite Olumuyiwa, Agbolade Segun, Clara Aliche, Joy Adegorite, and two limited liability companies, Randville Investment Ltd and Multeng Travels and Tours Ltd. They had all pleaded not guilty to the charge.

The Cases

CASE 75: IBRAHIM ABDULSALAM - N6.8 Billion Fraud Contd.

The charge was subsequently amended to include three more accused persons, and all accused persons were re-arraigned on April 12. In the charge, the EFCC alleged that on August 19, 2013, the accused conspired to induce NAMA to deliver the sum of N2.8billion to Delosa Ltd, Air Sea Delivery Ltd and Sea Schedules Systems Ltd. The witness, Babatunde Adenekan said the money was paid in four tranches into the account of a contractor, Delosa Limited, after which it was transferred also in several tranches into bank accounts belonging to some officials of NAMA.

One of the counts reads: “That you, Ibrahim Abdulsalam, Adegorite Olumuyiwa, Agbolade Segun, Clara Aliche, Joy Ayodele Adegorite, Randville Investment Ltd And Multeng Travels And Tours Ltd, between the 1st day of January and the 30th day of December, 2015, within the jurisdiction of this Honourable Court, did commit an offence, to wit: “conversion of the sum of N336,803,308 property of NAMA, which sum was derived from stealing, and thereby committed an offence contrary to Section 15(1) of the Money Laundering (Prohibition) (Amendment) Act, 2012 and punishable under Section 15(3) of the same Act.”

At the resumed hearing, a prosecution witness, Nurudeen Bello, told the court that the total sum of N2.8billion was transferred from the agency between 2013 and 2015 to different companies' accounts for the personal use of the defendants. Led in evidence by the prosecution counsel, Rotimi Oyedepo, Bello, an investigator with the EFCC, told the court that: “The money was transferred in tranches to Randville Investment Limited and was further disbursed to several companies' accounts, including another different account owned by Randville Investment Limited.

In his further testimony, Bello also said that over N100m cash, mostly in tranches of N3m, were withdrawn from Randville by Agbolade. Bello said the balance in the account of Randville before the fraud was perpetrated was N8.7million, adding that “when the unlawful act was carried out, the credit turnover of Randville Investment Limited was N3.6billion while the debit turnover was also N3.6billion. The case is now set for cross-examination and final judgment.

CASE 76: EMMANUEL ATEWE -N8.5 Billion Fraud



Major General Atewe (retd) is a former Commander of Operation Pulo Shield, a military Joint Task Force (JTF) in the Niger Delta who was charged for N8.5billion alleged fraud. The Economic and Financial Crimes Commission (EFCC) on February 3, 2017 re-arraigned him along with former Nigerian Maritime Administration and Safety Agency (NIMASA) Director-General Patrick Akpobolokemi, before a Federal High Court in Lagos.

The prosecution, which also named Kime Engozu and Josephine Otuga in the charge, said NIMASA, under Akpobolokemi, approved billions of naira to several military personnel who were purportedly engaged to patrol the creeks to prevent pipeline vandalism and illegal bunkering. The funds, according to the EFCC were allegedly diverted to private accounts through fraudulent means.

The anti-graft agency alleged that the defendants conspired among themselves to defraud NIMASA of N8.5billion using six companies. Their re-arraignment was sequel to the transfer of the former trial judge, Justice Saliu Saidu, from Lagos to the Port Harcourt division (Justice Saidu had since be transferred back to Lagos).

The accused were re-arraigned before a new judge, Justice A.O Faji, and their pleas taken afresh. After their re-arraignment, defence counsel prayed the court to allow the defendants continue on the earlier bail granted by the previous judge. Atewe, Engozu and Otuaga were each granted N100million bail each with two sureties in like sum by Justice Saidu. Hearings are on-going on the case.

The Cases

CASE 77: INEC OFFICIALS - N177.3 Million Money Laundering



The EFCC arraigned three officials of Independent National Electoral Commission (INEC), Gbadegun Abiodun, Afolabi Albert and Oladipo Oladapo on August 1, 2018, for money laundering. They were accused of taking a bribe of N177.3m on March 30, 2015, in the build-up to the 2015 general elections when they were attached to Osun State office of INEC. EFCC alleged that the officials breached money laundering act 2011 as they handled the cash without going through any financial institution. Although they pleaded not guilty, Justice Chuka Obiozor ordered that they should be remanded in Ikoyi prison until they meet the N100m bail condition with a surety each with landed property in Lagos State. Trials commenced in 2018.

CASE 78: JUMOKE AKINJIDE - N650 Million Money Laundering



Chief Jumoke Akinjide is a former Minister of Federal Capital Territory who was charged for N650million alleged money laundering by the Economic and Financial Crime Commission (EFCC). On January 16, 2018, the EFCC re-arraigned Akinjide on 24 counts charge before a Federal High Court in Lagos for the alleged offence. The former minister had been arraigned before an Oyo division of the Federal High Court before the case was transferred to Lagos Division. She was charged by the EFCC alongside a former Minister of Petroleum Resources, Mrs Diezani Alison-Madueke. Others named in the charge are Senator Ayo Adeseun and a Chieftain of Peoples Democratic Party (PDP), Chief Olarenwaju Oti.

The defendants allegedly received the money from Mrs. Alison-Madueke in the build-up to the 2015 general election. In June, 2017, the EFCC arraigned the defendants before Justice Joyce Abdulmalik sitting at the Federal High Court in Ibadan but the case was transferred to Lagos and this necessitated the re-arraignment in 2018. According to the charge, the defendants were alleged to have received some money from a former Minister of Petroleum Resources, Diezani Alison-Madueke in the build-up to the 2015 general elections. The money was said to be part of \$115million allegedly disbursed by Alison-Madueke to influence the outcome of the year's presidential election. At the resumed proceedings, counsel to the EFCC, Rotimi Jacob, informed the court of 24 amended count charges preferred against the defendants and urged the court to take the fresh plea of the defendants. This was granted and trials are ongoing.

CASE 79: IBRAHIM SHEHU SHEMA - N11 Billion and N5.7 Billion Fraud



The Economic and Financial Crimes Commission on April 10, 2018 re-arraigned a former Governor of Katsina State, Ibrahim Shehu Shema, alongside three others before Justice Maikaita Bako of the Katsina State High Court on a 24-count amended charge. Others charged alongside Shema, are Sani Hamisu Makana, former Commissioner for Local Government and Chieftaincy Affairs, Lawal Ahmad Rufai, Permanent Secretary, Ministry of Local Government Affairs and Ibrahim Lawal Dankaba, Chairman Association of Local Government of Nigeria, (ALGON) Katsina Branch. On the last adjourned date, the prosecution informed the court of its victory at the Supreme Court which dismissed the application of the former governor and his co-accused to stop their trial. At the resumed hearing, the amended charge was read to the accused persons and they all entered a plea of not guilty. In view of their plea, the prosecution counsel, Sam Ologunorisa, SAN, informed the court of his readiness to proceed to trial. Following no objection from the counsel representing the accused persons, the first prosecution witness, Ibrahim Dabo Bujawa, entered the witness box.

The Cases

CASE 79: IBRAHIM SHEHU SHEMA - N11 Billion and N5.7 Billion Fraud Contd.

It could be recalled that the Supreme Court on January 26, 2018, upheld the 22-count corruption charges on alleged complicity in the illegal diversion of public funds to the tune of N11billion against the former governor of Katsina State. In a unanimous judgment, Justice Sidi Bage held that the charges by the Economic and Financial Crimes Commission (EFCC) were competent, adding that the anti-graft agency was empowered by its Establishment Act to investigate and prosecute any person accused of corruption. Shema was also arraigned on April 27, 2018 before a Federal High Court over alleged misappropriation of another N5.7billion under the then Subsidy Reinvestment Programme (SURE-P), but his aide insisted his trial was politically motivated. The trial on the N11billion case which was meant to last two days in July 2018 was, however, adjourned to October 15 and 16, 2018 at the request of the prosecution which claimed that the second prosecution witness was ill and needed urgent medical attention abroad. The case has been undergoing trial within trial while the main trial is underway.

CASE 80: ROBERT AZIBAOLA - \$40 Million Money Laundering



Justice Nnamdi Dimgba of the Federal High Court, Abuja on June 7, 2016 ordered the remand of Mr. Azibaola Robert, a cousin to former President Goodluck Jonathan pending the determination of his bail application. Azibaola and his wife, Stella, were arraigned alongside their company, One Plus Holding Limited on a seven 7-count charge bordering on money laundering, criminal breach of trust and corruption by the Economic and Financial Crimes Commission. The couple were alleged to have diverted \$40million (forty million US dollars) meant for the supply of tactical communication kits for Special Forces. The money was transferred from the account of the Office of the National Security Adviser with the Central Bank of Nigeria to the domiciliary account of their company, One Plus Holdings. They were arraigned on June 7, 2016, and were admitted to bail in the sum of N500million each.

They were re-arraigned on April 27, 2017 on a nine-count amended charge. In the course of the trial, the prosecution called 10 witnesses and tendered 27 documented evidence against the three parties and closed its case. Thereafter, Mr. Aziboala and One Plus Company were ordered to open their defence on the remaining two counts as Stella's name was struck off the charge sheet. He denied diverting money to his personal use. On February 6, 2019, his defence team led by Chris Uche closed its defence after calling two witnesses including Mr. Aziboala and presented several documents.

After the closure of all the hearings, the Federal High Court in Abuja in April 2019, dismissed the money laundering charges against Mr. Azibaola. Delivering judgment on the case, Justice Nnamdi Dimgba discharged and acquitted Azibaola and his company, as he held that there were many doubts raised in the prosecution's case which were not investigated and cleared. The judge, Nnamdi Dimgba, accused the prosecutor of failing to produce former National Security Adviser Sambo Dasuki as a witness. Mr. Dasuki is in the custody of the State Security Service. Shortly after the judgment, EFCC said its legal team would study the judgment and take necessary actions to appeal it. The EFCC expressed concern that despite the weight of evidence brought before the court and witnesses presented, Justice Dimgba held that "the prosecution must show directly how the defendant took possession of funds and knew that it formed part of proceeds of corruption". The case is awaiting EFCC's appeal at the appellate court.

CASE 81: SAIDU USMAN DAKINGARI - N700 Million Fraud



Former Kebbi State Governor, Alhaji Saidu Usman Dakingari, was charged with a 15-count charge for alleged N700million fraud before a Federal High Court in Birnin Kebbi. The former governor was scheduled to be arraigned on June 20, 2018, but the arraignment could not hold because the Economic and Financial Crime Commission (EFCC) was unable to serve him and the arraignment was adjourned till June 25, 2018.

The Cases

CASE 81: SAIDU USMAN DAKINGARI - N700 Million Fraud Contd.

Dakingari was charged alongside three others, Sunday Dogonyaro, Abdullahi Yelwa and Garba Rabi Kamba, for allegedly receiving N700 million from the former Minister of Petroleum Resources, Diezani Alison-Madueke. After some further adjournments, EFCC on December 6th 2018, arraigned the former governor of Kebbi State, Usman Saidu Dakingari alongside two others before Honourable Justice Basse Onu of the Federal High Court sitting in Kebbi. They were arraigned on a 13-count charge of Conspiracy and Money Laundering to the tune N450,000,000 (Four Hundred and Fifty Million Naira), Dakingari was arraigned along with Sunday Dogonyaro and Garba Rabi Kamba for allegedly conniving to collect the sum of N450million being part of the \$115,000,000 (One Hundred and Fifteen Million Dollars) warehoused in Fidelity Bank and shared by the former Minister of Petroleum Resources, Diezani Alison-Madueke, for the purpose of influencing the 2015 general election.

The defendants pleaded not guilty when the charge was read to them. Counsel for the prosecution, Johnson Ojogbane, requested a date for trial in view of the plea of the defendants. But counsels representing the defendants moved applications for bail on behalf of their clients and respectively urged the court to admit their clients to bail. Ojogbane opposed the bail application with counter affidavits urging the court to refuse the application of the 1st and 2nd defendants. Ojogbane, however, did not oppose the bail application of the 3rd defendant who has been constantly reporting to court since the first time the case came up for the arraignment of the accused.

The first and second defendants on the other hand had initially refused to appear before the court even after the court threatened to issue a bench warrant for their arrest. After listening to the arguments exchanged between the parties, Justice Onu adjourned the matter to December 10th, 2018, for ruling on bail application. The defendants were ordered to be remanded in EFCC custody pending the outcome of the ruling on bail application. The defendants were eventually granted bail while trials have commenced.

CASE 82: CALISTUS OBI, EX-NIMASA DG - N136 Million Fraud



Mr. Calistus Obi is a former Acting Director-General of Nigeria Maritime Administration and Safety Agency (NIMASA), charged with an alleged N136million fraud. The Economic and Financial Crimes Commission (EFCC) preferred an eight-count charge against Obi who was a former Executive Director, and later, a former acting D-G. He was charged alongside one Alu Dismas, who was an aide to a former DG of NIMASA, Patrick Akpobolokemi. The duo were arraigned before Justice Mojisola Olatoregun of a Federal High Court in Lagos.

In the charge, the accused were alleged to have committed the offences on August 5, 2014. On June 12, the case was adjourned to September 26, 2018, for continuation of trial following a letter by the prosecutor, Mr Rotimi Oyedepo, informing the court of his absence as he was before the National Judicial Council. On June 3, 2019, the Federal High Court in Lagos sentenced the former acting Director-General of the Nigerian Maritime Administration and Safety Agency, Calistus Obi, who was charged with N225m fraud to seven years imprisonment.

The prosecuting counsel for the EFCC, Mr Rotimi Oyedepo, had told the judge that Section 15(3) of the Money Laundering (Prohibition) Act, which Obi and Alu were convicted of violating, prescribed a maximum prison term of 14 years for an offender. He said though the law permitted the judge to exercise discretion in sentencing, the minimum limit was seven years. He, however, argued that Obi and Alu did not qualify to enjoy the court's discretion because they allowed the judge to go through "the rigour of full-fledged trial" rather than own up and opt for plea bargain at the start of the case. Oyedepo said Obi and Alu's case had presented the judiciary with "an opportunity to send a clear signal to public servants and those entrusted with public offices not to breach the trust reposed in them." The case is closed.

The Cases

CASE 83: IKE EKWEREMADU – Non Declaration of Assets



The Federal Government filed charges against Chief Ike Ekweremadu, former Deputy Senate President and Bassey Akpan, Senator representing Akwa Ibom North-East District, for alleged failure to declare their assets. The suit against the lawmakers were filed before a Federal High Court in Abuja by the Special Presidential Investigation Panel for the recovery of public property. The Okoi Obon-Obla led presidential panel had on March 21, 2018, filed an ex parte motion seeking an order of interim forfeiture of 22 houses pending the conclusion of the investigation of the former Deputy Senate President, Ike Ekeremadu's failure to declare the properties as part of his assets.

The panel, through its lawyer, Mr. Festus Keyamo (SAN), had, in the ex parte motion, stated that: “preliminary investigation by the applicant revealed that a prima facie case of a breach of the code of conduct for public officers has been made out against the respondent (Ekweremadu).

The panel said Ekweremadu acquired the houses between 2007 and 2015, but failed to declare them in June 2007 and June 2015, including nine in Abuja, two in London, the United Kingdom, eight in Dubai, the United Arab Emirate and three in Florida, the United States. After granting the orders for service through substituted means, the judge fixed October 22 to hear the suit against Ekweremadu and November 19 for Akpan.

In March 2019, Festus Keyamo, (SAN), filed a suit on behalf of the federal government seeking a temporary forfeiture of alleged undeclared assets traced to Ekweremadu. Twenty-two properties were reportedly traced to the deputy senate president, nine in Nigeria, two in the UK, eight in Dubai and three are in the US. The deputy senate president denied all the allegations. Trials have commenced.

CASE 84: BUKOLA SARAKI - N1.36 Billion Fraud



First in the list of former senators facing corruption charges is the former Senate President, Dr. Bukola Saraki (PDP, Kwara Central, formerly APC). While the Code of Conduct Tribunal (CCT) discharged and acquitted him of the 13-count charge bordering on false assets declaration when he was the governor of Kwara State, the Court of Appeal reinstated 3-count charge and discharged him of the rest. Both Saraki and the Federal Government have appealed against the Court of Appeal Judgment at the Supreme Court. It will be recalled that his colleagues, under the auspices of the erstwhile Unity Forum, led by Senator Kabiru Marafa (APC, Zamfara Central) had asked him to resign and face the charges. But the then Senate Leader, Mohammed Ali Ndume, and his supporters in the defunct Like Minds Group said he would resign only if he was found guilty after trial.

After Bukola's tenure as the Senate President ended, the EFCC claimed former Senate President Bukola Saraki withdrew N12bn in cash from the treasury of the Kwara State Government while he was governor of the state between 2003 and 2011. The money was then allegedly used by Saraki to offset a N1.36bn bank loan he used in purchasing homes located at 15, 15A, 17, 17A and four flats on Macdonald Road, Ikoyi, Lagos, hence the decision of the commission to seize the properties. The anti-corruption agency therefore asked Justice Taiwo Taiwo of the Federal High Court, Abuja to rescind the ex parte order preventing the commission from investigating and prosecuting Saraki. The EFCC said this in a counter affidavit to Saraki's originating motion with suit number FHC/ABJ/CS/507/2019. However, in a counter affidavit deposed to by Ojilibo Stanley on behalf of the EFCC, the agency said they had established a case of money laundering, criminal breach of trust and conspiracy by the immediate past Senate President.

The Cases

CASE 84: BUKOLA SARAKI - N1.36 Billion Fraud Contd.

The EFCC said Saraki had through his companies between 2005 and 2006 taken loans worth N1.36bn from the Guaranty Trust Bank and Intercontinental Bank (now Access Bank). The commission said in a bid to offset the loan, the ex-governor began to divert N100m from the coffers of the state monthly. The affidavit stated that on February 28, 2005, the Presidential Implementation Committee on the sale of Federal Government Landed Properties wrote a letter conveying to Saraki the approval of then Minister of Lands and Housing for the sale of properties at 15 and 17 Macdonald Road, Ikoyi.

The EFCC said sequel to the letter Saraki wrote a letter dated March 8, 2005, to Guaranty Trust Bank requesting for N200m loan to finance the acquisition of the properties on March 24, 2005, GTB approved the loan to partly finance the purchase of the properties. The anti-graft agency said on October 11, 2006, another personal loan of N380m was granted to Saraki by GTB to partly finance the acquisition of properties located at 17 and 17A Macdonald Road, Ikoyi. The commission further claimed that on January 30, 2007, a personal loan of N380m was again granted to the former governor to partly finance the same properties.

It said on April 28, 2009, another personal loan of N400m was obtained by Saraki to develop the same properties. Saraki had stated in an affidavit he deposed to in support of the originating motion that acting EFCC Chairman, Ibrahim Magu, was on a revenge mission because of the role he (Saraki) played in blocking his confirmation as EFCC chairman. He said: "Apart from the instigation by my political adversaries, my close contacts have confirmed to me that the 4th respondent (EFCC) renewed its harassment as a way of punishing me for the decision of the Senate not to clear the acting chairman of the EFCC, Alhaji Ibrahim Magu, to be appointed as the substantive chairman of the commission. The EFCC denied being controlled by the All Progressives Congress, adding that the fresh investigation of Saraki was different from the ones related to the one conducted by the Code of Conduct Bureau. Trials have commenced on the matter.

The Economic and Financial Crimes Commission on Monday, 2nd December, 2019 secured an order of the Federal High Court in Lagos for the forfeiture of two houses in Ilorin, Kwara State belonging to a former Senate President, Bukola Saraki.

The EFCC told the Court it uncovered monumental fraud perpetrated in the treasury of the Kwara State Government between 2003 and 2011, when Saraki was the Governor of the state. The affidavit filed in support of the ex parte application stated that the move for the forfeiture of the houses followed the findings of the EFCC after investigation and "the report of a committee set up to review sales of Kwara State Government during the reign of the Governor of Kwara State in the year 2003 and 2011."

It was also averred that the common pattern was that after payment of monthly allocation by the Federal Government to the Kwara State Government, a cumulative sum of not less than N100m will be deposited into the Kwara Government House account. The affidavit stated that upon the payment of the said N100m, same will, in turn, be withdrawn in cash by one Mr Afeez Yusuf from the Kwara State Government House, Ilorin's account in bits and brought to the Government House. The EFCC said it believed that Saraki developed the two properties with proceeds of unlawful activities.

After granting the order as prayed, Justice Aikawa directed the EFCC to publish the temporary forfeiture order in a national newspaper and adjourned till December 17 for anyone interested in the properties to appear before him to show cause why the properties should not be permanently forfeited to the Federal Government.

The Cases



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CASE 85: KENNY MARTINS -N7.74 Billion Fraud



Chief Kenny Martins was the chairman of the defunct Police Equipment Trust Fund who was arraigned in 2008 for allegedly diverting N7.74billion belonging to the trust fund along with three other persons: Ibrahim Dumuje, Joni Icheke, and Cosmas Okpara. They were arraigned before a Federal Capital Territory High Court (FCT), Abuja. The accused, in November 2016, were acquitted of the charge by the presiding judge, Justice Abubakar Talba, who ruled that the EFCC failed to establish a prima facie case against the defendants. Not satisfied with the judgment, the EFCC filed an appeal at the Appeal Court which on June 28, 2012 set aside the judgment of the lower court and order for re-trial. However, the defendants filed another appeal at the Supreme Court against the judgment of the appellate court. On March 23 2018, the Supreme Court dismissed the appeal filed by Martins and ordered his re-trial by the EFCC. With the Supreme Court judgment, the Chief Judge of the FCT is expected to reassign the case to another judge.

CASE 86: STELLA ODUAH - N9.8 Billion Fraud



Senator Stella Oduah, representing Anambra North, was subjected to eight hours of interrogation at the EFCC office in Abuja on February 26, 2018. Oduah, who had refused to honour the EFCC invitations for nearly three years, arrived at the office of the anti-graft agency around 11am and answered several questions until 7pm.

CASE 86: STELLA ODUAH - N9.8 Billion Fraud Contd.

The quiz bordered on diversion of billions of naira when she was a minister under the Goodluck Jonathan administration. The former minister first came under investigation in 2013, after a human rights lawyer, Mr. Femi Falana (SAN), wrote a petition against her for allegedly approving the purchase of two BMW vehicles worth N225m by the Nigerian Civil Aviation Authority in breach of the Public Procurement Act. She was also accused of diverting N3.9bn out of the N9.4bn meant for the installation of security devices in 22 airports, an allegation she had since denied. In August 2015, rather than honouring an EFCC invitation, the lawmaker filed a suit against the EFCC, police and the Attorney General of the Federation asking the court to stop them from “inviting, arresting, investigating or prosecuting her. Oduah in April, 2018 denied allegation that she embezzled N9.8billion while in government as contained in a list of looters released by Alhaji Lai Mohammed, the Minister of Information and Culture. This was in spite of the fact that she is currently being investigated by the Economic and Financial Crimes Commission (EFCC) over alleged fraud of N9.4billion contract for supply of security equipment to 22 airports across the nation. Investigations are on-going.

CASE 87: BASHIR YUGUDA - N450 Million and N28 Billion Money Laundering



The Economic and Financial Crimes Commission on May 28, 2018 arraigned the former Minister of State for Finance, Ambassador Bashir Yuguda, alongside three others before Justice Fatima Murtala of the Federal High Court sitting in Zamfara on charges of conspiracy and money laundering. Others charged alongside the former governor of Zamfara State include Mahmud Aliyu Shinkafi, Aminu Ahmed Nahuche and Ibrahim Malaha. The defendants allegedly conspired and received a cash payment of N450,000,000 part of the \$115,000,000 that was allegedly distributed by a former Minister of Petroleum Resources, Deizani Allison-Madueke, for the purpose of influencing the outcome of the 2015 general election.

The Cases

CASE 88: BASSEY AKPAN – Non Declaration of Assets



Mr. Bassey Akpan served as Commissioner for Finance between August 7, 2007 and 2014 during the tenure of Godswill Akpabio as Governor of Akwa Ibom State. The Presidency in a letter dated March 28, 2018 and signed by the Chairman of the Special Presidential Investigative Panel for the Recovery of Public Properties, Okoi Obono-Obla, requested the Government of the United Kingdom (UK) to ban Akpan from entering UK and any of its territories. The panel claimed Akpan acquired numerous properties scattered within and outside Nigeria through dubious means while serving as commissioner for finance. In the letter addressed to the UK Home Office Secretary, Hon. Amber Rudd, the presidency also called on the UK government to freeze all the bank accounts and assets associated with the senator. Meanwhile, the Federal Government in a suit pending before Justice Dimgba of the Federal High Court, Abuja, is seeking an interim order of forfeiture of undeclared asset linked to the senator.

The accused through his lawyer filed a suit challenging the competency of the Special Presidential Investigation Panel for Recovery of Public Property to investigate him on the charges. In response, Justice J.T Tsoho, ruled that the Special Presidential Investigation Panel for Recovery of Public Property was competent to initiate criminal prosecution against Senator Albert Akpan Bassey or anybody it has investigated. The court further held that the prosecutor of the panel, Dr. Celsus Ukpung, was competent to sign or initiate criminal prosecution and didn't require the consent of the Honourable Attorney General of the Federation and Minister of Justice to do so. The Principal State Counsel at the Federal Ministry of Justice, Mr. Labaran Magaji, who signed the charges, alleged Nwaoboshi's action was contrary to section 15(1) and (2) of the Code of Conduct Bureau and Tribunal Act and punishable under section 23(2) of the same Act. With the ruling, the coast has been cleared for Senator Akpan to face the charges against him.

CASE 89: THEODORE ORJI - N7.6 Billion Money Laundering



Chief Theodore Orji was Abia State Governor from 2007 to 2015. During his first tenure as governor, there were petitions to the ICPC to investigate Orji for money laundering allegations brought against him. Since Orji could not be prosecuted at the time, ICPC detained the Accountant-General of the State, Mrs. Bridget Onyema, for two days and later granted her administrative bail.

The arrest was in connection with a series of petitions sent to the commission to investigate the whereabouts of about N1.9632bn allegedly transferred under the guise of travel estacodes to the governor, his deputy, their wives and families, as well as 23 other persons who were part of the governor's entourage to the World Igbo Congress held in Tampa Bay, Florida, the United States in 2008.

Orji was also alleged to have embezzled Abia State's allocation from the Ecological Funds disbursed by the federal government to assist states in tackling environment-related challenges such as erosion, flooding and the likes, all amounting to N7.6billion.

It was for a similar offence that the former governor of Plateau State, Joshua Dariye, was sentenced to 14 years imprisonment in June this year.

The sentence was later reduced by the Court of Appeal to 10 years. Also, Orji was accused of diverting huge sums of money from the Abia State Oil Producing Development Area Commission, the agency that is set up to see to the development of oil-producing areas. He allegedly used the illegally acquired fund to buy properties in various parts of the country. Trials are on-going over the case.

The Cases

CASE 90: THREE CBN, TWO STERLING BANK OFFICIALS - N1.1 Billion Fraud



In 2015, three employees of the Central Bank of Nigeria and two staff of Sterling Bank of Nigeria, were arraigned before Justice Ayo Emmanuel of a Federal High Court sitting in Ibadan, Oyo State for defrauding the apex bank and two other banks a total sum of N1,141,303,300 (One Billion, One Hundred and Forty One Million, Three Hundred and Three Thousand, Three Hundred Naira). The suspects: Messrs Kolawole Babalola, Olaniran Muniru Adeola, Toogun Kayode Philips- all former staff of the CBN and Messrs Salami Ibrahim and Oddiah Emmanuel, both staff of Sterling Bank Plc, were arraigned on an eleven-count charge bordering on conspiracy, fraud and stealing. Specifically, the bankers were alleged to have defrauded their banks of various sums of money totaling N1,141,303,300 using various guises and pretenses. When the charges were read to them, they pleaded not guilty.

In view of their plea, prosecuting counsel, Rotimi Jacob, SAN, prayed the court for a trial date and the remand of the defendants in prison custody. However, counsel to the 1st accused, O. Bolanle, speaking for all the other counsels, applied for short adjournment to enable them bring formal applications for bail before the court. Justice Ayo Emmanuel adjourned the matter to June 9, 2015, for hearing of the bail applications and July 6 and 7, 2015 for trial.

He ordered that the defendants be remanded in Agodi prison custody, Ibadan. The prosecution counsel told court of his intention to amend charges against CBN staff, Olaniran Muniru and others who are being prosecuted for alleged ₦8bn currency scam. Defence counsels objected to the amendment and urged court to dismiss it. No ruling has been made since 2015.

CASE 91: AUWAL IBRAHIM - N623 Million Fraud



The Economic and Financial Crimes Commission, EFCC, on 15 May 2017, arraigned the trio of Messrs Auwal Ibrahim, Principal Accountant, Tertiary Education Trust Fund, Abuja; Wali Muktar Usman, Director of Works, Federal College of Education, Gombe and Architect Yunusa Yakubu and his company Lubell Nigeria Limited and Archfirst Nigeria limited before Justice Sa'ad Muhammad of the Gombe State High Court on a 17-count charge bordering on conspiracy, contract scam, abuse of office and diversion of public funds. The accused persons allegedly abused their positions by awarding inflated Tetfund contracts to companies in which they had interest or which belonged to their cronies, and receiving gratification from contractors. Ibrahim, the 1st accused allegedly received various sums of money as gratification from Yakubu for contract awarded to his company, Lubell Nigeria Limited, in Gombe State University. Usman, the present Director of Works Federal College of Education Gombe is the sole signatory and promoter of Archfirst Nigeria Limited, a clear violation of public service regulation which forbids ownership of private businesses by serving public officers. A number of transactions by the accused persons were also traced to the accounts of Murtala Salisu, the Acting Director of Works of Gombe State University in different banks. Trials commenced since 2017 but no ruling is yet made.

The Cases

CASE 92: PATIENCE JONATHAN **- \$15,591,700 Proceeds of Crime**



The Federal High Court in Lagos on Monday July 1, 2019, ordered the permanent forfeiture of the sums of N9.2bn and \$8.4m recovered from Nigeria's ex-first lady, Mrs Patience Jonathan. Justice Mojisola Olatoregun ordered that the funds should be forfeited to the federal government. The judgment followed an application by the EFCC that the funds were proceeds of crime. Meanwhile, four firms immediately appealed against the judgment. The four firms — Finchley Top Homes Limited; AM PM Global Network; Pagmat Oil and Gas Nigeria Limited; and Magel Resort Limited, prayed to the Court of Appeal to reverse the forfeiture order. The matter is pending before the court. Earlier, the Economic and Financial Crimes Commission (EFCC) had filed a 15-count charge against the companies and Dudafa, Amajuoyi Briggs, a lawyer; and Damola Bolodeoku, a Skye Bank (now Polaris Bank) official. After the charges were read to the accused, the first, second and third accused pleaded not guilty to the charges. Meanwhile, the four individuals representing the companies listed in the charge pleaded guilty to the offences.

Four companies linked to the alleged money laundering case involving Patience Jonathan, wife of former President Goodluck Jonathan, pleaded guilty to the offence. The companies – Seagate Property Development & Investment Co. Limited; Pluto Property and Investment Company Limited; Trans Ocean Property and Investment Company Limited and Development Company Limited, pleaded guilty to conspiring to launder \$15million. Directors of the companies are domestic workers of Waripamowei Dudafa, Jonathan's Special Adviser on Domestic Affairs. Patience had allegedly directed him to use the money to open accounts for her in Skye Bank (now Polaris Bank). Following the guilty plea of the companies, the EFCC prosecution led by Rotimi Oyedepo prayed the court to allow a short time for review of the facts, adding that he would not waste the time of the court. Babs Kuewumi, the trial judge, however, declined prosecution's request and said he would adjourn the matter to a future date.

Patience later admitted ownership of the money, saying it was meant for her foreign medical bills and other private expenses. In a letter which her lawyers wrote to the anti-graft agency, the former first lady said she was the sole signatory to the accounts. The EFCC had frozen the accounts, saying it found that “this was a clear case of fraud.”

CASE 93: ABBA MORO **– Employment Scam**



Patrick Abba Moro, the Senator representing Benue South Senatorial District in the Nigerian Senate and the former Minister of Interior is standing trial over a 2014 employment scam in the Nigerian Immigration Service. In October, 2019, Adeniyi Adebayo, the 12th prosecution witness in the trial of former Minister of Interior, Patrick Abba Moro, has told a Federal High Court sitting in Abuja, that the defendants created an e-recruitment portal to fraudulently collect funds from job applicants. The senator is facing trial, along with the former Permanent Secretary in the Ministry, Anastasia Daniel-Nwobia, an ex-Director in the same ministry Felix Alayebami, and Drexel Tech Nigeria Ltd. Adebayo, an operative of the Economic and Financial Crimes Commission, EFCC, while being cross-examined by counsel to the first defendant, Paul Erokoro, SAN, pointed out that Moro and Drexel Tech Nig. Ltd did not follow the rules of the Procurement Act. He noted that the contract agreement was done with Drexel Tech Global Ltd but that Drexel Tech Nig. Ltd was used to execute the contract which it did not bid for. The witness also revealed that the Boards of Immigrations, Fire Service, Civil Defence and Prisons were not carried along in the contract award. This act, according to Adeniyi, constituted an abuse of office on the part of Moro. Justice Nnamdi Dimgba adjourned till November 25, 2019 for the continuation of the cross-examination of the witness.

The Cases

CASE 94: Andrew Yakubu - \$9.8 Million Fraud



In March 2019, a Federal High Court in Abuja ordered a former Group Managing Director of the Nigerian National Petroleum Corporation, (NNPC), Andrew Yakubu, to open his defence in the \$9.8million fraud charge leveled against him by the Economic and Financial Crimes Commission (EFCC). The accused had earlier filed a no case submission to halt the case. The spokesperson of the commission, Tony Orilade, in a statement, said the judge, Ahmed Mohammed adjourned the matter till July 3, 2019 to allow the defence to open its case. Mr. Yakubu has been accused of failing to fully disclose his assets and receiving cash illegally. The EFCC had, on February 3, 2017, raided Mr Yakubu's house located in Kaduna South Local Government Area of Kaduna State, from where \$9,772, 800 and £74,000 were recovered. Mr. Yakubu, on February 8, 2017, reported to the commission's Kano Zonal Office where he admitted being the owner of both the house and the money recovered. He was later arraigned on March 16, 2017, on a six-count charge for “failure to make full disclosure of assets, receiving cash without going through a financial institution which borders on money laundering.” The anti-graft agency on October 17, 2018, closed its case against him after calling the seventh witness, Suleiman Mohammed, an operative with the commission. The witness testified on how operatives recovered the stashed cash. Trial has commenced on the case

CASE 95: MUNIR GWAZO - N115 Million Misappropriation of Public Funds



On April 17, 2019, a Federal High Court in Maitama, Abuja, discharged and acquitted the suspended Director General of the Security and Exchange Commission, SEC, Mr. Mourni Gwarzo. In a ruling delivered by Justice Hussein Baba-Yusuf, the five count charges filed against the SEC boss and Executive Commissioner, Corporate Services of SEC, Zakawaru Garba by ICPC were dismissed. The duo were accused of misappropriating public funds to the tune of about N115million in the charge marked CR/185/18. ICPC told the court that the defendants committed the offence in June 2015.

Gwarzo allegedly pocketed N104.8m as severance benefit and received a car grant worth over N10million contrary to Section 19 of the ICPC act, 2000. The second defendant was alleged to be involved in the fraud by conferring a corrupt advantage on another public officer by approving the payments made to the suspended SEC boss. However, the court upheld the no case submission filed by the two defendants. Justice Baba-Yusuf said he was satisfied that the totality of the proof of evidence was not enough to establish a prima facie case against the defendants and there was no need for them to enter into defence. Meanwhile, the Independent Corrupt Practices and Other Related Offences Commission (ICPC) said it would soon appeal the ruling on the 'no case submission' in the trial.

CASE 96: ISA YUGUDA – N21 Billion Contract Scam



This matter remains inconclusive since 2017 when a high-powered committee set up to carry out forensic audit of all major contracts awarded by the past administration from June 2007 to May 2015 in the Bauchi State Universal Basic Education Board, Ministry for Local Government Affairs, Bauchi Specialist Hospital, Ministries, Departments and Agencies, asked former Governor Isa Yuguda to account for over N21billion expended by his administration within the period under review.

The Cases

CASE 96: ISA YUGUDA

– N21 Billion Contract Scam Contd.

Salihu Lukman Abubakar, lamented that the amount allegedly expended by the past administration in executing projects did not tally with the records of amount that accrued to the state from June 2007 to May 2015 from the federation accounts as contained in documents obtained from the Office of the Accountant General of the Federation.

He said from the local governments' contributions to the office of the Accountant General in respect of Joint Projects, former Governor Isa Yuguda, former Commissioners for Local Government Affairs, former Special Advisers, former Permanent Secretaries and former Accountants General or their representatives as signatories to the JAAC accounts were to account for N16billion.

On several unjustified cash withdrawals made from the accounts of the Ministry for Local Government Affairs by Mohammed Musa, Cashier to JAAC Account, the Committee recommended that former Commissioners in the Ministry for Local Government Affairs, Idris Halilu and Abubakar Ahmed Faggo, retired Permanent Secretaries, Ado Santurakin Pali and Hudu Yunusa Ari, Special Advisers, in the Ministry for Local Government Affairs, former Accountants General and their representatives who were co-signatories to the JAAC accounts were to account for N3.5billion.

Within the period under review, the Committee discovered huge payments made in the Ministry for Local Government Affairs without appropriate payments vouchers presented to the Committee and consequently recommended that all former Commissioners to account for N96billion, while Special Advisers, Permanent Secretaries, Internal Auditors, Cahiers, Directors of Finance in the Ministry and visiting Auditors to the Ministry be made to account for N8billion. In the Ministry of Health, the Committee similarly recommended N1.55billion to be recovered from Current Mechanical Eng., Accrom Services, Sahnazal International, Eagle Construction, Louizoni Ferreti Enterprises, and Yima Nigeria Limited for contracts in respect of construction of Bauchi Specialist Hospital, supply, delivery and installation of hospital equipment at the new Bauchi Specialist Hospital. Under Security Vote expenditure in the office of Secretary to the Government of Bauchi State within the period under review, the Committee recommended N4 billion be recovered from former Governor Isa Yuguda while N22million was to be recovered from Bahijja Mahmoud and Aisha Mahmoud for construction through direct labour of Bauchi Skills Acquisition Centre under the Agency for Orphans.

CASE 97: MARTIN ELECHI

- \$12 Million Contract Scam



Chief Martin Elechi is the former Governor of Ebonyi State in Southeast Nigeria. He ran in the April general elections on the ticket of Peoples Democratic Party (PDP) and assumed the position on May 29, 2007, succeeding Sam Egwu. Elechi successfully contested for reelection on 26 April 2011. In 2016, the Economic and Financial Crimes Commission intensified its probe of the immediate past governor over some alleged fraudulent contracts approved by his government. In 2017, Elechi left People Democratic Party (PDP) for the ruling All Progressives Congress (APC). Ever since, the ex governor is yet to be prosecuted. In March 2019, the Peoples Democratic Party, PDP, in Ebonyi State called on the former governor to return "the billions of naira" he wasted on uncompleted projects which littered the state during his eight years reign as governor. Trial of his case is yet to commence after three years of initial probing.

CASE 98: ABDULRASHEED MAINA

- N2.1 Billion Pension Fraud



The Department of State Services handed over the ex-Chairman of the defunct Pension Reform Task Team, Mr Abdulrasheed Maina, who had been evading arrest for four years, to the Economic and Financial Crimes Commission in October 2019 and was taken into EFCC custody. The court granted an interim forfeiture order on 23 properties traced to Maina. The court also gave an order directing the publication of the order of interim forfeiture in a national daily newspaper. The properties include houses, estates and companies located in Abuja, Kaduna, Borno and Nassarawa States.

The Cases

Justice Okon Abang had, on Nov. 7, fixed Nov. 21, for continuation of the trial, following an appeal by the Deputy Comptroller General (DCG), Health and Social Welfare, Nigerian Correctional Service (NCS), H.B. Kori, to the court to give him a week to respond to the court order on the true health status of Maina. Maina, who came into the court on wheelchair in the last adjourned date, was on Oct. 25, arraigned alongside a firm, Common Input Property and Investment Ltd, by the Economic and Financial Crimes Commission, EFCC, before Justice Abang. He was charged with 12 counts bordering on money laundering, operating fictitious bank accounts and fraud.

The Federal High Court, Abuja, on Monday, 25th November, 2019 admitted Abdurashied Maina, to a bail in the sum of N1bn. Justice Okon Abang who gave the ruling also ordered that Maina must produce two sureties who must be serving senators. The two lawmakers, according to the Judge, must not be standing any criminal trial in any court in the country. He also ruled that the two sureties who must be prepared for a N500m bond each, must always be in court with the defendant at each adjourned date.

CASE 99: BABACHIR LAWAL **- N544.1 Million Contract Scam**



The EFCC opened its case in the trial of former Secretary to the Federal Government, Engr. Babachir Lawal, by presenting its first witness, Hamza Adamu in January, 2019 before Justice Jude Okeke of the Federal High Court in Maitama, FCT. The former SGF and three others were allegedly involved in grass cutting scam worth over five hundred million naira. In June, 2019, the court refused to admit some documents including payment vouchers tendered by the EFCC on the ground that they were not certified. The court dismissed the prosecution's contention that the rejected documents were single document since they were attached to a certified copy.

But the judge added in his ruling that it was the duty of the court to examine all the documents tendered to determine whether they were admissible or not. He ruled, "I have examined the bundle of the documents and it consisted of original documents with attachments of uncertified ones, a total of 17 documents. The documents are bearing different dates. Besides this, there are also numbered as different exhibits. The mere fact that they are stapled together does not make them one document". Of the 17 documents tendered, the judge admitted seven original copies and rejected 10 which were photocopies and not certified. Trial continues.

CASE 100: PHILOMINA CHIESHE **- N35 Million "JAMB Snake" Scandal**



In May 2019, the EFCC arraigned an official of the Joint Admissions and Matriculation Board (JAMB), Ms. Philomina Chieshe, who claimed that some funds kept in her custody in Markudi by the organization was swallowed by a mysterious snake. She was arraigned before Justice Peter Afen of a Federal Capital Territory High Court in Maitama, Abuja, alongside five others.

The controversial JAMB official is being prosecuted by the EFCC on an eight-count charge following her refusal to furnish the management of JAMB the true information on the financial status of JAMB e-cards supplied to the Benue Zonal office between 2014 and 2016. Her actions were contrary to Section 139(a) of the Penal Code Law. Other suspects arraigned alongside Philomina were Samuel Umoru, Yakubu Jekada, Daniel Agbo, Priscilla Ogunsola and Aliyu Yakubu. Philomina told auditors that snake had eaten N35million kept in the accounts of JAMB in Makurdi, the Benue State capital. Trial has commenced on the case.



The Report

INTERPRETING CORRUPTION DATA Outcome of Computer Analysis

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

	Frequency	Percent	Valid Percent	Cumulative Percent
Former Minister and Adviser	12	12.0	12.0	12.0
Senator	5	3.0	3.0	15.0
Judge	2	2.0	2.0	17.0
Former Governor	41	44.0	44.0	61.0
Others	39	39.0	39.0	100.0
Total	100	100.0	100.0	100.0

Results in Table 1 showed that a total of 100 corruption cases were considered. Of this, 41 accounting for 41.0% involved former Governors of States while 39 (39.0%) involved other Government officials. Twelve (12.0%) of the cases involved former ministers and Special Assistants to the President while only five (5.0 %) and two (2.0%) involved Senators and Judges respectively. The distribution of the major defendants in the charges is graphically presented in Figure 1

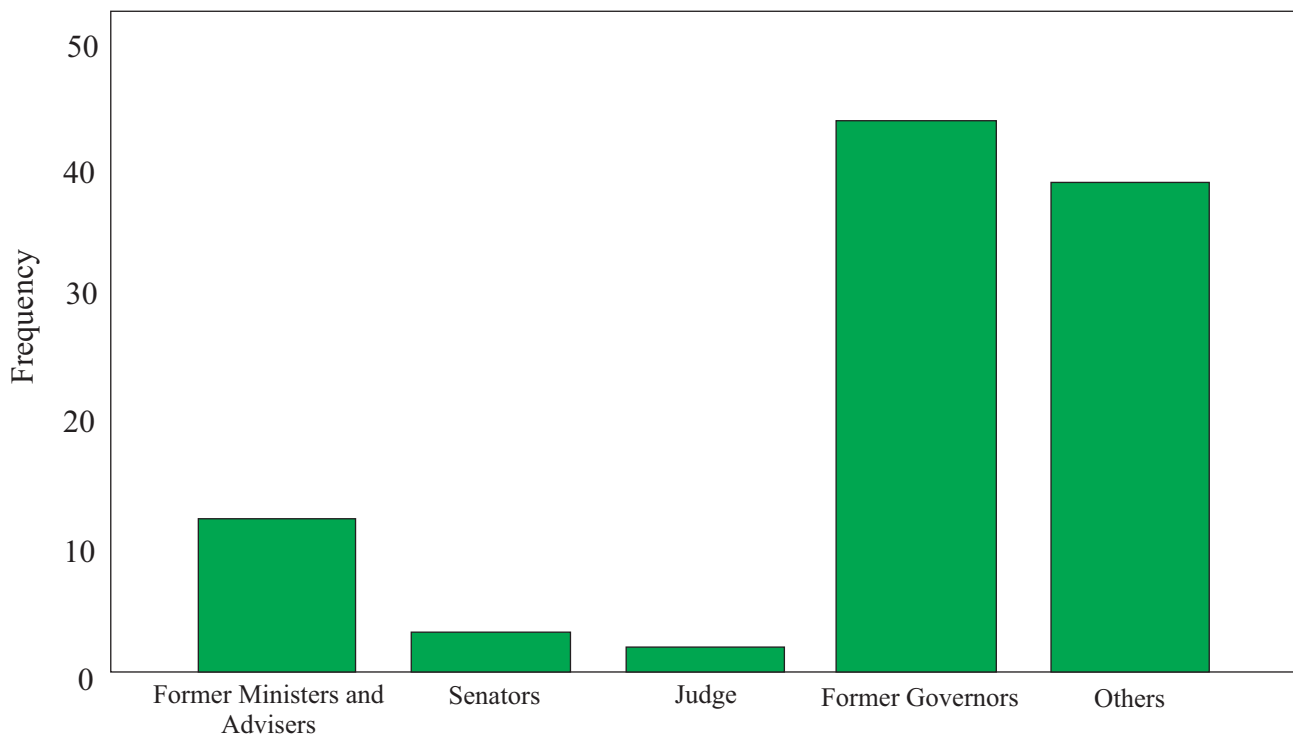


Fig 1: Chart of Personalities involved in the cases as Major Defendants.

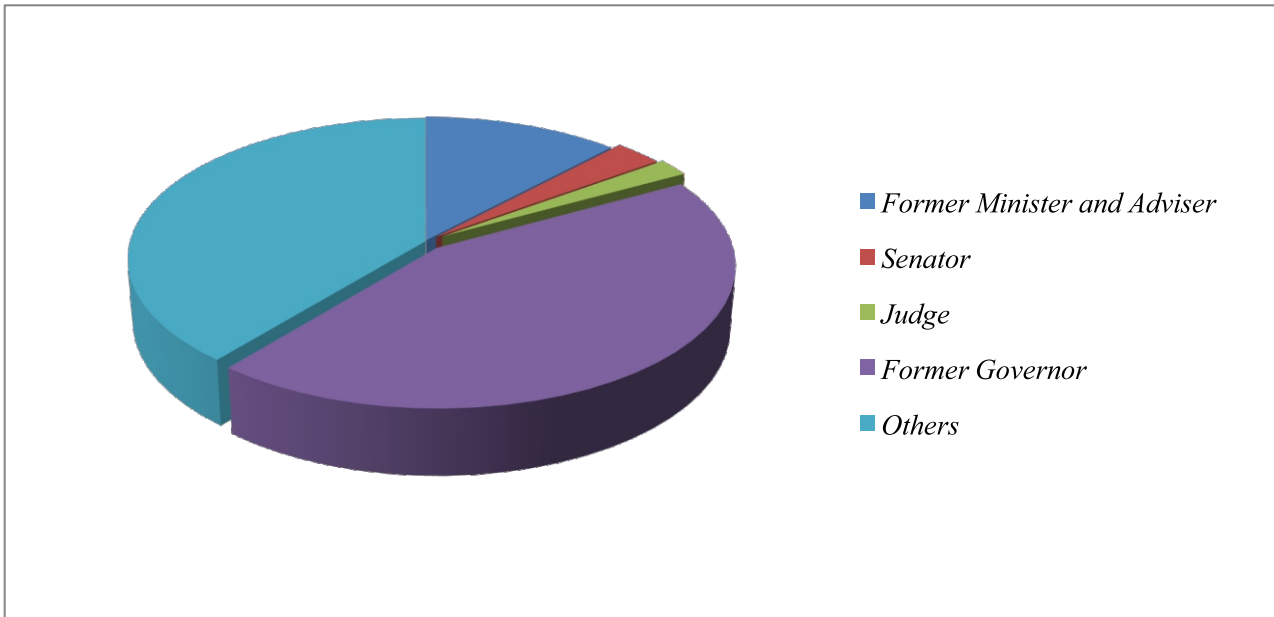


Table 2
Frequency Counts and Percentages of Year of Inception of Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
2005	1	1.0	1.0	1.0
2006	2	2.0	2.1	3.1
2007	5	5.0	5.2	8.3
2008	6	6.0	6.3	14.6
2009	3	3.0	3.1	17.7
2010	3	3.0	3.1	20.8
2011	5	5.0	5.2	26.0
2012	6	6.0	6.3	32.3
2013	3	3.0	3.1	35.4
2014	2	2.0	2.1	37.5
2015	12	12.0	12.5	50.0
2016	20	20.0	20.8	70.8
2017	9	9.0	9.4	80.2
2018	19	19.0	19.8	84.7
2019	10	10.0	10.3	100.0
Total	96	96.0	100.0	
Missing System	4	4.0		
	100	100.0		

Results in Table 2 revealed that a total of 100 corruption cases were considered. In four (4.0%) of the cases, year of inception of cases was not available. The highest year of case inception was 2016 with 20 cases (20.0% of the total) and 2018 with 19 (19.0% of the total). Year 2015 witnessed the inception of 15 (15.0%) 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

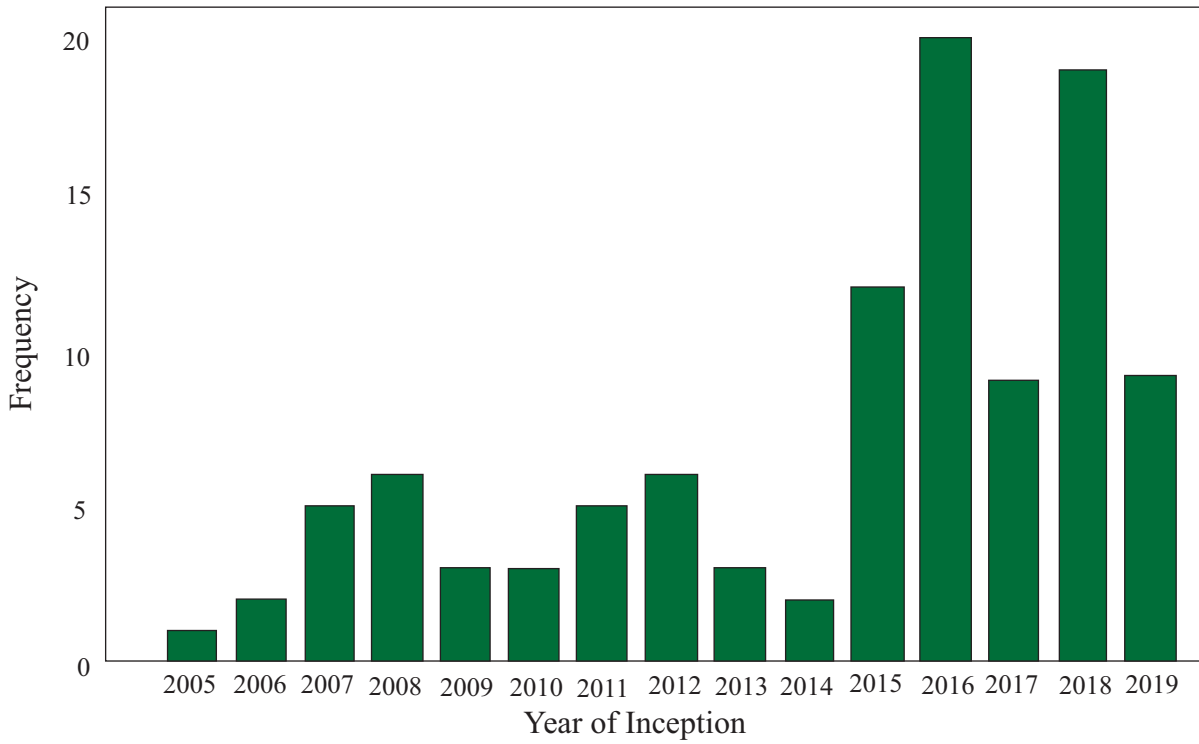


Fig 2: Chart of Year of Inception of Cases

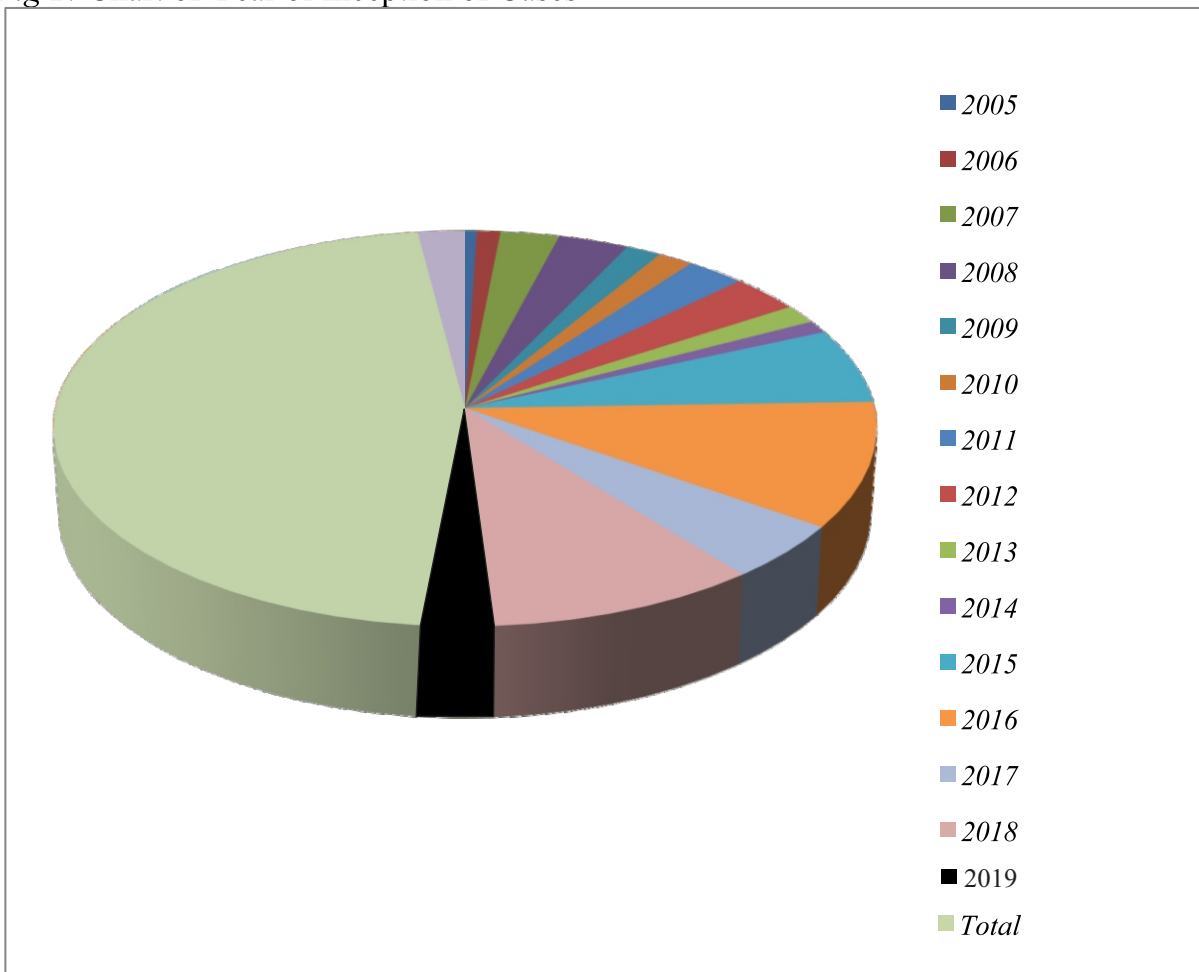


Table 3
Frequency Counts and Percentages of Prosecuting Agency of Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Information Not Available	3	3.0	3.0	3.0
EFCC	89	89.0	89.0	92.0
ICPC	5	5.0	5.0	97.0
CCT	2	2.0	2.0	99.0
SPIRPP	1	1.0	1.0	100.0
Total	100	100.0	100.0	

Results in Table 3 indicated that a total of 100 corruption cases were considered. Eighty-nine (89.0%) cases were prosecuted by the Economic and Financial Crimes commission (EFCC) while five (5.1%) cases were prosecuted by the Independent Corrupt Practices Commission (ICPC). The distribution of the prosecuting agencies is visually presented in Figure 3

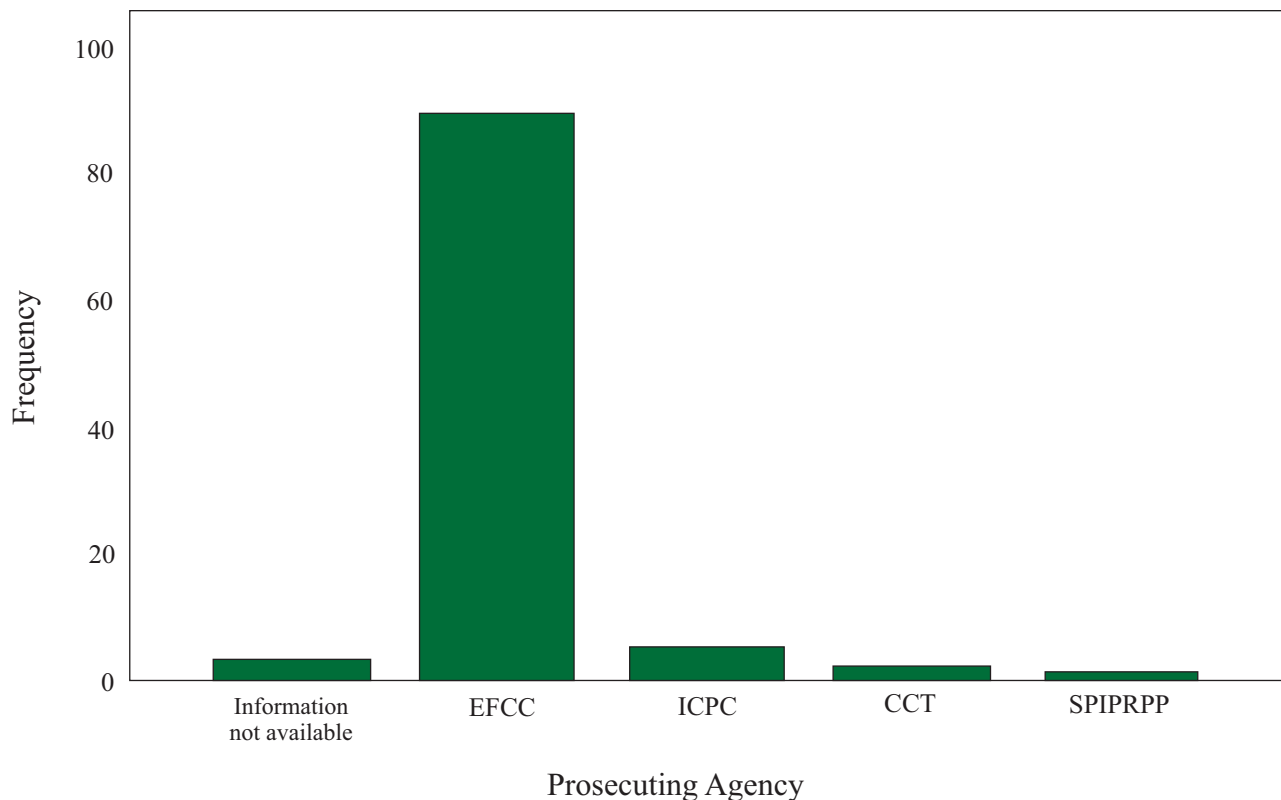


Fig 3: Chart of Prosecuting Agency

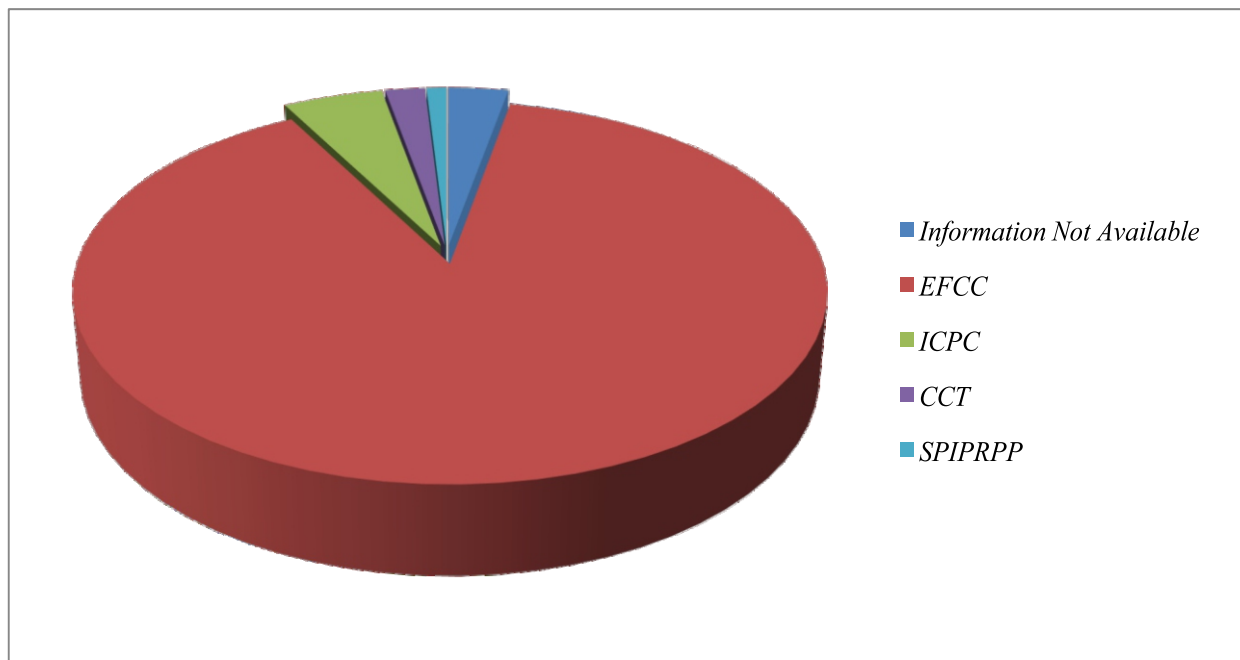


Table 4
Frequency Counts and Percentages of Main Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Fraud	40	40.0	40.0	40.0
Corruption	11	11.0	11.0	51.0
Embezzlement	3	3.0	3.0	54.0
Money laundering	28	28.0	28.0	82.0
Bribe	2	2.0	2.0	84.0
Forgery	1	1.0	1.0	85.0
Misappropriation/Mismanagement	9	9.0	9.0	94.0
Conspiracy	2	2.0	2.0	96.0
Election Scandal	1	1.0	1.0	97.0
False Declaration of Assets	3	3.0	3.0	100.0
Total	100	100.0	100.0	

Results in Table 4 showed that a total of 100 corruption cases were considered. Forty (40.0%) of the cases bothered on fraud while 28 (28.0%) bothered on money laundering. General corruption accounted for 11 (11.0%) while misappropriation or mismanagement of funds accounted for nine (9.0%) of the cases examined. This result is graphically show in Figure 4

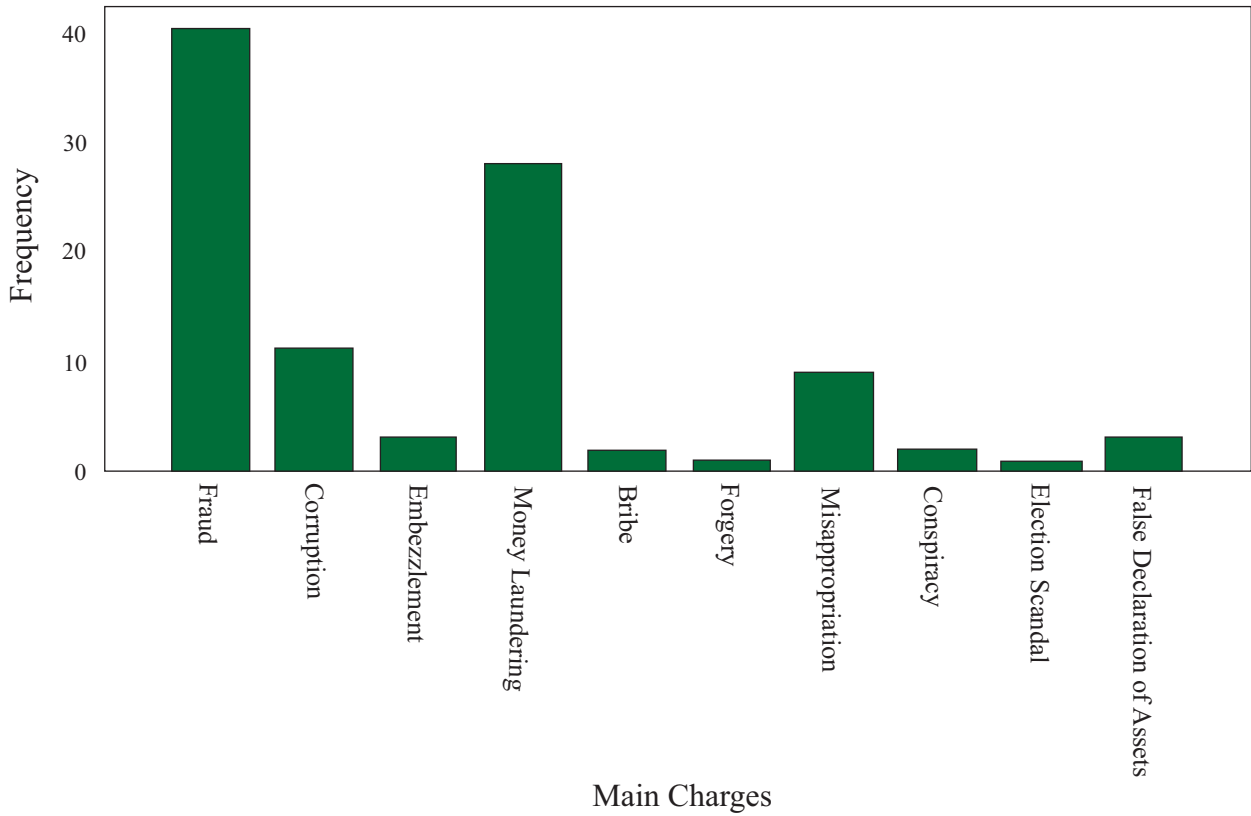


Fig 4: Chart of Charges against Defendants

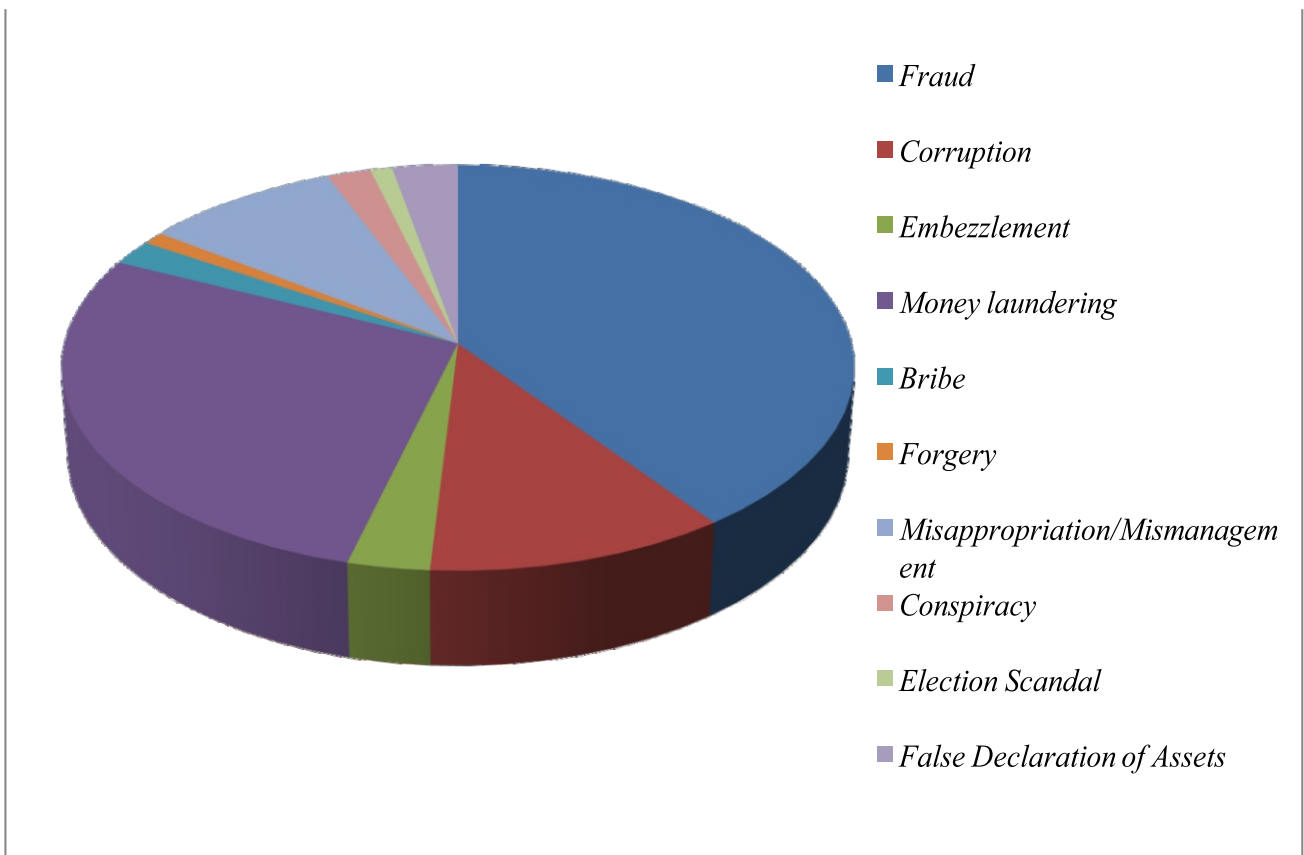


Table 5
Frequency Counts and Percentages of Judgments in the Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
Ongoing	42	42.0	42.0	42.0
Pending	22	22.0	22.0	64.0
Case Dismissed	9	9.0	9.0	73.0
Sentenced	8	8.0	8.0	81.0
Properties seized	4	4.0	4.0	85.0
Convicted but later discharged	4	4.0	4.0	89.0
Stalled	3	3.0	3.0	92.0
Plea Bargaining	3	3.0	3.0	95.0
Under Investigation	5	5.0	5.0	100.0
Total	100	100.0	100.0	

Results in Table 5 indicate that a total of the 100 corruption cases considered number of cases under review. Forty-two (42.0%) cases are ongoing while 22 (22.0%) are pending. Nine (9.0%) cases were dismissed while in eight (8.0%) of the cases, defendants were sentenced. The distribution of the status of cases is graphically presented in Figure 5

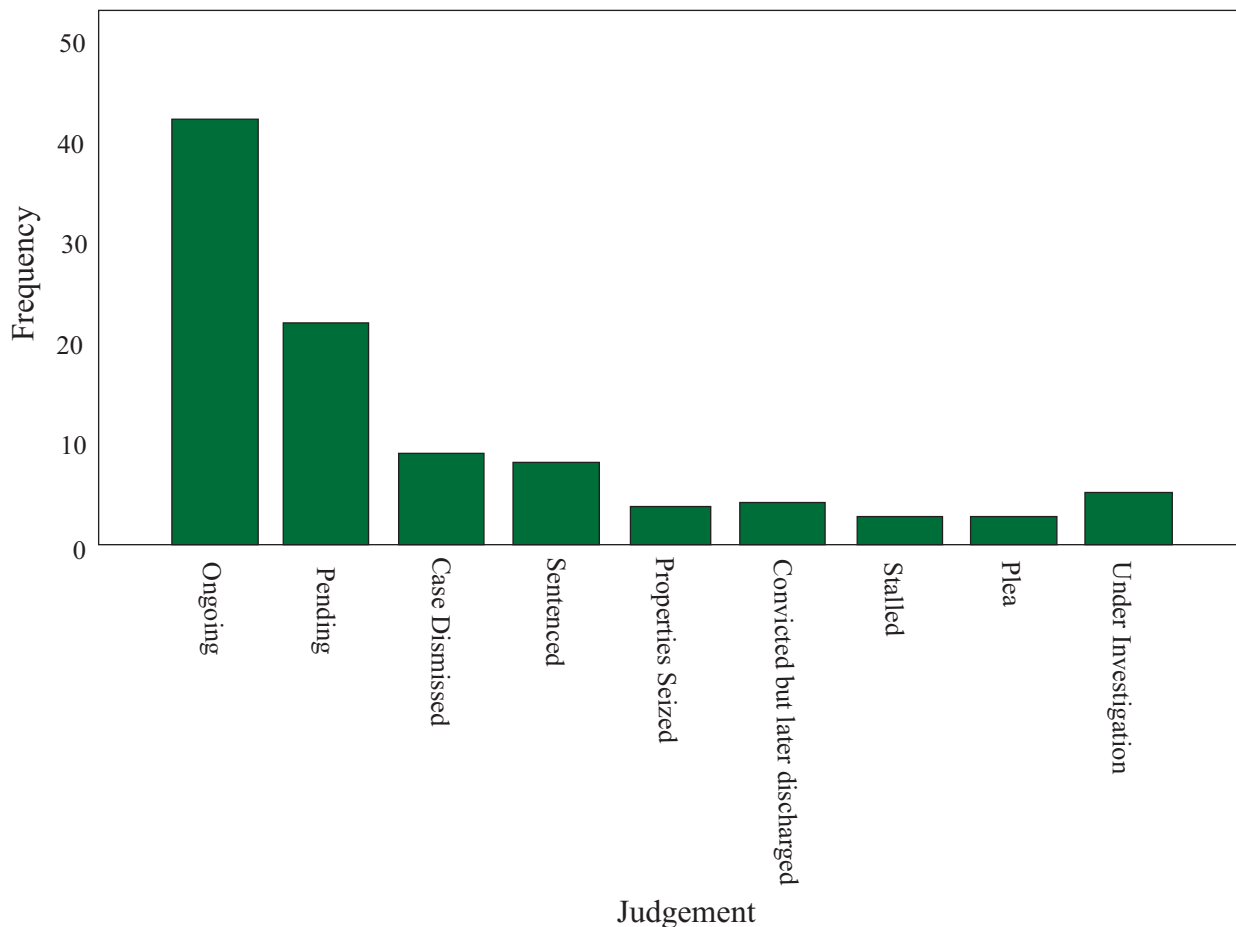


Fig 5: Chart of Status of Cases

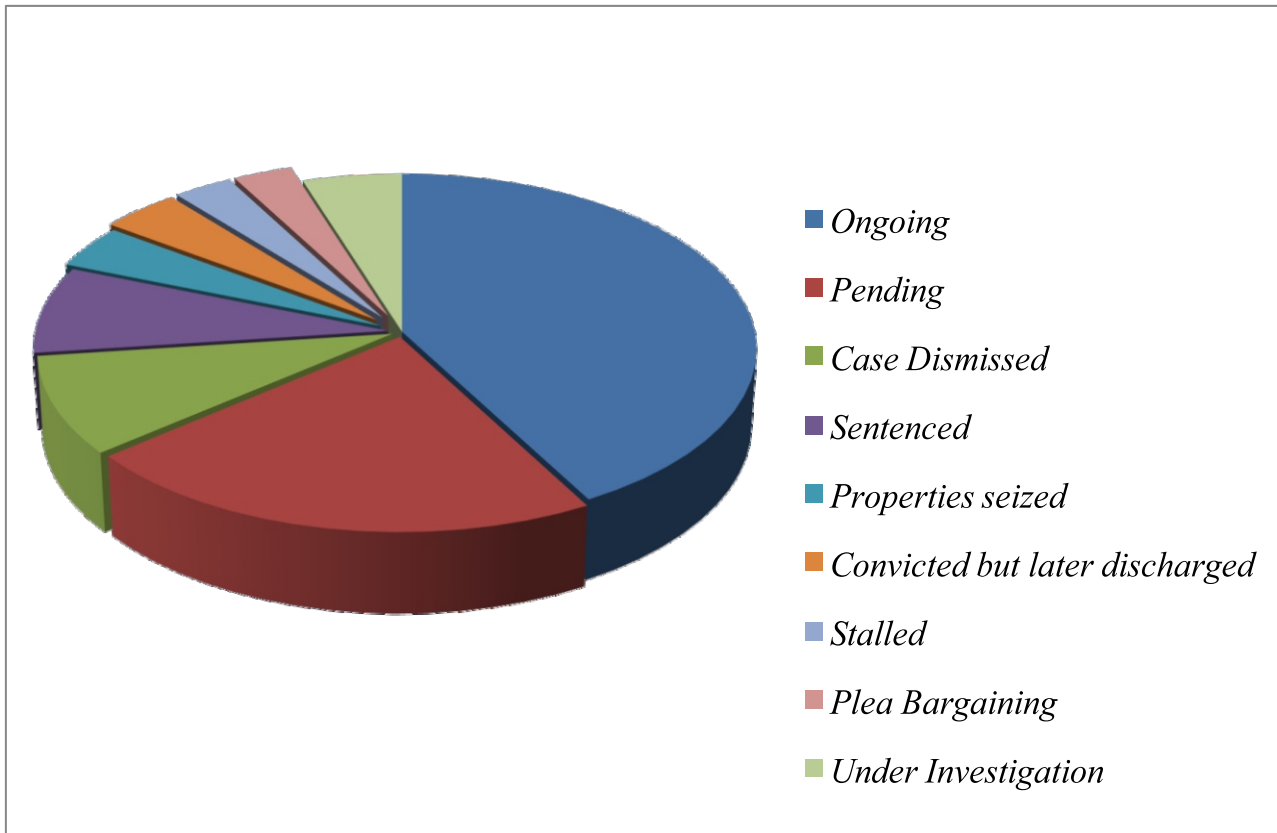


Table 6
Frequency Counts and Percentages of Amount in Naira (Billion) Involved in the Charges

	Frequency	Percent	Valid Percent	Cumulative Percent
0-100	91	91.0	93.8	93.8
100-200	2	2.0	2.1	95.9
200-300	2	2.0	2.1	97.9
700-800	2	2.0	2.1	100.0
Total	97	97.0	100.0	
Missing System	3	3.0		
	100	100.0		

Results in Table 6 revealed that a total of 100 corruption cases were considered. Out of these, 91 (91.0%) were below 100 billion Naira while two cases were between 100 – 200 billion Naira, between 200 – 300 billion Naira, and between 700 – 800 billion Naira. This result is graphically presented in Figure 6.

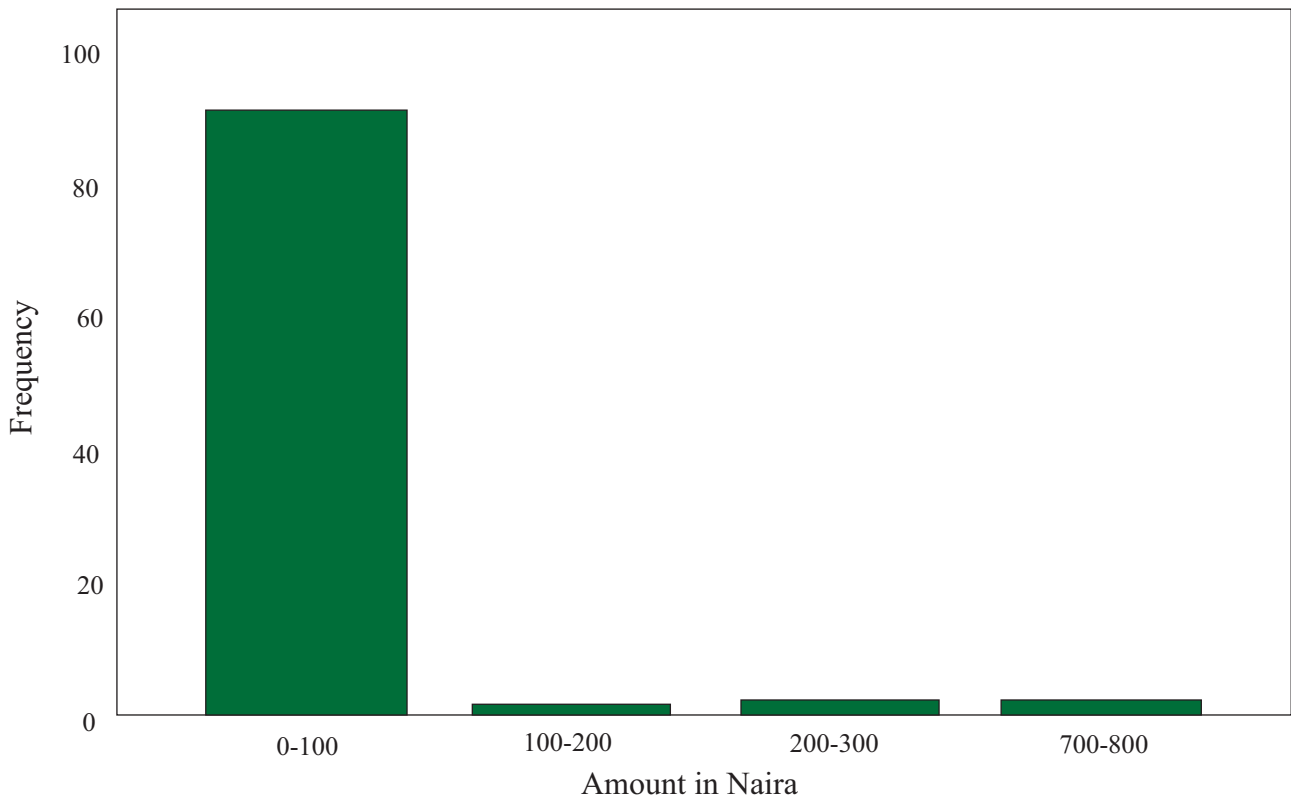


Fig 6: Chart of Amount involved in the cases (Billion Naira)

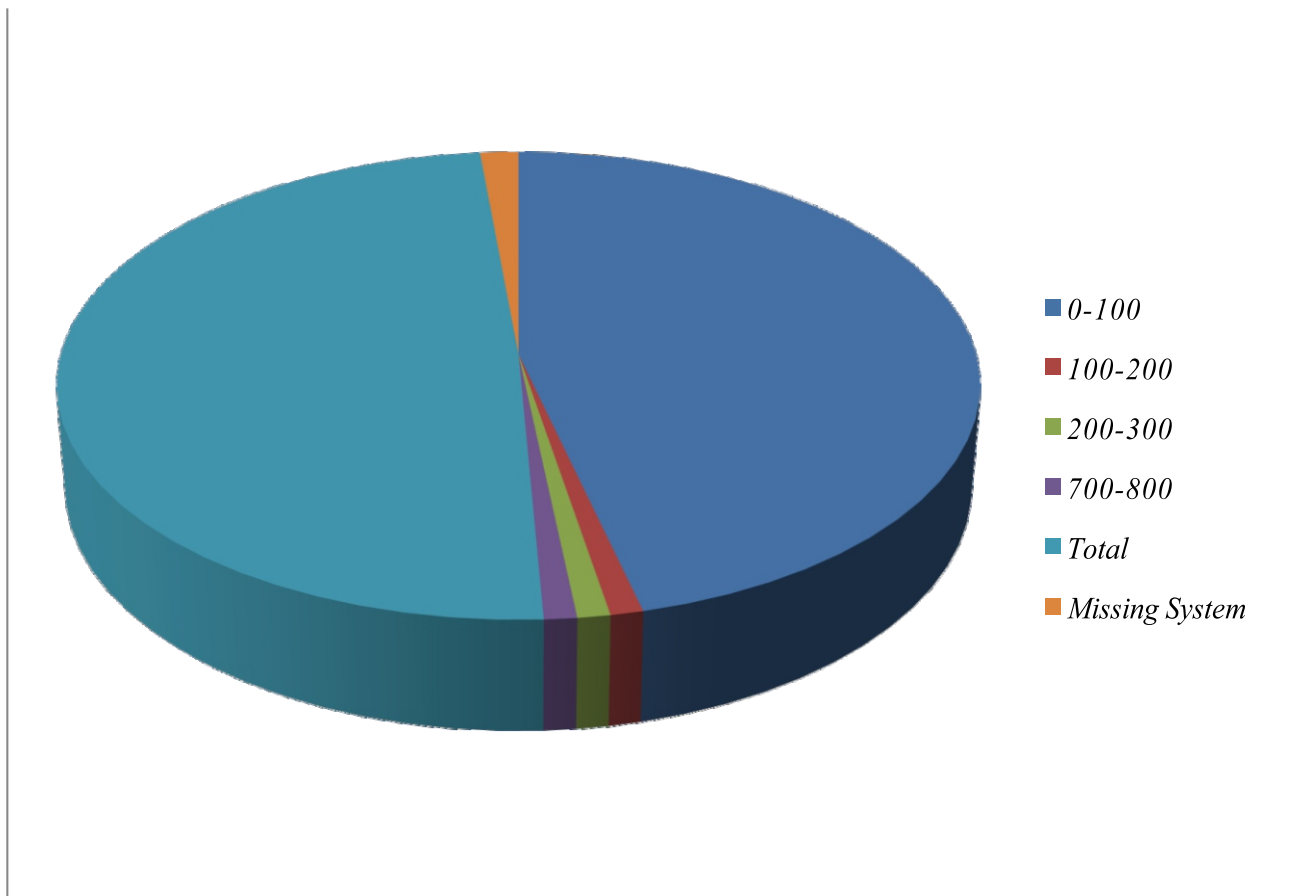


Table 7
Cross-tabulation of Main Charges by Major Defendant in the Charges

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

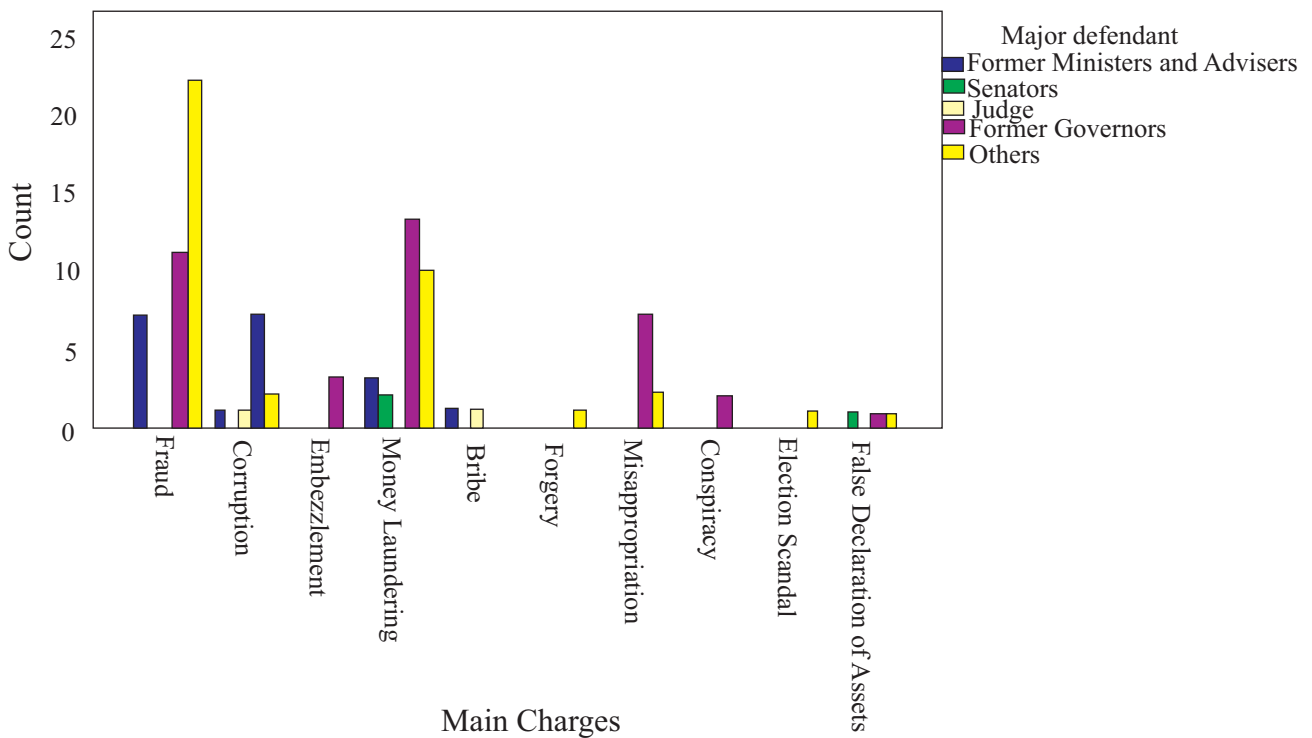


Fig 7: Chart of Charges by Major Defendant

Table 8
Cross-tabulation of Amount in Naira (Billion) Involved in the Charges by Major Defendant in the Charges

	Major Defendant					Total
	Former Minister and Adviser	Senator	Judge	Former Governor	Others	
0-100	10	2	0	41	38	91
100-200	0	0	1	1	0	2
200-300	0	0	1	1	0	2
700-800	2	0	0	0	0	2
Total	12	2	2	43	38	97

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 38 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

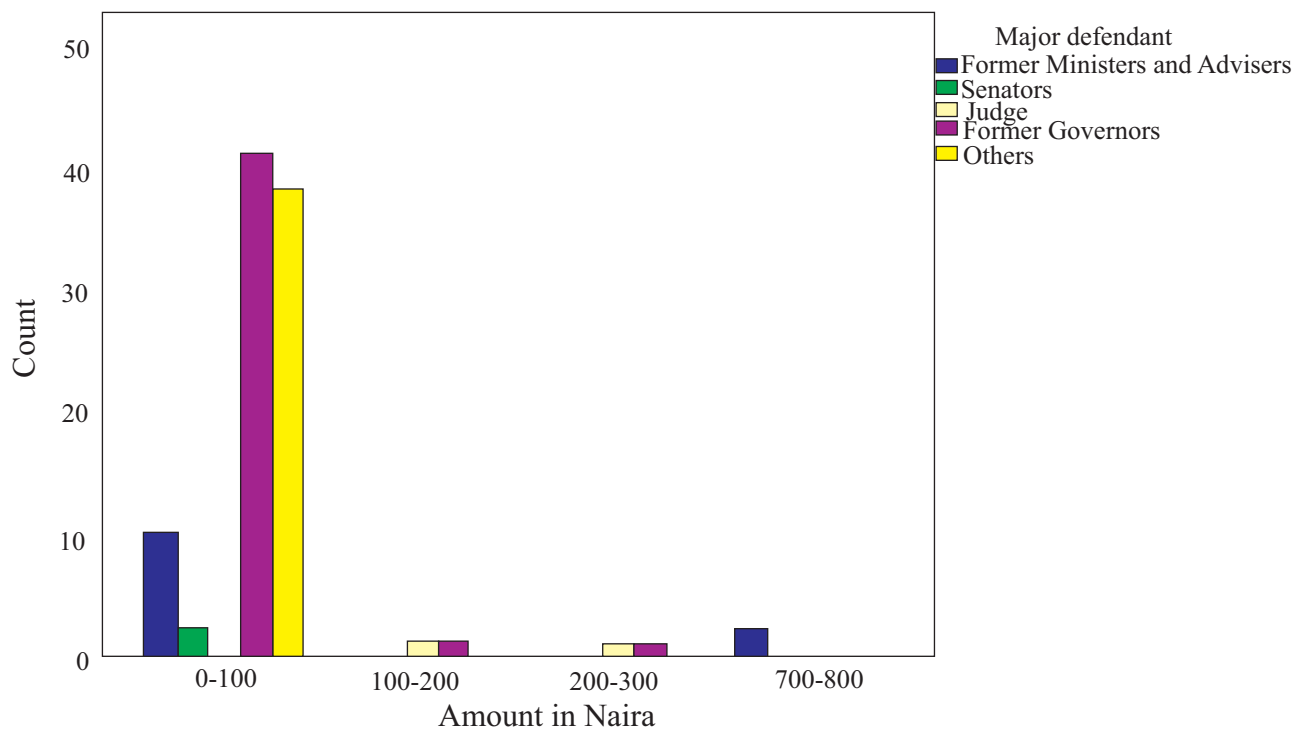


Fig 8: Chart of Amount involved in the cases (Billion Naira) by Major Defendant

Table 9
Cross-tabulation of Judgments by Major Defendant and the Judgment

	Major Defendant					Total
	Former Minis- ter and Adviser	Senator	Judge	Former Governor	Others	
Ongoing	5	2	2	17	16	42
Pending	2	1	0	9	10	22
Case Dismissed	2	0	0	6	1	9
Sentenced	0	0	0	3	5	8
Properties siezed	1	0	0	0	3	4
Convicted but later discharged	0	0	0	1	3	4
Stalled	1	0	0	2	0	3
Plea Bargaining	0	0	0	2	1	3
Under Investigation	1	0	0	4	0	5
Total	12	3	2	44	39	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 seventeen former Governors have their cases ongoing, nine have cases pending against them. Also, whereas sixteen other government officials have their cases ongoing, ten have the cases pending. The distribution of the case status and major defendant is graphically presented in Figure 9

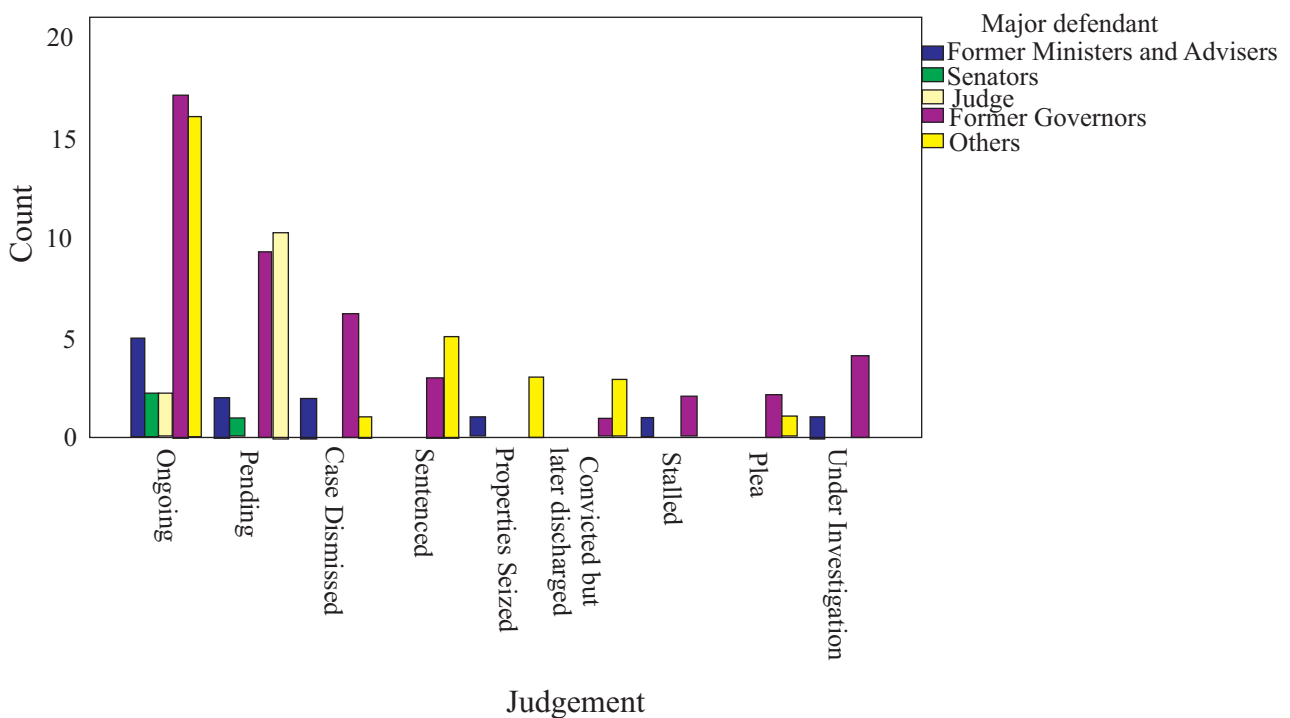


Fig 9: Chart of Status of Cases by Major Defendant

Table 10
Cross-tabulation of Amount in Naira (Billion) by Judgments in the Charges

	Judgments										Total
	Ongoing	Pending	Case Dis- missed	Sentenced	Properties seized	Con- victed but later dis- charged	Stalled	Plea Bar- gaining	Under Inves- tiga- tion		
0-100	36	20	9	8	3	4	3	3	5	91	
100-200	2	0	0	0	0	0	0	0	0	2	
200-300	1	1	0	0	0	0	0	0	0	2	
700-800	0	1	0	0	1	0	0	0	0	2	
Total	39	22	9	8	4	4	3	3	5	97	

Pearson Chi-Square $\chi^2 = 17.063$; df = 24; Asymptotic Significance (2-sided) = .846

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, 36 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

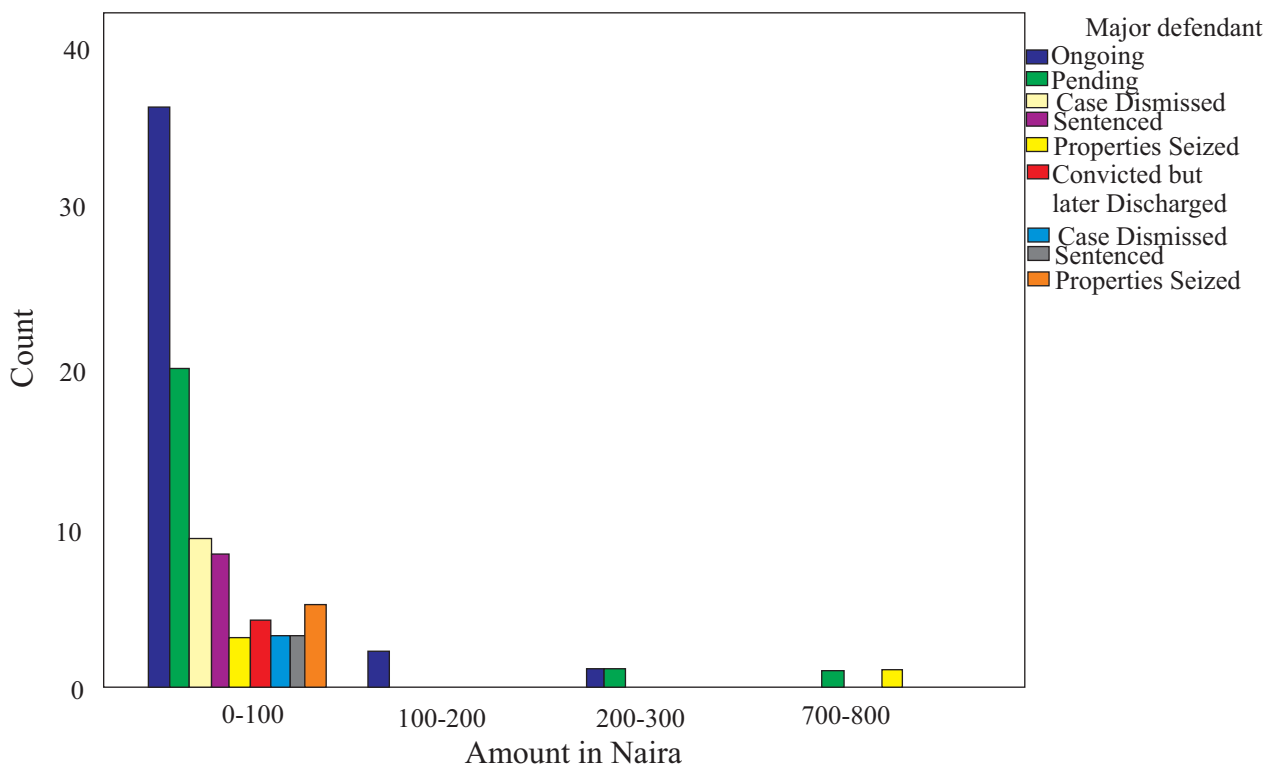


Fig 10: Chart of Amount involved in the cases (Billion Naira) by Status of cases

Conclusion

According to the Economic and Financial Crimes Commission (2019), the Commission has secured unprecedented records of convictions between 2018 and 2019. In 2015, there were 103 convictions; in 2016, 194 convictions; in 2017, 189 were secured while 217 convictions were secured in 2018. The January to November 2019 conviction record of the agency impressively stands at 890 convictions. The anti-graft agency reported that about 90 per cent of all recoveries in Nigeria within the period was achieved through the EFCC, following court orders, which granted prayers for interim and final forfeiture of looted funds.

The 2019 report of EFCC convictions shows it is possible to record significant improvement in the prosecution of corruption and financial crimes offences if we are able to overcome the shenanigans of our "high profile suspects". Significant numbers of convictions are cybercrimes, petty corruption, and few protracted high-profile cases. The administrators of our criminal justice system are therefore challenged to operate within the law; enforce the spirits of the law irrespective of whose horse is gored; review our existing laws to address new issues and challenges, and initiate programmes and measures to prevent corruption than spending scarce resources to pursue and recover stolen funds and assets

Total Sum involved: Over Two Trillion Naira Plus. The equivalent of Capital Expenditure of N2.428 trillion (excluding the capital component of statutory transfers) in the 2018 budget of the country.

As we were at the final stage of producing this compendium, a land mark judgement was delivered in one of the most protracted high profile cases, State versus a Orji Uzor Kalu, involving former Governor of Abia State and current member of the Senate. Justice Muhammed Idris convicted the suspect and ended the torturous journey of over 12 years in celebration for the prosecutors, EFCC and the people of Abia State. Senator Orji Uzor Kalu was sentenced to 12 years of imprisonments.



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.