

EFCCALERT!

We Don't Torture Suspects

-Magu



"I'll hand over corrupt lawyers to anti-corruption agencies [like the EFCC] for prosecution"

- Mahmoud in *ThisDay,* August 3, 2016



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PINBOARD



Stephen Oronsaye & 5 Othe

Ex-Head of Service of the

Federation

Offence: stealing and obtaining

by false pretence

In Court on: October 4, 2016

Justice Gabriel Kolawole,

Federal High Court, Abuja



Danjuma Goje
Ex-Gombe State Governor
Offence: conspiracy and money
laundering
In Court on: October 4, 2016
Justice B.O. Quadri,



Gabriel Suswam

Ex-Benue State Governor

Offence: abuse of office, bribery
and obtaining by false pretence
In Court on: October 4, 2016
Justice A.R. Mohammed,
Federal High Court, Abuja



Ahmadu Fintiri
Former Adamawa State
governor
Offence: money laundering
In Court on: October 6, 2016
Justice A.R. Mohammed,
Federal High Court, Abuja



Ikedi Ohakim

Federal High Court, Gombe

Ex-Imo State Governor
Offence: money laundering
In Court on: October 10, 2016
Justice Adeniyi Ademola,
Federal High Court, Abuja



Mohammed Umar
Ex-Chief of Air Staff
Offence: corruption charges
n Court on: October 12, 2016
Justice Binta Nyako,
Federal High Court, Abuja



Rickey Tarfa
Senior Advocate of Nigeria
Offence: attempt to pervert
course of justice
In Court on: October 13, 2016
Justice Adedayo Akintoye,
Lagos State High Court,
Igbosere



Raymond Dokpesi
Ex-Chairman, DAAR
Communications Plc

Offence: money laundering and procurement-related fraud
In Court on: October 19, 2016
Justice J.T. Tsoho,
Federal High Court, Abuja



Jide Omokore & 5 others
Chairman/founder, Energy
Resources Group
Offence: advance fee fraud
1 Court on: October 19, 2016
Justice Binta Nyako,
Federal High Court, Abuja



Rickey Tarfa
Senior Advocate of Nigeria
Offence: obstructing officers of
law from carrying out their duties
In Court on: October 24, 2016
Justice Aishat Opesanwo,
Lagos State High Court, Igbosere



Aliyu Akwe-Doma
Former Nasarawa State governor
Offence: money laundering and
financial crimes
In Court on: November 28, 2016
Justice Agatha Okeke,
Federal High Court, Lafia,
Nasarawa State

COVER STORY

Inside EFCC's Operations

The EFCC's anti-corruption crusade, is a well-structured procedure aligned with international best practices, built on trust, sustained integrity, and respect for the rule of law

BY SEGUN ADEOYE





e don't chase innocent people. We conduct certain background investigation before we invite you. When we invite you, all we ask you is to corroborate our findings."

It was Ibrahim Magu, the EFCC boss, who made the clarification recently, while shedding light on the operations of the agency. He emphasized that the agency engages in financial crimes investigation, noting that: "we don't torture people [suspects]; far from it; we investigate nonviolent crimes; we have no basis to torture people".

shrouded in secrecy. This is, however, a misplaced notion, as the agency operates an open policy, aligned with international best practices.

Below is an insight into how the agency carries out its operations, geared towards achieving its mandate of ridding the country of economic and financial crimes.

le don't tortur

Receipt of petition

The first stage in any case is the receipt of a petition. It can be anonymous, and it To many, the EFCC's activities are may not. Such petitions are accepted either in person at any of the offices of the agency in the country, or via the official email address of the Commission. The petitioner may be called upon for more details. Every petition is looked into, and demerit. For a petition, which background investigations authenticate to be genuine, the case file is passed to the appropriate operations unit. A

petition adjudged not to be genuine is subsequently discarded.

Operations units

The agency is empowered under Sections 12(2) of the EFCC Act 2004 to establish units to aid the effective discharge of its duties. Over its 13 years of existence, the number of units has grown to accommodate new forms of financial crime. The agency recently created more operations units as part of its restructuring efforts. In addition to the existing units, which include Advance Fee Fraud unit, Asset Forfeiture/Recovery unit, Bank Fraud unit, Counter Terrorism and General Investigation/Pension unit, Economic Governance unit, Extractive Industries Fraud unit, Intelligence and Special Operations unit, Land and Property Fraud unit, the current leadership created new units including is acted upon based on its merit or Capital Market/Insurance unit, Cyber Crime unit, Forensic/Financial Investigation unit, Foreign Exchange Malpractices unit and Procurement Fraud unit.

Investigation begins

7 of the Act to carry out investigation into unit, those implicated in the petition are formally invited for interrogation.

However, if the invitation is not honoured, the agency is compelled to declare the person(s) wanted. In some instances, operatives might carry out an In the course of investigation, there arrest - each situation is attended to, based on its peculiarity. If there is need to the law.

The agency has well-equipped interrogation rooms designed to international standards. The interrogation is carried out in a Legalunit professional manner, which include reading the cautionary words to the interviewee. No torture or pressure is used in the process. It is the same process applied to everyone called for agency, where the relevant charges are interrogation - rich or poor. Before the drawn up. The unit is made up of interrogation, a dossier on the financial crime has already been collated.

interrogation, the suspect may be detained in the agency's cells, after being granted administrative bail. As soon as the conditions for bail are met, the The operations of the EFCC stretch suspect would be released. However, if the conditions are not met, the suspect relationships with several international

warrant. Suffice to say that many lawyers The agency is empowered under Section of suspects, more often than not, appeal to trial judges to allow their clients be a financial crime. As soon as the case file held in EFCC custody, pending the is handed over to the relevant operations fulfillment of their bail conditions. The cells boast of excellent facilities and inmates receive adequate medical attention.

Forensic unit

might arise the need to analyse handwritings, signatures and the likes to arrest the suspect, it is done in line with establish level of culpability of a suspect in a case. This aspect of the process is executed by the forensic unit, which is equipped to world standards, with professional personnel.

As soon as a prima facie case is corruption campaigns have been carried established, the case file is passed to the legal and prosecution department of the professional and experienced lawyers. Charges are subsequently filed in court and the suspects arraigned. At this point, Based on the outcome of the theballisinthecourtofthejudiciary.

International collaboration

beyond the borders of Nigeria; it has

remains in custody, backed by a remand | law enforcement agencies including the Federal Bureau of Investigation, FBI; the National Crime Agency, NCA; the Interpol; the United States Department of Homeland Security; the Australia Federal Police; the Serious Fraud Office of the UK, among others, which have also assisted in the training of the agency's operatives in and outside Nigeria. The international partnership has also come in handy in the extradition of fraud suspects like Emmanuel Ekhator, Olaniyi Jones Makinde, Abdul Kekere-Ekun, and Franca Asemota.

Preventive efforts

The anti-graft agency is mandated under Section 6 of the Act to "carry out and sustain rigorous public and enlightenment campaign against economic and financial crimes within and outside Nigeria". Several antiout over the past 13 years of the agency's existence. It has conceived and published a number of publications, all intended at sensitising the public on its activities. The Commission also has programmes running on a number of radio and television stations. This is aside its presence in the social media. Recently, it launched the "Clean Hands" against corruption campaign, which held on May 26, 2016.







One of the cells

Seeking Partnership

The management of the Federal Mortgage Bank of Nigeria visits the EFCC, seeks deepening of existing cooperation

ichard Esin, the acting Managing Director, Federal Mortgage Bank of Nigeria, FMBN, led a delegation to the EFCC headquarters, Abuja, on August 18, 2016 seeking for the anti-graft agency's assistance in the recovery of N70 billion debt.

"We seek the kind assistance of the Commission on the recovery of the funds to the bank," he said.

Esin noted that affordable housing remains a veritable tool in the fight against corruption. He however lamented that several organisations were not complying with the provisions of the National Housing Fund, NHF, Act.



FMBN to enforce the Act, and stressed that the existing Memorandum of Understanding, MoU, between it and the EFCC was still effective.

According to him, "Over N3billion in mortgages have been released for over He urged the agency to work with the 100 staff of the EFCC; N1.6 billion

National Housing Fund loan by First Generation Bank for 131 staff is awaiting the Board's approval and N1.3billion NHF loan has not been disbursed because houses are not available; and we hope that the Commission will work with the bank to promote the Act."

Ibrahim Magu, the EFCC boss, gave assurances of the agency's commitment to the MoU. He, however, added that the law governing the NHF scheme

needed to be reviewed at the legislative level.

While urging Esin to strengthen its Compliance Unit, Magu said: "The EFCC is willing to create a desk dedicated to the FMBN needs."

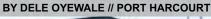
Promoting Cooperation

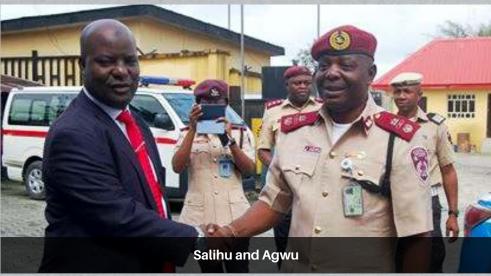
The Federal Road Safety Corps. FRS Zone 6 visits the Port Harcourt zonal office of the EFCC, in a show of camaraderie

he Federal Road Safety Corps, FRSC Zone 6, has pledged its support and cooperation to the EFCC. Its Zonal Commander, Jonas Agwu, an Assistant Corps Marshal, led a delegation to the office of the EFCC in Port Harcourt, Rivers State, on August 24, 2016. He noted that it was essential for both law enforcement agencies to work together.

"There's need for synergy between the FRSC and the EFCC in the area of information sharing," he said. "Our mandate is to save lives and enhance the development and growth of the nation".

According to him, "The EFCC is restoring integrity to Nigeria as a nation, while FRSC is restoring sanity to the nation's roads." He stressed that the visit was to build on the existing relationship between the two agencies.





In his response, EFCC's Zonal Head, South-South, Ishaq Salihu, appreciated Agwu for his kind words and commendation. He stressed that the EFCC would not relent in its fight against economic and financial crimes.

"There is a link between capital flight and stolen money," he said. "Corruption is largely responsible for the high carnage on our roads."

Agwu was accompanied by Charles Isaiah and Elizabeth Asuguo.





Magu during a visit



Garba Abari, Director General, National Orientation Agency, with Magu and EFCC management staff



Oliver Stopple from the United Nations Office on Drugs and Crime, UNODC, with Magu during a visit



Christina Albertin, Country Representative, UNODC, with Magu, during a visit



Magu accompanied by NDA staff during his visit to see the new recruits



Cross-section of recruited operatives at the Nigeria Defence Academy, NDA, Kaduna to begin their training

Indicial Challenge

Members of the Nigerian Bar and Bench are once again tasked to join hands with the EFCC in the fight against corruption

BY BABATUNDE SULAIMAN

The biggest form of corruption is not the ones you find in government offices or banks; it is not the one that is plaguing the oil industry or pension administration. The biggest, most virulent form of corruption that ever existed is the one that has eaten deep into the fabric of the Temple of Justice."

Those were the words of Ibrahim Magu, the EFCC boss, at a symposium organised by members of the National Association of Democratic Lawyers, NADL, which held in Lagos, on August 19, 2016.

In his paper titled "This is Our Chance", Magu stated that Nigerians will no longer be held hostage by the twin evils of corruption and impunity. He lauded the efforts of the association in the fight against corruption, noting that their confrontation of the corruption monster through the instrumentality of the law was an inspiration to "those of us on the enforcement side of the law."

Challenging members of the bar, he said: "It is to you who minister in the temple of justice that we all run to - high or low, mighty or weak, lawmakers, law breakers and law enforcers.

"However, we are all witnesses to the abuse of skills, knowledge, powers, position and privileges by a few rogue elements, who, whilst being a tiny fraction, have an outsized influence on the direction of the Nigerian judiciary and indeed, the Nigerian nation."

Commending the NADL for championing the reform in the judiciary, he used the platform to call on everyone pained by the parlous state of affairs in the country to join hands with the Commission to stamp out corruption from Nigeria.

"It is important to note that what has made the EFCC to stand out from every other law enforcement agency in Africa, are our conviction, commitment and (as they have), our expectation is that



The tug-and-pull for the soul of the EFCC aptly mirrors that for the control of the destiny of our dear nation -Magu

professionalism, backed by the unshaken support of ordinary Nigerians," he said.

Magu described the anti-graft mandate of the Commission as a leveller, and noted that "Where hapless Nigerians are defrauded, EFCC will swiftly come to their aid; where powerless Nigerians are short-changed, EFCC will intervene and where there is impunity, EFCC will step in and level the field."

He stated that contrary to the impression that the Commission had "immense" powers, it had always operated strictly within the bounds of the Rule of Law.

He lamented that some people had been scheming to appropriate the functions and powers of the Commission to themselves.

He said: "When these dark forces gather

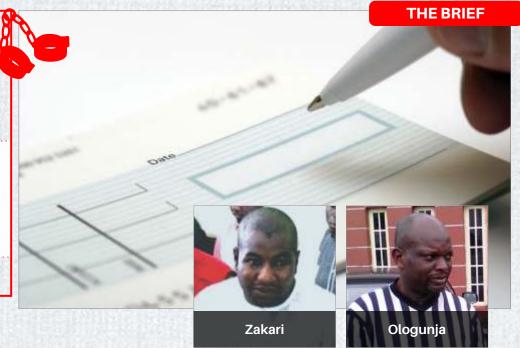
bodies such as the National Association of democratic Lawyers would rise up, without any further prompting and come to our rescue. The tug-and-pull for the soul of the EFCC aptly mirrors that for the control of the destiny of our dear nation."

It would be recalled that in July at a oneday workshop organised by the Presidential Advisory Committee Against Corruption, PACAC, focusing on "Anti-Corruption, Ethics of the Legal Profession and Justice Sector", Magu had urged the members of the judiciary to see themselves as a "stakeholder in this onerous task, because the EFCC does not have a monopoly of knowledge to defeat all the various forms of graft". He had also urged them to put the interest of the nation above personal gains, warning that, "Whether you are EFCC, SAN or whatever, sooner or later, we will start going after people who buy properties with stolen funds as well as people who help others to escape justice."



Be sure you have enough money in your account before you issue that cheque, because a dud cheque will land you in jail; in this second part of a series, EFCCAlert! sheds light on it

BY **SEGUN ADEOYE**



Dud cheque!

hose two words have sent many to jail, even as many others are facing prosecution by the EFCC for issuing dud cheques to their business acquaintances.

Simply put, a dud cheque is "a cheque that cannot be paid because the person who wrote it has no money or not enough money in the person's account." A cheque book is owned by a bank customer that operates a current account.

Indeed, handing out a dud cheque (either in the name of an individual or corporate body), is a criminal offence punishable under Section 1 (1) of the Dishonoured Cheques Act, 2004 with the title, "Offences in relation to dishonoured cheques".

It states thus: "Any person who obtains credit for himself or any other person, by means of a cheque that, when presented for payment not later than three months after the date of the cheque, is dishonoured on the ground that no funds or insufficient fund were standing to the credit of the drawer of the cheque in the bank on which the cheque was drawn shall be guilty of an offence."

In the case of an individual, it stipulates a jail term of "two years without the option of a fine", and "in the case of a body corporate, be sentenced to a fine of not less than N5,000,000."

Like Justin Onyewesi, a dealer in phone accessories who was in 2014 sentenced to one year in prison by a Federal High Court in Lagos, for issuing a dud cheque of N742,555 to Ejike Itanyi, for payment of goods bought from him.

Onyewesi had bought 20,000 pieces of phone batteries of various kinds from Itanyi in a business transaction that went sour when Itanyi on presenting Onyewesi's cheque in bank received the shock of his life – there was no money in the account to pay him.

The matter became a court issue. On October 23, 2014 less than a year that the trial began, the trial judge found him guilty of the offence and handed down the jail term. His sentence was made to begin from October 2, 2013 the date of his arrest.

Another businessman who fell to the traps of issuing a dud cheque is Aliyu Zakari, Chief Executive Officer of AZH Enterprises Limited. He issued a dud cheque to Magaji Ubale, his business associate, for payment of premium motor spirit and automotive gas oil sold to him. On April 7, 2015, Justice Yusuf Ubale of the Kano State High Court found him guilty and sentenced him to two years imprisonment on a two-count charge bordering on issuance of dud cheque.

Several cases of such offence are being prosecuted by the EFCC in courts across the country, including that of Abraham

Ologunja, who was arraigned on May 12, 2016 before Justice E.F. Ikponmwen of the Edo State High Court, Benin City on one count of issuance of dud cheque. He allegedly issued Anyagbeso Bright a cheque of N4.4million for the payment of DPK, but it was not honoured by the bank due to insufficient funds. His trial is ongoing.

Headache for CBN

The long battle to stop the growing trend of businessmen and women issuing dud cheques has gone on for a very long time. In 2013 the Central Bank of Nigeria, CBN, took the battle a notch higher, when in a circular sent to banks across the country, it instructed the institutions to "identify customers who have issued dud cheques on three instances with effect from 5th of July 2013", and to forward same to the CBN, which "will in turn forward such details to the Economic and Financial Crimes Commission, EFCC, for further investigation."

The CBN, however, plans to stop "issuers of dud cheques from opening current account".

According to Stephen Nwadiuko, Deputy Director, Banking Supervision, CBN, "The CBN is working with the credit bureaus so that a data base is built to identify bank customers who have issued dud cheques for three times in a given period, so that they will be barred from operating current accounts."

bubakar Mahmoud's Doublespeak

n August 1, 2016, a former Attorney General and Commissioner for Justice, Kano State, Abubakar Mahmoud, SAN, was in Abuja, elected President of the Nigeria Bar Association. His emergence was in the news for his promise to hand over corrupt members of the bar to law enforcement agencies [like the EFCC] for prosecution.

It came in different headlines: "I will hand over corrupt lawyers to EFCC for prosecution - NBA Presidentelect", reported http://naija247news.com; "Antigraft war: I will expose corrupt lawyers - NBA President-elect", reported the Vanguard Newspaper; "I'll hand over corrupt lawyers to anticorruption agencies for prosecution NBA Boss", reported ThisDay Newspaper.

He was quoted to have said: "The NBA under my watch will set up anticorruption commission charged with the responsibility to identify all those involved in the unwholesome and criminal practice of judicial corruption; investigate same and refer the outcome to the relevant anti-corruption law enforcement agencies for prosecution, and other action they may deem fit to take in conjunction with the Chief Justice of Nigeria."

However, at his inauguration on August 26, 2016 in Port Harcourt, Rivers State, the "brand new" president, apparently changed his tone. Mahmoud in his speech, called for the EFCC to be stripped of its prosecutorial powers and and his support for Mahmoud.

THIS DAY

I'll Hand Over Corrupt Lawyers to Anti-corruption Agencies for Prosecution - NBA Boss



limited to investigation.

"Going forward, the NBA must demand the reform of the institution [EFCC] itself. We need to define its mandate more narrowly and more clearly," he said. "I recommend strongly that the EFCC be limited to investigation."

The speech generated ripples in law enforcement circles, with the EFCC expressing "discomfort over this seeming innocuous proposition". It also sparked debates across board.

Jibrin Okutepa, SAN, who appeared on two TV stations - AIT and ChannelsTV, didn't hide his discontent with the EFCC

"I support the need to limit the EFCC to only investigation," he said, arguing that in his view, the anticorruption agency was "biting more than it can chew".

His thoughts were shared by a former NBA president, Olisa Agbakoba, SAN, who thinks "the EFCC is overburdened" and needs help. He, however, admitted that the help was needed more in the area of funding.

Many however, wonder aloud why Mahmoud was more interested in the prosecutorial powers of only the EFCC, when it was not the only law enforcement agency!

This was the question the Chairman, Committee for the Defence of Human Rights, Ugwumadu Malachy, a lawyer, on TVContinental asked: "Why is EFCC's prosecutorial powers of

importance to Mahmoud, when we have challenges of judges giving perpetual injunctions against the EFCC; what has NBA done about that?"

For human rights lawyer, Femi Falana, SAN, the call to strip the EFCC of its "prosecutorial powers" was an old strategy, now being made through another means, aimed at weakening the agency and whittling down its powers.

"Why is he singling out the EFCC? Nobody is talking of ICPC. The ICPC is an anti-graft agency, so is the Code of Conduct Bureau. Why are you not asking that they also be restricted to investigation?" Falana queried.













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I will handover corrupt lawyers to EFCC for prosecution - NBA President elect

68 Views

The Nigerian Bar Association's President-elect, Mr Abubakar Mahmoud, has said he would set up an anti-corruption commission



Hot Water

Three men are in hot soup for using the good name of the EFCC chairman to threaten a chieftain of the Peoples Democratic Party, in a N16million fraud

text message sent to Casmir Ajulu, Secretary of the Peoples Democratic Party, PDP, in Anambra State, has now landed Anokwuru Iheoma, Chukwuma Eze and Ogechi Okwuosa in trouble.

The three individuals had in an attempt to defraud Ajulu of N16 million sent the text to him, on March 26, 2016 requesting a list of the names of House of Representatives designates who wanted their Certificates of Return for the last election held in the state.

In the message, they threatened that Ibrahim Magu, the EFCC boss, had contacted the Chairman of Independent National Electoral Commission, INEC, Prof. Mahmud Yakubu, over the matter. The fraudsters were recently arrested by They join the list of unscrupulous Ajulu was however, reluctant to "play ball", which made the syndicate threaten him that "we will deal with you".



the EFCC and would soon be charged to court.

individuals cashing in on the good name of the EFCC to intimidate, harass, and extort innocent Nigerians.

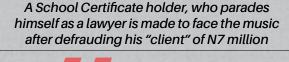
Thankgod in Trouble BY TITILOLA OLEJIYA// PORT HARCOURT

t is the end of the road for Thankgod Echem! The "barrister-at-law" who defrauded his "client", Jonny Wali, of N7 million is currently in the net.

Echem under interrogation by EFCC operatives after his arrest, confessed to being a School Certificate holder who went about posing as a lawyer. Nemesis however, caught up with him, when Wali, his last victim, petitioned the EFCC.

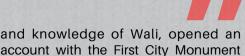
Wali alleged that the fake lawyer defrauded him of the sum of N7 million being part of the money awarded him by a Rivers State High Court, Port Harcourt, as compensation in a legal battle involving him and the former Power Holding Company of Nigeria, PHCN, now Port Harcourt Electricity Distribution Company.

Echem in connivance with his friend, Felix Agbarake, had without the consent



Nemesis caught up with

him, when Wali, his last victim, petitioned the **EFCC**



account with the First City Monument Bank, FCMB, in the name of Wali. They then used the account to cash the N7million compensation meant for him.

Operatives of the EFCC conducted a search on his house and found several incriminating documents including a wig and robe.

Echem and Agbarake will be charged to court soon.



ove Turns Sour

BY SALAMATU HABU

A woman falls in love with her suitor, but the love story turns sour after he defrauds her of her hard-earned money

ni Joy, an employee of the Federal Road Safety Corps, FRSC, no doubt, curses the day she met Chike Nnaemeka, alias Dr. Justified Emerald. It all started when she was introduced to him by one of her classmates at the Federal Polytechnic, Oko, Anambra State. One thing led to the other and she fell in love with the "doctor".

Nnaemeka tricked her into believing he was a gynaecologist. He told her he

Ihekpe Kingdom in Ogwuashi-Uku, Delta State. She fell in love with him, and their "traditional wedding" was slated for June 6, 2015. The dream of tying the knot with Nnaemeka however, turned into a nightmare for Joy.



was an orphan, and a lone Prince of "During the wedding preparation," Justified claimed that being a lone Prince, I would have to sponsor every financial aspect of the traditional the last one Naira I spent," she said, adding that he warned her not to visit his court soon.

home town until after their marriage, due to cultural

Nnaemeka further claimed he had deals with Zenith Bank and Diamond Bank Plc, but needed financial assistance to finalise it. Joy promptly assisted, by transferring money to him.

However, she began to suspect fraud, and tried to inquire about his real identity and what he does for a living

from some of his acquaintances. She also petitioned the EFCC.

Investigation revealed that Nnaemeka is in fact married to another woman who has marriage, but that he would refund me to three children for him, and that all he told Joy were lies. He would be charged to

Wiping Tears

The EFCC comes to the aid of a retired Chief Magistrate duped by fraudsters who disguised as travel agents to assist her travel abroad for surgical operation

retired Chief Magistrate in Anambra State, Dr. Veronica Ibeziako, was all smiles on August 18, 2016 when Obioha Okorie, then Head of the EFCC's South-East Zone, handed over to her a draft of N500,000 - money recovered for her by the Commission.

She had been billed to undergo a surgical operation overseas. However, it turned out that some unscrupulous fellows used the opportunity to defraud her. She was swindled by fraudsters, while seeking for financial assistance to enable her proceed for medical treatment abroad.

According to her, the surgical operation was to cost about N3million. She, however, found herself being defrauded of N500,000.

Investigations are still ongoing. The recovered money was, however, released to her to enable her attend to her financial and medical needs for which she was defrauded.





Big or small, rich or poor; Nobody is above the law. Say **NO** to corruption.

