

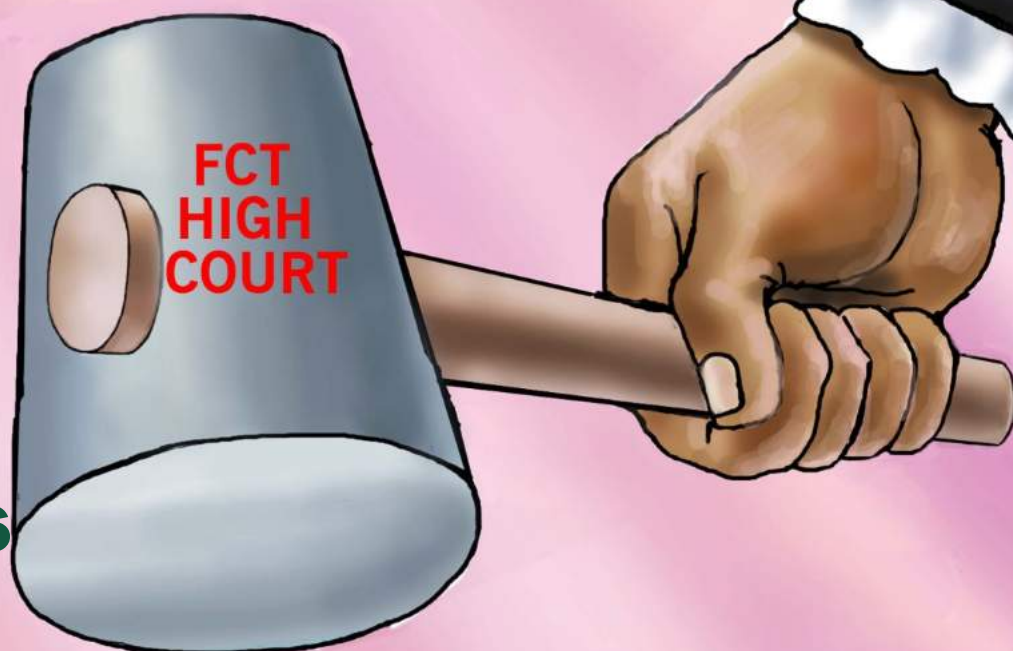


VOL 7 NO 4 APRIL 2018

EFCCALERT!

Two Peas in a Pod

*Judgement day beckons for
two ex-state governors*



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Judgement day beckons for two former state governors, whose decade old trial now has an end in sight

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Jolly Nyame



Joshua Dariye

Two Peas in a Pod

Judgement day beckons for two former state governors, whose decade old trial now has an end in sight

More than 10 years after their trials began for allegedly siphoning state funds, Jolly Nyame, a former Taraba State governor, and Joshua Dariye, a former Plateau State governor will know their fate on May 30 and June 12, respectively. It will, no doubt, be a climax to the trials of two Political Exposed Persons, PEPs, which have witnessed several twists and turns, intrigues and jaw dropping developments.

Like two peas in a pod, Nyame and Dariye, both now have their fate in the hands of Justice Adebukola Banjoko of the Federal Capital Territory, FCT High Court, Gudu, before whom they are being tried. They employed the seemingly crème de la crème of the legal profession, who as actors, played key roles in the elongation of the trial. But like it is often said, what has a beginning will always have an end. At last, the end, it is obvious, is now in sight.

Dariye Saga

The Senator, representing Plateau Central, will always rue that day, May 9, 2016 when at the FCT High Court, he had to face Peter Clark, a retired detective constable with the United Kingdom, UK Metropolitan Police, who investigated him in the UK. The last time they met was back in September 2004, when Clark granted him bail. He had promised to return to the UK on December 14, 2004, which he never did – he jumped bail.

Clark testifying against him in a Nigerian court was the last thing he had thought would happen since his trial that began on July 13, 2007. For the EFCC, however, it was a masterstroke that brought new dynamics to his N1.162 billion fraud trial. Perhaps, sensing that the case had for him become a hard nut to crack, his long time counsel, G.S. Pwul, SAN, who started the

trial with him when it resumed on January 25, 2016 threw in the towel. Describing himself as a horse taken to the stream, he argued through an application on March 16, 2017 that, "we cannot force the horse to drink water".

Justice Banjoko granting his application on March 20, 2017 ruled thus: "For overriding interest of justice, the court will accede as per



Joshua Dariye being taken to court in 2007



Jolly Nyame after his arraignment in 2007

notice of withdrawal, and without further ado, 'this horse' is hereby set free". Dariye was also ordered to get a new counsel to represent him in court.

But Pwul's decision was not until he had pulled several strings in the course of the trial. Notably was the allegation of bias against the judge. Dariye had through his counsel sent a letter dated December 13, 2016 to the Chief Judge, CJ of the FCT High Court, Justice U.I. Bello accusing the trial judge of "manifest and undisguised bias". The nine-page letter titled, "Application for Transfer on Ground of Manifest and Undisguised Bias", was no different from an application filed before the court.

The CJ, however, held that the allegations raised in the letter do not hold water. Invariably, he was on January 23, 2017 ordered to go and continue with his trial. On March 6, 2017 Justice Banjoko, dismissed the motion seeking for his lordship's disqualification.

The withdrawal of Pwul from the trial opened a new chapter in the trial, as it took Dariye about seven months to get himself a new counsel. And when he did, it was a familiar name – Kanu Agabi, SAN. The one-time Attorney General of the Federation, AGF who will be the fifth lawyer to represent Dariye for the trial, appeared in court on October 10, 2017 for the first time, expectedly with an appeal for "some time".

He told the court that he "only a few days ago" got a brief from Dariye, and was in spite of the tightness, compelled to honour the court with his presence.

"I beg you on my knees, please, my lord, grant us one adjournment to know about the case," Agabi pleaded.

His plea was granted, but not without some drama in court, which saw him referring to prosecution counsel, Rotimi Jacobs, SAN, as

"a man born with a fighting spirit".

"I have prayed that the Lord grant him a heart of flesh," he said, which caused the court to erupt in rapturous laughter.

Jacobs intimated the court, that in fact, at the time investigations were going on in the matter involving Dariye, it was Agabi, as AGF, who wrote to the UK, requesting for assistance in probing money laundering allegations against him.

Agabi, playing down the import of Jacobs' revelation simply responded that: "As my then Special Adviser, he remembers many things that I cannot remember."

But on October 10, 2017 Agabi literally stunned the court when he announced the decision of the defence to close its case. It was a climax to a 10-year-old trial, as the judgement is now awaited on June 12.

Nyame's Merry-go-round

It has not been a jolly ride for Jolly Nyame, a three-time governor of Taraba, who is standing trial for allegedly diverting for personal purpose, about N1.64 billion from the state coffers, during his tenure between 1999 and 2007.

At the last sitting of February 28, 2018 Nyame's statements dated June 6 and 7, 2007 and July 11, 2007 formed the argument in his defence as contained in the final written address of his counsel, Olalekan Ojo. He argued that "the confessional statements were not admitted in law as strong enough" to secure conviction.

The prosecution led by Jacobs, through its witness, Ibrahim Galadima, an operative, back on May 20, 2013 tendered the statements in court as evidence. Nyame's legal team, however, opposed the admissibility arguing that it was not voluntarily obtained from him.

He had alleged that he was forced to sign them, thus prompting the commencement of a trial-within-trial, which lasted three years. On April 25, 2016 Justice Banjoko admitted them in evidence and overruled the objections, noting that, "after a careful consideration of the totality of evidence, the court is satisfied that the prosecution has established to the satisfaction of the court the reliability of the statements".

On November 22, 2016 the EFCC closed its case against Nyame, after presenting 14 witnesses and tendering several documents, including his statements, which were marked as Exhibits Z4 to Z6. However, that day, the defence brought a twist to the trial, informing the court that it intended to file a "no case" submission, which it did through Charles Edosomwan, SAN, on January 18, 2017.

Edosomwan had argued that, "crucial elements are missing in this case", and urged the court to "hold that the testimony of prosecution witness have been so damaged and can't be relied on". He had further argued that there was no direct line between Nyame and a house allegedly procured by him using state funds.

"This is an unnecessary waste of time through which an ordeal was inflicted on Nyame, just because he was a former governor," he argued.

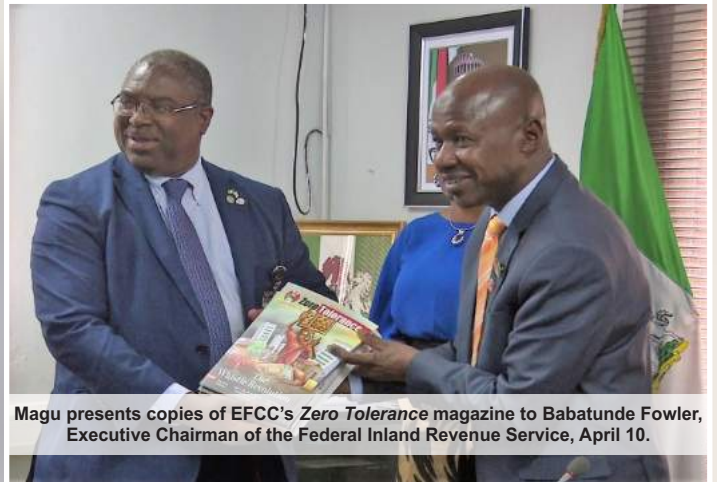
Justice Banjoko, however, on March 8, 2017 dismissed the "no-case" submission as lacking in merit, and ruled that: "In relation to this court, having had a close look at the evidence and exhibits, I hold that this case requires him to provide information and give explanation with regards to evidence presented by the prosecution, and so he is ordered to enter into his defence in the interest of justice," the trial judge held.

Nyame was subsequently put in the dock to defend himself. Having taken the adoption of written addresses by the prosecution and the defence on February 28, 2018, Nyame, like Dariye will know his fate come May 30, 2018. ■

Photo Gallery



Ibrahim Magu, acting EFCC Chairman, unveils new jersey of EFCC FC in company with EFCC officials, May 3.



Magu presents copies of EFCC's Zero Tolerance magazine to Babatunde Fowler, Executive Chairman of the Federal Inland Revenue Service, April 10.



Udom Inoyo, Vice Chairman, ExxonMobil affiliate companies in Nigeria, in a handshake with Magu, April 19.



Prof. Abubakar Rasheed, Executive Secretary, National Universities Commission, with Magu, April 10.



Executive members of the Nigerian Red Cross, NRC Society during a visit to the EFCC Headquarters, Abuja, March 29



Road walking against corruption in Lafia, Nasarawa State, organized by the Coalition of Union Against Corruption, in partnership with the EFCC, March 21.



Mailafia Yakubu, Head of Operations, EFCC Benin office during a visit to Commodore I.A. Dewu, of the Nigeria Navy Ship Delta, Delta State, March 6.



Youth Corps members at the NYSC orientation lecture organized by the EFCC Ibadan office, at Iseyin, Oyo State, April 25.

Pithy Comments



“Most of the countries that have successfully dealt with corruption have had to dispense with needless technicality and focus on the offence.”

- Vice President Yemi Osinbajo, at the EFCC's Judicial Summit, for members of the Bench and Bar, October 25, 2017.



“The Judiciary is an important stakeholder which has a crucial role to play in ensuring that sustainable solutions to the mounting legal challenges to the success of the fight against corruption are sustained.”

Walter Onnoghen, Chief Justice of Nigeria, at the Judicial Summit.



“If the [legal] profession really wants to stem judicial corruption, we as lawyers need to be courageous enough to stop soliciting favours from the judges, stop offering them inducements, and then build a rock solid case against the few judges who drag the name of the vast silent majority down into the mud.”

Funke Adegoya, SAN, in ThisDay newspaper, April 3, 2018.

From The Shelves

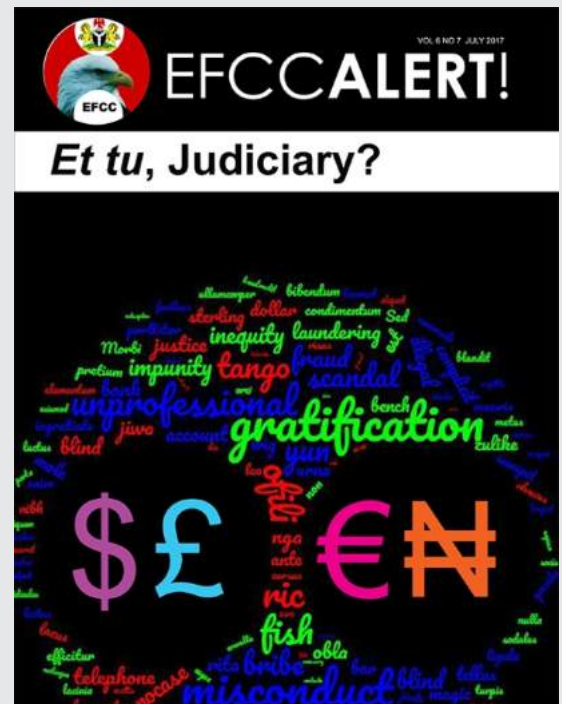
The July 2017 edition of EFCCALERT!

The edition focused on the judiciary - the third arm of government, highlighting its key role in the fight against corruption. Indeed, the judiciary is described as the last hope of the common man, and more importantly, a stakeholder in ensuring victory against corruption.

In the “Talking Point” column, the searchlight was beamed on this very important sector of government; it highlighted the ignoble gratification scandal that has so far seared the curtain of the Temple of Justice, leaving a bitter taste in the mouth, and a lot to be desired. The “ungodly tango” between some lawyers and judges,

their questionable wealth, and what the law exactly says about how far the relationship between a lawyer and a judge can go, were captured in “Et tu Judiciary?”

It also had a “Lexicon” column, which focused on the issue of budget padding - its meaning, usage and the arguments for and against it, all of which trailed the passage of the 2016 budget. The “Pick of the Month's Cartoon” section painted a grim reality of the judiciary - a situation in which justice seems suspended.■



“Thank You, EFCC”

Gratitude was written all over the face of Mike Ezuruonye, ace Nollywood actor as he visited the Benin office of the EFCC, April 16. The filmmaker used the opportunity to commend the agency for its efforts in tackling the menace of advance fee fraud, particularly cases in which some unscrupulous individuals used his identity for fraud.

Ezuruonye, who noted that he was initially sceptical about the ability of the EFCC to “unmask” those behind the nefarious acts, was full of praise for the agency.

“I was invited by the EFCC on an issue of a chap using my picture, my voice and old videos to defraud women, promising them relationship,” he said. “And it is amazing that these women have come to believe that I am the one.”

A rather dazed Ezuruonye said: “I am still in shock about certain things that EFCC has shown me. I am impressed at what the EFCC is doing. From what I have seen, I will say the EFCC is working and is working to cleanse the country of cybercrime. Thank you EFCC for what you are doing.” ■



Mike Ezuruonye

UYO

Working Partnership



Sulieman Mohammed



Ibrahim Usman



Suleiman Adams

The partnership between the Nigerian Army and the EFCC is no doubt getting better by the day, especially as it relates to the fight against crime in the oil and gas sector.

Men of the 2-Bridge of the Nigerian Army in Uyo, on April 10, handed over three suspects - Ibrahim Usman, Suleiman Mohammed and Suleiman Adams, to the EFCC for dealing in illegally refined petroleum. They were arrested by soldiers during a

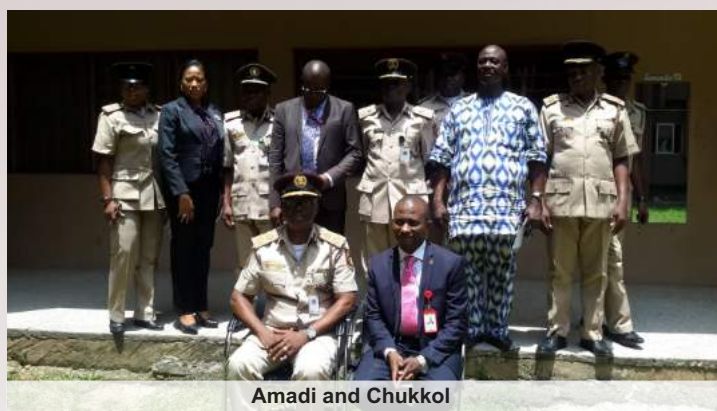
routine check, where it was discovered that, instead of cement, the Dangote truck, which they drove was conveying the illegally refined petroleum product concealed in huge cellophane bags numbering about 190.

They could not produce any licence that authorised them to deal in petroleum products, neither was there a waybill. They are to be charged to court soon. ■

All for Synergy

Abdulkarim Chukkol, Head, EFCC's Uyo office led a team of officers on a visit to the Akwa Ibom State Command of the Nigeria Immigration Service, April 17 and used the opportunity to solicit for collaboration in the fight against corruption in the state.

Livingstone Amadi, Comptroller of Immigration Services in the state, who received the EFCC team, gave assurances of support, stressing that partnership was very essential in moving



Amadi and Chukkol

the country forward.

“Coming together to share information is key to the success of our mandates,” Amadi said. “There is need for government agencies to collaborate and have a very good relationship.” ■

Shining Star



Johnson Babalola, Head of Operations, EFCC's Gombe office, has given an apparently encouraging scorecard of the agency in the North-Eastern region.

Speaking with members of the Correspondents Chapel of the Nigeria Union of Journalists in Gombe, recently, he hinted that between January and March, the EFCC secured 10 convictions involving various offences related to economic and financial crimes. He also added that a total of N130

million was recovered in the same period.

“Though corruption is fighting back through various means, the Commission is encouraged by the commitment of President Muhammadu Buhari,” he said, “and the courage of Ibrahim Magu, acting chairman of the EFCC.”

He used to platform to intimate the gathering of the various activities of the anti-graft agency, and urged whistleblowers to ensure that they do not mislead investigators. ■

KANO

FAAN Friendship

Bello Sabo, General Manager, Federal Airport Authority of Nigeria, FAAN, has expressed the resolve to partner with the EFCC in order to ensure a seamless synergy between both agencies in the fight against corruption, and strengthening security at the airports.

He gave the assurance during a recent visit by officers of the the EFCC's Kano office.

“The only way to achieve sound security and contribute to the fight against corruption is through synergy with relevant security agencies like the EFCC,” he said. “We



promise to cross all the t's and dot all the i's in order to enhance operations without any hitch.”

Garba Dugum, Head of Operations, who led the team of officers, stressed the importance of having a united front in the fight against corruption.

“This visit is aimed at strengthening the already existing synergy between the EFCC and FAAN in terms of operations, especially as it relates to airport operations,” he said. ■

PORT HARCOURT

Clarion Call

Naghe Itam, Head of Operations of the EFCC's Port Harcourt office, has called on Nigerians to cultivate the right attitude and disposition to the fight against corruption.

“Corruption thrives where negative attitudes and values are not checked,” he said. “We must seek to do the right things all the time and we must embrace positive values and disposition.”

He gave the charge in a paper titled, “The Fight Against Corruption in a

Globalized Economy”, delivered at a two-day International Conference on Economic Development and Sustainability, at the Rivers State University, Port Harcourt, April 14.

Prof. Willie Okowa, an economist and public affairs commentator, stressed that “corruption would continue to be an intractable problem in Nigeria until fundamental systemic and policy changes are made in the nation”.

The Conference was convened by the



Department of Agriculture and Applied Economics of the university in conjunction with the International Institute for Policy Review and Development Strategies. ■

Masaka Dollars



Samson Otuedon

The fact finding search to a house located in the Masaka area of Nasarawa State at the outskirts of Abuja, April 7, turned out to be a huge shock for the EFCC operatives. It was initially on the tipoff of a whistleblower, who had hinted that money was being stashed in the house.

Alas, the box in the room, truly contained thousands of dollar bills, but they were counterfeit notes. More than \$400,000 bills were counted by operatives. And who is the fall guy - Samson Otuedon.

The look on Otuedon, indeed, speaks for itself - that of utter surrender, as he admitted to being a member of a syndicate that uses fake dollar notes for money doubling antics. He confessed that the fake currencies were handed over to him by other members of the syndicate.

The suspect will be charged to court as soon as investigations are concluded, as handing fake currencies is an advance fee fraud offence. ■

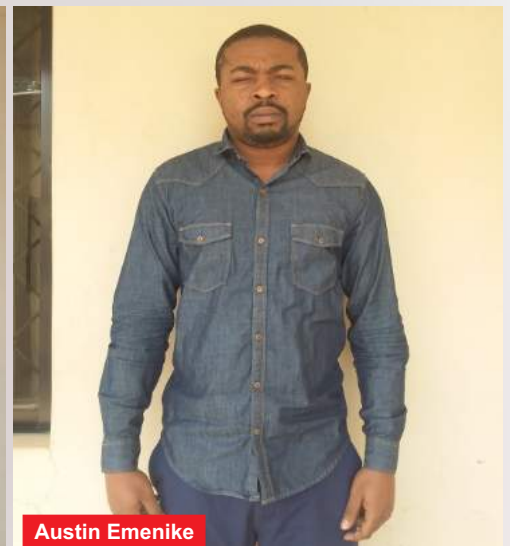
Swiss Recovery



Maxim Lobaty



Dickson Nonso Onuchukwu



Austin Emenike

A petition acted on by the EFCC has led to the recovery of a total of N216,402,565.05 from Swiss Golden Investment, an online investment, which claims to deal in buying and selling of Gold Bars.

The petitioner alleged that after investing over a billion naira, the

company refused to pay any dividend or pay back the capital.

Investigations led operatives to Maxim Lobaty, a Russian, Austin Emenike and Dickson Nonso Onuchukwu, both Nigerians. They were arrested in Lagos. The company, it was discovered has defrauded more than 7,000

Nigerians to the tune of N3 billion.

Swiss Golden which has its headquarters in Hong Kong engages in a Ponzi scheme. Investigation into the alleged fraud is still ongoing and all efforts are being made to recover the money involved. The suspects will also be prosecuted as soon as investigations are concluded. ■

Did You Know?

The EFCC does not invite anyone – suspect or otherwise to private offices for questioning, aside from known EFCC offices. If you get an invitation to a private address other than an EFCC office, please be cautious; it may be an indication that you are about to be scammed.

Case in Point

It is becoming a rather ugly occurrence – cases of individuals posing as staff of the EFCC, using the good name of the anti-graft agency to defraud unsuspecting Nigerians. Sadly, on a daily basis, a few Nigerians fall victim to the antics of these fake “EFCC operatives”.

The well-heeled in the society have been targets, but so also are members of the middle class and even lower on the societal rung. The times, indeed, demand that you have to ask questions and ascertain the authenticity of any such invitations.

A recent incidence involved Mohammed Momoh, a farmer, who attempted to defraud the wife of the governor of Nasarawa State, Tanko Al-Makura. Posing as a “private investigator from the Villa”, he had approached her claiming to have privileged information about a case being investigated by the EFCC involving two accounts traced the woman.

The suspect had requested for N8 million but was offered N6 million. Suspecting foul play, the governor's family contacted the EFCC; his claim was refuted, and they were asked to play along with him. He was afterwards arrested in a sting operation after he collected marked N2 million.



Mohammed Momoh



Mohammed Nuhu Maina

About N21 million was also demanded from another innocent Nigerian, by a serving Police Officer, Mohammed Maina, who claiming to be an Assistant Superintendent of Police, attached to the EFCC, and literally threatened him

to cooperate or face the music. He continued to demand for more money despite already collecting several from him. His persistent demand sparked suspicion, which made the victim to contact the EFCC. Operatives tracked Maina down and arrested.■

Give Away

- No EFCC operative will demand money from a suspect to “ensure a soft landing”.
- No EFCC operative will demand for kickback to help investigate or act on a petition
- No EFCC operative will invite a suspect to any place apart from EFCC offices

Don't be a Victim

A few seconds of circumspection will do.
Help us to help you.

Put a call through to any of our hotlines:
+234-9-9044751; +234-9-9044752; +234-9-9044753
You can also send an email to: info@efccnigeria.org

Questions for Mama Peace

TALE OF THE UNEXPECTED

AS THE WIFE OF A FORMER PUBLIC OFFICIAL, HOW DID YOU COME ABOUT THE ₦500 MILLION IN YOUR BANK ACCOUNT?

HOW DID YOU KNOW ABOUT THE MONEY?



THE BANK GAVE US THE INFORMATION.

I'M GOING TO SUE THE BANK FOR INSULTING ME.



LOOK, I HAVE ABOUT ₦2 BILLION THERE.



Published in *The Guardian* Newspaper, April 3, 2018

THROWBACK PHOTO

The EFCC's Football Club, FC Abuja (now EFCC FC) team that defeated the NYSC Football Club 4-1, on April 25, 2017 to qualify for the FCT Federation Cup Final at the Area 3 Football Pitch. The team on April 3, 2016 defeated FRSC Abuja to win the FA Challenge Cup.





EFCC Needs You
Nigeria Needs You
Let's Kill
Corruption