

EFCC EFCCALERT!

Nwosu Bites the Dust

After a trial that lasted about 10 years, a former managing director of Finbank, finds himself spending the next three years in jail for N19.2 billion bank fraud



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FROM THE SHELVES



The January 2015 edition of EFCCALERT!

The edition, which was the first electronic version of the publication, featured the first-ever award ceremony of the Economic and Financial Crimes Commission, EFCC, which witnessed a record 306 officers of the Commission, receiving recognition and

serving the Commission for the past 10 years.

Other categories of awards include: Commendable
Achievements, 24: Outstanding Staff, 10: Networthing

Other categories of awards include: Commendable Achievements, 34; Outstanding Staff, 10; Noteworthiness, five; Award for Meritorious Service Ex-staff Category, seven; Award for Outstanding Performance, Ex-staff Category, two.

while 161 staff members were celebrated for meritoriously

The edition also featured other articles, including crime stories, particularly the intervention of the EFCC in recovering funds for an American citizen, Margaret Sanders, who was defrauded by an internet fraudster of \$2,000 after she thought she had found love on the internet.

Eighty-seven of the awardees were pioneer staff,

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Nwosu Bites the Dust

After a trial that lasted about 10 years, a former managing director of FinBank, finds himself spending the next three years in jail for N19.2 billion bank fraud

all it a prophecy of sorts, but it certainly came to pass in the case of Okey Nwosu, a former Managing Director of FinBank, who was prosecuted by the Economic and Financial Crimes Commission, EFCC alongside Dayo Famoroti, Agnes Ebubedike and Danjuma Ocholi for stealing and misappropriating depositors' funds amounting to N19.2 billion. The fraud had put the bank in dire straits, with First City Monument

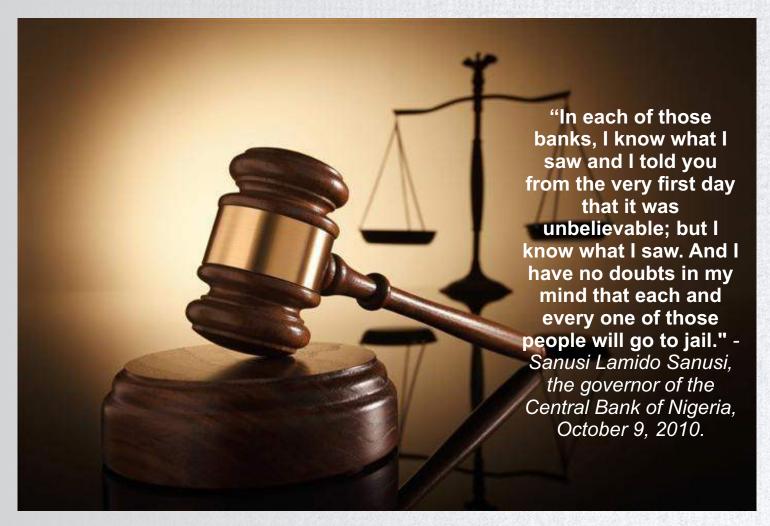
Bank, FCMB having to acquire the bank in order to save it from extinction.

Nwosu, one of the former MDs of five banks accused by the then governor of the Central Bank of Nigeria, Sanusi Lamido Sanusi, of engaging in banking malpractices, literally met his waterloo, on Tuesday, January 5, 2021.

That day, Justice Lateefa Okunnu of the Lagos State High Court sitting in Ikeja,

finally drew the curtain on the trial. He had swam in different directions gnashing on straws to save face, even as the more than nine-year trial witnessed various twists and turns, with his case moving from the Court of Appeal to the Supreme Court and back to the State High Court.

The defendants, who were directors of the bank, pleaded "not guilty" to the 26-count charge brought against them, when they were arraigned in May 2011.



But the ebullient bank chief was a shadow of himself by the time Justice Okunnu, delivering judgment, held that the prosecution, led by Rotimi Jacobs, SAN, had proved the charges against him and others, beyond every reasonable doubt. It was a most unexpected new year gift for Nwosu and his co-accused.

In a terse ruling, Justice Okunnu found the defendants guilty as charged. While Nwosu and Famoroti bagged three years for the fraud committed, Ocholi was sentenced to 12 months imprisonment, while Ebubedike was ordered to engage in community service for six months.

Below is a timeline of major events of the trial:

2011

MAY 17, 2011

Following their arraignment before Justice Okunnu, counsel for the defendants, Anthony Idigbe, SAN, moved the bail application for his clients and filed four other applications including a notice of preliminary objection to the charges, and the motion to quash the charges.

SEPTEMBER 7, 2011

Bisola Ojo, divisional head, credit and risk management of FinBank, testified against the defendants narrating how the bank granted credit facility to customers.

2012

MAY 23, 2012

The EFCC presented its second witness, Joe Aba, General Manager of Springboard Trust Board and Investment Limited, who testified that his company bought about two billion units of shares of FinBank Plc, valued at about N18 billion with the instruction of the bank's management. He also said that his company was mandated to buy some shares for some companies.

JUNE 25, 2012

Court grants Nwosu permission to travel out of the country for medical treatment.

SEPTEMBER 25, 2012

In his further testimony, Aba tells the court that over 20 billion units of shares were initially bought for some clients of

the bank before he was instructed to transfer the same to some directors of the bank. He notes that FinBank paid for the shares transferred to some of the bank directors in 2007.

NOVEMBER 26, 2012

Court admits a 225-page report on FinBank which was compiled by a joint investigation team of the Central Bank of Nigeria, CBN and the National Deposit Insurance Company, NDIC, along with a petition written by some FinBank directors to the EFCC, requesting the commission to investigate the bank's activities.

Sabo Yaro, an operative of the EFCC testifying, said that the sundry account of the bank was debited to the tune of N18 billion, with the money used to purchase the shares for Ferbond Real Estate Ltd, Busch Modern Machine Tools Ltd, Tyco Food Processing Ltd, Omdidem Ltd, Eureka Ventures Ltd, Coastal Lake Ltd and Cannon Investment Ltd.

the irregular transactions allegedly carried out by the defendants prompted the investigations.

In his testimony, he revealed that the shares were later allocated to the defendants and other directors of the bank, who did not pay

for them, and that investigations showed that the seven companies were non-existent.

NOVEMBER 28, 2012

Court disallows Emmanuel Damudu, an operative of the EFCC from testifying in the case, as the defence counsel argued that his name was not the list as a witness in the prosecution's proof of evidence.

2013 FEBRUARY 28, 2013

Usman Zakari, an EFCC operative further corroborates the testimony of Yaro, stressing that the shares purchased using the seven company names, were neither incorporated by the bank, nor authorized to carry out the transactions. The board of directors, he said, did not also give consent to the transaction.

JUNE 28, 2013

Jacobs closes the case of the prosecution, after calling nine witnesses to testify against the defendants, and tendering several documentary evidence.

SEPTEMBER 16, 2013

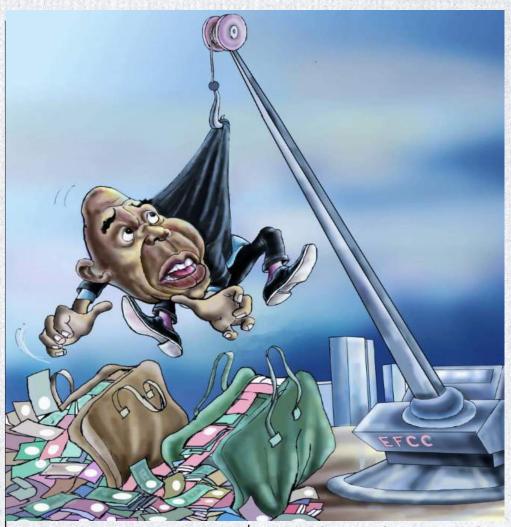
The defendants, through their counsel, moved separate no-case submission applications, arguing that no *prima-facie* case was established against them to warrant opening their defence.

OCTOBER 8, 2013

Justice Okunnu dismisses the no-case submission, stressing that "the prosecution has proved that a prima facie case has been established". The Court thus dismissed the argument of the defence team that the defendants, only engaged in a risky business of trading in stocks.

NOVEMBER 21, 2013

Following the dismissal of the no-case submission, the defendants approach the Lagos Division of the Court of Appeal, to set aside the ruling of the lower court asking them to open their defence, and by implication, to uphold their no-case submission. Subsequently, the Court of Appeal granted their request, adding that the lower court lacked jurisdiction to entertain the charges, since they were related to the capital market transactions, and that such should be heard by a Federal High Court.



The EFCC, however, appealed the ruling at the Supreme Court.

DECEMBER 16, 2013

Justice Okunnu adjourned the case sine die, following the request of Jacobs, who told the court that the prosecution had appealed the ruling of the Court of Appeal at the Supreme Court, in order to give the apex court time to decide on the matter.

2016

Three years after, the Supreme Court overrules the Court of Appeal describing its ruling as "perverse". The seven-man panel of the Apex Court, in a ruling read by Justice Musa Muhammed upheld the decision of Justice Okunnu and ordered an "expeditious trial" of Nwosu and the others.

2017 FEBRUARY 2, 2017

The trial of Nwosu resumes, and the first thing he does through his counsel, Anthony Idigbe, SAN, is to bring an

application for a stay of proceedings before the court, "pending the interpretation of the Supreme Court judgement as to whether the matter should start afresh and before which judge".

Justice Okunnu, however, dismissed the application, and held that "it is fair that the case should continue from where it stopped, as it is a part-heard case". The defence was therefore ordered to open its case.

JULY 25, 2017

Elonna Ezulu, a witness of the defence and a former legal officer of the bank, under cross-examination by Jacobs testified that his unit was not aware of the transactions and that "it is illegal for a bank to buy its own shares". He said the bank had a loss of N150billion for the 2009 financial year - the year the CBN and the NDIC investigated the books of the bank and unearthed gross financial malfeasance.

2021 JANUARY 5, 2021

Justice Okunnu finds the defendants guilty as charged and convicts them accordingly.

2021: Faces to Watch

The Eagle-eye of the EFCC remains focused on its corruption targets, even as the antigraft agency remains steadfast in its corruption-ridding mandate

























or the Economic and Financial Crimes Commission, EFCC, it is fair enough to state that the year 2021 has begun on a good note; what with the January 5 conviction of Okey Nwosu, a former managing director of then FinBank for N19.2billion fraud.

The conviction, no doubt, is a good omen, considering the twists and turns the case experienced since 2011 when it started.

The Lagos Division of the Court of Appeal at a time even declared him free of the charges, but the EFCC appealed the ruling at the Supreme Court, which gave a favourable ruling for the anti-graft agency.

A number of such cases are going on in

several courtrooms across the country. Below is a focus on some of the other cases and faces to watch in 2021.

George Turnah

Turnah, a former Special Adviser to Dan Abia, erstwhile managing director of Niger Delta Development Commission, NDDC, was re-arraigned on January 22, 2021 alongside Ebis Orubebe and Uzorgor Silas Chidiebere on an amended 23-count charge bordering on obtaining money by false pretense, money laundering and abuse of office to the tune of N2.894.500.000.

They are also being charged alongside seven companies: El- Godams Global Services Ltd.; Turnoil and Gas Nigeria Ltd.; Kolo Creek Petroleum Development Ltd.; Celtic Pride Consult and Events Ltd.; Yenagoa Mall Ltd., Akara Boro Marine Services Ltd.; Sugarland Integrated Farms Nig. Ltd and Geohan Telecommunications Nig. Ltd.

Their trial began in 2017 and is set to continue on March 15, 16 and 17, 2021 before Justice Mohammed Turaki of the Federal High Court sitting in Port Harcourt, Rivers State.

Adesola Amosu

The former Chief of Air Staff and a retired Air Marshal of the Nigerian Air Force, NAF, is standing trial before Justice Chukwujekwu Aneke of a Federal High Court Court sitting in Ikoyi, Lagos alongside Air Vice Marshall Jacobs Adigun, a former NAF Chief of Accounts and Budget, and Air Commodore Owodunni Olugbenga, a former NAF Director of Finance and Budget, for their alleged roles in the diversion to personal use of about N21billion belonging to the NAF. They are facing an amended 13-count charge before Justice Chukwujekwu Aneke of a Federal High Court Court sitting in Ikoyi, Lagos.

The case has been adjourned till April 12, 15 and 20, 2021.

Babachir Lawal

The former Secretary to the Government of the Federation, SGF, is standing trial before Justice Charles Agbaza of the Federal Capital Territory, FCT High Court, Jabi, for what is now known as the "grass-cutting scandal".

He is standing trial alongside his younger brother, Hamidu Lawal,

February 3 and 4, 2021 for the defence to cross-examine the prosecution witness.

Muktar Ramalan Yero

The former governor of Kaduna State is standing trial before Justice Z.B. Abubakar of the Federal High Court sitting in Kaduna over his involvement in the "sharing" of N700million provided by a former Minister of Petroleum Resources Diezani Alison-Madueke to influence the outcome of the 2015 presidential election.

Yero is standing trial alongside a former Minister of State, Nuhu Somo Waya; former Kaduna State PDP Chairman, Abubakar Haruna Gaya, and the former Secretary to the State Government, Hamza Ishaq, on an amended eight-count charge.

adjourned till March 29, 2021.

Aliyu is standing trial alongside his then Chief of Staff, Umar Nasko, on an alleged N2billion money laundering charge contained in an amended three-count charge. The EFCC also accuses him of diverting to personal use, the ecological fund meant for the state.

Andrew Yakubu

Justice Ahmed Mohammed of the Federal High Court Abuja has fixed February 17, 2021 to rule on the request by the EFCC, urging the Court to visit the Kano branch of the Central Bank of Nigeria and inspect the sums of \$9,772,800 and £74,000 traced Yakubu, former Group Managing Director of the Nigerian National Petroleum Corporation, NNPC.

The EFCC is accusing Yakubu of engaging









Suleiman Abubakar and Apeh John Monday as well as two companies -Rholavision Engineering and Josmon Technologies on amended 10-count charge, bordering on criminal conspiracy, and diversion of funds to the tune of over N544million.

The EFCC has presented two witnesses and tendered several documents, to prove its case against them. The trial continues on February 17, 2021.

Abubakar Mohammed Sani

The deputy comptroller of the Nigerian Correctional Service, Katsina Command, who is alleged to have obtained money running to about N2,850,000 from unsuspecting jobseekers, under the guise of securing government jobs for them. Sani who was the Works Officer at the Headquarters of the Correctional Service, was first arraigned on December 9, 2020 before Justice Hadiza Sabi'u Shagari of the Federal High Court Katsina and he pleaded "not guilty".

The case has been adjourned till

The case has been adjourned till February 23, 2021 for continuation of trial.

Kabiru Tanimu Turaki

The trial of the former Minister of Special Duties and Inter-Governmental Affairs, alongside his personal assistant, Sampson Okpetu continues on January 25, 2021. They are standing trial before Justice Inyang Ekwo of the Federal High Court, Abuja for an alleged N714.6million fraud.

Two companies standing trial alongside the former minister are: Samtee Essentials Limited and Pasco Investment Limited. The case has been adjourned till February 9 and 10, 2021.

Babangida Aliyu

The trial of the former governor of Niger State has suffered several ups-and-downs since the EFCC began prosecuting him in 2017. He has since then been brought before a handful of judges.

His trial could not continue on January 18, 2021 due to the absence of the trial judge, Justice A.B. Aliyu, and was

in money laundering, as the monies traced to him did not go through a financial institution. Acting on whistleblower information, the EFCC raided the defendant's guest house situated at Sabon Tasha, Kaduna State, and recovered the monies in a fireproof safe.

Yakubu is facing a six-count charge, but four of the counts were struck out, when the Court ruled on his no-case submission, leaving counts three and four.

Mohammed Adoke

The money laundering trial of the former Minister of Justice and Attorney General of the Federation, was on January 11, 2021 stalled before Justice Inyang Ekwo of the Federal High Court, Abuja due to the absence of the defendant. He was reportedly stranded in Dubai, United Arab Emirates, after he tested positive for the Coronavirus Disease, COVID-19. The Court had earlier granted his request to travel to Dubai for medicals. He was said to have been on the verge of returning to the country when he found out that he was positive for the virus.

Adoke, who is reported to have tested negative, was said to have been unable to

fly back in good time for his trial. He is standing trial alongside Aliyu Abubakar on an amended 14-count charge of money laundering. They are expected back in court on March 1, 2021.

Olisa Metuh

The last has not been heard over the money laundering case filed against the former National Publicity Secretary of the Peoples Democractic Party. The EFCC had secured the conviction of the former spokesperson on February 25, 2020.

But in a twist, the Abuja Division of the Court of Appeal, on December 16, 2020 upheld the appeal of Metuh, and set aside the conviction handed down on him by Justice Okon Abang of a Federal High Court, Abuja, citing bias, without considering the merits in the money laundering case. Metuh at the time had already commenced his seven-year jail term at the Kuje Prison.

However after a review of the ruling, the EFCC has approached the Supreme Court to set aside the judgment of the Court of Appeal on the grounds that the appellate court erred by restricting itself to only two grounds (12 and 14) of the appeal that dwelt on the alleged bias of the trial judge, without examining the merit of the judgment of Justice Abang.

Orji Uzor Kalu

The former governor of Abia State, and Chief Whip of the Nigerian Senate, was already serving his 12-year jail term at the Kuje Prison, when the Supreme Court, in a major surprise, on technical grounds, nullified his conviction by Justice Idris Mohammed of a Federal High Court, Lagos. The Apex Court held that the trial judge had been elevated to the Court of Appeal at the time of delivering the judgement, thus he was no longer a judge of the lower court as at the time. The Apex Court, further ordered a retrial of Kalu for the alleged N7.1billion fraud.

In view of this, the Abuja Division of the Federal High Court has slated February 2, 2021, for the EFCC, to rearraign him in Abuja.

Abdulrasheed Maina

After presenting nine witnesses against him, to prove the N2billion pension fraud against the former

However after a review of the ruling, the EFCC has approached the **Supreme Court to set** aside the judgment of the Court of Appeal on the grounds that the appellate court erred by restricting itself to only two grounds (12 and 14) of the appeal that dwelt on the alleged bias of the trial judge, without examining the merit of the judgment of Justice Abang.

Chairman of the Pension Reform Task Team, Maina on December 9, 2020 filed a no-case submission before Justice Okon Abang of a Federal High Court, Abuja.

Justice Abang had adjourned till December 10, 2020 for the defence to argue the application and for the prosecution to respond to same orally, but on the said date, there was some drama in court as Maina collapsed in the courtroom.

Before then, Maina had jumped bail, prompting the Court to jail his surety, Senator Ali Ndume. With collaboration between the EFCC and INTERPOL, Maina was arrested in Niger Republic and brought back to Nigeria to face his trial.

Murtala Nyako

The EFCC had on January 16, 2020 closed its case in the N29billion fraud trial of the former governor of Adamawa State, buy rather than open defence, Nyako, and his codefendnats - his son, Abdul-Aziz Nyako; two companies – Sebore Farms and Extension Ltd and Pagado Fortunes Ltd;

Zulkifik Abba, Abubakar Aliyu, Blue Opal Ltd, Tower Assets Management Ltd and Crust Energy Ltd filed a nocase submission. The EFCC called 21 witnesses.

Following their application, Justice Okon Abang has fixed February 26, 2021 to enable the defendants reply to the prosecution's counter-affidavit, on point of law.

Gabriel Suswam

Suswam's case holds a record as one of the longest involving a former governor. On November 2, 2020 the former Benue State governor alongside his then Commissioner of Finance, Omodachi Okolobia, was rearraigned before Justice Ahmed Mohammed of a Federal High Court, Abuja, over the alleged N3.1billion fraud.

The trial judge was the one presiding over the case, before it was reassigned to Justice Okon Abang, and then brought back to Justice Mohammed. The trial judge ordered the court registry to go through the records and sought out the exhibits earlier admitted by the court and to make sure that they are marked accordingly, in order for the trial to continue from where it stopped.

Doyin Okupe

Justice Ijeoma Ojukwu of the Federal High Court Abuja, on November 16, 2020 adjourned the trial of Okupe, a former Senior Special Assistant on Public Affairs to President Goodluck Jonathan's till February 8 and 9, 2021.

Okupe is being prosecuted by the EFCC alongside his two companies: Value Trust Investments and Abrahams Telecoms on a 59-count charge, bordering on money laundering and criminal diversion of funds to the tune of N702,000,000.

Winifred Oyo-Ita

The former Head of Civil Service is facing an 18-count charge of official corruption and money laundering to the tune of N570 million, which involves obtaining estacodes and duty travel allowances for journeys either not undertaken or non-existent.

Standing trial alongside Oyo-Ita are: Frontline Ace Global Services Limited; Asanaya Projects Limited; Garba Umar and his companies: Slopes International Limited and Gooddeal Investments Limited.

Others are: Ubong Okon Effiok and his companies, U&U Global Services Limited and Prince Mega Logistics Limited.

Their trial continues before Justice Taiwo Taiwo of a Federal High Court, Abuja on January 28, 2021. ■



Rewarding Excellence

The Economic and Financial Crimes Commission recognizes its various zonal offices for the feats achieved in the past year

uesday, January 19, 2021 was a day to reward excellence and recognize the relentless and invaluable efforts put in place by officers of the zonal offices of the Economic and Financial Crimes Commission, EFCC, in the fight against corruption.

Though it was not the first time for the anti-graft agency to give awards to deserving officers, the day's event, according to the acting EFCC Chairman, Mohammed Umar Abba, was in recognition of the strides achieved in 2020 at the zonal level across the country including, Abuja, Benin, Enugu, Gombe, Ibadan, Ilorin, Kaduna, Kano, Lagos, Maiduguri, Makurdi, Port Harcourt, Sokoto, Uyo zones and the Abuja Headquarters.

"Management is happy with your performance and decided to honour you," he said, adding that "this gesture is designed to inspire officers of the Commission to greater performance". Divided into two categories - convictions secured and assets recovered, the award saw the Ibadan Zonal Office, headed by Kanu Idagu, coming tops in the first category, having secured 292 convictions in 2020; the Abuja Headquarters, came tops in the second category, having recovered N15.1billion in the year Zonal Office headed by

The Lagos Zonal Office headed by Abdulrasheed Bawa, had a good showing in both categories, emerging first runner-up in both, with 227

convictions secured and N10.9billion recovered. Port Harcourt Zonal Office, headed by Abdulkarim Chukkol was second runner-up in the first category, with 106 convictions, while the Abuja Zonal Office was second runner-up in the second category having recovered N1.29billion.

The awards, which came with a Letter of Commendation and a plaque, according to Abba, should also be replicated at the zonal offices. ■



Best Cybercrimes Prevention Agency

The EFCC emerges best Cybercrime Prevention agency in Nigeria



n what has become a string of recognitions and a winning tradition, the Economic and Financial Crimes Commission, EFCC, has been adjudged by the Security and Emergency Management Award, SAEMA, as the best Cybercrime Prevention agency in Nigeria.

The accolade was earned by the Ibadan zonal office of the EFCC, which was recognized for its zeal in combating cybercrimes, fondly referred to as yahoo yahoo.

A total of 254 entries were received for all the categories out of which 136 nominees qualified for the competition; 54 finalists were selected by the jury

from which 18 winners of the 18 categories emerged, including the EFCC.

Receiving the award on behalf of the acting EFCC Chairman, Mohammad Abba, Head of the Ibadan Zonal Office, Kanu Idagu, thanked the organisers for recognizing the work of the Commission.

"We work to surpass our past achievements," he said.

The event which took place at the Nicon Luxury Hotels, Abuja on December 12, 2020 was the second in the series organized by SAEMA, an initiative of Emergency Digest, a subsidiary of Image Merchants Limited.

Interpol Excellence Award

The International Police, INTERPOL, confers Excellence Award on EFCC

t was yet another feather in the cap of the Economic and Financial Crimes Commission. EFCC when the INTERPOL's National Central Bureau, NCB, recognized and commended the Commission for its contribution in combating crime and ridding Nigeria of corruption. "The EFCC has been a strong partner in tackling transnational organized crime," said Garba Umar, Commissioner of Police in charge of NCB, stressing that "the EFCC has made the job of Interpol easy through exchange of intelligence and joint operations". The EFCC's Director of Operations,





Umar Hadejia, received the award on behalf of the acting EFCC Chairman, Mohammed Umar Abba, on December 19, 2020 at the event which held at the Transcorp Hilton Hotel, Abuja. ■

MILESTONE

Change of Guard

It's a change of leadership at the Academy of the EFCC





onday, the 18th day of January 2021 will forever remain a significant day for Ayo Peter Olowonihi, who on that day, returned to the Economic and Financial Crimes Commission, EFCC as the Commandant of the EFCC Academy, Karu, Abuja.

The acting EFCC Chairman, Mohammed Umar Abba approved his

appointment, which was consummated with the hand-over ceremony, during which Olowonihi formally took over from Itam Nnaghe Obono, the acting Commandant since August 2020.

Obono charged officers at the Academy to give Olowonihi "the best cooperation".

In his response, Olowonihi who in controversial circumstances was removed as the Academy's Commandant in December 2015, expressed the commitment to turn around the fortunes of the Academy.

"This is the brain of the organisation, and the minute the brain stops working, it starts to die," he said.



EFCC Not Recruiting

he Economic and **Financial Crimes** Commission, EFCC, wishes to alert the public about fake "EFCC Recruitment Form 2021" circulating in the social media, and to warn that the Commission is currently not recruiting. Scammers bent on defrauding hapless job seekers, have been active in the social media, providing link for unsuspecting members of the public seeking employment into the EFCC, to obtain, "EFCC Recruitment Form 2021/2022 and Guidelines

Form and apply for the ongoing EFCC recruitment 2021".
Fraudsters are also circulating forged Offer of Employment Letters, purportedly from the EFCC, and using the same to extort money from members of the public.

The public should note that there is no ongoing recruitment in the EFCC. The purported 'EFCC Recruitment Form 2021' as well as the 'official recruitment portal' and 'Offer of Employment Letters' are non-existent. For the avoidance of

doubt, recruitment into the EFCC is a structured, transparent and merit-driven process which is always heavily advertised through the mass media and the Commission's social media platforms. It is highly automated, with no place for the so-called Employment Form.

The EFCC is on the trail of the scammers behind this devious scheme as no efforts will be spared to bring them to justice.

The Commission urges the public to crosscheck any doubtful information with the agency through its official email: info@efccnigeria.org.

EFCC will get you, anywhere, anytime.





Economic and Financial Crimes Commission

www.efccnigeria.org