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# **The Jurisprudence of Conspiracy in Penal Administration of Justice in Nigeria: A Critique of Kaduna, State Penal Law, 2017**

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## **Abstract:**

*An intention nursed by an individual is not a criminal offence but when 2 or more persons agreed and harbor such heinous intention with the agreement to put it in to execution, the law interferes to stop the dangerous consequences which may result as a result of such agreement. Criminal Conspiracy is always carried out secretly thus creating problems of easy detection. This mischievous tendency is punished as inchoate offence in that it is even if short of completion, is a crime of its own. The paper aims at examining Criminal Conspiracy by analyzing the definition, nature and principles of criminal conspiracy as well as a critique of Kaduna State Penal Law, (2017) with some judicial decisions by adopting the doctrinal method of research which analytically examined constitutional provisions, statutory provisions, judicial decisions, legal journals, authoritative legal books and other relevant literature which form both primary and secondary sources of the research. It was observed that there exist problems of direct proof of criminal Conspiracy in that it is carried out in secrecy and recourse is to inference which is qualified.*

**Keywords:** Administration, concept, conspiracy, criminal, nature, penal law

## **1. Introduction**

When two or more persons form a common intention to prosecute an unlawful purpose in conjunction with one another and in the prosecution of such purpose, an offence is committed of such a nature, that its commission was the probable consequence of the prosecution of such purpose, each of them is deemed to have committed the offence. *Ubieaho v State* (2005)

An intention per se by an individual is not a criminal offence but where an individual or more persons harbor such heinous intention coupled with an agreement to put it into execution, the law intervenes to nip the bud, the dangerous consequence which may result from such group evil mechanism *Clement Indgel v State* (2021). It has been observed that once steps are taken to translate sinister intention to concrete conclusion the law would be failing in its primary duties of protection of society hence punishing such act as criminal conspiracy. *Amankwah* (1983)

Conspiracy consists not only in merely in intention of two or more, but in the agreement of two or more to do an unlawful act by unlawful means. It is however to be noted that in so far as a design rests on intention without more, it is not indictable *Amankwah* (1983). In Nigeria, criminal conspiracy is sanctioned as separate and independent offence punishable by the different penal laws in the different thirty six states of the federation and Federal Capital Territory, Abuja. Kaduna State is one of the states in the federation.

This paper is on the critique of Kaduna State Penal Law (2017), for the purpose of providing a substantive legal instrument that specifies crimes and criminal offences in the State and the punishment and sanctions that are prescribed for their violations. The aforesaid law has 400 sections but Sections 58-59 are the major sections within the scope of the research, though there are other subordinate sections that are of consideration.

### **1.1. Objectives of the Research**

The objective of the study is a critique of criminal conspiracy in the administration of penal law to explore the extent of its manifestation under Kaduna state Penal Law, (2017) and in administration of criminal justice.

### **1.2. Research Questions**

- What is the nature of criminal conspiracy in the administration of criminal justice in Nigeria particularly in Kaduna State?
- What is the extent to which criminal conspiracy has manifested itself under the Kaduna State Penal Law, (2017) and in the administration of criminal justice?

- What are the problems encountered in proving criminal conspiracy under administration of criminal justice Law?

## 2. Methodology

The doctrinal method of research which analytically examined constitutional provisions, statutory provisions, judicial decisions, legal journals, authoritative legal books and other relevant literature which form both primary and secondary sources of the research.

## 3. Result

- Criminal conspiracy of a nature that involves a meeting of the mind or agreement of two or more persons to commit an unlawful act or some acts which though, lawful in itself, but becomes unlawful when carried out by the conspirators by unlawful means. It is also of a nature that does not have result in the commission of the offence. Thus, where a substantive offence is committed as a result of conspiracy, the offender can be held liable for both conspiracy and the substantive offence.
- The extent of the manifestation of criminal conspiracy under the study is proffered from the perspectives of the critique of the prohibition and punishment, definition, participation in unlawful assembly, conspiracy to commit kidnapping, brigandage for criminal conspiracy under sections 58, 59, 60, 61, 247, 282, 287 respectively of Kaduna State Penal Law, (2017)
- Some of the problems involve of criminal conspiracy for the fact that it is coined in secrecy which may prevent direct proof of evidence. Solace is had to circumstantial evidence with its inherent problems. Another problem has to do with absence of adequate legal provision to deal with the offenders.

## 4. Submissions

### 4.1. Nature of Criminal Conspiracy

The offence of criminal conspiracy involves a meeting of the mind or agreement of two or more persons to commit an unlawful act or some acts which though, lawful in itself, but becomes unlawful when carried out by the conspirators by unlawful means. In *State v Boko Yusuf* (2007) the appellant appealed to the Court of Appeal contending that he could not be convicted and sentenced for conspiracy where the other alleged co-conspirators in the charge were discharged and acquitted for that offence. He also contended that the prosecution failed to link him directly to the shots that killed the deceased persons and injured other people. It was held by the court that

It is the agreement to do an unlawful act or a lawful act by unlawful means that constitutes the offence of conspiracy. The prosecution is bound to prove that the respondents did agree to commit the offence of murder. The agreement is sufficient overt act.

Criminal conspiracy is of a nature that it does not have to result in the commission of the crime and where substantive offence is committed pursuant to the conspiracy, the conspirators can be charged with two counts charge, that is for the conspiracy and the substantive offence *Amankwah* (1983). Criminal conspiracy will not be tried as a crime by the court or tribunal where it does not involve an agreement to commit an offence. *R v Enahoro* (1966).

*Amankwah* (1983) in his book observed that the offence is committed once there is agreement between the conspirators and there is no provision for change of heart, even for the fact that it is practically impossible to implement the subject matter of conspiracy.

Where persons are charged with criminal conspiracy, it is usually required that the conspiracy as laid out in the charge should be proved and the persons so charged must be proved to have been engaged in the offence as alleged. In *Clement Indyel v State*, (2021) one of the issues formulated for the determination of the Court was: 'Whether the trial court was right in holding that the prosecution proved the allegation of murder against the appellant to warrant his conviction and sentence thereof'

There must also be shown that the conspirators are consensus or criminal design to achieve an act which is criminal in nature. *Salawu v State* (2011). Notwithstanding that criminal conspiracy must be proved as a fact that conspiracy being an offence committed in secrecy is only inferred from the facts and circumstances of the case.

In *Benson Obiakor v The State* (2002), one of the issues formulated by the 1st appellant was: Whether the Court of Appeal was right in affirming the conviction and sentence of the 1st appellant for conspiracy to murder when the prosecution failed to prove beyond reasonable doubts the substantive count of murder

The Supreme Court of Nigeria held:

The actual agreement alone constitutes the offence and it is not necessary to prove that the action has in fact been committed. Because of the nature of the offence of conspiracy it is rarely or seldom proved by direct evidence but by circumstantial evidence and inference from certain proved fact.

The Supreme Court of Nigeria further warned that where persons charged with conspiracy and with substantive offence committed in pursuance of the conspiracy, care must be taken in considering the evidence relevant to conspiracy to the several issues. It is trite that where no direct evidence is available, inference may be drawn to determine the accused person guilty from the circumstantial evidence provided there is or are no other co-existing circumstances which would weaken or destroy the inference. *Benson Obiakor v The State* (2002)

In *Akeem v State* (2005), the court held that

In order to draw an inference of the accused person's guilt from circumstantial evidence, such circumstances relied upon should point unequivocally, positively, unmistakably and irresistibly to the fact that the offence was committed and that the accused committed it.

In *Segun Balogun v Attorney-General Ogun State* (2002), the Supreme Court of Nigeria held:

A conviction for conspiracy does not become inappropriate simply because the substantive offence has not been successfully proved. It is the law that conspiracy to commit an offence is a separate and distinct offence which the conspirators is related. The offence of criminal conspiracy may be fully committed even if the substantive offence may be abandoned or aborted or may have become impossible to commit.

Criminal conspiracy is distinguishable from other crimes in that it is simply on agreement or confederacy to do some acts, whether it is done or not. Richardson (1963)

#### 4.2. Principles of Liability in Criminal Conspiracy

Criminal conspiracy is not really defined under the Penal Laws in Nigeria but conspiracy is an offence of the agreement by 2 or more persons to do an illegal act or legal acts by illegal means. The actual agreement constitutes offence *Obiakor v State* (2002)

In all criminal prosecution, it is the duty of the prosecution to prove cases beyond reasonable doubt which may not be with absolute certainty but the ingredients of the offence charged must be proved as required by the law and to the satisfaction of the law. *Obiakor v State* (2002). The general principle of liability is based on the proof that an accused has committed an act or is otherwise responsible for an act which is forbidden by law (otherwise referred to as *Actus Reus*).

The rule of natural justice equally demands that to constitute a crime there must be the conjunction of a forbidden act (*actus reus*) and a blameworthy state of minds (*mens reus*). It is therefore not in doubt that the principle of liability of criminal conspiracy is based on *Actus reus* of the offence and *Mens reus* of the offence.

##### 4.2.1. Actus reus of Criminal Conspiracy

Agreement is the *actus reus* of criminal conspiracy. The agreement which is frowned upon in the law as conspiracy and comes into the being as soon as 2 or more people agree to carry their intention into practice. This is the criminal agreement or meeting the minds rather than what is done pursuant is the chief concern of the law on criminal conspiracy. In *Obiakor v The State* (2002), the court held that 'The actual agreement alone constitutes the offence of conspiracy and it is not necessary to prove that the act has in fact been committed'.

The importance of agreement to criminal conspiracy has been given judicial approval in *Majekodunmi v R.* (1952), where the court held that 'The gist of the offence of conspiracy lies not in doing the act or effecting the purpose for which the conspiracy is formed, but in the forming of the agreement between the parties'

##### 4.2.2. Mens reu in Criminal Conspiracy

The *mens reu* in criminal conspiracy is the object for which it is formed i.e. to do an unlawful act or to do a lawful act by an unlawful means.

In *Grey Olieh & Others v Federal Republic of Nigeria* (2005), the court held that: An act is said to be unlawful if it is contrary to a penal statute where the offence is defined in a written law as stated under the clear and unambiguous provision of Section 36(12) Constitution of the Federal Republic of Nigeria, 1999 (as amended). It is not for the court to conclude that an act is unlawful when the law itself did not say so.

Section 36(12) of the Constitution of the Federal Republic of Nigeria (1999) provides: Subject as otherwise as provided by the Constitution, a person shall not be convicted of a criminal offence unless that offence is defined and the penalty therefore is prescribed in a written law and in this subsection, a written law refers to an act of the National Assembly or a law of a State, an subsidiary legislation or instrument under the provision of law.

Black Law Dictionary (1979) defines 'unlawful act' to mean conduct that is not authorized by law, a violation of a civil or criminal law. It may be deduced that the cumulative effect of section 36 of the Constitution of the Federal Republic of Nigeria, the above dictionary meaning and judicial pronouncement is that any offence that is not against the law is not unlawful.

##### 4.2.3. Proof of Agreement in Criminal Conspiracy

Oji (2012) in his book posited that the test to determine the agreement in criminal conspiracy is 'can the various act be said to be in furtherance of common criminal intention?' and 'can there be a true agreement or meeting of the minds in the circumstances?' If the answer is in the affirmative, it is criminal conspiracy and if otherwise, it is not criminal conspiracy.

Amankwah (1986) observed that in deciding whether there has been an agreement between the conspirators or not, the courts are only concerned with the external or outward behavior of the accused person.....as just and reasonable men would view it in that a true agreement ought in principle to be found as a fact rather than presumed, no matter how irresistible this might be. Agreement that constitute element of criminal conspiracy may be made in various ways. In *R v Compbel* (1991),

- There may be one person around whom the rest revolve, and
- There may be a conspiracy of another kind where the metaphor would be rather than of co chair. For example, A communicates with B and B with C, C with D and so on.

It has been observed by Oji (2012) that proving agreement in a conspiracy charge is usually not an easy task because the agreement by the conspirators is hatched behind closed doors. The question is 'At what exact stage should an agreement by the conspirators be sufficient to ground a charge of conspiracy?'

It is clear that the frequent way of proving conspiracy is through evidence that tend to show that the parties acted in concert in pursuit of a common object and such evidence will show an action which has been coordinated by engagement beforehand. However such acts do not constitute conspiracy but only evidence of it. Another way of proving conspiracy is to show that those accused of conspiracy were in direct communication with one another through direct evidence is always needed to prove conspiracy.

#### *4.3. A Critique of the Kaduna State Penal Law, (2017)*

The Kaduna State Penal Law 2017 was enacted to provide a substantive legal instrument that specifies crimes and criminal offences in the State and the punishment and sanctions that are prescribed therefore for their violations, it is also to penalize crimes prescribed under the law and other matters connected thereto. The law is in 29 chapters of 400 Sections, but chapter VII, Section 58 to 61 and 347 are the major and main provisions on criminal conspiracy.

##### 4.3.1. Definition of Criminal Conspiracy

Generally, it is the law that acts done by several persons in furtherance of common intention of all, each of such person is liable for that act in the same manner as if it were done by him alone (section 41). Criminal conspiracy is manly provided for under section 58 of Kaduna State Penal Law, (2017) which provides that 'when two or more persons agree to do or cause to be done an illegal act, or an act which is not illegal but by unlawful means; is called criminal conspiracy' There is a proviso to the effect that no agreement except an agreement to commit an offence shall amount to criminal conspiracy unless some acts besides the agreement is done by one or more parties to such agreement in pursuance thereof.(section 58). The punishment for the offence of criminal conspiracy is in (section 59) of the Law and it provides:

Whoever is a party to a criminal conspiracy to commit an offence punishable with death or with imprisonment shall, where no express provision is made in this Law for the punishment of such a conspiracy be punished in the same manner as if he abetted such offence.

Section 47 of the Law deals with the punishment of Abetment and it provides.

Whoever abets any offence shall, if the act abetted is committed in consequence of the abetment and no express provision is made by this law or by any other law for the time being in force for the punishment of such abetment, be punished for that offence.

A cursory view of section 59(2) and 47 of the Law will show that the two sections have not provided for specific punishment for criminal conspiracy. However section 59(2) of the Law provides specific punishment for criminal conspiracy. The section provides:

Whoever is a party to criminal conspiracy to commit an offence punishable as aforesaid shall be punished with imprisonment for a term of not less than one year or with a fine not less than twenty five thousand naira or both.

In *State v Bako Yusuf* (2007) the court commented on criminal conspiracy thus:

When 2 agrees to carry into effect the very plot in an act in itself punishable if for a criminal object or for the use of criminal means. In other words, it is the agreement to do an unlawful act or a lawful act by unlawful means, that constitutes the offence of conspiracy.

A cursory appraisal of the explanations on criminal conspiracy under sections 58 and 59 of the law reveals that: notwithstanding the provision of section 58(i) of the law, no agreement is criminally indictable except an agreement to commit an offence shall amount to a criminal conspiracy unless some acts besides the agreement is done by one or more parties to such agreement in pursuance thereof *Wambai and Sambo v Kano Native Authority* (1965). It has been observed that it is immaterial whether the illegal act is the ultimate object of such agreement or is merely incidental to the object for criminal conspiracy to be committed. Richardson (1963)

It is further revealed that the section will not apply to an agreement of two or more persons to do or cause to be done any act in contemplation or furtherance of a trade dispute if such act committed by one person would not be punishable as an offence. It seems that this is designed to save the activities of trade unions and association. It is relevant to the study on criminal conspiracy to point out that where the crime amounts to an abetment within the definition of section 45 of the Law, there is no need to proceed under section 58 of the law as conspiracy of the type is specifically provided for in Section 45 of the Law. Section 45 of the law provides that a person abets the doing of a thing who engages with one or more persons in any conspiracy for the doing of that act.

##### 4.3.2. Punishment for Criminal Conspiracy

In the punishment of criminal conspiracy, it is often optional for the prosecutor to proceed either as abetment or under criminal conspiracy but there must be proof of the following

- That an agreement between 2 or more persons to do or cause to be done some illegal act or some acts which is not illegal by illegal means.
- That where the agreement is other than an agreement to commit an offence that some acts besides the aforementioned was above by one or more of the parties in the furtherance of the agreement.

It must be specifically proved that each of the accused individually participated in the conspiracy. However, the burden of proving the facts that the agreement by 2 or more persons is in contemplation or furtherance of a trade dispute is on the person asserting. The proof of criminal conspiracy may be inferred from surrounding circumstances. In *Agbor Ele v The State*, (2005) the court held:

Proof of criminal conspiracy may be inferred from circumstances disclosed in the evidence and it needs not be by express agreement. The presumption of common intentions should be used with caution. Proof of common intention is a precondition for conviction.



It is trite that the effect of discharging and acquitting only one of co accused person in a charge for criminal conspiracy is that the other must be so treated. This position has been judicially approved in *State v Yusuf* (2007) where the court held:

Two at least are required to commit crime of conspiracy, one alone cannot do so. Once the accused is discharged and acquitted, the court is not expected to get involved in the academic exercise of considering the defence of the 2<sup>nd</sup> accused for his discharge and acquittal on the charge of conspiracy is automatic on the discharge and acquittal of his only, co - accused

\* Manifestation of criminal conspiracy under Kaduna State Penal Law (2017)

## 5. Offences Relating to Public Peace

### 5.1. Participation in Unlawful Assembly

Section 60 of the Law described a society is an unlawful society if proscribed or declared as follows:

- By an order of the President of the Federal Republic of Nigeria, or
- By an order of the Governor to be a society dangerous to the good governance of the State.

The Law has not proffered any definite definitions of unlawful assembly but merely describe what constitutes unlawful assembly but the Black's Law Dictionary (1979) has proffered what looks like definition and states that 'A meeting of three or more persons who intend either to commit a violent crime or to carry out some acts, lawful or unlawful that will constitute a breach of peace'

It may be deduced from the above meaning of unlawful assembly that:

- In order that an assembly to be unlawful, it is not necessary that the object of the meeting should itself be illegal.
- The test is not the illegality of the purpose for which the persons are meeting but the danger to the peace which the meeting involves
- The mere fact that the purpose is unlawful is not enough, it must be shown that it involves reasonable apprehension of a breach of peace. Thus, if a number of persons meet to plan, they may be guilty of criminal conspiracy.

Sections 60 and 61 of the Law are designed to reinforce the law of the criminal conspiracy by covering the activities of societies dangerous to good government in the State where no adequate evidence of a conspiracy under Section 58 of the Law may be available. However where such society has been declared unlawful, mere membership is sufficient to constitute an offence. Richardson (1963). Every member of unlawful assembly is also guilty of an offence which is committed by any of its members in furtherance of their common intention. (subsection)

Section 61 of the Law provides for the punishment for participating in unlawful society. It provides that 'Whoever manages, sponsors or finances, aids or abets or is a member of an unlawful society, shall be punished with imprisonment for a term of not less than seven years and with a fine of at least One hundred thousand naira or both'. For a prosecution under Section 61 of the Law, it must be proved beyond reasonable doubts before the High Court that the society has been declared as dangerous to the good government of the Federal or Kaduna State of Nigeria and that the accused managed the society or is a member of the society.

#### 5.1.1. Rioting

Section 69 of the Law provides that rioting is defined as follows:

Whenever force or violence is used by an unlawful assembly or by any member thereof in persecution of the common object of such assembly, every of such assembly is guilty of the offence of rioting

Richardson (1963) explained that:

Rioting is simply an unlawful assembly in a particular state of activity. It is only the use of force that distinguishes a riot from an unlawful assembly. Violence or injury to a human being is not an essential ingredient of the offence of riot need the violence displayed be necessarily directed towards achieving the common object of the unlawful assembly However, two essential are required to prove the guilt of the members of the unlawful assembly are use of force by members or any member of the assembly and that the force or violence must have been used in prosecution of the common object

It has been submitted that the use of any force or violence no matter how slight, by an unlawful assembly is rioting and the offence is complete as soon as the force or violence is used and the violence may be force used against a person or against property (section 69) The punishment of two years imprisonment with fine of not less than twenty-five thousand naira or 2 years imprisonment or fine of not less than fifty thousand naira or both for armed rioters. (Section 70)

### 5.2. Offences Relating to Administration of Justice

The Law prohibits and punishes act of agreement to offer bribe in consideration of screening an offender from punishment. An imprisonment of not less than five years or fine of not less than one hundred and fifty thousand naira or with both is provided for any breach of the provision. It is however provided that compoundable offences are excluded from the provision.(section 83) The Law also provides punishment for offering bribe in consideration of screening an offender in the same manners as for taking bribe in consideration of screening offender.

### 5.3. Offences Affecting Human Body

\* Conspiracy to Commit Kidnapping

Section 247(i) provides that:

Where 2 or more persons conspire to commit kidnapping and one or more of such persons do any overt act to affect the object of the conspiracy each shall be guilty of conspiracy to commit kidnapping and is liable on conviction to life imprisonment.

It has also been provided that corporate body offender are punished with fine of not less than Ten Thousand Naira

Kidnapping is not defined in the Law Black's Law Dictionary (1979) defines kidnapping as to 'seizing and taking away a person by force or fraud, often with demand for ransom. It will seem that this section is enacted into the law as a result of the prevalence of kidnapping occurrences in Kaduna State for the past few years in that the provision of conspiracy was not in the previous laws of the State.

For a prosecution to succeed under the section, it must be proved that:

- The accused used force on a person; and
- That such person was thereby compelled to go from a place; or
- That the accused induced a person to go from a place and
- That he did so by deceitful means

#### 5.4. Offences Relating to Property

Brigandage so committing, attempting or aiding commits brigandage

Section 282 of the Law described brigandage as

When five or more persons conjointly commit or attempt to commit a robbery or where the whole numbers of persons conjointly committing or attempting to commit a robbery an persons present and aiding such commission or attempt amount to five or more every person so committing, attempting or aiding is said to commit brigandage..

The offence is punishable with imprisonment term of twenty one years with mandatory fine of not less than one hundred thousand naira. (Section 286) but with death for every one of the persons, where any one of the five or more persons commits culpable homicide in the course of committing the brigandage (section 287).

It is worthy of note that a proof of the offence of brigandage involves proof of robbery and that throughout the provision of the Law, there is no provision on punishment for preparation of an offence except for brigandage Section 289 of the Law provides punishment for preparation of brigandage as follows:

Whoever makes any preparation for committing brigandage shall be punished with imprisonment for a term of not less than two years and shall be liable to fine of not less than one hundred thousand naira.

The Law(2017) further prohibits and punishes preparation to commit brigandage punishable with the punishment with which such offender shall be punished with imprisonment of not be less than twenty- one years, with or without fine and caning, if at the time of committing or attempting to commit robbery or brigandage the offender:

- wears any article of clothing or equipment, or uses or bears any article of equipment being or resembling an article of equipment supplied to any of the uniformed services; or
- uses or attempts or offers to use, or bear any weapon being or resembling a weapon supplied to any of the uniform services; or
- uses or attempts or offers to use, or bears any firearm or anything resembling a firearm

#### 6. Conclusion and Recommendation

This paper examined the requirements for criminal conspiracy as well as the provision under Kaduna State Penal laws, 2017. It is the finding of the paper that there are difficulties in the detection and proof of conspiracy for the fact that the offence is anchored on agreement of 2 or more persons which are usually carried out secretly even the parties, who may not have stayed or live in the same jurisdiction etc. It is also observed that the law as it stands is incomprehensive for its complex drafting, the punishment of conspiracy is punishable with death needs to be emphatically provided .where the conspiracy results to death

It is therefore recommended that the Kaduna State Penal Law, 2017 be amended to make comprehensive the provisions of the law and provide the appropriate punishment for criminal conspiracy for highly heinous crime in Kaduna State to meet the intendment of the legislature. And be beneficial to the society in general.

#### 7. References

- i. Amankwah, E.H. Ofori, (1986) Criminal Law in the Northern States of Nigeria Gaskiya Corporation Limited, Zaria Nigeria
- ii. Bryan A. Garner, (ed) Black's law Dictionary Thomas West publishing Co. USA
- iii. Constitution of the Federal Republic of Nigeria, 1999(as amended)
- iv. Jide Olakanmi & Co, (2015) (second edition) Evidence Act, 2011 Cap E. 14, Synoptic Guide,
- v. Richardson, S.S. (1963) Notes on penal Code Law (Cap. 89 Laws of Northern Nigeria)
- vi. Kaduna State Penal Law, 2017 Government printers, Kaduna Nigeria
- vii. Oji, S.I. (2015) Nigerian Criminal Law in perspective Usmanu danfodiyo University Press, Sokoto Nigeria
- viii. Agbo Ele v The State (2006) LL FWLR (pt. 308)
- ix. Akeem v State (2005) All FWLR (pt 275)
- x. Gray Olieh & Co. v Federal Republic of Nigeria (2005) ALL FWLR (pt. 281)
- xi. Clement Indgel v State (2021) 11 NWLR (pt. 17 88)
- xii. Majekodunmi v R (1952) WACA 64
- xiii. Obiakor v State (2002) 6 SCNJ
- xiv. R v Campbel (1933) State Rep. of Queenl and

- xv. R v Enahoro (1966) 1 ALLNLR.
- xvi. Salawu v State (2011) 18 NWLR (pt. 1279)
- xvii. Segun Balogun v Attorney - General Ogun State (2002) 2 SCNJ.
- xviii. State v Bako Yusuf (2007) ALL FWLR (pt. 377)
- xix. Wambai & Sambo v Kano Native Authourity (1965) NMLR