



NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS
SCHOOL OF LAW
MAY/JUNE 2012 EXAMINATION

LAW 342: CRIMINAL LAW II
Time allowed: 3 Hours

INSTRUCTIONS: Attempt any five questions. All questions carry equal marks.

(1) Peter Jackson parked his car in front of his house in Surulere after returning from work. He locked all the doors of the car and ensured that all the windows of the car were wound up. At about 2.30 am John Bush opened the door of the car and started the ignition without the key of the car. He drove off with the car without Peter Jackson's knowledge. He was heading towards some border when he was arrested. He claimed that he neither took the car fraudulently nor to permanently deprive Peter Jackson the car. Discuss the legal issues raised in the matter.

(2) On the 5th of July, 2011 at about 5.00pm, Stephen Bush went to the house of Ben John. When he reached there he realized that all the doors and windows were all locked. He brought a tool from his bag and forced one of the windows open and entered into the house. Thereafter, he removed Ben John's LCD television and a home theatre. He jumped out through the same window and left. At about 11.00 pm the same day Joy Happiness came to the house of Ben John and when she noticed that the door was locked, she banged on the door and shouted for help on the basis that her baby is dying. Ben John opened his door in order to help Joy Happiness. Immediately four hefty men entered into Ben John's compound and into his house where they removed gas cookers and refrigerator. Discuss the legal issues raised in this case.

(3) Alhaji Maitama is the managing director of Nigal petroleum corporation, a state owned corporation belonging to Nigal Republic. On the 6th of June 2011 Mr. Smart came to Alhaji Maitama's office and introduced himself as beneficiary of a #500 million estate left for him by his late father who was a business tycoon. He told Alhaji Maitama that he only needs #10 million to process letter of administration pertaining to his late father's estate. He urged Alhaji Maitama to give him the said #10 million with a promise that Alhaji Maitama will take half of #900 million estate after processing the letter of administration. Alhaji Maitama happily gave Smart

Bongo the said #10 million .It turned out that Smart Bongo's story was not true and he has disappeared with the #10millino.Discuss the legal issues raised .

(4)On the 1st of May,2012 Mr. Bighead Smallinan arrived the Eagle Sqare, Abuja. He began to address a crowed consisting mainly of workesr who came to celebrate workers day at the Eagle Square. He told the crowed that officials of the government of Nigeria have shared among themselves Nigeria's foreign reserve. He claimed that the president had obtained a \$10B loan from the world bank and IMF and have shared the money with his party's bigwigs .He told the crowed the alleged account numbers and Swiss banks where the funds have been taking to. He alleged that the president has mortgaged the Niger Delta Region to a foreign multinational for the sum of \$200m which sum has ended into a private account .He said that the president has converted about 90% of the land in Abuja into his private estate. He also reduced these allegations into writing which he distributed to the crowed. Discuss the legal issues raised in the matter.

(5) Define the offences of unlawful assembly, rout, riot and affray. Explain how they are meant to prevent the breach of public peace and preserve public order.

(6) The Corrupt Practices and Other Related Offences Act 2000 (popularly known as the ICPC) has not only created new offences in pursuit of the fight against corruption but has enabled the government to escalate the fight. Discuss.

(7) The Economic and Financial Crimes Commission Act and the money laundering (prohibition) Act 2004 are critical in the fight against corruption and other crimes. Discuss.

(8) a. Corruption pertaining to the administration of justice strikes at the heart of justice delivery in Nigeria. Discuss
b. Corruption pertaining to the administration of justice strikes at the heart of justice delivery in Nigeria. Discuss

(9) What constitutes stealing and why is land no capable of being stolen