



NATIONAL OPEN UNIVERSITY OF NIGERIA
14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS

FACULTY OF LAW
APRIL, 2019_1 EXAMINATION QUESTIONS

COURSE CODE: JIL 212

COURSE TITLE: NIGERIAN LEGAL SYSTEM 11

CREDIT UNIT: 4

TIME ALLOWED: 2 ½ HOURS

INSTRUCTION: ANSWER FOUR QUESTIONS ONLY. QUESTION ONE IS COMPULSORY AND CARRIES 25 MARKS WHILE OTHER QUESTIONS CARRY 15 MARKS EACH

1.
 - a. The constitution, the criminal procedure code and criminal code has provide the procedure on how to arraign an accused person before a court by the Nigerian police, particularly from arrest, charge and arraignment. Describe the process.
 - b. Omolola, was accused of committing theft at the shop Rite located at AdeolaOdegunroad Victoria, Island, Lagos. He was charge for stealing by the persecution counsel. In the court room the accused denied the allegation and he was informed by the presiding Magistrates that he has certain rights guaranteed to him by Law and the constitution, and that if the magistrates refused to observe them he has the right to appeal to court of Appeal. Discuss **seven rights** the accused person has and support your answer with judicial authorities. **25 marks.**
2. The Legal Aid Council is not a new phoneme in Africa. It is in the nature of Africa to assist his poor neighbor or relation. After word her it was introduced in UK in 1949. Discuss in details the history of Legal Aid, constitution, position, other statutes that provide legal aid in Nigeria especially to Children, women and the indigent in the society. List at least 7 challenges of the scheme in Nigeria. **15 marks.**
3. Elizabeth Adam, a four hundred level student in the faculty of Agricultural, NOUN, Kaduna Study Centre, informed Tolu and Chinyere, who are 200 LEVEL students of the Faculty of Law NOUN. That her uncle has a land matter at the customary Court Abuja. That Tolu and Chinyere, should give her clues so that she will inform her uncle on how to defend his customary title in respect of the land in dispute before the court. Tolu and Chinyere gratuitously told Elizabeth that

customary Law means different thing to different communities, it has its own character or features and different methods of proving its evidence in a court of Law.

Discuss the statement of Tolu and Chinyere and support your answers with judicial quantities.

15 Marks

4.
 - a. In the early times of evolution of common Law in England, Judges apply and executed justice according to the Law and custom of the people of England and translated these customs into Law. When the British acquired the Colony of Lagos, English type of courts executed Laws and custom in the colony. Explain five laws that Ordinance no. 4 of 1876 empowered the Nigerian courts to apply and executed in Nigeria.
 - b. For a customary law to obtain the force of law in Nigeria during the colonial period. Customary Law must pass through the refining processes. Elucidate the three tests and support your answer with Judiciary authority.**15 marks**
5. a. Judicial institutions refers to the established organization and processes of Law of a public character which people can use in resolving disputes. The role of the judiciary is sub servient, passive, subordinate and technical in nature.
Discuss the powers and role of the Judiciary as provided by section 6 of the Nigerian constitution 1999 as amended.**15 marks.**
6.
 - a. Write short notes on the appointment, qualification and removal from office of the following Judicial Officers. The Chief Justice of Nigeria and justices of the Supreme Court, The president and justices of the Court of Appeal.
 - b. Explain the Constitutional position and the power of the Attorney General of the federation and the use of power to enter Nolleprosecui in criminal cases in Nigeria.**15 marks.**

