



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**PLOT 91, CADASTRAL ZONE, NNAMDI AZIKWE EXPRESS WAY, JABI – ABUJA**  
**FACULTY OF LAW**  
**JANUARY 2018 EXAMINATION**

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**COURSE CODE: JIL212**

**COURSE TITLE: NIGERIA LEGAL SYSTEM II**

**CREDIT UNIT: 4**

**TIME ALLOWED: 2 ½ hrs**

**INSTRUCTIONS: ANSWER QUESTION ONE AND ANY OTHER THREE QUESTIONS.**

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1. a. Explain the criminal process of Arraignment of an accused person before a court of law by the Nigerian police, particularly from arrest, charge and arraignment.  
  
b. Omolola, was accused of committing theft at the Shop Rite at Adeola Odegun road Victoria Island, Lagos. He was charge by the persecution counsel. In the court room the occurred denied the allegation. In the court room he informed the presiding Magistrates that he has certain rights guaranteed to him by Law and the constitution, that if the magistrates refused to observe them he will appeal to court of Appeal.  
Discuss **seven rights** of the accused person and support your answer with judicial authorities. **15 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 historical, constitution position, other statutes that provide legal acid in Nigeria especially to Children, women and the indigent in the society.  
Just 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 sycamores of Nigerian legal system, students of the Faculty of Law NOUN. That her uncle has a land matter at the customary Abuja. That Tolu & 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 justice in Nigeria.

b. To validate customary Law in Nigeria during the colonial period and the received of English Law. Customary Law must pass through three tests. Elucidate the three tests and support your answer with Judiciary authority. **15 marks**

5. a. Judicial institutions refer 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.

b. Draw and briefly explain the modern structure of the Nigerian courts. **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 role of the Attorney General of the federal and the use of power to enter Nolle prosequi in criminal cases in Nigeria. **15 marks.**