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# PLEA BARGAIN AND THE ANTI-CORRUPTION CAMPAIGN IN NIGERIA

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## ABSTRACT

This paper interrogated the pros and cons of the application of plea bargain by the Economic and Financial Crimes Commission (EFCC) to recover looted funds from high profile corrupt public and private sector officials in Nigeria. This is against the groundswell of public outcry by many Nigerians among them, Justice Dahiru Musdapha, the immediate past Chief Justice of Nigeria (CJN) and Senator David Mark, current President of the Nigerian Senate against this mode of punishment which is seen as a decoy by members of the political and business class to "tradeoff" their criminality by merely pleading guilty to corruption charges in exchange for lighter sentences. This study relied on secondary literature sources such as book, reports, newspapers, magazines and the internet for its data. Findings from the study indicated that the application of plea bargain in respect of very serious criminal cases bordering on corruption is tainted with a flavour of compromise. The study discovered that plea bargain is discriminatory against the poor in Nigeria who plead guilty to offences for which they were charged and treated summarily while the rich who plea-bargained were treated compassionately. It was further discovered that the use of plea bargain is haphazard without clear-cut parameters for effective implementation, assessment and appreciation. The paper recommends the immediate amendment of all existing laws on plea bargain to provide stiffer penalties for all categories of corrupt offenders. To effectively maximize the benefits of this approach to correction clear sentencing guidelines should be adopted to mitigate flagrant abuse by its operators in the nation's criminal justice system. The implementation of plea bargain should be fair, just and equitable to enable it filter down to the average poor in Nigeria.

***Key words:*** Anti-corruption, campaign, Nigeria, plea-bargain

## INTRODUCTION

Corruption is one human vice which requires immediate tackling because of its damaging consequences. It is not a problem which solution can be put to another day (Egwemi, 2007) .This explains why most countries have in place institutions charged with the arduous responsibility of tackling the menace. However, fighting corruption is a difficult task. This is particularly so in a country where the corrupt have the tendency to use their power, influence and loot to subvert prosecution. Again, in an environment where the judiciary is believed to have been compromised and some people are protected by immunity, it becomes very challenging to exhaustively and genuinely battle the monster of corruption. This appears to be the situation in Nigeria, where the problem of corruption has been discussed at various fora with a view to dealing with the monster. However, the scourge of corruption seems to have defied solution (Egwemi, 2007). Mundt and Aborishade (2004:707) captured the seeming intractability of the corruption menace in the following words; "each political regime comes to power promising to eliminate the practice and punish the offenders only to fall into the same pattern"

One of such political regimes that took the war against corruption in Nigeria headlong was the administration of former President Olusegun Obasanjo. At the time Obasanjo assumed office in 1999, the problem of corruption had become an albatross. In his inaugural speech, the then President singled out corruption as the strongest bane of Nigeria's development and promised to tackle the problem head-on. In furtherance of this publicly declared war on corruption, the president established the Economic and Financial Crimes Commission (EFCC) in 2002. The bill establishing the EFCC was signed into law in 2002 and became known as the Economic and Financial Crimes Commission (Establishment) Act 2002. The EFCC Act charges the Commission with the following functions:

(a) the enforcement and the due administration of this Act;
(b) the investigation of all financial crimes, including advance fee fraud, money laundering , counterfeiting, illegal charge transfers, future market fraud, fraudulent encashment of negotiable instruments, computer credit card fraud, contract scams, etc;
(c) the coordination and enforcement of all economic and financial crimes, laws and enforcement functions conferred on any other person or authority;
(d) the adoption of measures to identify, trace, freeze, confiscate or seize proceeds derived from terrorist activities, economic and financial crimes related offences or properties, the value of which corresponds to the proceeds;
(e) the adoption of measures to eradicate the commission of economic and financial crimes;
(f) the adoption of measures which include coordinated techniques on the prevention of economic and financial related crimes;
(g) the facilitation of rapid exchange of scientific and technical information and the conduct of joint operations geared towards the eradication of economic and financial crimes;
(h) the examination and investigation of all reported cases of economic and financial crimes, with a view to identifying individuals, corporate bodies or groups involved;
(i)the examination of the extent of financial losses and such other losses by government, private individuals or organizations;

(j) collaborating with government bodies both within and outside Nigeria, carrying on functions wholly or in part, analogous with those of the commission;
(k) taking charge of, supervising, controlling, coordinating all the responsibilities, functions and activities relating to the current investigation and prosecution of all offences connected with or relating to economic and financial crimes, in consultation with the Attorney-General of the Federation;
(l) the coordination of all existing economic and financial crimes investigating units in Nigeria*;*
(m) maintaining a liaison with the office of the Attorney-General of the Federation, the Nigerian Customs Service, the Immigration and Prison Service Board, the Central Bank of Nigeria, the Nigeria Deposit Insurance Corporation, the National Drug Law Enforcement Agency, all government security and law enforcement agencies and such other financial supervisory institutions in the eradication of economic and financial crimes;
(n) carrying out and sustaining vigorous public enlightenment campaigns against economic and financial crimes within and outside Nigeria; and,
(o) carrying out such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on under this Act (EFCC, 2002:6-9).

However, over a decade after the establishment of the EFCC and despite the awesome powers which the Act vests in the Commission, opinions are still divided as to whether the EFCC has delivered on its mandate of effectively taming the monster of corruption. Some critics believe that the EFCC has not done enough to turn the tide against corruption in Nigeria. For example, Odah (2010) alleged that only those who have problem with successive presidents were prosecuted while loyal breeds were shielded from the full weight of the law. Adoke Mohammed, the current Nigerian Attorney General and Minister of Justice also agreed with those who perceive the anti-graft agency as being selective in its anti-corruption campaign. He had during the Senate screening of ministerial nominees on June 30, 2011 argued that if the EFCC had no good grounds to put some people through prosecution, it should refrain from such prosecution (NTA, 2011). Ike Ekweremadu, Deputy President of the Nigerian Senate, is of the view that even though EFCC has covered some grounds a lot still needed to be done by the Commission, as according to him, Nigerians have perceived the anti-graft agency not to have performed above average (Ekweremadu, 2010).

Beyond the above misgivings, there is a school of thought which believes that the plea bargain tool adopted by the EFCC to recover stolen money from offenders is not only self-serving and counterproductive but also has the potential of ridiculing the Commission's anti-corruption campaign efforts. The argument is that plea bargain as presently applied in Nigeria is a ploy to provide safe-landing for high profile members of the business and political class who use their vantage positions to fleece the country.

To be sure, Section 13(2) of the EFCC Act unequivocally gives the anti-corruption agency the leverage to apply the plea bargain principle. The section states inter alia that the "Commission may compound any offence punishable under the Act by accepting such sums of money as it deems fit exceeding the maximum amount to which that person would have been liable if he had been convicted of that offence" (Tarhule, 2014:380) This section of the Commission's Act tacitly empowers the EFCC to entertain plea bargain from an offender who agrees to give up money stolen by him for a lighter sentence.

However, notwithstanding the legal backing which the Act grants the EFCC, it is not everybody that is in total agreement with the intent and purpose of that provision of the law which appears fraught with many loopholes that can be exploited by smart and powerful criminals and their attorneys to pervert the course of justice. Angwe (2012) like many other Nigerians, is opposed to the application of plea bargain in criminal charges brought against offenders by the EFCC on the ground of its evident fraudulent application and the fact that it is the rich politicians or the business class that are the greatest beneficiaries of such plea. It is also contended that the application of plea bargain constitutes a strong impediment to the anti-corruption campaign in Nigeria.

It is against the background of the above public misgivings that this study examines the application of plea bargain in cases involving a cross section of those Nigerians against whom the EFCC has brought criminal charges and its implication for the anti-corruption campaign in Nigeria. In doing this, we shall raise a number of questions such as: what are the pros and cons of plea bargaining, why the selective application of plea bargain in favour of rich and powerful Nigerians to the exclusion of the poor; what is the implication of the discriminatory application of plea bargain on the anti-corruption campaign in Nigeria and how can the identified flaws associated with plea bargain be addressed to make it more applicable and workable?

As a corollary, the study will attempt to identify and discuss the pros and cons of plea bargaining; examine the selective application of the system in Nigeria; determine the implication of the discriminatory application of plea bargain on the anti-corruption campaign in Nigeria and suggest how the identified flaws can be addressed to make it more workable.

To put the discussion into proper perspective this paper is divided into several parts. After an introduction, part two deals with the clarification of concepts used in the presentation. These are the concepts of plea bargain, Economic and Financial Crimes Commission (EFCC), corruption and anti-corruption campaign. This is followed by the study methodology. The third part of the paper discusses the broad issues of the concept and origin of plea bargaining; history of plea bargaining in Nigeria; the pros and cons of plea bargaining and select cases of high profile plea bargain beneficiaries in Nigeria. Part four discusses the implications of the application of plea bargain on Nigeria's anti-corruption campaign while part five concludes the paper by way of recommendations on how to address the flaws identified with the application of plea bargain in Nigeria with specific reference to the anti-corruption campaign of the EFCC.

## CONCEPTUAL CLARIFICATION

The main thrust of this section of the paper is to define the central concepts used in the paper to ensure clarity of conceptual usage. These terms are highlighted below:

***Plea* bargain:**

This is a process through which a defendant pleads guilty to a criminal charge with the expectation of receiving some consideration from the State by way of a lighter sentence. It is touted as a tool for decongesting the prisons as well as save the State, enormous resources and time involved in putting an accused through full trial. In this paper, plea bargain and plea bargaining are used interchangeably.

***Corruption*:** This refers to the abuse of public trust for private gain.

***EFCC***:

This is an acronym of the Economic and Financial Crimes Commission. The Commission was established in 2002 by the Nigerian government to fight corruption and all forms of economic crimes such as money laundering, bank fraud, cyber scam and advance fee fraud ("419") etc.

***Anti-corruption campaign***:

This refers to the institutional mechanism adopted by the State to create public awareness about the harmful effects of the monster of corruption on the country's social, economic and political development with a view to bringing culprits to justice. Successive regimes in Nigeria have waged several campaigns against the hydra-headed problem of corruption.

## METHODOLOGY

Although much work has been done in legal literature about forfeiture of assets and plea bargaining, there is a general lack of data in criminology especially about plea bargaining. This has compelled us to rely heavily on secondary literature sources such as reports, journals, books, newspapers, magazines and the internet for our data.

## THE CONCEPT AND ORIGIN OF PLEA BARGAIN

Scholars, especially those of Western extraction have written extensively on the concept and origin of plea bargain. Langbein (1978, cited in Tarhule, 2014), one of the most prolific essayists and strong opponent of plea bargaining in America, noted that plea bargaining occurs when the prosecutor induces a criminal offender to confess guilt and to waive his right to trial in exchange for a more lenient criminal sanction that would be imposed if the offender were adjudged guilty following a full trial. Garner (1990) conceptualized it as a negotiated agreement between the prosecutor and a criminal defendant whereby the defendant pleads guilty to a lesser offence or to one of multiple charges in exchange for some concession by the prosecutor, usually a more lenient sentence or a dismissal of the other charges. He added that plea bargain is sometimes referred to as 'plea agreement' or 'negotiated plea'

Nchi (2000) on the other hand, defines it as an informal agreement whereby the accused person agrees to plead guilty to one or some charges in return for the prosecution agreeing to drop the charges or a summary trial. Apparent from this avalanche of definitions is that an all-pervading and acceptable definition of plea bargain is difficult. Notwithstanding the difficulty, Tarhule (2014) gave what appears to be a comprehensive and all-encompassing definition of plea bargain. He conceptualized it as an understanding or deal where a prosecutor and an accused person to a criminal trial make conciliations or indulgences or concessions to each other, and in particular, that in return for certain favours, the prosecution would drop the more serious charges for less serious charges.

With regards to the origin of plea bargain, Alubo (2012) averred that the practice of plea bargain is rooted in common law, from the Medieval English Common Law court of guilty pardons to accomplices in felony cases. He added that the significance and popularity plea bargain has gained is however, traceable to the early 1960s when the practice became common place in the United States of America. In what appears to be the first classical case of plea bargain in America, Alubo (2012) cited the case of James Earl Ray, who, in order to avoid execution pleaded guilty to assassinating Martin Luther King Junior and got 99 years in jail. He also gave the instance of Spiro Agnew, who, in 1973 resigned his vice-presidency, pleading no contest to the charges of failing to report income and in the process, got three years' probation and a $10,000 fine.

In the US, it would seem that the preference for plea bargaining is hinged on the need to save the state, the enormous time and huge resources and facilities needed to put those charged for criminal malfeasance through full scale trial. Consequently, offenders who plead guilty to the charge or charges are sentenced less severely than those who insist on trial. Favoured treatment (as plea bargain is sometimes called) is said to be granted such offenders because they have saved the state the expenses of trial, because their plea is accepted as an act of repentance, because the abbreviated version of the case history may be less than the story that unfolds at a full trial (Alubo, 2012).

## THE HISTORY OF PLEA BARGAINING IN NIGERIA

Unlike in the US and other climes where plea bargain had been in use, the practice is relatively new in Nigeria. In fact, Tarhule (2014:380) asserted that "in Nigeria, plea bargain was not employed until 2004 when the Economic and Financial Crimes Commission(EFCC) was established" According to him, Section 13(2) of the EFCC Act provides that the "Commission may compound any offence punishable under the Act by accepting such sums of money as it deems fit exceeding the maximum amount to which that person would have been liable if he had been convicted of that offence" This provision empowers the EFCC, where an offender agrees to give up money stolen by him, to compound any offence for which a person is charged under the Act. Alubo (2012) however, clarified that the provision under reference is restrictive in nature, not applying to all criminal trials in Nigeria as according to him, negotiations there under are expressly limited to offences punishable under the Act.

There is a school of thought which argues that the 1999 constitution of Nigeria preceded the EFCC Act in introducing plea bargaining in Nigeria. Kalu (2012, cited in Tarhule, 2014), argued that plea bargain is neither new nor strange to Nigerian legal jurisprudence. He drew inspiration from sections 174 and 211 of the constitution to buttress his stance. Tarhule (2014:381) countered by arguing that "whatever is the preferred opinion of when or what law first

introduced plea bargain in Nigeria, the fact still remains that it was not until 2004 that this approach to corrections became pronounced in Nigeria" adding "What was and is still a problem with plea bargain is lack of clear cut parameters for its effective implementation, assessment and appreciation". We agree with Tarhule.

## THE PROS AND CONS OF PLEA BARGAINING

Academic scholars. legal luminaries, legislators and social commentators have canvassed different shades of opinion and arguments as to the desirability or lack of it of plea bargaining. On one side of the divide are those who welcome its continued application and on the other side are those who advocate its outright abolition. Examined below are some of the arguments in favour and against plea bargain as illustrated by Tarhule (2014):

**Arguments in favour of the plea**

(a) One prominent argument in support of plea bargain is that it enables prosecution to concentrate on serious offences and dispense of less serious offences by way of plea bargain. One of the arch proponents of this strand of argument, Oguche (2012) argues that plea bargain positions prosecutors for the prosecution of serious offences while putting their cards on the table for less serious offences,

(b) It has been strenuously argued that plea bargain saves the time of the court, of the prosecutor and of the defendant and at the same time avoids the necessity of public trial. Plea bargain, the argument goes, also saves or reduces public expenditure on trials.

(c) Another argument in favour of plea bargain according to the promoters of plea bargain is that it is not a punishment but an aspect of alternative dispute resolution mechanism, thereby bringing it closer to the reparatory theory of corrections (Tarhule, 2014).

(d) In the Nigerian context, Oguche (2012) has argued that plea bargaining facilitates the decongestion of prisons, and given the level of congestion of prisons, the poor sanitary system, plea bargain is thus, a sure therapy to solve these multi-faceted problems of the prisons.

**Arguments against Plea Bargain**

(a) One of the harshest critics of plea bargain (Adeyemi, 2012) argues forcefully that it leads to treating criminal defendants unfairly as according to him, it leaves the prosecutors with too much discretion in choosing the charges or even defendant to prosecute.

(b) Another argument against plea bargain is that victims often decry the lighter sentences that plea bargaining produces thereby raising issues about the supposedly deterrent value of the criminal process. This situation is particularly true in Nigeria where the citizens have always genuinely felt short-changed any time a plea bargain arrangement has been entered into.

(c) It has also been unequivocally argued that plea bargain is discriminatory against the poor. Angwe (2012) poignantly argued that the beneficiaries of plea bargain as it is presently practiced in Nigeria have been the high profile and mega corruption accused persons leading to the question whether persons charged with petty offences of theft and the poor arrested for "wandering", who populate detention facilities, could also take advantage of it.

## SELECT CASES OF HIGH PROFILE BENEFICIARIES OF PLEA BARGAIN IN NIGERIA

A number of high profile members of the business and political class in Nigeria have benefited from the instrumentality of plea bargain which they deployed to their advantage in the criminal charges brought against them by the Economic and Financial Crimes Commission. This section of the paper x-rays the cases of some of these beneficiaries. In doing this we shall draw support from the seminal work of Vearumun Vitalis Tarhule, titled *Corrections under Nigerian Law.*

In 2005, Tafa Balogun, former Inspector General of Police was charged to court by the EFCC on an amended eight count charge of corruption and embezzlement of public funds to the tune of N10 billion. He reportedly gave up most of the funds and got just six months jail term for an offence which attracts a maximum of five years jail term.

The *Tell* magazine (2011) reported that Cecilia Ibru was arraigned before a Lagos Federal High Court on August 31, 2009 on a 25-count charge (later reduced to 3) of giving loans beyond her credit limits , giving wrong accounts and giving out loans of N20 billion without due process. She entered into a plea bargain with the prosecution and pleaded guilty to a lesser three count charge. She was convicted and sentenced to six months on each of the three counts on Friday, October 8, 2010 by Justice Dan Abutu. She was also forfeited 94 choice properties in the U.S, Dubai and Nigeria and shares in 100 companies, all valued at N191.4billion as part of the plea bargain deal.

In a more recent case, John Yakubu Yusufu, a former Deputy Director, Police Pensions Office was arraigned before a Federal Capital Territory (FCT) Abuja, High Court on a 20-count charge for converting N32.8billion Police pension funds to his own use. He pleaded guilty to counts punishable under Section 309 of the Penal Code Act of the FCT, which provides for a maximum of two years imprisonment for each of the counts or with fine. Justice Abubakar Talba on the 28 January 2013 sentenced him to two years imprisonment on each of the counts with option to pay a fine of N250, 000.00 for each count. In addition, the convict was ordered to forfeit 32 landed properties and the sum of N325.187 million to the Federal Government. In arriving at the award of fine, His Lordship got into consideration the fact that the convict saved the time of the court by pleading guilty (Kamarudeen, 2013).

Expectedly, the judgment promptly attracted a gale of reactions from well-meaning Nigerians including Civil Rights Organizations, members of the legal profession and surprisingly, the EFCC, which section 32(2) of its enabling Act permits it to apply the plea bargain option. The EFCC, reacting through its Head of Media and Publicity, Wilson Uwujaren, reportedly took umbrage at the judgment and openly declared its intention to file an appeal. Yusuf (2013) quoted Uwujaren to have said that "the Commission is of the view that the option of fine runs contrary to the understanding between the prosecution and the defence (sic) wherein the convict consented to a custodial sentence with the forfeiture of all assets and money that are the proceeds of the crime. The agreement was duly communicated to His

Lordship". This lengthy quotation lends credence to the evident fraudulent application of plea bargain alluded to by Angwe (2012) elsewhere in this paper.

Members of the legal profession blamed the flaws in the law on the legislature and called for its immediate amendment to provide for stiffer penalty for corrupt convicts (Igbonwelendu, 2013). We align ourselves wholly with this viewpoint.

## IMPLICATIONS OF THE APPLICATION OF PLEA BARGAIN ON NIGERIA'S ANTI-CORRUPTION CRUSADE

It is apparent from the preceding discussions that opinions are divided among Nigerians as to the desirability or otherwise of the application of plea bargain in the country's correctional process. While some are in support of its application in Nigeria on the justification that it serves to decongest the overcrowded prisons, others, including Justice Dahiru Musdapher, former Chief Justice of Nigeria and David Mark, President of the Nigerian Senate, strongly oppose its application on the ground of the sneaky motive behind its introduction into the Nigerian legal system and its evident fraudulent application (Akogun, 2012).

Whatever is taunted as the advantages of this mode of punishment do not in our view, convey any advantage at all. The contention that plea bargain is helpful in that it takes the prosecutors' mind over trivial cases thereby allowing more time to prosecutors to concentrate on the most serious cases is faulted on the ground that as far plea bargain is concerned, the reverse is the case. For as the exposition of the concept reveals, in most cases, the defendant bargains away the serious offences in preference to the less serious offence (Tarhule, 2014).

One complaint which has been strenuously canvassed against plea bargain in Nigeria is the way very serious offences bordering on corruption (which the cases of Tafa Balogun, Cecilia Ibru and John Yakubu Yususfu represent) are handled with a flavour of compromise. Against this backdrop Tarhule (2014:389) wondered thus "one therefore fails to see how plea bargain would position prosecutors for the prosecution of serious offences when it is this self-same serious charges that are bargained away to the chagrin of the citizenry"

Like Tarhule, Angwe (2012) argued that the contention that defendants who plea- bargained are to be rewarded by a shorter term or less punishment smacks of encouraging criminality, as all that the offender has to do is to engage a smart attorney to bargain away his charges. He added that given the fact that only the rich have so far benefited from plea bargain in Nigeria, it appears getting a smart attorney or a chain of them may not be hard to come by. This explains why he correctly posited that plea bargain is yet to filter down to the average poor.

One fact that is not in doubt is that before the advent of plea bargain in Nigeria, many offenders have admitted the commission of the various offences for which they were charged and were dealt with summarily. As it turned out, none of these was treated compassionately as the examples of those that plea-bargained and who were cited in this paper revealed. Like the case of plea bargain, they too had saved the time of the court, the prosecutor and the State by not going through a full trial; they too had saved the State expenses. Little wonder therefore that Tarhule (2014:389) asked rather rhetorically "Why was (sic) their cases handled with indifference, is it because they did not negotiate or will the argument be that it did not involve the EFCC who have shown to bad negotiators"

What can be deduced from the foregoing is that plea bargain as it is presently applied in Nigeria is discriminatory against the poor and only serves the interest of the rich and powerful who can and do use their ill-gotten wealth to negotiate away their criminality by pleading guilty to charges brought against them by the EFCC in return for lighter sentences. This trend no doubt raises a lot of questions on the commitment and sincerity of the Nigerian government and the EFCC to the anti-corruption war in Nigeria.

## FINDINGS, CONCLUSION AND RECOMMENDATIONS

This study examined the pros and cons of the application of plea bargain as a means for recovering Nigeria's looted funds from criminal elements charged to court by the Economic and Financial Crimes Commission, EFCC in its bid to stem the ugly tide of corruption in the country. The study posed a number of questions, among them; what are the pros and cons of plea bargaining, why the selective application of plea bargain in favour of rich and powerful Nigerians to the exclusion of the poor; what is the implication of the discriminatory application of plea bargain on the anti-corruption campaign in Nigeria and how can the identified flaws associated with plea bargain be addressed to make it more applicable and workable?

One of the major findings of this study is that even though in principle, plea bargain as a mode of punishment has inherent value, its application in Nigeria is fraught with lack of clear cut parameters for effective implementation, assessment and appreciation. The popular view appears to be that the implementation of plea bargain is haphazard.

From the study it was discovered that the application of plea bargain in respect of very serious criminal offences bordering on corruption is done with a flavour of compromise. This is to the extent that wealthy criminal elements often hire smart attorneys to plead away their criminality for lighter sentences to the consternation of the citizenry.

The study discovered that plea bargain is discriminatory against the poor in Nigeria. This is because while many fringe offenders who admitted the commission of offences for which they were charged were dealt with summarily, those who plea-bargained; especially the rich and influential business and political elite were often treated compassionately. A view is held that like the case of plea bargaining, this category of offenders did not only save the time of the court, the prosecutor and the State by pleading guilty; they also saved the State expenses that may have been incurred from a full scale trial.

The paper discovered that the groundswell of opposition against plea bargain as a correctional tool is rooted in what is generally described as the sneaky motive behind its introduction into the country's legal system and the tendency for its fraudulent application.

Arising from the above, the following recommendations are made to mitigate the identified flaws with plea bargain with a view to making it more workable as a mode of correction in Nigeria generally and specifically with regards to boosting the anti-corruption campaign in the country.

(a) From available literature, plea bargain is not entirely a bad piece of correctional instrument. What is currently the worry of most scholars and commentators on the issue is the haphazard manner it is presently implemented in Nigeria. To effectively maximize the benefits of this approach to correction, clear sentencing guidelines should be put in place to mitigate the likelihood of flagrant abuse by operators of plea bargain in the country's criminal justice system.

(b) In view of the outcry from the Nigerian citizenry against the "kid glove" treatment which the super rich and powerful class of criminal offenders enjoy from the operators of plea bargain, there is the urgent need for the legislature to carry out an immediate amendment of extant laws on plea bargain to provide stiffer penalty for offenders. This is the only panacea to curbing corruption in Nigeria.

(c) The implementation of plea bargain should be done in a manner that is fair, just and equitable to enable it filter down to the average poor in Nigeria

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