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LEVEL: 200 LEVEL

MATRIC NO: 18/law01/171

COURSE: NIGERIA LEGAL SYSTEM

1a. The high court of the Federal Capital Territory and the state high court both have jurisdiction over criminal and civil matters. They also have steps or rather procedures taken when a criminal or civil matter is brought before them. The question here is to state the procedures from arraignment to imposition of sentence in a criminal trial in the high court, the procedures are as follows:

i. Arraignment is when an accused person is called before the court by name at the beginning of the criminal proceedings to read to him or her the informations against him and to ask if he or she is pleading guilty or not guilty. The accused may then pleas autrefois acquit which means he has has been tried for the same offence before and has been acquitted, autrefois convict which means a plea that he has been tried and convicted for the same offence on a previous occasion, he may stay mute and a plea of not guilty is usually entered for the accused, plea of guilty to a lesser offence, he man plead guilty and he may plead not guilty.

ii. The next step is the plea of guilty(that is is the accused plead guilty). In this situation, a summary of the evidence will be given to the court by the counsel for prosecution together with the details of the accused persons background ie his character and criminal record (if any). The counsel of defence will then make a plea for mitigation of sentence and the court passes itself sentence.

iii. However, if the accused pleads not guilty, the risk proceeds.

iv. A person can also plead on the ground of insanity. When an accused person is mentally ill or disordered to make a plea to a criminal charge, we can call this 'unfitness to plead.' In the case of *R v M'Naghten,* the accused person was charged with murder and a plea of insanity was successfully made for the accused. The House of Lords held that the accused was not guilty and was acquired on the ground of insanity.

v. Next is the prosecution. Calling evidence for the prosecution is how the counsel of prosecution opens a criminal proceeding. He calls his witnesses and they are cross examined by the defence counsel and re examined by the prosecuting counsel as may be necessary and the case for the prosecution closes. The burden of proof on the prosecution in criminal proceedings is proof beyond reasonable doubt, where the burden of proof is not released, the charge will then be dismissed and the accused will be set free. He or she will be discharged and acquitted.

vi. Submission of ‘no case of answer’ comes next. At the close of the case for the prosecution, the defence counsel may submit that the prosecution has not produced sufficient evidence or made out a prima facie case against the accused and consequently, the accused has no case to answer and therefore the case should not proceed further. The defence counsel makes the submission by addressing the court. The prosecuting counsel usually replies. The judge then makes a ruling on this submission. . The judge may accept the submission and make a ruling that the accused has no case to answer, this ruling is a verdict of not guilty. However, where the judge rejects the no case of submission, in his ruling, the trial proceeds and the accused has to state his case by giving evidence in his defence. Where the accused refuses to give evidence in his defence and chooses to stand by his ‘no case submission’ which has earlier failed, the court would often usually convict the accused. The reason that the accused failed to defend himself against a prima facie case made out against him.

vii. After the car for the prosecution and the failure of a no case submission, if such submission was made, the case for the defence opens. The accused and his witnesses (if there are any) are lead in evidence in chief one after the other by the counsel for defence. They are further cross examined by the prosecuting counsel and re examined by the counsel for the defence as may be necessary. Each witness must undergo the process before another witness is called. After the witnesses for the defence have testified and tendered the exhibit they mage have, the case for the defence closes.

viii. After the close of the case for the defence, the counsel for both sides then make closing speeches by addressing the court from their filed written addresses. The prosecution counsel is always the first to address the court and he sums up or reviews the case on both sides. He points out the strength of the case for the prosecution and identifies the weaknesses of any of the defence and urges the court to convict the accused as charged. Next, the counsel for the defence addresses the court. In his address, he points out the weaknesses of the case for the prosecution. The general rule of closing speeches, is that the accused or his counsel is entitled to the last word, that is, it is his right to round off the addresses.

ix. After the closing addresses by the counsel for both sides, the judge fixes the judgement on a specific day and the court rises in adjournment to enable it deliberate the totality of evidence in the case. On the adjourned date, the court resumes sitting, the case is called and the judge begins to deliver his judgement. When passing judgement, the judge sums up, weighs and reviews the evidence from both sides, he makes sure to state his reasons for any decisions made. He may then find the accused guilty or not guilty and this must be done according to the law

x. When an accused person has not been found guilty, on merit, the judge will dismiss the information or charges and accordingly discharge and acquit the accused person as provided under the criminal procedure law. On the other hand, if the prosecution failed on a technicality, then the court will usually discharge the accused, but not acquit him. Where a person has not been found guilty, a court usually makes one or more of the following orders: dismissal order, order of discharge of the accused on the charge, order of acquittal and order of compensation.

xi. Lastly, after discharge, we have the sentence. Where an accused is found guilty, before the passing sentence, an allocutus, plea of mercy or leniency is usually made by the counsel for the defence. After the allocutus, the judge passed the sentence on the accused.

1b. Sentencing of an accused person after conviction is a very important part of the criminal justice system or administration of justice process. Penalty sanctions or sentence should be designed to fit the crime and before a sentence is please it should be considered properly for an unreasonable sentence may destroy an entire life beyond repairs. Though a sentence should not be unreasonably harsh not unreasonable lenient ,however, as circumstances may warrant, a convict may in deserving appropriate cases be cautioned and discharged especially if he is a first offender.

Although the accused when proven guilty may deserve the punishment, a remedy is put in place for him or her after the imposition of the sentence and this remedy is ‘mitigation.’ Mitigation means to make something less serious or less unpleasant or less harmful. Mitigation factors are therefore the various factors a court considers in reducing the sentence a convict receives at the end of the criminal trial. They are factors that allow the court to consider reducing the sentence of an accused. Some of these factors are as follows:

i. The age of the convict.

ii. First offender status of the convict.
iii. Provocation.
iv. Plea is guilty by the accused.
v. Length of time spent in custody.
vi. Illiteracy or level of education of the accused.
vii. Minor role played by the accused.
viii. Rarity of the offence or the accidental mature of the offence.
ix. Membership of the same family by the parties concerned.
x. Good work record of the convict or good antecedents of the convict generally.

2. The various methods by which civil proceedings many be commenced in the High court are as follows:

a) Originating summons : A summons that sets out the questions the court is being asked to settle. When the facts in a case are not disputed, but the interpretation of the law or of the documents needs to be resolved, an originating summons is prepared. Originating summons means every summons other than a summons in a pending case or matter. Originating Summons (OS) is one of the modes in commencing a civil action. An action is commenced by an OS when (1) it is required by a statute or (2) a dispute, which is concerned with matters of law, is unlikely to be any substantial dispute of fact. An Originating Summons may be in Inter partes or Ex-parte of the Rules of Court.OS is heard based on affidavits filed in support. OS cases are heard by registrars or judges in chambers or in open Court. A judicial decision is made by hearing the lawyers and assessing the affidavits filed either in support of or in opposition to the OS. Witnesses may be called to give testimony and pre-trial conferences may or may not be conducted.An application can be made to convert an OS into a Writ at any stage of proceedings. Alternatively, the Registrar or Judge can decide to convert an OS into a Writ without any application from the parties. Once the decision to convert has been made, the steps relating to a Writ applies. The Registry will assign a new Suit Number to the proceedings and a pre-trial conference will be called for the service of the Statement of Claim.

b) Originating motions and applications: An application (motion) that commences a proceeding in a court. This is used only when provided for by a statute or a rule of court.Examples of actions to be commenced by this way are

a. Application for habeas corpus,

b. Order for mandamus,

c. Prohibition or certiorari,

d. Application for judicial review

e. Action for the enforcement of fundamental rights under the Fundamental Rights Enforcement Procedure rules 2009.

Where a statute provides that action be commenced by application but does not specifically provide the procedure, originating motion should be use.

c) Petition: This is a written application made to court, setting out a party case. It Is only used where a statute or the rule of court provide for its use. Petitions are written applications from a person or persons to some governing body or public official asking that some authority be exercised to grant relief, favours, or privileges. A formal application made to a court in writing that requests action on a certain matter.

d) Writ of summons: The Writ of Summons (WOS) is one of the two modes used in commencing a civil action against a person. It is a formal document addressed to the defendant requiring him to appear before the court if he/she wishes to defend himself against the plaintiff's claim. A writ is usually accompanied by an Endorsement of the Claim or a Statement of Claim so that the defendant is made aware of the claim against him/her. A Writ of Summons is a formal document addressed to the defendant requiring him to enter an appearance if he wishes to dispute the plaintiff's claim. Civil actions involving substantial disputes of fact are commenced by way of a writ.