THE OFFENCE OF ADVANCED FEE FRAUD UNDER THE NIGERIAN CRIMINAL LAWS: CONCEPTUAL CLARIFICATIONS[1]

Abstract

Advanced fee fraud is a form of scam where individuals are lured into paying a fee or providing financial information in exchange for a promised benefit, reward, or service that never materializes. The aim of this paper is to examine the concepts bothering on the offence of advanced fee fraud. The objective is to deepen understanding of the concepts of the offence with a view to providing more information. The methodology for this research is doctrinal.

Keywords: Advanced Fee Fraud, Criminal Law, Clarifications, Nigeria

1. Introduction

Admittedly, obtaining by false pretences also known as deception is of considerable antiquity. In tracing its origin, it is noteworthy that a first and classic example of what are modern days is known as deception is the case of Esau and Jacob[2]. Isaac the father of Esau and Jacob and he happened to have greater love and affection for Esau. He had become very old and nearing his grave. He called Esau and sent him on an errand with the hope that when he returned, he would give him (Esau) his final blessings. Rebecca the mother of Jacob had overheard the conversation and final decision between Isaac and Esau, and out of love for her son Jacob, she procured Jacob to impersonate Esau in order to 'obtain' the prayers meant for Esau who had gone on an errand to fetch his father's venison. Jacob deceptively, engaged his aged and blind father in the following conversation: '…My father… here I am; who art thou my son? I am Esau thy first born, I have done according as thou badest me; arise, I pray thee, sit and eat of my venison that thy soul may bless me.'[3] Isaac was suspicious of the speaker although he could not see him as he (Isaac) had become blinded by old age. He probed further as follows;

> …how is it that thou has found it so quickly my son? Come near so… that I may feel thee, my son, whether thou be my son Esau or not…and Jacob went unto Isaac his father and he felt him and said, the voice is Jacob's voice but the hands are the hands of Esau.[4]

Ultimately, Jacob succeeded in obtaining the blessings meant for his brother by falsely representing himself and deceiving his blind old father, Isaac. The Black's Law Dictionary defines Advanced Fee Fraud (AFF) as a criminal fraud in which the victim is persuaded by the perpetrators to pay 'fees' in anticipation of receiving a much larger benefit that is ultimately never delivered.[5]

Over the years in Nigeria, the world of organized crime has assumed an aura of sophistication that was once limited to the developed countries. Thus, for quite some time now our country Nigeria has been groaning under the siege of a particular crime known as 'Obtaining by false pretences.' This crime has consistently and menacingly subjected both private individuals and the entire business community in the country to a nightmarish experience. This criminal conduct has attracted attention from all and sundry, the government inclusive. Indeed, and quite paradoxically and in spite of growing public concern, this crime has continued to assume an alarming proportion. This has tasked both our security operatives and the judiciaries to near breaking point as these criminals continue to devise better and more sophisticated methods to short-circuit the operation of law.

Daily, our newspapers cry desperately to high heavens to draw public attention to this ugly development. One of them had this to say:

> …Nigeria is the most notorious country in Africa with regard to internet crimes and related criminality. This is an undignified 'chieftaincy title' for Nigeria-a country with world-class human capital and natural resources like gold, petroleum, coal and bitumen… the age-old Nigerian values rooted in communalism, fellow-feeling and idealism have now gone to the dogs.[6]

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[2] See, The Book of Genesis 27, Holy Bible, King James Version, 18

[3] Ibid., Gen. 27: 18-19

[4] Ibid., Gen 27: 20-22

[5] Black's Law Dictionary (9thEdn, 2004)

[6] O Oluwole, 'Pervasive Fraud and Societal Tension' The Nation <https://thenationonlineng.net> accessed 18 August 2024

As a matter of fact, it is public knowledge today that our courts have their cause-lists inundated with cases of false pretences. One therefore wonders in the face of these obviously sordid and unpalatable situations whether there exists any law which effectively takes care of this criminal conduct.
A vivid and picturesque explanation of this situation and its attendant hopelessness was painted by a perspective of my father:

> the rate at which the crime of Advance Fee Fraud also known as '419' is perpetrated in this country as clearly discernible from the pages of our newspaper is alarming. Of greater concern is the rate at which these hoodlums escape the acclaimed long arm of the law by the banality of outright discharge and acquittals from our courts. Obviously, the current state of our law in this particular respect leaves too much to be desired.

It is at this juncture germane to point out that in the Western part of Africa, Nigeria, the offence of obtaining by false pretences is provided for under section 419 of the Criminal Code[7].

2. Meanings of Fraud and Advanced Fee Fraud
'Fraud' is an intentional deception or misrepresentation or information to achieve unauthorized benefit or harm others, often financially. It involves dishonest acts, such as false promises, concealment of facts, or identity theft, aimed at exploiting individuals, businesses or organizations for personal gains.

Advanced fee fraud is a type of fraud that involves deceiving victims into paying a fee or deposit in advance of receiving a larger sum of money, goods, or services[8]. The fraudster promises the victim a significant benefit, such as a large sum of money, a lucrative business deal, or a valuable prize, in exchange for a smaller upfront payment. However, the promised benefit never materializes, and the victim loses their money[9]. This type of fraud has been around for centuries, with early versions involving letters or telegrams sent to victims with promises of inheritance or other windfalls[10]. With the advent of the internet and email, Advanced Fee Fraud (AFF) has become a global phenomenon, with fraudsters able to reach millions of potential victims with ease.

The concept of Advanced Fee Fraud (AFF) is based on the idea of convincing victims to pay a fee or deposit in advance of receiving a benefit that never materializes[11]. The fraudster often uses various tactics to convince the victim, including fake documents, logos, and websites, as well as promises of guaranteed returns or high-pressure sales tactics. In many cases, Advanced Fee Fraud (AFF) involves a sense of urgency or exclusivity, with the fraudster claiming that the offer is only available for a limited time or to a select group of people[12]. This creates a sense of panic or fear of missing out, leading the victim to make a hasty decision without fully considering the consequences[13]. Advanced Fee Fraud (AFF) usually takes many forms, including lottery scams, inheritance scams, investment scams, and romance scams[14]. In each case, the fraudster uses a convincing story or promise to lure the victim into paying a fee or deposit.

In recent years, advanced fee fraud has become a significant problem in Nigeria, where it is often referred to as '419 fraud' under the Nigerian criminal code[15]. Nigerian fraudsters have become notorious for their sophisticated tactics and ability to evade detection and prosecution. In the case of *Federal Republic of Nigeria v Ituru Peter Inivosa& Anor*[16], the case involved two defendants, Ituru Peter Inivosa and another, who were arraigned at the Federal High Court in Port-Harcourt on a five-count charge of conspiracy and obtaining money by false pretence. The defendants allegedly conspired to obtain money from Mustaq Ahmed Ganai, an Indian national, on June 27, 2006, in Port-Harcourt. The prosecution presented three witnesses and 23 exhibits, while the defendants called three witnesses and testified in their defense. Notably, the alleged victim, Ganai, was not called as a prosecution witness. The court found the defendants guilty beyond reasonable doubt and sentenced them accordingly. The judgment held that the defendants committed an offense in all five counts alleged.

In Nigeria, Advanced Fee Fraud (AFF) often involves fake emails or messages claiming to be from government officials or business executives, promising large sums of money or lucrative business deals in exchange for upfront payments.

[7] Criminal Code Act, 'Ch 38 Laws of the Federation of Nigeria 1990
[8] O A Amughoro and Ngozi Ijeoma, Advance fee fraud, money laundering controls and economic performances in Nigeria, [2022] (4) (1), *International Journal of Advances in Engineering and Management (IJAEM)*, 723
[9] ibid
[10] Ismael Arinas and Patrizia Anesa, *Advance-Fee Scams: A Corpus and Genre Analysis* (Editorial Comares, 2020) 30
[11] ibid
[12]Toritseju Owie, *Menace of 419 Advance Fee Fraud* (CreateSpace Independent Publishing Platform, 2012) 14
[13] ibid
[14]Akogwu Agada and others, *An Appraisal of the Legal and Institutional Framework for Combating Corruption and Financial Crimes in Nigeria* (Black Tower Publishers, 2024) 226
[15] ibid
[16] (2008) ECLR Vol 1 161

The fraudsters may also use fake documents and logos to appear legitimate, and may even use the names of real companies or government agencies to make their schemes appear more credible.

Despite the Nigerian government's efforts to combat Advanced Fee Fraud (AFF), it remains a significant problem, with many individuals and groups continuing to engage in this type of criminal activity[17]. The fraudsters often use sophisticated tactics to evade detection and prosecution, making it challenging for law enforcement agencies to combat this type of fraud[18].

3. Advanced Fee Fraud the Nigerian Criminal Law

The Nigerian Criminal Law provides a broad framework for regulating criminal offenses, procedures, and penalties within Nigeria's legal jurisdiction[19]. This body of laws is primarily codified in the Criminal Code Act and the Penal Code Act, applicable in southern and northern states, respectively. These codes define various crimes, ranging from minor infractions to serious offenses like murder and treason, and outline corresponding penalties[20]. The principle of territoriality underpins Nigerian Criminal Law, wherein crimes committed within Nigeria's territorial boundaries fall under its jurisdiction[21].

Additionally, the principle of *nullum crimen sine lege* ensures individuals are only held liable for offenses explicitly defined and penalized by law[22]. This ensures that criminal liability is based on clear legal definitions rather than arbitrary or retroactive application. Key concepts integral to Nigerian Criminal Law include *actus reus*, or the physical element of a crime, and *mens rea*, or the mental intention or recklessness required for criminal liability[23]. Establishing causation, or a direct link between the act and its consequences, is also crucial.

The Nigerian Criminal Law aims to maintain social order, protect citizens, and uphold justice by prescribing penalties proportionate to the severity of offenses[24]. In the context of Advanced Fee Fraud (AFF), Section 419 of the Criminal Code Act addresses various aspects of fraud, including obtaining property by false pretenses[25]. This provision criminalizes fraudulent activities where individuals deceive others to obtain money or valuable goods.

The Nigerian criminal law also recognizes various defenses, such as insanity, self-defense, and provocation, which usually mitigates or negates criminal liability[26]. Furthermore, the law provides for different levels of intent, including intention, knowledge, recklessness, and negligence, which influence criminal liability and sentencing[27]. Understanding Nigerian criminal law's concepts, principles, and applications is essential for analyzing Advanced Fee Fraud's (AFF) legal implications and developing effective countermeasures. By examining the intersections between criminal law and Advanced Fee Fraud (AFF), researchers and policymakers can identify gaps and opportunities for improvement, ultimately enhancing Nigeria's capacity to prevent, investigate, and prosecute fraudulent activities.

4. Elements of the Offence under the Criminal Code

For every crime, certain elements are spelt out, proof of which by the prosecution, would ground conviction of the defendant. Under the Criminal Code, Advanced Fee fraud (AFF) also known as false pretences as an offence have its ingredients spelt out under Section 419. The Criminal Code was drafted after the common law of England and applicable relevant statutes. It should be noted that under English law, what is referred to as the 'Advanced Fee Fraud Offence' in Nigeria is dealt with under 'Deception'[28]. It is the provision of the 1957 Act, dealing with deception that has been incorporated mutatis mutandis into the Criminal Code known as 'Obtaining by False Pretences'.

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[17]Amahalu Nestor and others, 'Effect of Money Laundering on Nigerian Economy' [2016] (4) (3), *Journal of Financial Sustainability Reporting*, 149

[18] ibid

[19] Charles Mwalimu, *The Nigerian Legal System: Private law* (P lang, 2005) 350

[20] ibid

[21]Ikenga Oraegbunam, *Mens Rea Principle and Criminal Jurisprudence in Nigeria* (2011), <https://www.ajol.info/index.php/naujilj/article/view/82407/72562> accessed 12 September 2024

[22] ibid

[23] C O Okonkwo, *Criminal Law in Nigeria,* (2nd edn, Spectrum Books Ltd., 2002) 230

[24] Augustine Mogom and others, The Legacy of Classical Criminology to the Nigerian Criminal Justice System (2019), <https://www.researchgate.net/publication/341940891_The_Legacy_of_Classical_Criminology_to_the_Nigerian_Criminal_Justice_System> accessed 14 September 2024

[25] Criminal Code Act, Cap C38, Laws of the Federation of Nigeria

[26] ibid

[27] ibid

[28] J C Smith and B Hogan and D Ormerod, *Criminal Law (*16th edn*,* Oxford University Press, 2024) 180

Who Can Be Charged and Convicted?

Before proceeding to consider the basic ingredients of the offence, it is deemed germane to determine the issue of 'who can be charged and convicted' of false pretences. Thus, we shall consider the clause 'Any Person' *prima facie*, the impression deducible from the clause is that only natural persons are covered by it. Nevertheless, the legal use of the word 'person' has undergone changes and shifts in meaning that it is no longer limited to natural persons only[29]. Even at that, the question of Criminal liability or culpability of non-natural persons has been controversial since the first judicial recognition or corporations as juristic persons[30]. Thus far, the exposition of the law as provided in *Salomon v Salomon*[31] shows that corporations can be held guilty of Criminal offences dealing with fraud. The point must be made here that the legal recognition of corporations as legal persons is dependent upon their registration with the appropriate governmental bodies like the Corporate Affairs Commission. An issue that may arise under this is that of unincorporated bodies like Corporations sole. One may be tempted to say that in view of the exposition of the law in the case of *Nigerian Bar Association v Gani Fawehinmi*[32] differentiating between Juristic and Juridical persons at law, such 'person' though unincorporated under law may be within the law under consideration.

Focus on Advanced Fee Fraud

In order to ground the conviction of an accused person, under this section, the property in issue must be one *capable of being stolen.* As Okonkwo and Naish point out[33].

> it is not everything that can be stolen… Every inanimate thing whatever which is the property of any person and which is moveable is capable of being stolen. An inanimate thing which belongs to some person and which is capable of being made moveable is capable of being stolen as soon as it is moveable although it is made moveable in order to steal it. [34]

Significantly, it is not only inanimate objects or things that are the subject of stealing. The section contains provision about tame animals and animals wild by nature which it also declares as capable of being stolen. It must quickly be stated too that it is clear from the provisions that the thing at issue must at the relevant time belong to somebody. Thus, an ownerless property cannot be the subject of stealing and *ipso facto* of false pretences.

From the provisions being examined, a lot of things either incapable of ownership or of movement cannot be obtained by false pretences. Land for instance; being immovable cannot be the subject of this crime. On the authority of the provision, all intangible things, that is services, cannot be the gist of this crime not being in the list of items capable of being stolen. *Ex hypothesi*, 'A' being the Chief Judge of Edo State is ordinarily due for retirement on age grounds by September next year. By virtue of his office, he has access to personal documents and files of all judges in the state including his own. He uses that position to remove his affidavit sworn long ago to declare his age and replaces it with another one which enables him to remain in service for a further period of five years 'obtaining' salaries. This is later discovered. He cannot be successfully charged with false pretences nor can he be of stealing same because he received pecuniary advantage which is not levered by this provision. Secondly, supposed 'D' is charged with the offence under Section 419 of the Criminal Code Act of receiving salaries for six years from 'Z' Company Ltd. 'D' is said to have forged the certificate with which he got the job. He cannot be convicted under Section 419 of the Criminal Code Act nor can he be convicted of stealing the sum received as salaries because 'D' was paid the monies as salaries for services rendered.

Dr. Jibiti is a very bright physiotherapist. He lists false credentials and gets elevated to professorship and earns salaries in that capacity for five months before the bubble bursts. He is charged under Section 419 of the Criminal Code Act. He cannot be convicted as the salaries smacks of pecuniary advantage which is outside the scope of the provision.

Obtaining/Inducing Delivery

The offence of Advanced Fee Fraud (AFF) under Section 419 of the Criminal Code Act, draws a distinction between 'Obtaining' and 'Inducing Delivery'. According to Okonkwo and Naish[35], 'to obtain in this crime, one must induce the owner to transfer his whole interest in the property. The usual difference is between ownership and possession.' Thus, if possession of property passes from the owner to the perpetrator via false pretences, the sustainable charge is stealing. But if both possession and ownership pass, it is the offence of false pretences. Furthermore, the distinction between 'Obtaining' and 'Inducing Delivery' clearly revolves round the person who receives the thing from the owner. If the*res* is received by the wrong-doer himself, it is 'Obtaining'. But if the receiver is a separate person other than the representor, the proper charge is 'inducing delivery'. In the case of *The State v Letitia Osler*[36] the word 'Obtaining' for the purpose

[29] R W M Dias, *Dias Jurisprudence*, (5thedn, LexisNexis, 2023) 40
[30] Salomon v Salomon & Co Ltd (1897) UKHL 1, AC 22
[31] ibid
[32] (1989) 2 NWLR pt 105
[33] C O Okonkwo and M E Naish, *Criminal Law in Nigeria,* (3rdedn, Spectrum limited, 2018) 327
[34] S 382, Criminal Code Act, Cap C38, Laws of the Federation of Nigeria
[35](n 32)
[36] (1991) 6 NWLR (pt. 199) 592

of this crime was stated to mean '… obtaining the property in and not merely the possession of the money or goods.' Thus, if the representor intended property to be delivered to another person, a charge of 'obtaining' will fail. In *Onyenwe Ojukwu v F.R.N.*[37], the appellant was convicted and sentenced to 9 years imprisonment by the Anambra State High Court in 2012 for issuing a dud cheque and obtaining goods under false pretences. The charges stemmed from incidents in Ogidi, within the court's jurisdiction. After a trial where the prosecution presented 5 witnesses and 11 exhibits, and the appellant testified in his own defense, the court acquitted him on one count but convicted him in two others, handing down 2-years and 7-year prison sentences respectively. Unhappy with the verdict, Ojukwu appealed to the Court of Appeal. The Court of Appeal set aside the conviction and sentence of count 3 of obtaining goods by false pretences, concluding that the prosecution has failed to prove the essential elements of the offence. *Nweke v F.R.N.*[38], this case involves an appeal at the Supreme Court involving charges of obtaining various sums of money from different persons under false pretences under the Advanced Fee Fraud Act. The Supreme Court stated the provision of section 1(1) (c) of the Advanced Fee Fraud Act which provided for the element of obtaining by false pretences as a crime.

False Pretence/Representation

'Pretence' is either express or implied from the conduct of a person. Also, for a person to be guilty of an offence of false pretences, his representation must first be false as will be shown later. However, in determining the meaning of the word 'pretence' for the purpose of this section, recourse must be had to section 418 of the code which provides as follows; 'Any representation made by words, writing or conduct of a matter of fact, either past or present, which representation is false in fact, and which the person making it known to be false or does not believe to be true is a false pretence.' At a glance, the following salient points stand out for consideration and will therefore be given due emphasis:

> 'False pretence' in this sense, as it is in the general sense could be expressed by words or writing or implied from the conduct of the prisoner. Where it is express, the knot is easy to untie former positions was that the accused was not liable.[39] However, it has been held in *Chukwudi v C.O.P.*[40] that even without saying anything, on a charge of false pretence an accused person may be guilty. In this case, Mr Chukwudi and Mr Chike were involved in a fraudulent scheme between 2012 and 2014, where they deceived the plaintiff (PW1) out of fourteen million nine hundred and fifty thousand Naira (₦14, 950,000). They used a false romantic relationship and marriage promises to trick PW1 into sending money and gifts. The two men were found to have collaborated in the scam, with Mr Chike posing as the romantic partner and Mr Chukwudi playing a supportive role. The Court of appeal upheld the five years conviction of the appellant emphasizing that the appellant's involvement in the scheme, even without direct communication with the plaintiff, constituted participation in the fraudulent act.

In *D.P.P. v Ray*[41], Lord Reid said; 'In my view where a new customer orders a meal in a restaurant, he must be held to make an implied representation that he can and will pay for it before he leaves.'[42] On this point still, it has been held in the case of *Akinyemi Idowu Jegede v FRN*[43], the appellant was accused of obtaining money by falsely claiming to have dollars for sale. The Court held that the offence of obtaining by false pretence can be committed even against unknown victims, as long as the deceit led to the transfer of property. This means that the representation of one fact may be implied from words literally meaning a quite different thing.[44]

The representation or pretence must necessarily relate to a matter of fact and not of law alone, the code under this section provides not for matters of law but only of fact. It therefore leaves it open that where a lawyer fraudulently advises a client on appoint of law with the requisite intent to defraud his victim, the law as it presently stands obviously would not have him within its long arm. In this respect we consider it pertinent to observe that using the natural rule of interpretation of statutes which requires that matters not clearly included in a statute should be left out and not to be read into it, such a fraudulent lawyer would invariably find a leeway to an undeserved freedom leaving his victim in absolute disillusionment. Whether there is any need for a review of this position shall be examined later. Suffice it to say at this juncture that as La Farve and Ohlin have observed: 'No doubt a clever criminal can accomplish a fraud as well by misrepresenting the law as by misrepresenting a fact, so that the better view is that the intentional misrepresentations of law, done with intent to defraud, will do for the crime of false pretences.'[45]

It is equally pertinent to observe that the requirement to observe that a representation must be one of fact implies that a mere statement of opinion will not satisfy this requirement under the section. As Smith and Hogan have opined: 'a

[37] (2019)24 E-WRN (pt.33) CA
[38] (2019) 10 NWLR (pt 1679) 51 SC
[39] R v Jones (1898) 1QB,119
[40] (2023) LPELR-60306 (CA)
[41] (1973) 2 WLR 359
[42] ibid
[43] (2021) LPELR-55072(CA)
[44] WR LaFave and JD Ohlin, *Criminal Law* (7thedn, West Academic Publishing,2023) 250
[45] ibid

statement of fact is not the same thing as a statement of opinion but as a practical matter it is often difficult to distinguish the two. Regard has to be had so far as the offence of deception is concerned, to D's knowledge and intentions and the effect produced in the mind of P.'[46]

Intent to Defraud

The offence under section 419 of the Criminal Code Act is not one of strict liability. As such *mens rea*must be proved to be hilt. It is therefore not enough to merely allege the commission of the offence, it must also be established that there was an intent to defraud. This is a *sine qua non* of false pretence. According to Vuckor-Quarshie: 'Though it is necessary to allege intent to defraud any particular person, there must be intent to defraud.'[47] To this end, Okonkwo and Naish posit that an intent to defraud 'is an intent to induce another by deceit to act to his detriment and it is immaterial that there is no intention to cause pecuniary or economic loss.'[48] In *Otenuga v IGP*[49], the appellant was involved in a land transaction where the plaintiff (PW1) sought to purchase a parcel of land. PW1 contacted a woman via phone, believing she was the rightful owner of the property. Negotiations ensued, and PW1 was instructed to pay the sum of six hundred and twenty thousand naira into a bank account provided by the woman. PW1 complied, but later discovered that the woman was not the legitimate owner of the property. Subsequent attempts to recover the funds were unsuccessful leading to a legal action. The Court of Appeal held that such conduct was sufficient to constitute the offence of obtaining by false pretences under the Nigerian law.

Also, in *R v Abuah*[50] a lawyer represented a plaintiff in a case which was settled out of court and payment made into court. The court ordered them that payment be made to the owner. The accused (his counsel) falsely represented that he had the owner's authority to withdraw the said money. Thus, he was paid the money. On a charge of obtaining by false pretence contrary to section 419 of the criminal code act, he argued *inter alia* that he had no intention to defraud the plaintiff or any other person for that matter. He further averred that his sole purpose of taking possession of the money was to secure himself a stronger bargaining power for his fee which was however later agreed upon and the remainder was paid over to the plaintiff. It was held that his act tantamount to defrauding the plaintiff by intentionally placing him in a disadvantage position where his ordinary bargaining powers were eroded or at least substantially whittled down; and being made to wait for his money until the final statement of the matter. It was held further that though the accused may not have intended to defraud the treasury by making the treasury to part with the money to a person not entitled to it, he had in so doing defrauded it to the tune of the said sum.

In the latter case, the court recognized that representation could be implied from conduct or statements that, while not explicitly false, were intended to mislead. Similarly, in the former case, the appellant's behavior facilitating a transaction with knowledge of the false ownership constituted an implied misrepresentation. Both cases underscore the offence of obtaining by false pretences, the deceit can arise from conduct and context, not solely from explicit false statement. The decision of the court as respect the treasury is a very rational one. In support of this view, Okonkwo and Naish have this to say; 'if for example the accused had become insolvent before making the money to the plaintiff, the latter could have claimed it for the treasury.'[51]

5. Conclusion

The importance of this study lies in its potential to shed light on the details of Advanced Fee Fraud (AFF), thereby enhancing our understanding of this complex issue and ultimately informing strategies to combat and prevent it. This research encompasses several significant reasons such as understanding the scope and nature of the Advanced Fee Fraud (AFF) and its prevalence, identifying trends in Advanced Fee Fraud (AFF) cases used by fraudsters. This study raises awareness about the risks and consequences if persons indulge in performing this crime, also provide the public with useful international implications as fraud is a global issue that requires collaborative efforts to combat and inform policy and legislation aimed at combating fraud, by providing policymakers with accurate and reliable data that addresses the root causes of Advanced Fee Fraud (AFF).

[46] J C Smith and B Hogan and D Ormerod, *Criminal Law (*16thedn, Oxford University Press, 2024) 300
[47] G.N.K. Vuckor-Quarshie, *Establishing Fraudlent Intent in Offences of False Pretences under the Nigerian Criminal Law* (A lecture Note prepared for undergraduate students of the Faculty of Law, Obafemi Awolowo University, 1993/94)
[48] (n 32)
[49] (2023) LPELR-61072(CA)
[50] (1961) All NLR 83
[51](n 32)