



THE DEPARTMENT OF PUBLIC LAW

Public Law Department is one of the four departments in the Faculty of Law, Delta State University from which several courses bothering on various aspects of Law are drawn from. The courses domiciled in this department include Civil/ Criminal Procedure, Criminal Law, Law of taxation, Constitutional Law, Law of evidence, Conflict of Laws, Citizenship and moral Education, Administrative Law, Computer Application to Legal studies and Long Essay; Manned by seasoned scholars with years of proven experience and expertise.

STAFF LIST

S/N	NAME	QUALIFICATION	STATUS
1.	Dr. M.O.I Nwabuoku	BE.d, LL.B, B.L, LL.M. Ph.D	Ag. Head of Dept. & Senior Lecturer
2.	Dr. K.O Mrabure	LL.B, B.L, LL.M, Ph.D	Senior Lecturer
3.	Dr. Emudainohwo	LL.B, B.L, LL.M, Ph.D	Senior Lecturer
4.	Dr. J.P Esavede	LL.B, B.L, LL.M Ph.D	Senior Lecturer
5.	Dr. U. M Ogisi	LL.B, B.L, LL.M Ph.D	Lecturer 1
6.	O.R Ituru, Esq	LL.B, BL, LL.M	Lecturer 1
7.	P.O Itsueli, Esq	LL.B, B.L, LL.M	Lecturer 1
8.	M. Oruma, Esq	LL.B, B.L, LL.M	Lecturer 1
9.	M. Omozue, Esq	LL.B, B.L, LL.M	Lecturer 2
10.	Martha Amaka Obi. Mrs	LL.B, B.L	Assistant Lecturer
11.	Prof. Nwabachili	LL.B, B.L, LL.M, Ph.D	Sabbatical
12.	Dumebi Marilyn Onwugbenu		Principal Executive Officer
13.	Festus Panya Josephine O		Caretaker

CODE OF CONDUCT FOR LAW STUDENTS GENERALLY

The legal profession is an honourable profession and all who belong or aspire to belong to it must exhibit strength and character; good character is most crucial

for admission to the Nigeria law school and subsequent call to the Bar. Legal Practitioners and aspirants must be disciplined men of honour and gentlemen.

The Council of Legal Education in conjunction with the body of Benchers, are two bodies charged with regulating legal profession in Nigeria. Below is the code of conduct for the information and compliance of law students who intend to seek admission into the Nigeria Law school, qualify for the Bar and subsequently enroll as legal practitioners in Nigeria:

1. A law student must be honest and of good behaviour. He should be a responsible and reliable person.
2. Under no circumstances should any engage in fighting or be engaged in the use of offensive language, assault or any other related misconduct.
- 3i. Student must not have been convicted of a criminal offence, bordering on dishonesty or fraud.
- ii. Free pardon under the prerogative of Mercy of convicts of fraud or any act of dishonesty does not entitle candidates to admission because the fact of commission of the crime remains. A pardon only wipes out the punishment.
4. A prospective students must not be involved in Secret Cult activities in the University or anywhere. Any student found guilty by the University Authority and rusticated, risks admission into the Law School.
5. A law student should not have been found guilty of examination malpractice in the University or of any offence involving moral turpitude particularly during examination either in the University or in the Law School. Such a student will be disqualified for life.
6. A law student should not be involved in any shady business either before or at Law School (or in the so called 419) or do anything that will portray him as doubtful character.
7. The one year practical training at Law School is a fulltime course. No student should therefore engage in any gainful employment or youth service during the course.
8. All law students are expected to observe decorum in manners and decent living at all times and must learn how to behave in assemblies of people. They must learn the art of addressing others and learn decent English as the use of English Language is a great weapon in a lawyer's armoury.

9. An aspirant to the Nigeria Bar must be disciplined in keeping time and appointments. The court sits at 9.00am and Barrister must be in court latest by 8.45am. Students should imbibe this culture or habit while in school. If lectures start by 9.00am, students must be seated for lectures by 8.45am.
10. A prospective student must not be found to be dishonest in his interpersonal relations with people or known with acts which may be suggestive of his inability to enjoy the confidence of his clients after being called to the Nigeria bar
11. Aspirants to the Nigeria Bar are expected to be analytical and logical in their thinking and arguments.

DRESS CODE FOR LAW STUDENTS

1. A Law student should be well dressed at all times. The approved dress for male students are dark suits, white shirts, black ties (not bow tie) black socks and black shoes with white breast pocket handkerchiefs. Stripped black trousers may be worn under dark jackets.
2. For female students, white blouse, dark jacket and black skirts covering the knees (dark suit) or dark ladies' dress and black shoes are to be worn. There should be no embroidery and trimmings of any type and only moderate jewelry (ear-rings and watches) are allowed to be worn.
3. During hot weather, students may be permitted to wear white shirts with ties and dark trousers and black shoes to classes. The wearing of complete native attire may be allowed only at lecture and social functions.
4. At law Dinners students must be punctual, wear regulation dress and observe all table manners.
5. At call ceremonies, qualified students must wear regulations dress and also the Wig, winged Collar and Bibs or Collarette, and Barristers Gown. These must be clean and neat. It is compulsory.
The above mode of dressing is mandatory for both male and female students for attending lectures and both extra curricula activities and when called to the Bar; at attendance at Magistrate and all Superior Courts.

PHILOSOPHY AND OBJECTIVE

The ultimate aim of the Law Programme in Delta State University is to produce high-calibre Lawyers whose knowledge and service will be relevant to man and society. This is because it is acknowledged that Law, as a regulatory instrument, should encompass a wide spectrum of activities. Accordingly, the Law programme, as designed, takes full cognizance of political, social, economic and technological situation in the country and the world in which a lawyer has to operate.

Therefore, the curriculum of the Law Programme in DELSU has been carefully formulated to integrate the traditional core legal course with several non-law courses with several non-law courses spread across various other academic disciplines. Even in Law, courses hitherto neglected in the past have been incorporated into the current programme. Courses such as Criminology, Customary Law, Computer for Lawyers, History and Philosophy of Science, Principles of Economics, Nigeria people and Culture, Philosophy and Logic, and Philosophy of Thoughts, form part of the current programme, and the list will continue to changing political, social and economic needs of society.

The LL.B programme is based on the course credit system and offers student broad-based and qualitative legal education. It is carefully balanced to give the students such blend of knowledge of law in their environment. The programme therefore, seeks to introduce the student to law, provide him with many principles of judicial process and legal development and equip him with the basic tools of legal analysis.

Indeed, the training of law students in the faculty favours approach that is aimed at enabling an individual to assimilate and develop knowledge, skills values, and understanding that are not simply related to a narrow field of legal education, but allow a broad range of issue and problems to be defined, analyzed and solved. The Programme is therefore not designed to make a law student expert in any field of law as such but to enable him appreciate what career openings are available to him. He can then make a more sensible choice where to move in and pitch his tent in the legal field; there he will specialized by acquiring the necessary and relevant books, skill tricks and experience, which will guide him successfully through his life journey with the law.

Thus, a law graduate must be able to acquire the ability to use law as a tool for the resolution of various social, economic and political conflict in the society. The

training in the law programme is aimed at producing lawyers whose level of education would equipped them properly to tackle the problems of growth and development in the Nigeria nation, while keeping a firm grip of global trends in the Legal profession. The Programme is also informed by the need to train law graduates who appreciate the challenges of the Judicial Arm of Government, the national economy and other spheres of human activities.

A law student is expected to be confident, independent, and objective in his thinking, a builder of sorts who lays the ground work for a strong legal professional body, a man of principles, a veritable think tank and an asset, not only to his profession but also the nation at large.

Therefore, graduate of the programme will be fed to such agencies and institutions as international organizations agencies, institutions, Federal, State and Local Government, various industrial, commercial and mercantile associations and their operation, various social, family and domestic groups and the activities etc. In Government, for instance, the lawyer will fit in well in judicial services, legislative and administrative functions: legal drafting, criminal prosecutions and civil litigation; arbitration, and administration of the estates etc. It is believe that with this background, an LL.B graduate of Delta State University would be better prepared to serve the Nigeria society and mankind.

2.0 ACADEMIC CONTENTS

2.1 Programme of Law Degree

The programme of courses offered by the Faculty of Law generally leads to the Bachelor of Laws (LL.B) Degree of Delta State University. The department does not award any degree.

2.2 Duration of Programme

The normal duration of the programme is five years (or ten semesters) for student admitted with Senior Secondary School (SSS) Certificate or GCE (General Certificate of Education) "O" Level or its equivalents. However, direct admission is offered to candidates with qualification prescribed in 2.3. (ii) below. Such candidates are required to join in the second year of the programme.

3.0 Courses Offered in the Department

3.1 Compulsory Courses

The faculty offers 13 (thirteen) core courses which are prerequisite to the award of the Bachelor of Law (LL.B) Degree of Delta State University. The courses are as follows:-

CODE	COURSE	LEVEL	UNITS
1. PUL501/511	Civil Procedure	500	8
2. PUL501/511	Criminal Procedure	500	8
3. PUL201/211	Constitutional Law	200	8
4. PUL301/311	Criminal Law	300	8
5. PUL401/411	Law of Evidence	400	8
6. PUL503/513	Conflict of Laws	500	8
7. PUL504	Citizenship Education	500	8
8. PUL302/312	Administrative Law	300	8
9. PUL502/512	Law of Taxation	500	8
10. CSC 200	CSC	200	6
11. Law 500	Long Essay	500	6

COURSE CONTENTS

CONSTITUTIONAL LAW

SYNOPSIS

FIRST SEMESTER-PART 1

1. Definition and sources of constitutional Law: classification of constitution; written and unwritten, Rigid and flexible, federal and unitary, presidential parliamentary.
2. The concept of separation of power, Rule of law, Federalism. Supremacy of the constitution/ parliament, conventions, ministerial responsibility. The unconstitutional means of change of Government.
3. Constitutional history of Nigeria from the Advent of British Rule until date.
4. Funder mental Right, citizenship, public officials.

SECOND SEMESTER-PART II

1. The study of the current constitution.

- (d) Supremacy of the constitution, fundamental objectives and directives principles of state policy, constitutional amendment.
 - (b) Legislative power: its meaning, scope and relation with Executive and judicial power; Delegation of legislative power between the federal and the state, interpretation of legislative entries/ its Doctrine of pitch and substance, implied powers, repugnancy, Doctrine of covering the field and power.
 - (c) Judicial power: Its meaning and scope. Judicial Review of legislation- independency of judiciary, jurisdiction and power of the supreme court, court of Appeal and state, High court, sharia and customary court of Appeal, judicial control of Administrative Actions- nature, scope and Writs and orders; Habeas corpus, mandamus, certiorari, prohibition, Quo warrant, Declaration and injunction.
Limitation of actions or bars to recovery of damages or extinction of remedies.
 - (D) Executive power: its meaning and scope. Power and function of the President and Governors: Appointment, legislative, police, public, order, Defense, Emergency prerogative of mercy, foreign Affairs, federal and state executive Bodies- Attorney- General's powers.
2. The military and constitutional regime in Nigeria
- (a) Law making by the military
 - (b) The judiciary under the military
 - (c) The Executive and under the Military
 - (D) The military and search for the constitutional and political order.

**CRIMINAL LAW-300 LEVEL COURSES
FIRST SEMESTER-PART1**

- (a) General introduction to purpose of criminal Law
- (b) The concept of crime
- (c) History and source of the Nigerian criminal law
- (d) The element of offence
- (e) Classification of offences
- (f) General principle of criminal responsibility

- (g) Parties to the offence
- (h) Offences against the person

SECOND SEMESTER

- (a) Offences against property
- (b) Offences Against the state and public order.
- (c) The police and the administration of criminal justice
- (d) The offense of corruption
- (e) Theories and types of punishment
- (f) General principles of sentencing.

ADMINISTRATIVE LAW

FIRST SEMESTER-PART 1

Nature, scope and source of Administrative law, Administrative Nature, scope and sources of Administrative law, Administrative agencies, Relationship among Administrative law, the rule of law and separation of power and delegation of powers. Delegated legislation- its nature, Rulemaking and control thereof.

SECOND SEMESTER PART II

Administration and adjudication, powers of Administration, Administration invasion of the people's legal rights – Tribunal and inquiries.

Judicial control of Administrative and judicial powers of administration.

- (a) Grounds for judicial Review that is ultra vires, Natural justice and Error of law.
- (b) Remedies, that certiorari, prohibition, mandamus, Declaration, injunction, habeas corpus, Damage and Appeal, ombudsman.
- (c) Action against the state, corporation. Including local government councils.

COMPUTER APPLICATION OF LEGAL STUDIES

SECOND SEMESTER- PART 1

Legal definition of computer, ICT platform and legal uses, Email communication, Electronic discussion for a- Facebook, twitter, WhatsApp and so on. Legal research and internet users of legal database, search engines. Customized searching of legal sites- blogs, RSS feeds, wiki s, and so on.

E-law Report /E – library

Electronic Evidence/ video links use of computer and private legal practice and video conferencing.

LAW OF EVIDENCE AND PROCEDURE

FIRST SEMESTER-PART 1

- (a) General introduction
- (b) Source of the Nigerian law of evidence
- (c) Direct and circumstantial evidence
- (d) Facts issue and relevant facts
- (e) Complaints
- (f) Similar fact Evidence, Res- Gestae

SECOND SEMESTER PART 11

- (a) Character evidence
- (b) Opinion evidence
- (c) Hearsay Evidence
- (d) Estoppel; competence and compellability of witnesses
- (e) Corroboration
- (f) Burden of proof
- (g) Documentary evidence
- (h) Proof of electronic signature
- (i) Admissibility of computer- generated Document
- (j) Admissibility of tapes, Disks and other storage devices
- (k) Proof of Telegraphic transfers, online/ mobile/ATM transaction.

CIVIL PROCEDURE LAW

FIRST SEMESTER- PART 1

- (a) Meaning and sources of civil procedure law
- (b) Court with civil action
- (c) Commencement of civil action
- (d) Parties of civil action
- (e) Service of processes
- (f) Appearance in court
- (g) Pleadings
- (h) Motions/ Application
- (i) Summary judgement proceedings
- (j) Pre-trial conference
- (k) Trial, judgement, Appeals.
- (l) Multi door court house procedure

(m) Fundamental human right proceeding

CRIMINAL PROCEDURE LAW

SECOND SEMESTER –PART 11

- (a) Meaning and source of criminal procedure
- (b) The duties of the judge, prosecutor and defense counsel in criminal trial .
- (c) Meeting and resolutions
- (d) Court with criminal
- (e) Person who can institute criminal proceeding
- (f) Method of instituting criminal proceeding
- (g) Processes to compel attendance of an offender before the court
- (h) Searches
- (i) Bail of accused persons
- (j) Charges, Amendment of charges and so on
- (k) Plea bargain
- (l) Trials
- (m) Judgment, conviction, sentencing, community service
- (n) Compensation of victim of crime
- (o) Appeals.

REVENUE OF TAXATION OF LAW

FIRST SEMESTER-PART 1

The Nature, meaning and various forms of taxation the general principle and administration of tax and the Rules governing residence and ordinary residence tax payers including individuals, trustees companies and other business organization. The Definition Ascertainment and computation of income for Tax, purposes, Deductions and allowances that may be set against income.

SECOND SEMESTER-PART11

Different types of tax and duties imposed by the government ; taxing powers of government; problems of double taxation, married women and tax exemption of group of companies, reconstructions, amalgamations and Dividends.

CITIZENSHIP AND MORAL EDUCATION

FIRST SEMESTER- PART I

Definition /scope and constituted authority

Objectives of citizenship and education.

Agencies of citizenship Education, concept of citizenship education, right and obligation of citizen and government, roles of men, women and children, moral duties to self and community.

CONFLICT OF LAWS

FIRST SEMETSER

- a) Nature and scope of conflict of laws-International and international conflicts
- b) General principles of conflict of laws
 - i) Jurisdiction and exemption from jurisdiction of the court
 - ii) Exclusion of foreign law/state law
 - iii) Characterization
 - iv) Domicile and Nationality
 - v) Renvoi

SECOND SEMESTER-PART 11

Conflict situations (international and external) and choice of law in:

- (a) Law of pension
- (b) Status, marriage and matrimonial causes, infants, legitimation and adaptation, lunatics, succession
- (c) Law of obligation
- (d) Law of Tort
- (e) Law of property- movable and immovable
- (f) Recognition and enforcement of foreign/state judgement.
- (g) The need for a uniform legal system.

LONG ESSAY IN THE FINAL YEAR

Each final year student should have a topic of research approved for him or her at the beginning of the final year. Such a candidate is expected to produce

a well- researched Essay containing a minimum of 10,000 words under the supervision pf members of academic staff.

GENERAL GUIDELINES ON THE COURSE UNIT SYSTEM AS IT APPLIES TO THE FACULTY.

1. CATEGORIZATION OF COURSES.

- (a) **CORE COURSES (a):** These are courses outside the discipline which must be taken and passed.
- (b) **REQUIRED COURSE (R):** These are courses advice of the Department and passed.
- (c) **GENERAL STUDIES COURSE (G):** These are courses outside the discipline which must be taken on the advice of the Department and passed.
- (d) **ELECTIVE COURSES (E):** These are courses which are not compulsory but which be taken to complete the total unit passed at the end of the programme. They need not be repeated if they are not passed.

Course Numbering:

- (a) Each course is identified by a 3-letter subject code followed by a 3-diigit number, the first (left) of which indicates the level in which it would normally be taken in a normal degree programme. The remaining digits can be arranged serially or in a prescribed order such as reflecting the semester of offering. In any case consistency must be maintained.
- (b) As much as possible courses must be harmonized in the University. Thus His 312 must refer to the same course throughout the University.
- (c) Pre-requisite course must be reflected where applicable. As much as possible no course should be a pre-requisite fore a course at the same level. Rather such a course should be termed a concurrent course, that is, a course that is taken at the same time (session) as the specified course.

iii. Course Assessment

- (a) Every Course assessment must consist of continuous assessment (between 20% and 40%) course examination (between 60% and 80%).
- (b) The pass mark for every course assessment is 45%
- (c) The Grading system is as follows:

Scores	Grade	Grade Point
70-100	A	5
60-69	B	4

50-59	C	3
45-49	D	2
0-44	F	0

- (d) Students' results are to be prepared at the end of every semester reflecting the units taken, the units passed (accumulated) and the semester's G.P.A.
- (e) At the end of every session, student programme, total units passed in the programme, CGPA, courses failed and degree classification according to the following schemes.

C.G.P.A	CLASS OF DEGREE
4.50-5.00	FIRST CLASS
3.50-4.49	2 ND CLASS UPPER
2.40-3.49	2 ND CLASS LOWER
1.00-1.45	3 RD CLASS

- (g) The CGPA for a student is determined in the following manner-
- i. For each session the weighted grade point is obtained for each as the product of the grade point and the units for the course.
 - ii. The total weighted grade points and the total unit for all the sessions are calculated to give the cumulative weighted grade point and cumulative units respectively.
 - iii. On dividing the cumulative weighted grade points by the cumulative units one obtained the Cumulative Grade Point Average (CGPA)
 - iv. As an example, consider a student who takes courses in a semester with the following details.

	Units (a)	Mark (b)	Grade (c)	Grade point (d)	Weight Point	Grade
Course 1	3	62	B	4	12	
Course 2	3	51	C	3	9	
Course 3	3	42	E	1	3	
Course 4	2	33	F	0	0	
Course 5	3	45	D	2	6	
Course 6	2	52	C	3	6	
Course 7	3	42	D	2	42	

	Weight Grade Point	Total Units
Year I	82	8
Year II	75	40
Year III	60	44
Year IV	67	44
Then, cumulative weight grade point		284
Cumulative Units		164
Hence C.G.P.A		1.73

The Student will therefore come up in third class degree classification.

- (i) Therefore is no reference in any course examination.
- (j) There is no report I the course system. Therefore, a student cannot register for a course already passed.
- (k) A student must accumulate at least 30 units per level before graduating.
- (l) There is no weighing of sectional GPA in the computation of CGPA.
- (m) In the computation of the CGPA, all courses will be disregarded or discountenanced.

IV Student workload:

- (a) A full-time student must register for a minimum of 30 units and maximum of 48 units per session. This implies that a student must register for a minimum of 15 units and maximum of 24 units per semester.
- (b) A student who is unable to take course examination in a particular course due to approved absence will be required to register for the course where the course is a pre-requisite. However, the student cannot exceed the approved workload.

V. Probation:

- (a) A student who makes a CGPA of 1.00 or more at the end of the session will proceed to the next level of the degree programme for which he registered.
- (b) A student who makes CGPA of less than 1.00 at the end of the session will embark on probation for the following session to enable him/her improve on the CGPA. The implication is that he must repeat the level. During that session, he/she must register for the appropriate core-courses, required courses and GST courses which he/she has not passed.
- (c) A student on probation at the end of a preceding/session who makes a CGPA not less than 1.00 during second session must withdraw from the degree programme for which he/she is registered.

- (d) If the student changes a new degree program, he/she will again be on probation. If however he obtain a CGPA of less than 1.00 a second time in the new degree programme, he/she will be asked to withdraw from the University.