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Withdraw defamatory fraud allegations or face legal action, UK group tells Adoke's lawyer

The UK anti-corruption group Corner House has threatened legal action in response to a widely publicised Complaint sent on behalf of former Attorney General Mr Mohammed Bello Adoke SAN to Nigeria's Inspector General of Police.

Adoke's Complaint alleges "*various acts of forgery*" by "*the parties responsible for the petition, investigations and commencement of the criminal trial at the court of Milan against the individuals/entities connected with the OPL 245 settlement agreement*".¹

The Complaint specifically references an email that was accepted as evidence by the Milan Court in the recent trial of Shell, Eni and 11 other defendants. The defendants were all acquitted.

The Complaint did not mention names but stated that the accused parties can be discovered "*with a little diligence*". Corner House's role as one of the parties responsible for the petition that led to the investigations and prosecution in Milan is widely known to the public in Nigeria and internationally.

In a letter to Kanu G. Agabi & Associates, the law firm that submitted the Complaint on behalf of Adoke, Corner House categorically denies forging the email:

"The statements made in the Complaint about us are entirely untrue and highly defamatory. Corner House has been accused by your client of criminal acts, namely forgery and falsification of evidence – accusations that are highly damaging to the reputation of Corner House as an internationally respected anti-corruption group".

In the UK, Corner House has been honoured for its work by Liberty, Justice and The Law Society, which awarded the group their highly coveted Human Rights Award. The group's legal action against the UK government in 2008 for halting an investigation into alleged bribery by BAE Systems in Saudi Arabia is widely credited with having forced the UK to introduce stronger anti-bribery legislation.

In its letter, Corner House refutes the allegation that it forged the email:

¹ The Complaint was posted on the internet and was widely reported. It remains posted at <https://media.premiumtimesng.com/wp-content/files/2021/02/FORGERY-OF-DOCUMENTS.pdf>.

“The facts are as follows:

- 1. The existence of the email came to light after it was disclosed by JP Morgan Chase to the Federal Republic of Nigeria [‘FRN’] as a result of proceedings in the High Court in London where the FRN is currently suing the bank for damages relating to its handling of funds arising from Shell and Eni's acquisition in 2011 of the OPL 245 oil field in Nigeria (case number: CL-2017-000730). Adoke was the Attorney General at the time of the deal and a key negotiator.*
- 2. In its claim, the FRN stated that an email had been sent by Adoke on 21 June 2011 to Bayo Osolake, employee at JP Morgan Chase, from the email address “agroupproperties@yahoo.com”. Copies of the Resolution Agreements for the OPL 245 deal were attached to the email.*
- 3. The FRN further stated in court documents that the email address was associated with “the A Group of Nigerian companies controlled by Mr Abubakar Aliyu”. A Group Construction, which is part of the group, subsequently received some of the OPL 245 funds which were transferred by JP Morgan to a company named Malabu Oil & Gas.*
- 4. Having become aware of the email, which we believed to be relevant to the prosecution in Milan of Royal Dutch Shell, Eni Spa and others, Corner House, acting in the public interest, informed the Milan Prosecutor of the FRN's statements to the High Court in London.*
- 5. The Milan Prosecutor issued a European Investigation Order (Ref:54772/13) to the UK, seeking the email from JP Morgan. The UK authorities complied with the request and obtained the email, which was subsequently accepted as evidence by the Milan Tribunal.”*

Corner House states that it expects Adoke *“to issue a full retraction of the defamatory statements made against Corner House at the earliest possible date”*.

If no retraction has been made within 10 days, the groups says that it will initiate legal action against Mr Adoke SAN and his agents.

The group states:

“We reserve our right to bring proceedings in the UK or any other jurisdiction where damage has been caused. We are currently assessing the extent of the damage to our reputation caused by internet publication of the Complaint in the UK. Given the wide UK readership of the Nigerian newspapers which reported the Complaint online, we believe that many readers in the UK will have read the defamations”.

Corner House, 23 April 2021