



Hollow Wins and Broken Arrows: When Justice Misses the Mark

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What Does Victory Feel Like When the System Is Failing?

Every lawyer aspires to win by the strength of their arguments, the clarity of facts, and the solidity of evidence, yet there comes a moment when victory feels hollow. On July 2, 2025, one such moment unfolded in a Port Harcourt High Court. The courtroom was quiet. The kind of quiet that usually means something important is about to happen. I sat down ruminating over a criminal case that had been plagued with adjournment after adjournment. As defense counsel, I stood before my Lord, Hon. Justice E.N. Thompson, watched the Prosecutor falter again due to absent witness, unavailable case file, and the complainant whoever they were, having become a ghost in the narrative. I casually applied for the matter to be struck out for want of diligent prosecution. His Lordship flipped through his records and after a while began writing, then looked up and said, "This case is hereby struck out." The court granted the defense's application, but the mood in the room was far from

celebratory. Regardless, technically, I'd won. I observed the legal customs by appreciating the court, as would every lawyer in my position, my colleagues giving me wry smile, but this didn't feel like a win at all. Something was missing, something deeper than the verdict because this wasn't justice. It was just an ending; a momentary end because the State/Prosecution can always file another charge whenever it feels ready to prosecute. I began to ponder a number of factors that would warrant a win to feel like a blow.

Four things that make a win feel like a blow:

- **Repeated delays.** The case limped through adjournments with no momentum.
- **Missing proof.** Critical evidence was nowhere to be found.
- **Vanishing witnesses.** Testimonies lost to time and apathy.
- **Lack of prosecutorial diligence.** The prosecution had chances but failed to prepare.

Yes, this case had already taken a beating from multiple delays. Critical evidence was nowhere to be found. Witnesses including the complainant were absent from court and obviously uninterested in

the case. And the prosecutor, despite the opportunities granted by the court through the series of adjournments, couldn't get the case moving. It wasn't the first time I'd seen it happen.

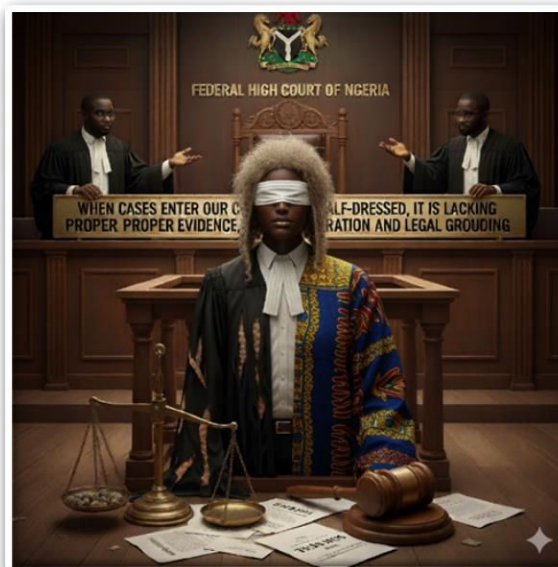
What's The Real Court Room Victory?

While striking out a case is victory for the client, there's another kind of victory that is more convincing and satisfactory; the kind you earn through strong defense, airtight arguments, and sharp strategy. The kind of victory that comes when the court addresses all the issues at trial and goes through the evidence in its evidence bowl with a fine-tooth comb while icing it with sound statutory and judicial authorities. That victory that comes when the court agrees with your arguments and even a step further to reproduce your arguments in its judgment. That's when a lawyer feels true satisfaction. Victory on merit is powerful. It reassures the public. It strengthens the system. It tells everyone: justice was done, and it was done right. It is true, the first to speak in court usually sounds convincing until cross examination exposes the truth and shatters the illusion. There are times when prosecutors truly believe that the evidence obtained will nail the suspect to the crime and secure a conviction but a piece of exhibit no matter how compelling, is worthless and only good for the trash if it lacks evidential value.

The Evidence Act sets out clear criteria for the admissibility of evidence. These include: the form in which the evidence is presented (whether primary or secondary); whether the evidence was properly pleaded; the identity and credibility of the person through whom it is tendered; and, in criminal matters, the manner in which it was obtained, particularly in relation to confessional statements. These elements form the foundational basis upon which any piece of evidence may be admitted and relied upon by the court. Without satisfying these requirements, even the most compelling exhibit risks being rendered legally irrelevant.

When Cases Enter Our Courtrooms Half-Dressed

When a case enters our courtroom half-dressed, it is lacking proper evidence, preparation, and legal grounding. More and more cases enter our courts wearing threads of suspicion but no fabric of proof. It's hard not to wonder: why proceed if the prosecution isn't ready? These aren't just technical faults, they are failures of duty, and while a striking out brings temporary relief, it also raises questions about the functionality of the criminal justice system particularly the police and state prosecutors. It is worth pointing out that one of the most sacred principles in criminal justice is the presumption of innocence. It's however sad to say that somewhere along the line, this concept has been eroding. Suspects now face arrest based solely on allegations. Detention often comes before investigation. And in court, the burden



subtly shifts, the defendant must prove innocence instead of the prosecution proving guilt. I can't now begin to imagine the number of inmates whose story is not far from this sad reality. This inversion of justice isn't always overt. It's woven into courtroom behavior, institutional culture, and the pace of poorly-prepared trials.

Often, prosecutors inherit flawed cases long before trial begins, forced to "manage" what's left. But that's no excuse. If we want confidence in justice, our prosecutors must be:

- Legally trained and continually educated
- Ethically grounded
- Procedurally disciplined

Justice isn't just a courtroom performance; it's a lived experience. It must be felt, seen, and believed by society. Our criminal justice laws didn't arrive last week. They've been established for years. There's no excuse for prosecutors and law enforcement agencies to remain untrained or unaware. The Department of Public Prosecution holds immense power. But with such power comes duty to:

- Rigorously assess evidence before filing.
- Withdraw weak cases with humility, not ego.
- Uphold standards, even when pressured to perform.

Justice isn't a checklist. It is a commitment. A promise. A duty. Prosecutors must be more than presenters. They must be protectors of truth. And truth doesn't bend to convenience. To restore faith in justice, we must insist on three pillars: legal sensitivity, investigative integrity, and procedural discipline. Legal sensitivity, investigative integrity, and procedural discipline should be non-negotiable because justice isn't just delivered through a ruling. It's measured by how society experiences it. Justice must not just be said to be done, it must be seen to have been done.

Prosecutors hold the bow, let them Learn to Aim. Not every criminal case deserves to reach a courtroom. If the evidence is thin, the story is unclear, the facts uncertain, and the preparation lacking, it's far more honorable to hold back than to push forward blindly. Prosecutors must be more than figureheads. They should be thinkers, builders, and protectors of truth. Their training should be deep, their judgment sound, and their intent aligned with justice not just procedure. As noted before, Justice must not only be done; it must be seen to be done. Legal integrity is how we make that visible. Therefore, there is no gain saying that when cases enter our courtrooms half-dressed, the irresistible is a hollow win and justice will again and again miss its mark.

Conclusion

The most meaningful courtroom wins are those born of merit, where law, evidence, and ethics converge to deliver a verdict that resonates beyond the courtroom. When we uphold legal integrity, we earn more than a ruling/judgment; we earn respect, but when systems falter and shortcuts define outcomes, even wins feel hollow. When lawyers win on merit, armed with proper evidence, and ethical advocacy, the society takes notice. That kind of win strengthens institutions, affirms the law, and reminds citizens that justice is real. It builds trust and reminds society that lawyers are the custodians of integrity, earning a place not just in history, but in the hearts of those they serve.