

How to guide:

How to improve cross-sector co-ordination
in the justice sector

Establish a Justice Sector Reform Team

What is the J4A ‘How to’ series?

The guide is part of a series of products developed by J4A to communicate lessons learned from projects and pilots, to provide stakeholders with guidance on how to adapt and replicate the initiative in their own context.

Who is this ‘How to’ guide for?

Influencers and decision makers in the justice sector (police, prisons, judiciary and civil society).

Reference tools

Accompanying reference tools are available at www.j4a-nigeria.org or by request from info@j4a-nigeria.org

The problem

- Lack of communication and co-ordination between justice sector organisations leads to delays and other problems in the justice system.
- A blame culture gets in the way of organisations working together to solve problems that require joint solutions.
- Providers of justice services such as government ministries and agencies or the judiciary do not work closely enough with civil society organisations and therefore do not have a balanced understanding of the needs and demands of end users or marginalised groups.
- The root causes of problems in the justice sector are not properly understood because justice sector organisations consider problems from too narrow a perspective.

Background

The justice system in Nigeria is made up of many parts. It involves the providers of justice services, such as law enforcement agencies, government ministries, the courts and judiciary, the legal profession (public and private), traditional institutions, correctional services, religious institutions and non-government organisations that provide services such as legal advice, education and support services. It also involves those who represent the interests of end users of the system such as parliamentary committees, professional associations and civil society organisations, especially those who represent issues relevant to marginalised groups, such as women and girls.

Many of the most critical justice-related problems – such as delays in the criminal justice system, a lack of access to affordable justice for many Nigerians, prison congestion, rising insecurity, impunity for violence against women and children, and so on – have complex root causes that cannot be solved through the action of just one part of the system. Improving communication, co-ordination and collaboration among the different parts of the justice system is critical to achieving lasting and effective justice sector reform.

What you can do

Establish a state-level Justice Sector Reform Team (JSRT) that brings together representatives from a cross-section of organisations that work in, or contribute to, the justice sector of the state, with the aim of:

- encouraging increased understanding, better communication and more sharing of knowledge and experience among justice sector stakeholders
- providing a forum through which senior representatives of key stakeholder groups can regularly meet to identify and discuss key justice-related issues facing the state, and suggest ways of resolving them that involve cross-sector approaches to reform
- promoting and facilitating reform initiatives involving a co-ordinated effort of multiple justice-sector stakeholders.

What you can achieve

- Improve understanding and ensure more constructive working relationships between stakeholders in the justice system.
- Develop more robust solutions to problems by applying a range of perspectives, skill sets and knowledge to fully understand the root causes, and agree the best way of resolving them – including through co-ordinated effort.
- Ensure that the needs and interests of marginalised or less influential groups of society are represented through the involvement of civil society organisations in discussions on justice reform.
- Increase engagement between different parts of the justice system that may have previously worked in silos or not co-operated with one another.
- Ensure resources are focused on identifying and effectively resolving justice sector problems through using the collective influence of the JSRT to advocate for reform.
- Provide a mechanism for the sharing of ideas and lessons both between justice sector stakeholders within a state, and through networking with JSRTs in other states.

Steps for establishing a Justice Sector Reform Team

There is no one-size-fits-all model for a JSRT, but the following are some general steps that need to be followed as part of deciding the most appropriate model for a specific state level context.

1. Carry out advocacy to senior figures in the state to gain buy-in and sponsorship

Key figures whose support is usually needed include the Governor, the Chief Judge and the Attorney General. The active sponsorship of at least one of these figures is usually necessary to ensure a JSRT is recognised in the state as having an important mandate and that sufficient resources are allocated to enable it to operate effectively.

2. Decide on the structure of the JSRT

There are various possible structural models for JSRTs. At a minimum, this usually includes the main team made up of a range of justice sector stakeholders alongside a Secretariat. Some JSRTs also include some form of oversight body such as a Steering Committee or Strategic Advisory Group, which is usually a smaller group made up of heads of key justice-sector agencies, such as the Chief Judge, the Attorney General, the Commissioner of Police, Controller of Prisons and so on. Quite a few also establish sub-committees of the main team to work on specific issues or initiatives.

3. Agree on the membership

Members should be selected so that as broad a range of interests and perspectives from the state are represented as possible. The following are examples of stakeholder groups from which membership can be drawn, although not all groups are represented in every JSRT: the courts and judiciary – representing judges and officials from High Court, Magistrates Courts and/or Sharia Courts; the legal profession (e.g. Department for Public Prosecution, Office of the Public Defender, the Nigerian Bar Association); law enforcement or anti-corruption

agencies (e.g. Nigerian Police Force, vigilante groups, National Drug Law Enforcement Agency, Economic and Financial Crimes Commission); government ministries (e.g. Ministries of Justice; Women's Affairs; Finance and Planning); Correctional Services (e.g. Nigerian Prison Service), Parliament (e.g. Justice Committees; Budget Committees); government bodies providing rights-related services (e.g. citizens' rights centres; National Human Rights Commission; Nigerian Legal Aid Council); traditional institutions and community bodies involved in alternative dispute resolution; academic and research institutions or personnel focusing on law, security and justice issues; civil society coalitions or organisations representing marginalised, disadvantaged or special-needs groups such as women, youth and children, disabled persons, prisoners, etc.

4. Invite member organisations/groups to nominate representatives

It is vital that the person nominated to attend and contribute to meetings, as well as participate in activities, is both senior enough to have sufficient insight and influence in representing his/her parent organisation on the JSRT, and also that he/she should be willing, able and indeed expected to give sufficient time to JSRT matters. At a minimum this usually requires attending monthly meetings, and additionally contributing time to specific JSRT initiatives or actions.

It is important to consider gender balance on the team, and also to have at least some members (e.g. from civil society organisations) who can represent the perspective of citizens who come into contact with the justice system, whether as persons needing legal advice or education on rights, litigants, victims of crime, witnesses, accused persons or prisoners.

5. Allocate key roles and responsibilities

The Chair of the team needs to be someone of standing and influence in the sector – usually the Chief Judge, a High Court Judge, the Attorney General or a Senior Advocate of Nigeria. The Chair needs to be reform-minded and willing to commit time to leading the JSRT. A JSRT should also have a secretary who is responsible for administrative duties. These usually require a minimum of several days a month and include such tasks as organising meetings, preparing agendas and minutes, record-keeping, team communications and so on. Some JSRTs have introduced additional roles, such as a Deputy Chair, a Communications or Public Relations Officer, and extra support for the secretary to carry out administrative or financial accounting duties.

6. Secure sufficient financial, physical and human resources to run the JSRT

Teams need a number of types of resource if they are to run effectively. Early consideration needs to be given as to how the team will access such resources.

- a. Financial:** see the cost implications of establishing a JSRT on page 5. These include basic running costs, funding for specific initiatives and more general communication costs.
- b. Physical:** teams need a venue for meetings, somewhere for the Secretariat to carry out its business, and access to equipment such as phones, printers and computers, as well as materials such as stationery. These might be sourced through donations (e.g. of equipment such as laptops and printers, or an unused room), seeking access to resources that belong to others (e.g. permission to use a meeting room and office equipment), or through funding to buy such resources for the exclusive use of the team.

- c. Human:** most JSRTs require some full or part-time administrative support, which can either come from staff specifically recruited to work in the Secretariat or from staff of member organisations seconded to provide administrative support on a full or part-time basis. Another option is to assign youth-corps members or other volunteers seeking work experience to provide administrative support to the Secretariat.

See also Lessons 3 and 4 on page 9, for how JSRTs have sought to secure sustainable funding and also how teams have made an impact with limited funding.

7. Agree how meetings will be managed

Most JSRTs meet on a monthly basis. It is advisable to agree a fixed date, time and location each month (e.g. the first Thursday, the last Tuesday) so that it becomes a regular fixture in team members' diaries. Normal best practice in meeting arrangements usually apply, including: the secretary notifying members of the meeting and agenda in advance; members sending apologies if unable to attend; taking an attendance register; facilitation of the meeting by the Chair (or person delegated to take on this duty in his/her absence); confirmation of the previous meeting's minutes at the meeting; taking of minutes by the secretary; circulation of the minutes within a week.



8. Set behavioural standards and expectations for members

Most JSRTs depend on the spirit of volunteerism and public service of reform-minded persons. It is therefore advisable to set out clear values and behavioural expectations for persons nominated to represent member organisations at team meetings. Such standards and expectations may be put in writing, e.g. in team Terms of Reference, or as a written Values Statement.

An example of one important behavioural standard is that, apart from exceptional circumstances, nominated representatives should always attend meetings in person rather than send a colleague to represent them. If unable to attend a meeting because of an unforeseen circumstance (e.g. illness, leave, one-off event that must be attended), then apologies should be sent to the secretary and the representative should actively seek to be briefed on the meeting's discussions and any actions agreed. If a nominated representative finds that their own professional or personal circumstances change and that they are unable to continue regularly participating in JSRT activities, then they should seek a replacement who is willing and available to take on the role.

All members should be expected to be proactive in bringing ideas and knowledge to the team and in reporting back to his/her parent organisation and also to be fully engaged in the team's activities.

9. Document how the team will operate

It is helpful to document the team's mandate, structure, roles, governance and administration arrangements, as well as any other matters relevant to how it operates. This might take the form of a Terms of Reference that can be shared with members and stakeholders. Some JSRTs (e.g. Jigawa and Kano) have advocated for Establishment Laws to be passed by the State House of Assembly – usually after they have been in existence for several years and have demonstrated clear successes and added value to the justice sector (see examples of Establishment Laws and Terms of Reference).

10. Agree what justice sector issues to work on

There are a wide range of potential justice issues that a JSRT might deal with, but experience has shown that most teams only have capacity to focus on between two and four initiatives at any one time. Therefore, there is a need to decide on priorities. Factors that might be considered include:

- focusing on issues where joint effort is essential (e.g. addressing delays in the criminal justice system)
- working on issues where there is already momentum for change and the JSRT is well placed to support that, rather than duplicate the efforts of others (e.g. contributing to advocacy for the introduction of new or amended laws, such as that relating to the administration of criminal justice)
- working on an issue that has become a prominent problem in the state (e.g. large numbers of awaiting trial prisoners in custody; rising cases of sexual assault or other forms of gender-based violence).

11. Agree what actions will be taken by the JSRT to address selected issues

Once an issue has been identified the team should decide what action it might take to address it. Much will depend on whether or not the team has access to funding. If not, then the main activity will need to be advocacy based on the team's assessment of the root causes of the problem and what others need to do to address it, and what funding or other resources need to be allocated to it. The aim of the advocacy will be to convince stakeholders to dedicate time and resources to taking the recommended course of action. Teams that do have access to funding will usually need to develop simple action plans and budgets to guide their planned activity.

12. Ensure clear plans of action and regularly monitor progress

It is essential that progress in implementing plans and actions is regularly monitored at meetings. The best way of doing this is to develop a simple action plan for a reform initiative, which sets out clearly what the end result will look like and what steps are needed to get there. Then assign tasks to individuals or groups/ sub-committees of members and require them to provide written or verbal progress reports against these plans at each meeting. Meetings will provide an opportunity to note any key developments or emerging challenges relating to planned actions and initiatives and decide as a team on the best way forward. The meeting minutes should reflect this and the agreed actions should be followed up at each subsequent team meeting until completed. For larger projects, some JSRTs require sub-committees to prepare monthly progress reports that are presented in written format and discussed at team meetings.

13. Decide how to raise profile and reputation through communication and accountability mechanisms

Particularly in the early stages of the team's existence, it will be important to undertake advocacy to key senior stakeholders who have decision-making power for the justice sector – to explain the team's mandate, planned activities and garner support, including in terms of allocation of financial and other resources where appropriate. Usually, this should include the following: Governor, Chief Judge, Chief Magistrate, Attorney General, State Commissioner of Police, State Controller of Prisons; NBA Chair; Chair of House of Assembly Committee(s) dealing with justice issues, and any other influential figure who is likely to be interested in the team and whose support would be beneficial.

In addition, nominated representatives who attend JSRT meetings should ensure a regular two-way flow of information between his/her parent organisation/group and the JSRT. Some JSRTs also publish annual reports of their activities that are shared with stakeholders as a means of demonstrating the value that the team brings to the justice sector and also to ensure accountability for how any resources such as funding are used. Some JSRTs have also undertaken communication activities such as participating in radio phone-in programmes on justice issues, carrying out community outreach or publishing newsletters.

Implementing partners

If the following are not members of the JSRT, they should certainly be considered as key stakeholders whose support is either essential or extremely helpful to a JSRT being successful. It will be necessary to ensure they are aware of and supportive of the team's mandate, and also that they are likely to have influence over what or how many resources (financial, human, equipment) are allocated to the team.

- Governor.
- Heads of key justice agencies (NPF, MoJ, courts, prisons).
- Funding partners (e.g. nationally or internationally funded reform programmes such as Justice for All Programme).
- Parliamentary committees.
- Ministry of Finance.

Local and national media can also be useful stakeholders, either to publicise the JSRT itself or in relation to raising awareness and understanding of specific justice issues that the team is focusing on.

Cost implications

- 1. Basic running costs:** most JSRTs require start-up resources (office, equipment, etc.) and also have ongoing overhead costs such as for communications, printing, refreshments, transport and so on.
- 2. Funding for specific initiatives:** some JSRTs undertake initiatives or projects that require budgets to be developed and approved. For example, to fund activities such as public sensitisation campaigns, workshops and seminars, the provision of training and equipment, etc.
- 3. Publicity/profile-raising costs:** some JSRTs have secured budgets to participate in radio or television programmes or to publish radio jingles, information leaflets and other information, education and communication materials.

Lessons learned

The following lessons are based on the experiences of existing JSRTs.

Lesson 1

Senior-level sponsorship and leadership is critical: the JSRT needs an influential and committed sponsor who has sufficient influence to advocate for the provision of necessary resources (or in some cases directly provide resources). For most JSRTs this is either the Chief Judge or the Attorney General, and some also have the direct sponsorship of the Governor. However, these figures usually have limited time to partake in regular meetings and activities, and therefore often senior figures such as High Court Judges or Senior Advocates of Nigeria (SANs) are assigned to lead JSRTs' activities on a day-to-day basis by chairing monthly meetings and so on.

Lesson 2

Avoid over-reliance on the leadership of a single person or the contributions of too small a number of team members: while strong leadership is important, JSRTs should not rely on a single person to sustain momentum. For example, consider having a regular meeting date rather than the Chair only calling a meeting subject to his or her availability. If the Chair is not available on one occasion, have a system whereby someone can deputise.

Ensure that all members are participating in team activities so that there is a fair distribution of responsibilities, and progress can still be made even if one or two members become temporarily unavailable. Consider incentives to encourage regular participation of all members, such as recognising those who have made the best contribution.

Lesson 3

Advocacy is necessary to secure resources: nearly all JSRTs have struggled with the issue of securing regular funding, particularly in their first few years of existence. While external partners such as the J4A programme can sometimes provide temporary funding, this is not sustainable as a long-term source, and also suggests a lack of local ownership. To secure state

government funding, it will be essential to develop an advocacy strategy that targets key persons involved in the process of agreeing funds, and just as importantly getting them released (e.g. the Governor, Chief Judge or Attorney General, Chair of relevant House of Assembly Committee; Ministry of Finance, etc.). This will clearly need to link to the timings of the state public service annual budget cycle.

Some teams have secured funding from other national partners – including donations from member organisations or joint funding of reforms with partners. For example, a JSRT recently carried out a public sensitisation campaign jointly funded with one of its member organisations.

Lesson 4

Collective influence is one of greatest resources: a JSRT's greatest strength should be the collective influence its members can bring to bear in convincing other stakeholders to take action. This collective influence is an important resource, and can be used to achieve much reform even where a JSRT has access to limited financial resources. Advocacy activity – which is low or no cost – can be used to great effect by JSRTs if they use the experience and knowledge of member organisations to develop compelling, evidence-based arguments for reform that can then be presented to stakeholders as a means of persuading them to take a particular course of action.

Lesson 5

Be realistic about what can be achieved: most JSRTs are made up of representatives that have senior-level, full-time jobs, and this limits the time that they can devote to team activity. Therefore, JSRTs – when deciding what justice issues they should focus on in a given period – should be realistic about team capacity. It is better to focus on quality over quantity and experience has shown that most teams can manage no more than two to four initiatives at any one time. It is advisable to ensure that at least one or two of these are 'quick-wins' (see Lesson 6).

Many teams have developed strategic plans that cover periods of two to three years, and these can provide a useful framework for overall JSRT activity. However, it is advisable to also develop simple action plans for any specific initiative and ensure that these are no longer than 12 months' duration. Indeed many JSRTs have found it helpful to develop action plans on a rolling basis every three to six months, rather than trying to plan too far ahead.

Lesson 6

Quick wins to raise profile: as noted above, JSRTs should not try to take on too much activity at once. Quick-win initiatives (i.e. those that should take no more than six months to achieve in practice, at a relatively low cost but with high impact) are a great way of raising the team's profile and building support. Examples of quick wins that JSRTs have implemented to date include advocacy to convince a stakeholder or group of stakeholders to take a particular course of action and public sensitisation on specific issues through mechanisms such as radio phone-ins and jingles or town hall meetings.

Lesson 7

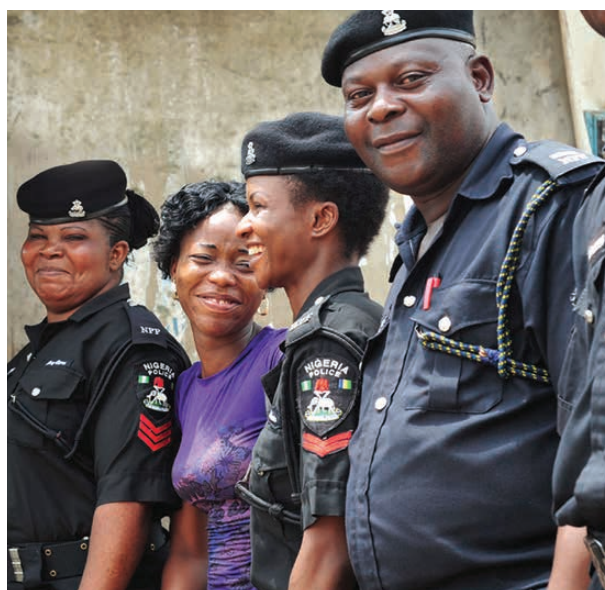
Seek to form partnerships: many JSRTs have formed partnerships with other organisations to achieve a particular reform. For example, the Kano JSRT is partnering with a local NGO coalition to implement a public sensitisation campaign on the issue of rape. In Enugu, a member organisation – local NGO CAPIO – agreed to part-fund a publicity campaign on criminal-justice rights and responsibilities. In Jigawa, the Justice Sector and Law Reform Commission is partnering with a range of stakeholders including the Ministry of Health, the Ministry of Social Development, the NPF and some CSOs to organise the establishment of a sexual assault referral centre. The Federal Justice Sector Reform Co-ordination Committee partnered with the Nigerian Prison Service to develop new Prisons Standing Orders.

Lesson 8

Share experience and learn best practice from others: much time and effort can be saved by learning from other JSRTs, for example through study tours or by sharing tools and methodologies, and examples of what has worked well and what hasn't.

The biannual Justice Reform Team Network meeting is an excellent forum for JSRTs to come together and share ideas and experiences. Many teams have taken the knowledge gained at this event and used it to build an argument for similar reforms to be undertaken in their own states, as well as replicating approaches, tools and methodologies.

Likewise, JSRTs can learn from pilot projects being taken forward by other programmes and organisations. For example, J4A publishes a range of how-to guides, toolkits and other knowledge-sharing materials relating to a series of pilot reform initiatives it has implemented, most of which can be accessed via the resources section of its website www.britishcouncil.org.ng/justice-for-all-nigeria/resources/how-to-guides



Achieving results

Since the first JSRT was established in 2002 the concept has spread across Nigeria and the following successes and results have been achieved.

1. More states are establishing JSRTs

There are now a total of 13 JSRTs in Nigeria, one at Federal level and 11 in states including: Akwa Ibom, Anambra, Bayelsa, Ekiti, Enugu, Kaduna, Katsina, Kano, Kwara, Jigawa, Niger and Zamfara. The JSRT model is being promoted through the biannual JRT Network meeting, to which observer states are invited to attend and learn about the benefits of setting up a JSRT and to see how other states use it as a means to achieving justice reform.

2. JSRTs are increasingly becoming institutionalised and locally owned

A number of JSRTs now have a regular funding allocation from state governments, and the allocation of other

resources such as office space, equipment such as computers or vehicles, and administrative staff, so that they are not reliant on external funders. Some JSRTs now have a legal mandate through the passage of establishment laws by State Houses of Assembly. Jigawa State, which was one of the first states to establish a JSRT in 2002, turned it into a full statutory Commission – the Justice Sector and Law Reform Commission – in 2010. Its mandate includes leading on cross-sector justice reform, law reform and the management of Community Law Centres, and it has a set of full and part-time Commissioners and a full-time Secretariat staffed by public servants.

3. The profile of JSRTs is rising

They are becoming recognised as key justice sector stakeholders, and are successful in achieving tangible improvements in the justice system. Many now receive requests from other justice organisations to take part in reform initiatives or lead on efforts to bring about change.

4. Results

The following are some examples of results that various state-level JSRTs have achieved through a co-ordinated effort and cross-sector approaches.

- The Federal Justice Sector Co-ordination Committee partnered with the Nigerian Prison Service to revise the Prison Standing Orders, which had not been updated in more than 50 years.
- The Anambra State Justice Sector Reform Team partnered with LEDAP, a Nigerian NGO, to implement a project designed to ensure the full implementation of the 2012 Anambra State Administration of Criminal Justice Bill.
- The Enugu Justice Sector Reform Team partnered with the State Judiciary to identify and categorise stalled criminal cases and organise a judicial ‘call-over’ to ensure such cases are progressed.
- Kano Justice Sector Reform team established a case tracking system for key criminal-justice agencies in the states – including the Magistrate Court, High Court, Sharia Court and two prisons.
- Kaduna Justice Sector Co-ordination Group successfully advocated for a police–MoJ Liaison Officer to be appointed to help improve communication and co-ordination between the two agencies.
- Jigawa Justice Sector and Law and Reform Commission organised training for state counsel in prosecution skills and for vigilantes to ensure they work effectively with the police and comply with human rights principles
- Niger JSRC played a key role in advocating for the Chief Judge to issue a High Court Practice Direction aimed at addressing some of the causes of delays in criminal cases that are brought before it.
- Kwara JSRT advocated for better medical services in prisons in the state through the appointment of a professional doctor, and also carried out public sensitisation on the dangers of criminality associated with cultism.

Contact

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