

# RULE OF LAW AND ANTI-CORRUPTION IN NIGERIA

The Rule of Law and Anti-Corruption (RoLAC) programme is working to enhance good governance by strengthening the rule of law and curbing corruption. Our main objective is to back the government's justice and anti-corruption agenda through supporting the adoption and implementation of relevant legislation, policies and strategies in the sector.

We work at the federal level and in Lagos, Kano, Anambra, Edo, and Adamawa states.

## Our work focuses on the following areas:

- Reforming the criminal justice system
- Ensuring women, children and people with disabilities have access to justice
- Improving the performance of anti-corruption agencies and how they work together
- Enhancing the voice of Nigerians in justice sector reforms and curbing corruption

The five-year programme (2017-22) is funded by the European Union and implemented by the British Council.



Delegation from the DPP study tour in Lagos state. Source: RoLAC.

## KEY ACTIVITIES

This newsletter highlights activities undertaken between April to June 2021.

Summary of key activities:

### Criminal justice system:

- Complaint handling policy for court users issued in Edo state
- The Nigeria Police Force strengthens the handling of suspects in custody
- DDPs commit to speeding up criminal justice

### Access to justice:

- Access to justice for persons with disabilities improved in Anambra state
- Services for children, women and PWDs improved in Lagos state
- Simplified version of the Disability Act launched
- 140 people benefit from free legal services in Adamawa state

### Curbing corruption:

- Civil society and media learn about the standards for transparency in the extractives industry

## CRIMINAL JUSTICE SYSTEM

### First complaints handling policy for court users issued in Edo state

Few Nigerians will forget the impact of the #EndSARS protests that took place in October 2020, following the reported extrajudicial killing of an unarmed man in Delta State. The incident highlighted the need for responsive justice institutions that investigate complaints by the public in a transparent manner and hold officials accountable.

On 14 May 2021, the Edo State Judiciary, working with the state's Justice Sector Reform Team and with support from the Rule of Law and Anti-Corruption (RoLAC) programme, developed and adopted the first Edo State Complaints Handling Policy for Court Users.

The Complaints Handling Policy was developed to ensure that any shortcomings in conduct and service delivery in the

judiciary are addressed in a timely manner. The policy details the steps court users can take to lay their complaints and the actions expected of officials.

Specifically, the policy provides a framework for: receiving and dealing with complaints on the conduct of all court staff and judicial officers in Edo state; receiving feedback and suggestions from court users on the services provided by courts; providing court users with the opportunity of airing their grievances or opinions about the services received from the court; and strengthening the accountability of courts' personnel for their actions.

The new policy establishes a central record of complaints to help identify recurring problems and tackle them appropriately. It provides court users with a simplified and effective complaints mechanism for monitoring service delivery improvements, problems, opportunities for early resolution of complaints, meet court users' needs, as well as expectations in the shortest possible time to prevent repeat cycles of poor service delivery.

The initiative aims to strengthen public confidence in the courts and the administration of justice, and ensure that judicial officers and court employees are protected from unwarranted and unfair accusations.

The policy was developed by the Edo State Justice Sector Reform Team - a cross-sector committee advocating for justice reforms towards enhanced justice delivery in the state. Membership comprises of representatives of the judiciary, the Nigeria Police Force, the Ministry of Justice, civil society, and other actors. The policy was reviewed by the Edo State Administration of Criminal Justice Committee, a high-level committee mandated by law to oversee implementation of the Administration of Criminal Justice Law in the state.

The development of the policy took into account various perspectives of justice delivery to ensure the optimum treatment of complaints received by the judiciary and draws on lessons from the Complaints Handling Policies supported by RoLAC in other focal states. The policy will be pasted on the walls of all court locations in Edo state.

**‘It is important that court users feel able to challenge poor standards of service. They should know how to complain and feel confident to make complaints without fear of victimisation. They should equally feel confident that their complaints will be received, investigated, and appropriately addressed in an efficient manner.’**

**“An effective complaint handling procedure creates public confidence and reduces the need for people to resort to self-help, which can lead to violence.”**

Chief Judge of Edo State, Hon. Justice Edigin

## The Nigeria Police Force strengthens the handling of suspects in custody

In a bid to modernise the Nigeria Police Force and improve its capacity to handle suspects in custody, six 'Force Orders' were developed and approved with support from RoLAC.

The orders cover the following areas: stop and search; search and seizures; identification parade; criminal investigation; arrest and detention; and investigative interviewing. They contain key principles of human rights and are aligned with international best practices, such as the United Nations Police regulations. The orders are also in line with Nigerian legislation, including

the Administration of Criminal Justice Act (2015) and the Nigerian Police Act (2020).

To popularise the orders, the police, with support from RoLAC, trained 210 middle level officers. The objective was to introduce the officers to the new orders and emphasise the importance of criminal justice on the core aspects of human rights principles and compliance by the police. The training also highlighted a professional approach in managing persons in police detention and custody in accordance with the Administration of Criminal Justice Act 2015 and other laws.

The participants, who are team leaders, were deliberately selected to cascade the new knowledge to their respective teams.

The police are also collaborating with RoLAC to produce copies of the Force Orders for distribution to police formations across the country.

## Directors of Public Prosecution commit to speeding up criminal justice process in their states

The Directors of Public Prosecution (DPPs) in Anambra, Edo and Kano states have committed to implementing ongoing reforms in the criminal justice sector. These commitments were made after the Directors participated in a 4-day study tour organised by RoLAC in partnership with the office of the DPP in Lagos state.

The tour included the DPPs of the three states, their deputies, and a representative from the Federal Justice Sector Reform Coordinating Committee. It was an opportunity to observe and learn from measures implemented by the Lagos State Ministry of Justice to improve trial advocacy, time management, case management, and turnover. The tour also provided insights on the case filtering project and the plea bargain process.

The initiative highlighted the synergies between the Lagos State Ministry of Justice and its parastatals, which facilitate case referrals among themselves and with other relevant government agencies. The case referral system helps the ministry, courts, police, and the Nigerian Correctional Service manage their caseloads.

The tour was hosted by the Lagos State DPP, Mrs Adeyemi, who together with her management team (comprising heads of the District Prosecutors Unit, Plea Bargain Committee, Sexual Offences Committee, and Witness Support Team) introduced the work of the department. The visiting DPPs also met with the Honourable Attorney-General of Lagos State, Mr Moyosore Onigbanjo SAN, heads of some parastatals under the Lagos State Ministry of Justice, the Office of the Public Defender, Citizens' Rights Department, and the Citizens' Mediation Centre.

**“We learned a lot from the DPP in Lagos state. We have already started implementing some of the gains at the Department for Public Prosecutions in Edo state.”**

Stella Okojie, Director for Public Prosecution, Edo state

# ACCESS TO JUSTICE

## Access to justice for persons with disabilities improved in Anambra state

A directory of sign language interpreters (SLIs) in Anambra state was developed with RoLAC support. The directory aims to facilitate the speedy access to trained and knowledgeable SLIs for persons with disabilities (PWDs) and bridge the communication gap between justice institutions and the disability community.

The directory contains the contact details and level of proficiency of 40 SLIs from both public and private institutions who have been trained on key legislations, including the critical provisions of the Violence Against Persons Prohibition Law (2017) VAAPL, the Disability Rights Law (2018) DRL and the Child's Rights (2004) Law CRL.

It is intended that the SLIs will be contacted by service providers to provide communication support to PWDs seeking justice; and be able to confidently refer cases of sexual abuse and other human rights violations to the appropriate service providers.

On 14th April 2021, the directory was presented to the Anambra state service providers and justice partners. Representatives of the Chief Judge, Attorney General, Commissioner for Women Affairs, and other state functionaries were in attendance at the ceremony. The Special Adviser to the Governor on Disability Affairs pledged the commitment of the state to sustain this initiative by funding the activities of the interpreters. The Deaf Community Service Department of the Special Adviser's office (+234 9036412791) has been designated to respond to requests for services of SLIs.

The directory is already having an impact. For example, an interpreter was recently deployed to the Ntasi Sexual Assault Referral Centre to help two survivors.

This initiative is based on the findings and recommendations of a 2019 RoLAC-supported assessment of access to justice for PWDs. It revealed that one of the obstacles to access to justice for PWDs is the lack of communication support for those living with hearing and speech impairment, which impedes the presentation of their complaints and cases. It was discovered that despite the presence of key legislations that protect women, children, and persons, many cases of sexual and domestic violence against PWDs are often unreported due to lack of communication support to approach the relevant justice institutions and service providers.

**“The hospitals were not able to treat my pain because they couldn't understand my explanations. See how you have speedily attended to me.”**

Quote from a hearing-impaired survivor at the Ntasi Sexual Assault Referral Centre on the sign language services received

**“This directory will help address many of the frustrations experienced in the courts.”**

Vivian Udedike, representative of the Chief Judge, Anambra state



Public presentation of the directory of sign language interpreters in Anambra state. Photo credit: Ngozi Ukwueze

## Launch of a simplified version of the Disability Act to increase awareness

With RoLAC support, a simplified version of the Discrimination Against Persons with Disabilities (Prohibition) Act (2018) has been developed to increase awareness of the provisions in the law.

Since the passage of the law, little progress has been made towards implementing the provisions and there is a low level of awareness about the law. Many people including those with disabilities are unaware of the provisions of the law and what constitutes acts of discrimination and /or violence against them.

The simplified version is easy to read and understood by a non-legal audience. It was presented to the public on 4 June 2021 by the Executive Secretary National Commission for Persons with Disabilities, Mr. James Lalu. Key stakeholders and representatives of various disability clusters in the FCT attended the event.

RoLAC initially supported the legislative advocacy that led to signing of the Discrimination Against Persons with Disabilities (Prohibition) Bill in 2019. The programme is currently supporting the translation of the law into Igbo, Hausa, Yoruba, and Pidgin English for wider dissemination and uptake.



Stakeholders at the launch of the simplified version of the Disability Act. Source: Disability Rights Advocacy Centre

## 140 people benefit from free legal services

The Rule of Law and Anti-Corruption (RoLAC) programme trained 25 lawyers on the policy duty solicitor scheme (PDSS) in Adamawa state.

The police duty solicitor scheme enables a **person who is arrested on suspicion of a criminal offence to consult with a solicitor**, whilst in police custody. The objective is to establish a network of police duty solicitors to provide free legal services in police stations and communities.

The scheme began in 2020 and is led by the Legal Aid Council of Nigeria with support from RoLAC. To date, over 140 vulnerable persons have accessed free legal services from the solicitors. These services include witnessing the taking of statement of suspects (in line with section 19 of the Administration of Criminal Justice Law 2018), facilitating police bail, and following-up on case diaries to ensure suspects are charged to court within a reasonable time.

The lawyers at the training were drawn from the Nigerian Bar Association (Yola and Mubi branches). They pledged to increase free legal services to detainees and awaiting trial persons through the new scheme.

**“Although I have been involved in providing pro-bono legal services, this is the first time I’ve heard and learned about the PDSS. I call on the Nigerian Bar Association to bring in more lawyers to learn about the new scheme.”**

Blessing Boniface, workshop participant

- Project level reporting: where project by project reporting of payments are made rather than a lumped reporting by companies.

**“Transparency will increase business confidence in Nigeria. This is why NEITI is engaging with CSOs to promote transparency and accountability in the extractive industries.”**

Dr Orji Ogbonnaya Orji, Executive Secretary, NEITI



Stakeholders at the dialogue on EITI emerging issues. Source: RoLAC

## CURBING CORRUPTION

### Civil society and the media advocate for transparency in the extractives industry

The Nigeria Extractive Industries Transparency Initiative (NEITI), with support from RoLAC, organised a round table with civil society and the media to discuss the emerging issues in the extractive industries transparency initiative (EITI) and the coordination of advocacy on the implementation of the guidelines in Nigeria.

The aim was to raise awareness on the EITI and to encourage strategic actions and activities for demanding better implementation set out by the global principles for the extractives industry.

NEITI was established in 2007 in response to Nigeria’s commitment to the global EITI standards. Its mandate is to monitor and ensure transparency in the payments made by companies and agencies doing business in the extractives sector, and ensure accountability in the application of these resources by government.

The dialogue sessions were held in Abuja (May 13) and Nasarawa state (May 15). Each session was tailored for the participants and discussions focused on emerging issues, such as:

- Mainstreaming: detailed and accurate reporting by agencies in the extractives sector
- Beneficial ownership: where the natural persons who directly or indirectly control the companies doing business in the sector are declared

## FACTS & FIGURES:

Number of direct beneficiaries  
(Jul 2017-Mar 2021)

Justice reforms

19,340

Access to justice

24,483

Curbing corruption

12,034

CSO & media

60,634

## OTHER ACTIVITIES COMPLETED WITHIN THE PERIOD

- Training for judges, magistrates, and other stakeholders in Cross River state on the sentencing guidelines
- Consultation meeting on the development of a service providers register and a sexual offender's register in Adamawa state
- Quarterly meeting of the Legal Aid Committee
- Stakeholders' roundtable to review the draft disclosure guidelines for mainstreaming beneficial ownership into federal public procurement
- Advocacy by the Child Protection Network to traditional rulers in Urum to institute a local policy to support the Child's Rights Law

## UPCOMING ACTIVITIES

- Media engagement on the Administration of Criminal Justice Law by the Anambra State Justice Sector Reform Team
- Workshop for divisional police officers and magistrates in the FCT on sections 33 and 34 of the Administration of Criminal Justice Act
- Advanced prosecutors training for lawyers from anti-corruption agencies
- Training of financial institutions on effective reporting of suspicious transaction reports

### Find out more

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