

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 four-year programme (2017-21) is funded by the European Union and implemented by the British Council.



Launch of the sexual offender register in Edo state (right to left: Edo State Governor: Godwin Obaseki, First Lady of Edo state: Betsy Obaseki and Edo state Commissioner of Justice: Yinka Omorogbe watch). Source: Governor Obaseki

KEY ACTIVITIES

This newsletter highlights activities undertaken between July to September 2020.

Summary of key activities:

Criminal justice system:

- CSOs promote the effective implementation of the Administration of Criminal Justice Law
- First statement-taking room established in North Eastern Nigeria
- Training of trainers on non-custodial measures

Access to justice:

- Launch of the National Child Rights Implementation Committee Secretariat
- Launch of new SARC in Edo state
- Launch of new resource centre for survivors of SGBV

Curbing corruption:

- Kano state establishes an Anti-Corruption Institute
- Revised Public Health Emergency Bill presented to the senate

CSO and media engagement:

- Supporting CSO action against sexual and gender-based violence
- Promoting inclusive responses to COVID-19
- Enhancing transparency in the procurement process for CSOs and journalists

CRIMINAL JUSTICE SYSTEM

CSOs promote the effective implementation of the Administration of Criminal Justice Law

The Rule of Law and Anti-Corruption (RoLAC) Programme is working with civil society to play a role in the effective implementation of the Administration of Criminal Justice Law (ACJL) in Kano state.

The aim of RoLAC's support is to strengthen the capacity of CSOs to advocate for, monitor and evaluate implementation of the law; initiate and coordinate how civil society engage on advocacy and implementation of the law; and create awareness among citizens, civil society organisations and justice sector agencies on the importance of an effective ACJL in the state.

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The Kano Civil Society Forum (KCSF) – an umbrella body of Kano-based CSOs – is advocating for the effective implementation of the law, with support from RoLAC. As a result, the Kano State House of Assembly has allocated NGN36 million in the 2020 State Annual Budget to support the State Judiciary (including the High Court and the Sharia Court of Appeal) to implement the ACJL in the state. This was a direct response to a one-day advocacy meeting with key stakeholders, including principal officers of the Kano State House of Assembly, representatives of justice sector agencies, and CSOs. Prior to the meeting there was no budget provision for implementation of the Criminal Justice Law in the state.

The KCSF then held a meeting with the new Attorney-General of the state to raise awareness of the initiative. During the visit, the Attorney-General committed to ensuring that budgeted funds are released.

Additional meetings were held with criminal justice institutions in the state to request for effective data collection and record keeping by law enforcement authorities as contained in the law.

As a result, the Nigeria Police Force launched a campaign against the arrest of persons in civil matters using stickers carrying messages such as "Police do not investigate civil matters".

The Kano Road Transport Agency (KAROTA) adopted a *Suspect and Inventory Arrest Form* designed by CSOs and committed to monthly and quarterly reviews of its register of arrested persons by CSOs.

KCSF also sensitised the public on the law through radio phone-in programmes on two radio stations and supported the creation of the Women Network on ACJL. To date, KCSF has trained 75 CSOs in Kano state on advocacy strategies and 450 representatives of CSOs on key provisions of the ACJL.

'I commend civil society for their unwavering efforts in advocating for government funds to ensure the effective implementation of the law in the state.'

Barr. M. A. Lawan, Attorney General, Kano state

First ever statement-taking room established in North East Nigeria

The Criminal Investigation and Intelligence Department (CIID) in the Adamawa State Police Command Headquarters established a model Statement Taking Room (STR) with support from RoLAC. The STR is the first of its kind in North-East Nigeria and meets international human rights standards when interrogating suspects.

The STR deepens safeguards for ensuring that suspects make confessional statements voluntarily, without being subjected to torture, the threat of it, or duress. It provides a congenial atmosphere for interviewing and taking confessional statements. It enables the authorities recording suspect interviews and confessional statements from crime suspects, therefore enhancing transparency of the process.

The STR responds to concerns regarding the alleged use of torture during the interrogation of crime suspects. It is a significant milestone towards complying with section 19 of the Adamawa State Administration of Criminal Justice Law, which requires that confessional statements of suspects and defendants in criminal cases are not obtained by duress. Statements are to be made voluntarily and recorded in audio visual format for presentation as evidence in court.

Investigating police officers (18) in the Adamawa State Police Command were trained on conducting effective criminal investigations and how to conduct human rights compliant interviews of crime suspects.

This initiative was a direct response by RoLAC to observed capacity gaps in the implementation and compliance with the Administration of Criminal Justice Law of Adamawa state.

'The training has been so insightful. If all investigators had access to this training, the era of involuntary statements would be a thing of the past.'

ACP Muntari Jibrin Dawanau

'Criminal trials fail due to poor investigations. I call on the police to use the STR effectively and build its investigative capacity to ensure that confessional statements and other evidence presented by the prosecution complies with the standard laws of evidence.'

Justice Ishaya Kida Banu, Chief Judge, Adamawa State

'The launch of the STR and training are an important boost to the investigative capacity of the police force.'

Olugbenga Adeyanju, Commissioner of Police, Adamawa State Command



RoLAC State Coordinator, Hapsatu Abdullahi, showcases new video facility at recently launched statement taking room. Source: RoLAC

Training on non-custodial measures

The Nigerian Correctional Service Act (NCSA) 2019 was enacted to usher in non-custodial measures in Nigeria. The Act ensures that the Nigerian correctional system to comply with international human right standards and good correctional practice; to promote reformation, rehabilitation and re-integration of offenders; and to create an institutional, systematic and sustainable mechanism for proper reintegration of reformed convicts.

RoLAC partnered with PRAWA and the Nigeria Correctional Service to implement some provisions of the law, specifically those related to non-custodial sentencing. Non-custodial measures are new to Nigeria's correctional system.

With the adoption of these measures, persons who have committed infractions, minor offences, petty thievery and other related offences are now processed through restorative and community services.

Guidance manuals and training were delivered to ensure the effective implementation of the new measures. Two manuals were produced: Guidance Manual on Non-Custodial Measures during COVID-19; and Guidance Manual on Custodial Measures during COVID-19.

Training on the roles in the non-custodial regime was delivered for Deputy Controllers of Correctional Service (DCCs), NCS training school instructors, and staff of non-custodial units, as well as judiciary staff. Furthermore, a Training of Trainers session was held for the NCS, so that information and learnings can be cascaded widely.

The NCS has started using the skills gained from the training and the manuals developed. In the FCT, mobile courts were established to prosecute persons accused of infringing on the law during the COVID-19 lockdown. Twenty-three thousand (23,000) persons were convicted and sentenced to non-custodial services.

It is believed that non-custodial regime will drastically reduce inmate population, especially awaiting trial inmates, which currently stands at 70 per cent.

‘Alternative options to imprisonment, such as restorative justice and community service, will reduce the population in prisons.’

DCG Sylvester Nwaku, Covering Duty (Training and Staff Development)

‘The congestion in the Nigerian Correctional Service is due to awaiting trial inmates. With the implementation of non-custodial measures, we will decongest our correctional facilities.’

Habiba Ahmad, Commandant, Correctional Service Training School, Kaduna



Launch of the RoLAC funded Non-Custodial Manual for the Nigerian Correctional Service. Source: PRAWA

ACCESS TO JUSTICE

Launch of secretariat for the National Child Rights Implementation Committee

The National Child Rights Implementation Committee (NCRIC) now has a functional secretariat. The facilities were officially launched by the Honourable Minister of Women Affairs, Dame Pauline Tallen, on 7th August 2020. With the establishment of the secretariat, the committee is now better positioned to initiate actions, coordinate, and track the implementation of child rights.

This initiative builds on previous RoLAC support with the resuscitation of the committee in May 2018. The committee is charged with popularising the rights of the child and reviewing the state of implementation of child rights in Nigeria (as contained in section 260 of the Child Rights Act 2003).

‘With the secretariat, efforts will be made to ensure that all 36 states of the federation domesticate the Child’s Right Act (2003).’

Dame Pauline Tallen, Honourable Minister of Women Affairs



The Honourable Minister of Women Affairs, Dame Pauline Tallen, commissioning the NCRIC Secretariat. Source: RoLAC

New SARC and related services launched in Edo state

As part of efforts to curb rising incidences of sexual assault and improve access to justice for survivors, the Rule of Law and Anti-Corruption (RoLAC) Programme supported the Edo State Government to establish its first Sexual Assault Referral Centre (SARC). The SARC, named *The Vivian Centre*, was launched by the Governor of Edo State, Godwin Obaseki, on 16 September 2020.

The Vivian Centre is designed to provide survivors with support services such as medical treatment, counselling, and follow-up support, as well as support to engage with the justice system at no cost to the survivor.

At the same time, the Edo State Sexual Offender (SOR) and Service Providers Registers were also established. The SOR will serve as a register of reported, tried, or convicted cases of sexual violations or abuses in Edo State. It will serve as a tool to name and shame sexual offenders and deter potential offenders. The register is linked to the National Sexual Offender Register, which is managed by the National Agency for the Prohibition of Trafficking in Persons.

The service providers register is a collation of governmental, non-governmental, faith-based, voluntary and charitable associations/ institutions that provide services such as shelter, counselling, legal, financial, vocational, educational, psychosocial, medical, or other assistance to victims and survivors of all forms of domestic and sex-related violence, as captured in the Edo State Violence Against Persons Prohibition Law.

The formal launch of the Edo SARC brings to the total number of SARCs in Nigeria to 25. As at June 2020, 13,075 survivors had accessed SARC services since the first SARC was established in Lagos state in 2013.

'It is a privilege to formally sign the Sexual Offenders Register. As a government, we believe that unless you have appropriate punishments, you cannot reduce crime.'

Godwin Obase, Executive Governor, Edo state

Launch of resource centre for survivors of SGBV in Lagos state

The Ireti Resource Centre for survivors of sexual and gender-based violence (SGBV) was launched in the Alimosho Local Government Area of Lagos State. The centre was established by the Women's Rights and Health Project (WRAHP) through a grant from RoLAC.

The centre has increased access points for citizens of Alimosho to report SGBV, access psychosocial support, and receive justice-related social services. It serves as a safe space for survivors to report and get the required help.

CURBING CORRUPTION

Kano state establishes Anti-Corruption Institute

The Kano state government, through the Public Complaints and Anti-Corruption Commission (PCACC), has established the first ever Anti-Corruption Institute. This is a major step in the implementation of the Kano State Anti-Corruption Strategy (KANSACS), which is aimed at public engagement and ethical reorientation.

The institute will build the capacity of public servants and citizens on key anti-corruption topics. It prioritises training for PCACC personnel and staff of state ministries, departments, and agencies, including anti-corruption desk officers at the state and local government levels. Training will focus on systems studies; corruption risk assessment; performance delivery and reporting; oversight functions and general anti-corruption awareness.

The idea for institute originated when RoLAC organised a peer learning tour for PCACC staff to the ICPC headquarters in Abuja in February 2019. RoLAC intends to support the review and finalisation of foundational curriculum.

'The commission is already developing a curriculum for the newly established Kano State Anti-Corruption Institute and will need further support from RoLAC in making the institute fully operational.'

Barrister Muhyi Magaji Rimingado, Chairman, PCACC

Revised Public Health Emergency Bill presented to the senate

The revised Public Health Emergency Bill has been presented to the National Assembly. The Bill provides a robust and viable framework for managing and addressing health emergencies like the current COVID-19 pandemic and any other like situations which may occur in future.

RoLAC supported the National Assembly Committees on Primary Health Care and Communicable Diseases and the Federal Ministry of Justice (legal drafting department) to review and finalise the Public Health Emergency Bill after rigorous deliberations and multiple engagements with stakeholders across various relevant sectors. The Bill addresses some of the concerns raised by civil rights groups on previous versions of the Bill presented on the floor of the House of Representatives.

CSO AND MEDIA ENGAGEMENT

Enhancing transparency in procurement in Edo state

The Africa Network for Environment & Economic Justice (ANEEJ) conducted a two-day training for journalists and civil society in Edo state. The theme, 'Workshop for civil society organizations (CSOs) and Journalists on Procurement Monitoring, Observation and Open Contracting', targeted those who are to monitor procurement processes. The initiative was implemented as part of ANEEJ's Civil Society Advocacy to Support Anti-corruption and Rule of Law in Nigeria (CASARN) Project, funded by RoLAC.

A key objective of CASARN is to support CSO and media advocacy for the implementation of Open Government Partnership (OGP) commitments in Edo state. The aim is to improve oversight, transparency and accountability in the management of public resources.

The Edo State government, through the State Public Procurement Agency, made a commitment to open the state's procurement process to CSO and media observation. As a result, nine CSOs signed up to monitor and observe the procurement process.

The participants were trained on public procurement monitoring, observation and reporting; the role of observers; procurement methods and bidding processes (under the Edo state public procurement law 2012); a review of the Edo state public procurement laws; and infractions and offences related to public procurement.

'Edo state is among few states in Nigeria that publish procurement related contracts on our website monthly. We also have professional bodies on our board to make it independent.'

Idogun, MD/CEO, Edo State Public Procurement Agency



Workshop for CSOs and journalists on procurement monitoring. Source: ANEEJ

FACTS & FIGURES:

Number of direct beneficiaries
(July 17 – June 20)

Justice reforms

14,664

Access to justice

21,202

Curbing corruption

11,693

CSO & media

70,390

OTHER ACTIVITIES COMPLETED WITHIN THE PERIOD

- Plea bargain training for judicial correspondents in Anambra and Cross River states
- Stakeholder meetings and advocacy actions for the passage of VAPP and Child's Rights Laws in Adamawa state
- Roundtable with the Lagos State Public Procurement Agency on legislative advocacy for the passage of the reviewed procurement law
- Validation and adoption of the Kano Anti-Corruption Strategy tools
- Advocacy visits to Kuje and AMAC Area Councils in the FCT by the Kyarda and Tasha 1 Community Child Protection Committees to introduce the council to protocols to report child abuse cases

UPCOMING ACTIVITIES

- Training of high court judges, magistrates and shariah court judges in Kano state on the Administration of Criminal Justice Law
- Training of medical personnel and counsellors on SARC services in Lagos state
- Progress review on the use of guidelines for SGBV service providers in Anambra state
- Production and distribution of finalized Codes of Conduct on public procurement in Edo state
- Advocacy visit to the National Assembly for the passage of the Audit Service Commission Bill
- Court monitoring of SGBV cases in Lagos state by Partnership for Justice
- Launch of the Bwari SARC in the FCT

Find out more

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