

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.



Participants at the 2019 International Albinism Awareness Day, Source: The Albino Foundation

KEY ACTIVITIES

This newsletter highlights activities undertaken between March and June 2019.

Summary of key activities:

Criminal justice system:

- Magistrates empowered to implement the ACJA in the FCT
- Workshop to appraise Criminal Justice in Lagos state
- Inauguration of the Justice Sector Reform Teams in Rivers and Ogun states

Access to justice:

- Training of medical personnel and counsellors for the Sexual Assault Referral Centre (SARC) in Anambra state
- Establishment of Local Government Child's Rights Implementation Committee in five LGAs in Lagos state
- Support for development of Service Providers Register and Guidelines in Anambra state
- Collaboration to enhance Child Rights in Adamawa state

Curbing corruption:

- Assent of the Mutual Legal Assistance in Criminal Matters Law
- Application of the Ethics and Compliance Scorecard by ICPC

CSO and media engagement:

- Celebration of the International Albinism Awareness Day 2019
- Commemoration of World Press Freedom Day

Management:

- RoLAC expansion to Edo state

CRIMINAL JUSTICE SYSTEM

Magistrates in the FCT Empowered to Implement the Administration of Criminal Justice ACT, 2015

Fifty-seven Magistrates in the Federal Capital Territory (FCT) participated in a three-day residential retreat in Keffi, Nasarawa State from 12 to 14 June 2019. During the retreat, the magistrates discussed issues pertaining to the administration of criminal justice in the FCT. *(Article continued on next page)*

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The retreat gave the Magistrates an opportunity to review their work, identify lapses and find solutions to the challenges in administering criminal justice in the FCT. One of the main issues discussed was the implementation of section 34 of the Administration of Criminal Justice Act (ACJA 2015). As was reported in previous newsletters, RoLAC is supporting the FCT Judiciary to implement section 34 of the ACJA, which mandates Chief Magistrates to conduct monthly inspections of places of detention in the FCT. RoLAC initiated its support for implementation by developing templates and guidelines for conducting oversight visits by magistrates and training Chief Magistrates on how to comply with the requirements of section 34.



High table at the opening ceremony of the Magistrates retreat, Source: RoLAC

‘The lesson learnt is that the importance of regular development of staff cannot be overemphasized. Prior to this training majority of the trainees admitted not being aware of the magistrates oversight visitation to places of detention but now they all are.’

Mrs. Josephine Obanor (Director, Magistrates – FCT)

Lagos state appraises the criminal justice system

RoLAC, in collaboration with the Lagos State Ministry of Justice, organised a workshop on the Administration of Criminal Justice Law (ACJL). The workshop was held on 14 May 2019 in Lagos. The objective was to review the current criminal justice regime in Lagos State and propose policy and practice changes - against the background of the ACJ Law, which has been in force in Lagos since 2007.

Approximately 249 participants attended the workshop, including the immediate past Attorney-General for Lagos State and the immediate past Chief Judge of the state. Other participants included representatives from civil society organisations, officers of the Nigeria Prison Service, the Nigeria Police Force, magistrates, legal practitioners, staff from the Directorate of Public Prosecutions, and media practitioners.

Recommendations focused on the need to improve elements of the Lagos ACJL to incorporate some innovations made by other States. These include prohibiting the Police from showcasing suspects before the media, in violation of the constitutional presumption of innocence. The workshop created an opportunity for critical stakeholders to shape and influence the course of administration of criminal justice and influence draft amendments to the ACJ Bill.

The Director of Public Prosecutions reported on recent progress made to conclude cases filed in the High Court: 72 cases (2017); 104 (2018); and 72 cases/32 struck out (first half 2019).



Mr. Adeniji Kazeem (SAN), Immediate Past Attorney-General and Commissioner for Justice, Source: Lagos State Ministry of Justice

‘The efficient administration of criminal justice is will involve the collaboration of all stakeholders.’

Justice Opeyemi Oke, Chief Judge, Lagos State

Justice Sector Reform Teams Inaugurated in Rivers and Ogun states

Justice Sector Reform Teams (JSRTs) are established to promote better communication and cooperation in the justice sector. The objective is to take a leadership role in identifying justice sector reform issues, recommending solutions, and advocating for reforms. The teams include representatives from the full range of justice sector organisations and groups in each state.

Two more teams were created in Ogun and Rivers State bringing the total number to 29. In Rivers State, Dr. Ipalibo Gogo Banigo the Deputy State Governor (representing the Governor of Rivers State, His Excellency Chief Ezenwo Nyesom Wike) led the inauguration. Whilst in Ogun State, the team was inaugurated by the State Chief Judge, Hon. Justice Mosunmola Dipeolu.

The inaugurations were followed by 3-day action planning retreats, supported by RoLAC and led by the Federal Justice Sector Reform Coordinating Committee. Both teams committed to a number of projects that will improve justice delivery in the sector. These projects are summarised in the team's 2019 Action Plans that were developed at the end of the retreats.



High table at the inauguration event in Rivers state, Source: RoLAC

ACCESS TO JUSTICE

SARC Medical Personnel and Counsellors trained in Anambra State

As part of efforts to enhance access to justice for women, children and persons with disabilities, RoLAC is supporting Anambra State to establish a Sexual Assault Referral Centre (SARC) in the Enugu-Ukwu General Hospital. From 6–10 May 2019, RoLAC provided training for 38 medical doctors and counsellors who will work in the SARC. The training aimed to build the capacity of medical personnel and counsellors to deliver professional medical services to victims of sexual and gender-based violence (SGBV).

The SARC will provide immediate medical response, conduct forensic medical examinations and collect evidence that can be used in prosecuting SGBV cases. It will also provide trauma counselling to victims of sexual and gender-based violence.

Professional training of medical personnel and the counsellors is a key step towards the establishment of the SARC. Anambra state is now equipped with a team of competent medical personnel and counsellors who are able to provide assistance to victims of sexual and gender based violence and can collect evidence that will assist in the prosecution of SGBV cases in line with Anambra State Violence Against Persons (Prohibitions) Law (VAPP) section 37(1c).



SARC training session, Source: RoLAC

'Advocacy is never endingtraumatized victims of sexual assault should be encouraged to speak up and a completely confidential service for victims of sexual assaults should be intensified.'

Comfort Eshiet, Trainer & Facilitator

Local Government Child Rights Implementation Committees established in Five Local Government Areas in Lagos State

The Local Government Child Rights Implementation Committee (LGCRIC) is a vital structure in the implementation of section 251 of the Child Rights Law (CRL).

RoLAC supported the Lagos State Ministry of Youth and Social Development (MYSD) to establish and inaugurate committees in five local government areas (LGAs) in Lagos state - the first to be set up in Lagos state at LGA level. Prior to RoLAC's intervention, the Child Rights Implementation Committees existed only at the state level. The state is now better positioned to initiate actions that will ensure the rights and welfare of the child at the community level.

'I would like to challenge us to make good use of this opportunity by ensuring that we all work assiduously for the success of this project. This is the duty we owe to humanity and God so that the children can in turn impact positively on the society and become useful to themselves, their families and mankind in general.'

Dr. (Mrs) Bola, Balogun, Permanent Secretary, Lagos State Ministry of Youth and Social Development

Support for the development of the Service Providers Register and Guidelines in Anambra state

Following the acceptance of the Anambra state Violence Against Persons (Prohibition) Law (VAPP) in 2018, RoLAC conducted an assessment of access to justice for women in Anambra state. The assessment recommended a number of actions to advance implementation of the VAPP Law. These recommendations included support for a coordination committee and development of a Service Providers Register and Guidelines.

On 17 April 2019 the draft Service Providers Register and Guidelines were validated and adopted by representatives from 28 government ministries, departments and agencies (MDAs) and civil society organisations.

Speaking at the validation, the facilitator and founder of Women Action Collective, Prof. Joy Ezeilo, thanked RoLAC for their efforts in seeing that VAPP is effectively implemented in the state. While expressing optimism that Anambra would surpass other states in the implementation of the Law, she said: "the VAPP Committee will engage in advocacy, public enlightenment campaign and champion with stakeholders the dissemination of the VAPP Law; registration of service providers and supervision of service providers; issuance and revocation of accreditation of service providers, which is very key".

Agencies that are part of the Services Providers Register include the Ministry of Women and Children Affairs; civil society organisations, community and faith-based organisations; the National Agency for the Prohibition of Trafficking on Persons; Ministry of Justice; Nigerian Police Force; Ministry of Health; Sexual Assault Referral Centre Committee, Sexual Gender Based Violence Response Team; media; FIDA; NBA; and the Vigilante Services Group of Anambra State.

The register will provide the public with a list of approved and registered organisations that provide services to victims of sexual and gender-based violence; while the guidelines will standardise the operations of the service providers and ensure that they are of good quality.

'The VAPP Committee will engage in advocacy, public enlightenment campaign and champion with stakeholders the dissemination of the VAPP Law; registration of service providers and supervision of service providers; issuance and revocation of accreditation of service providers. This is very key.'

Prof. Joy Ezeilo, founder, Women Action Collective

Enhancing Child Rights in Adamawa State

RoLAC is collaborating with stakeholders in Adamawa state to enhance child rights. The programme is supporting the Child Protection Network (CPN), a network of non-governmental organisations focused on ensuring accessibility of services for abused children. CPN members are spread across the state, where they monitor and report incidences of child abuse. Monthly meetings are held at the Adamawa State Ministry of Women Affairs and Social Development to address issues related to access to justice for children. Specific cases of child abuse are reported, deliberated upon, and possible solutions are explored. Follow-up responsibilities are then assigned to members.

The Network faced a lack of funds to support its activities, especially the crucial monthly meetings. RoLAC stepped in to support these activities.

At the CPN meeting on 2 May 2019, nine cases of child abuse were reported (three were rape cases, others were cases of children separated from their families as a result of Boko Haram insurgency). These cases are now at different levels of investigation and prosecution; and the victims are receiving both medical and psychosocial support.

‘CPN members must step-up and ensure that no case of child abuse within their areas of monitoring goes unreported.’

Sunday Kadiri, CPN State Coordinator

CURBING CORRUPTION

Enactment of Anti-Corruption Legislation

On 20 June 2019, the President of the Federal Republic of Nigeria enacted the Mutual Legal Assistance in Criminal Matters Law. This legislation aims to help boost Nigeria’s fight against corruption through the repatriation of funds illegally held in foreign countries and to enhance the prosecution of border crimes, amongst others.

In the past, Nigeria had relied on the September 1989 treaty signed with the United States Government on Mutual Legal Assistance in Criminal Matters to pursue the recovery of proceeds of crime committed in country across its borders. Due to the limited nature of the provisions of the treaty, the repatriation of looted funds taken overseas was often an arduous and complicated process. This new law aims to combat the challenges experienced by previous and recent governments in chasing and prosecuting elements who commit crime and flee the country.

RoLAC is supporting the Law Reform Committee of the Federal Ministry of Justice to pass and enact anti-corruption legislation. Activities include advocacy visits and meetings with principal officers of the National Assembly including legislators and clerks; an advocacy roundtable for CSOs and the media; and roundtables for the clean-up of Senate and House versions of these laws.



Senators at the National Assembly Retreat

Source: RoLAC

‘It is intended to ensure that where there is a property that is subject of crime or there are crimes committed outside Nigeria or within Nigeria and the person leaves Nigeria; the provisions of the Act authorises the Attorney-General of the Federation, which is the designated authority in Nigeria, to pursue and use every means to prosecute the offence within and outside Nigeria.’

Senator Ita Engang, Senior Special Assistant to the President on National Assembly Matters

Application of the ICPC Ethics and Compliance Scorecard

The Ethics and Compliance Scorecard outlines ethics and integrity standards that MDAs must comply with in management, performance, service and professional conduct. The process is designed to assess MDAs regularly, to determine the level, scope, extent, and timeliness of compliance with integrity requirements.

The Independent Corrupt Practices and other related offences Commission (ICPC), under its new management led by Professor Bolaji Owasanoye, commenced the deployment of the scorecard to over 100 federal ministries, departments and agencies (MDAs) in the FCT. The ICPC mandate is to review systems, procedures and operations of public and private sector institutions to determine vulnerabilities that can lead to corruption in these organisations.

The scorecard will monitor the performance of MDAs (in specific areas) on a comparative basis. The process is similar to the *Transparency International* mechanism, which assesses and rank nations based on the level of corruption in each country.

RoLAC supported the initial development, review and revision of the scorecard and trained 66 ICPC staff on the application and scoring techniques.



Participants at the scorecard training, Source: RoLAC

‘There is a need to integrate integrity and fairness to all citizens through improved services by MDAs. The ECSC will serve as the tool that will be used to drive this reform process.’

Alhaji Abdullahi Miakano Saidu, board member

CSO & MEDIA ENGAGEMENT

Marking International Albinism Awareness Day

From 12-13 June 2019, RoLAC in collaboration with Christophel Blind Mission supported the Albino Foundation in Nigeria to mark the 2019 International Albinism Awareness Day Celebration, with the theme: *Still Standing Strong*. Since 2015, the day has been officially marked following the adoption of resolution A/RES/69/170 by the United Nations General Assembly.

A National Conference on Albinism was held with the objective of improving public awareness and responding to the challenges of persons with albinism and their families. It also aimed to educate persons with albinism and their families on ways to manage their health and associated social challenges. It was attended by the Vice President of the Federal Republic of Nigeria, His Excellency, Prof Yemi Osibanjo (represented by Chief Personal Physician, Dr. Nicholas Audiffere); the Chief Judge of the FCT, Justice U.I. Bello; the High Commissioner of the Australian High Commission; the French Ambassador to Nigeria and the RoLAC National Programme Manager.

Justice service providers in the FCT (National Human Rights Commission, the Ministry of Justice, the Nigerian Police Force, the judiciary and FCT Social Development Secretariat) interacted at the event and pledged their commitment to tailor their services more to fit the needs of persons with disabilities (PWDs). The Chief Judge of FCT committed to strengthening access to justice for PWDs in the criminal justice system. Over five hundred beneficiaries participated in the conference, which raised awareness visual impairment, self-esteem and leadership. Other events included a walk and a fashion show.



Participants at the 2019 International Albinism Awareness Day, Source: The Albino Foundation

‘Persons with albinism like every other vulnerable group should be supported by government, by developing programmes and policies that enable them to live productive lives. The rights of persons with albinism should always be protected to enable them to participate actively in the development of Nigeria.’

The French Ambassador to Nigeria

Commemorating World Press Freedom Day

RoLAC supported media organisations in Lagos and Abuja to initiate a new and bold agenda towards media freedom in Nigeria, in commemoration of World Press Freedom Day 2019.

In Abuja, the Premium Times Centre for Investigative Journalism convened a conference on 3-4 May 2019. The conference brought together over 70 media policy makers, media practitioners, judicial and legislative officials and counter-terrorism frontline actors, to examine constraints to media practice within the context of the existing legal and policy framework. Discussions highlighted the interface between violent extremism and media practice in Nigeria and identified fresh perspectives and best practice in strengthening the capacity of the media to collaborate with government, not only as a key driver of the criminal justice and anti-corruption reform agenda, but also as a powerful stakeholder in the fight to end violent extremism in Nigeria.

In Lagos, the Lagos State Chapter of the Nigeria Union of Journalists organised a meeting of investigative reporters and members. Ideas for a safety manual for investigative journalists engaged in reporting of high-profile corruption cases were generated.

The conferences were a first step in a series of activities that support the development of a legislative agenda for media freedom in Nigeria, as well as a web-based counterterrorism and safety manual for journalists.



Participants at the World Press Freedom Day event in Abuja, Source: RoLAC

‘There is no democracy without a free press.’

Ambassador Ketil Karlsen, Head of the European Delegation to Nigeria and ECOWAS

MANAGEMENT

RoLAC expands to Edo State

Edo State has been added as a focal states for the implementation of the RoLAC programme - following discussions with the European Union; the Ministry of Budget and National Planning; and the Edo State Government.

On 20 June 2019, the programme was formally presented to key stakeholders in the state. RoLAC launched activities by supporting the Justice Sector Reform Team in Edo state to host a work planning retreat to develop a workplan for 2019/2020.

FACTS & FIGURES:

Number of direct beneficiaries

Criminal Justice Systems

3,469

Access to Justice for Women & PWDs

10,179

Curbing Corruption

4,294

CSO & Media Engagement

1,544

OTHER ACTIVITIES COMPLETED DURING THE REPORTING PERIOD

- Training for Lagos state magistrates on restorative justice
- Edo state Justice Sector Reform Team retreat
- Training of Police Investigators and Prosecutors on handling children in conflict with the law
- Training on monitoring and valuation tools for tracking violence against children for staff of Kano State Ministry of Women Affairs and Social Development
- Strategy development retreat for the Code of Conduct Bureau
- Training for Permanent Secretaries and Directors in MDAs on the Freedom of Information Act (2011) (Abuja, Kano and Adamawa)
- PTCIJ implemented training on investigative journalism for journalists (Adamawa)

UPCOMING ACTIVITIES

- Network of Justice Sector Reform Teams Conference
- Training on CMS in Ministry of Justice and the Judiciary in Kano state
- Training of sign language interpreters on the provisions of VAPP, CRA & PWD in Lagos state
- Meeting of the Local Government Child's Right Implementation Committees in Lagos state
- Further support to North-East stakeholders for improved dissemination of NEITI audit findings and implementation of its recommendations using the FOI act
- Training for the conduct of corruption risk assessments in the health, power and education sectors
- WRAPA-led community dialogue session with Kano-based CSOs and Kano state government/institutions/service providers to respond to cases of sexual assault
- WRAPA-led meeting between CSOs and government service providers for the adoption and implementation of SGBV response and referral protocols and mechanisms in Adamawa state
- Year 3 work-plan validation meeting at state and federal levels

Find out more

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