

# 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.



Dr Osayande Osagie (Chief Medical Director, Bwari General Hospital) at the launch of the Awyetu SARC in Abuja. Source: RoLAC

## KEY ACTIVITIES

This newsletter highlights activities undertaken between October to December 2020.

Summary of key activities:

### Criminal justice system:

- First ruling on plea bargain agreement in the Edo State High Court
- Nigerian Police adopts standard operating procedures for handling suspects in custody
- Magisterial oversight visits to detention centres in Adamawa state

### Access to justice:

- Legal Aid Coordination Committee supports detainees in Anambra state
- Awyetu Sexual Assault Referral Centre established in Abuja
- Sixth Annual Conference of Sexual Assault Referral Centres
- Capacity building for the Lagos state children's parliament

### Curbing corruption:

- Kano state government adopts the anti-corruption strategy
- Nigeria launches National Ethics and Integrity Policy

### CSO and media engagement:

- 16 Days of Activism Against Gender-Based Violence Campaign 2020

## CRIMINAL JUSTICE SYSTEM

### First ruling on plea bargain agreement in the Edo State High Court

The Rule of Law and Anti-Corruption (RoLAC) Programme is working to strengthen the criminal justice system through the implementation of the Administration of Criminal Justice Law (ACJL). In Edo state, training and key guidelines were developed with support from RoLAC in 2019, including a plea bargain manual and sentencing guidelines. Evidence shows that these new practices are positively influencing the sector.

In November 2020, Honourable Justice G. Imadegbello of the Edo State High Court made history as the first judge to implement a plea bargain deal in the case of State vs. Kelvin Odiase (charge No.B/CD/26C/2012).

*Story continued on the next page*

## Edo state plea bargain manual

In the said case, the prosecution (through the Edo State Plea Bargain Review Committee) offered the defendant a plea deal (the defendant to plead guilty to a lesser charge). This was in line with Section 270 of the Administration of Criminal Justice Law of Edo State and the guidelines set out in the Edo State Plea Bargain Manual, which was developed and adopted with support from ROLAC in December 2019. The defendant, accepted the offer and signed plea agreement, which was presented to the court.

## Edo state sentencing guidelines

After considering the circumstances of the case including the fact that the defendant had been in detention since 2010, the court adopted the plea agreement by convicting the defendant on the lesser charge but released him because he had already spent time in detention while awaiting the conclusion of his case (citing Order 5 Rule 8 of the Edo State Sentencing Guidelines which were also adopted with support from ROLAC in October 2019).

The judgement highlighted the readiness of the Edo state justice actors to implement the ACJL, particularly the judiciary, Ministry of Justice, and private lawyers, all of whom had received varying levels of training on plea bargaining by ROLAC in 2019 and 2020.

## Nigerian Police adopts standard operating procedures for handling suspects in custody

The Nigeria Police Force has developed standard operating procedures (SOPs) to guide its officers in the handling of suspects in custody. The initiative is part of RoLAC's support to the police to improve its institutional capacity to implement the provisions of the Administration of Criminal Justice Act, 2015.

The SOPs were validated in November 2020 and include the following practice guides:

- Stop and search
- Investigative interviewing
- Investigation of persons

The procedures enshrine key human rights principles and are in line with international best practices, including the United Nations Police regulations.

The development follows the signing into law of the Custody Management Guidelines by the Chief Judge of the FCT and the Chairman of the Administration of Criminal Justice Monitoring Committee, Honourable Justice I. Bello.

**'Police powers to search and seize must be used fairly, responsibly, with respect for people, and without any form of abuses.'**

**'Nigerians expect police officers to abide by rules and work within the limitations and restrictions placed on them to ensure a free and democratic society. Doing so fosters trust, which is the critical link in the community and law enforcement partnership.'**

IGP Mohammed Adamu, Inspector General of Police

## Magisterial oversight visits to detention centres in Adamawa state

Over 100 suspects have now benefited from oversight visits by magistrates to detention facilities in Adamawa state.

One of the magistrates who was appointed to supervise detention facilities in Adamawa recently paid a visit to the Criminal Investigation and Intelligence Department (CIID), Adamawa State Police Command. At the detention facility, over 200 persons suspected to have committed various offences (ranging from looting, breach of peace, and curfew regulations, among others) were arrested and detained for more than seven days without being charged to court.

The magistrate, accompanied by lawyers from the Nigerian Bar Association (NBA), administered the release of 98 persons, including 25 women and 23 minors from the facility. He also directed that 70 persons be charged to court.

Thirty-two of the 70 persons charged to court were represented by pro-bono lawyers from the NBA and were all admitted to bail by two magistrate courts.

## ACCESS TO JUSTICE

### Legal Aid Coordination Committee supports detainees in Anambra state

The Legal Aid Coordination Committee in Anambra state is working to provide legal advice and assistance to vulnerable people in detention facilities. From October to December 2020, over 31 people have benefited from these services. This followed various engagements including visits to detention centres, collaborative work with the justice sector, among others.

Beneficiaries included seven persons who were released on bail following visits to seven police stations by the Committee. Nineteen persons benefitted from legal advice and counselling services following the committee's collaboration with REPLACE, a civil society group funded by RoLAC to pilot legal aid clinics and sensitization in three LGAs: Idemlli South, Idemlli North and Oyi.

The committee also participated in the Chief Judge's jail delivery exercise at the Onitsha Correctional Centre, where five persons (from the 17 presented to the Chief Judge) were granted relief ranging from striking out of charges to admission on bail. The persons spent more than four years in detention awaiting trial. The court directed that the committee follows up on bail for a sixth person, whose information had been filed in a court.

The Legal Aid Coordination Committee was set up with support from RoLAC to enhance the collaboration of existing legal aid institutions offering services to indigent and other vulnerable inmates. The secretariat is domiciled at the Citizens Rights Directorate / Office of the Public Defender.

Prior to the committee, the state lacked coordination and collaboration among the different legal aid groups. Committee members include representatives from the Legal Aid Council of Nigeria, Nigeria Correctional Services, the Ministry of Justice, the Judiciary, the Nigerian Bar Association, the Nigerian Police Force, the International Federation of Female Lawyers, the Joint National Association of Persons with Disabilities and other CSOs.

**‘Nkowa ndi RoLAC kowalu anyi mepelu anya anyi na ototu ife de iche iche bu ihe nketa anyi, mana anyi amaghi, ndalu nu rinne’.**

*Translated to mean:*

**‘RoLAC’s event today is an eye opener to the various human rights we have but are ignorant of. We thank them so much.’**

Grace Udeze, beneficiary from the Obosi community

## **Awyetu sexual assault referral centre established in Abuja**

In November, the Awyetu sexual assault referral centre (SARC) was opened at the Bwari General Hospital in Abuja - the first SARC in the Federal Capital Territory (FCT). The SARC was established with funding from the Rule of Law and Anti-Corruption (RoLAC) Programme.

The Awyetu SARC will serve as a one-stop centre where survivors of sexual assault can receive immediate emergency medical treatment, counselling and follow up support services - free of charge. Survivors will also be provided with medical reports by SARC staff who have been trained in forensic medical examination and documentation. The reports are expected to play a key role in supporting the prosecution of rape cases in court.

The establishment of Awyetu brings the total number of SARCs in Nigeria to 29 (across the 17 states and the FCT). Between July 2013 and September 2020, the SARCs have assisted over 15,000 victims of sexual assault, over 70 per cent of whom, are under the age of 18 years.

**‘SGBV is creating underdevelopment, negatively affecting cohesion, the ability to contribute to society, and ultimately prevents society from thriving. The EU has committed significant resources in the fight against SGBV through technical and financial support to front line defenders.’**

Clement Botillier, Head of Section, Democracy, Governance and Migration, EU Delegation to Nigeria and ECOWAS

## **Sixth Annual Conference of Sexual Assault Referral Centres**

In December, the Rule of Law and Anti-Corruption (RoLAC) Programme supported the Sixth Conference of the Sexual Assault Referral Centres’ (SARCs) Network. Established in 2016, the network aims to promote best practice in the establishment and operation of SARCs, to address an increase in sexual and gender-based violence in Nigeria.

The network facilitates an exchange of ideas, shares lessons learned, and promotes dialogue among SARCs, government institutions, and other stakeholders to strengthen support services provided to survivors of sexual violence.

The conference was attended by civil society and government representatives, including the Vice President of Nigeria: Professor Yemi Osinbajo (SAN) GCON; the Wives of the Governors of Ekiti, Kebbi and Ondo states; and Commissioners of the Ministries of Women Affairs, Justice and Health.

The highlight of the conference was the panel sessions on legislating, investigating and prosecuting sexual crimes – challenges and opportunities) and a visit to the new Awyetu SARC by the First Lady of Ondo State, Her Excellency Arabinrin Betty-Anyanwu Akeredolu.



Tour of the new Awyetu SARC (left: First Lady of Ondo State, Her Excellency Arabinrin Betty-Anyanwu Akeredolu; right: Chief Medical Director, Bwari General Hospital, Dr Osayande Osagie). Source: Press Team, Office of the First Lady of Ondo State

## **Capacity building for the Lagos state children’s parliament**

In November, the Rule of Law and Anti-Corruption (RoLAC) Programme supported a two-day training for principal officers of the 6th Lagos state children’s parliament.

The training aimed to build the capacity of the children to effectively engage in advocacy and effectively represent other children in the state on issues that are relevant to their lives (in line with the provisions of the Child’s Rights Law).

**‘See yourselves as leaders and peer influencers for other children in your respective constituencies. Think outside the box and come up with innovations that will engender robust debate on the floor of your assembly and generate quality legislation that will transform the lives of the children in the state.’**

Adenrele Ogunsanya, Acting Permanent Secretary, Ministry of Youth and Social Development (MYSD)

## **CURBING CORRUPTION**

### **Kano state government adopts anti-corruption strategy**

In December, the Kano State Anti-Corruption Strategy (KANSACS) was signed and ratified by the state government. The strategy, now a working policy, outlines a five-year plan for curbing and addressing issues of corruption in the state. It focuses on preventive measures through public engagement and ethical re-orientation pillars; and provides globally acceptable approaches for the enforcement, sanctions and recovery of the proceeds of corruption.

The ratification of the strategy followed a series of engagements and meetings with the Chairman and staff of the Kano State Public Complaints and Anti-Corruption Commission (PCACC).

At the signing ceremony, the State Governor, Dr Abdullahi Ganduje, stated that the strategy highlights the desire of the state to ensure transparency and accountability in every area of governance. He expressed gratitude to all who contributed towards developing the strategy, including RoLAC, and promised to continue working with such partners.

If fully implemented, the strategy is expected to improve the capacity of the state anti-graft agency, known as the PCACC, help establish corruption prevention practices, and increase citizens knowledge against corruption.

The Governor presented the strategy to citizens on International Anti-Corruption Day (9 December 2020) in an event organized by the PCACC.

The KANSACS is a sub-national adoption of the National Anti-Corruption strategy. Kano state is one of four states in which RoLAC has supported the development of a state-level anti-corruption strategies.

## Nigeria launches National Ethics and Integrity Policy

In September, the Independent Corrupt Practices Commission (ICPC) launched a National Ethics and Integrity Policy. The launch coincided with the 20<sup>th</sup> anniversary of the ICPC.

The main objective of the policy is to enhance transparency and accountability, especially in the public and private sectors, in line with global best practices. Its adoption and enforcement is key strategy to improve the understanding of the public about corruption prevention mechanisms, and increase the commitment and participation of citizens in the fight against corruption. The policy is designed to emphasize the role of personal responsibility in national development.

The policy also provides a robust framework for rewarding good behaviour, values and ethical standards. At the launch event, some public officers were awarded for demonstrating honesty, dedication and integrity in their work.

The ICPC, in partnership with the National Orientation Agency (NOA), has commenced activities to sensitize the wider public on the policy.

Technical support was provided by the RoLAC programme to review, finalize, and support the validation of the policy. This built on previous years of support from the British Council to coordinate engagements with the ICPC and the Office of the Head of Civil Service of the Federation.

**‘The National Ethics and Integrity Policy projects government’s aspiration for the rediscovery of our cherished traditional ethical values of honesty, integrity, hard work, truth, justice, unity, faith...’**

President Muhammadu Buhari, President of the Federal Republic of Nigeria

## CSO AND MEDIA ENGAGEMENT

### 16 Days of Activism Against Gender-Based Violence Campaign 2020

To commemorate the annual 16 Days of Activism Against Gender-Based Violence - an international campaign to challenge violence against women and girls - the #HerStoryOurStoryNG campaign produced a series of videos to raise awareness on sexual and gender-based violence (SGBV). In one video, RoLAC engaged 15 local comedians to produce drama skits and a video themed ‘Rape is not a Joke’. The aim was to influence popular culture to change their behaviour towards SGBV.

Additional videos were produced to educate the public about the sexual assault referral centres (SARCs) and services they provide. They called on more states to establish and fund more SARCs in the country.

The skits and the videos were disseminated on social media and generated over 3.5 Million views and over 10,000 comments – the largest engagement since the campaign was launched. Results demonstrate that the most impactful engagement was with 15-40 year olds.

The #HerStoryOurStoryNG campaign seeks to highlight the systemic, attitudinal and behavioural factors that impact sexual and gender-based violence in Nigeria. It raises awareness about what government and civil society can do to bring about positive change. The campaign was launched in 2018 with RoLAC’s support.

**‘I am so glad this video was made... Together we can stand up and speak against sexual violence.’**

@mydigitallawyer (comment on Instagram)

## 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

- International conference on human rights
- Activities to commemorate the International Day of Persons with Disabilities; International Human Rights Day and International Anti-Corruption Day
- Training of police officers on the anti-torture act
- Development of a disability employment policy for justice institutions at the federal level and in 4 RoLAC focal states
- Training of trainers on non-custodial measures for staff of the Nigerian Correctional Service College Lagos
- Training of High Court Judges and Kadis on the key provisions of the Administration of Criminal Justice Law
- Community Child Protection Committee sensitisation on reporting channels for child abuse issues in the FCT

## UPCOMING ACTIVITIES

- Corruption Risk Assessment (CRA) training for States and the anti-corruption agencies
- Establishment of counselling centres for persons with disabilities
- The Administration of Criminal Justice Monitoring Committee collects data on the impact of Magistrates oversight visits to places of detention
- Roundtable meeting with prosecutors from the Federal Ministry of Justice to develop investigation manual for police investigations
- Support to Legal Aid Council to review the draft curriculum for training of paralegals in selected universities
- Development and dissemination of court users guide (as part of support to anti-corruption reform activities in Anambra state)
- Establishment of a SARC in the Alimosho LGA of Lagos State

### Find out more

**The Rule of Law and Anti-Corruption (RoLAC)**  
RoLAC@ng.britishcouncil.org  
www.justice-security.ng

### Key contacts:

National Programme Manager: Danladi Plang (Danladi.Plang@ng.britishcouncil.org)  
Operations Manager: Sanjiv Malhotra (Sanjiv.Malhotra@ng.britishcouncil.org)