

IMPACT REPORT

RULE OF LAW AND ANTI-CORRUPTION IN NIGERIA

CLOSING THE JUSTICE GAP



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INTRODUCTION

Access to justice is a fundamental human right. It establishes the precondition for the protection and promotion of all other economic, civil and political rights. Access to justice is essential to fighting poverty and addressing inequality and discrimination.

Yet, justice is not accessible to many citizens in Nigeria, especially the poor, disadvantaged and socially excluded. This limits their capacity to challenge crimes, abuses or rights violations.

A significant gap exists between the justice needs of citizens and the services available to meet those needs. This ‘justice gap’ has the greatest implications for vulnerable citizens. Those at greatest risk – girls, women, persons with disabilities, the poor and the elderly – are more likely to live in poverty and even more likely to require justice services.

In November 2022, the National Bureau of Statistics launched its

most extensive national measure of poverty in Nigeria. The Bureau’s *Multidimensional Poverty Index Survey* report¹ revealed that over 133 million Nigerians were living in poverty, 63 per cent of the population. Additionally, the findings of the 2018 Nigeria Demographic and Health Survey (2018 NDHS) revealed that 7 per cent of household members across 42,000 households surveyed, experienced at least one form of disability.

RoLAC recognised that poverty and exclusion were reinforced by barriers to justice. For example, when detainees are held in extended, unlawful detention, they may lose their means of livelihood,

which in turn impacts their families and can plunge them into further poverty. It can lead to homelessness, and force children to end their education and become victims of child labour. This affects the physical and psychological wellbeing of all involved.



ACTIVITIES

RoLAC sought to enhance the quantity and quality of justice services available to the more disadvantaged and marginalised segments of society through the following activities:

Legislation and policies to enhance access to justice for the most vulnerable and disadvantaged

Legislation which provides stronger protection and measures of redress for disadvantaged and vulnerable groups were enacted and implemented. For example, the Administration of Criminal Justice (ACJ) laws in Kano and Adamawa and the amended ACJ laws in Anambra

and Lagos states include provisions that shift the focus from punishment as the main goal of criminal justice delivery to restorative justice, which considers the needs of victims and vulnerable persons, and prioritises the human dignity of victims, suspects and offenders. Key provisions of the laws, including non-custodial sentencing, oversight visits by magistrates to places of detention and video recording of confessional statements were supported and implemented.

The review, adoption, and/or implementation of Violence Against Persons Prohibition legislation (VAPP Acts), and the Child Rights Act were

prioritised. These laws criminalised violent conduct – especially against women and children – in Adamawa, Anambra, Edo, Lagos and the FCT. To implement the laws, Sexual and Gender-Based Violence (SGBV) Response Teams, VAPP Implementation Committees, community-based child protection committees and over 60 social protection officers were trained and deployed. This has increased the channels for reporting SGBV and simplified referrals to the authorities.

Legislation criminalising discrimination against persons with disabilities was adopted and implemented. In FCT, Anambra

¹ <https://www.nigeriapovertymap.com/>; <https://nigerianstat.gov.ng/>

and Lagos, RoLAC helped establish disability desks or enabled the appointment of disability liaison officers within government institutions including ministries of justice, the High Courts and local government councils. In Anambra, the state branch of the Legal Aid Council and the Anambra State Health Insurance Agency appointed Disability Desk Officers to ensure improved services for persons with disabilities. Two cases of rights violations reported to the National Human Rights Commission by persons with disabilities have been addressed. Sign language interpreters were trained to enhance access to justice for deaf persons.

Improved capacity of service providers to facilitate or deliver justice for women, children and persons with disabilities

Training on gender, disability and survivor-focused justice delivery was provided for law enforcement officers (police, National Agency for the Prohibition of Trafficking in Persons, Nigeria Security and Civil Defence Corps), judges, magistrates, prosecutors, social protection officers, family court assessors, medical personnel, social workers, and CSOs. Process maps, operational protocols and practice directions to guide institutions in the delivery of gender-sensitive, child-friendly and inclusive justice were developed. Tools were created for trained service providers to initiate and sustain practice changes. In Adamawa, Anambra, Edo and FCT, Practice Directions on Protection Orders in the context of the VAPP Act were developed for the judiciary. They outline the applicability and process for issuing and enforcing orders to protect those under threat of violence or protect victims from further violence. Guidelines for SGBV trials in the same states were developed with 11 courts designated as SGBV Courts across the four states. Guidelines for adjudicating cases involving children in conflict with the law were developed and deployed in Anambra and Edo states.



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Implementation of measures to enhance access to justice for children

RoLAC provided support to national and state child rights implementation committees and resuscitated the national and state children's parliaments, which gave children platforms for their voices and perspectives to be heard on issues affecting them. Other structures established or enhanced to increase access to justice for children include Family Support Units in police stations in Anambra, Adamawa and Lagos states, and civil society-led Community Child Protection Committees in seven communities in Anambra and the FCT, to strengthen reporting and referral of child rights violations, including child sexual abuse.

Implementation of measures to increase access to justice for persons with disabilities

RoLAC worked closely with persons with disabilities to identify the gaps and understand the physical and attitudinal barriers that impede persons with disabilities from accessing justice and how they affect their lives. Engagement between the disability community and government agencies aimed to encourage dialogue and feedback on the implementation of disability-inclusive policies. RoLAC supported the development of inclusion toolkits for law enforcement

agencies, sexual assault referral centres, the judiciary, ministries, departments and agencies; as well as corresponding implementation of action plans. Directories of sign language interpreters and a glossary of legal terminology were developed to enhance interpretation for deaf persons in justice channels. These are being utilised by state justice service providers including the Nigeria Security and Civil Defence Corps in Anambra state in SARC cases, and at government functions in Adamawa state to enhance access to justice for deaf persons. Support was provided for a Nigerian Correctional Services protocol for the review and assessment of inmates with mental health disabilities.

Implementation of measures to enhance access to justice for detainees

Poor, vulnerable, and marginalised persons in society are often arrested and detained for prolonged periods for offences that are normally considered as petty or minor. Child offenders may be sent to adult custodial facilities where they are corrupted by adult offenders.

To address this, judicial inspection of places of detention was instituted and strengthened in all states. Capacity building on sentencing helped judges and magistrates to rationalise punishment and divert minor offenders through non-custodial measures.



Knowledge and awareness about existing services and access to them

Over 70 awareness raising actions were pursued by RoLAC to increase public awareness on women’s rights, SGBV or disability rights with roughly 14.4 million persons reached. RoLAC supported public sensitisation and campaigns including on social media to raise awareness about the existence and the availability of SGBV response services such as Sexual Assault Referral Centres (SARCs), and the delivery of disability-inclusive justice services. RoLAC collaborated with the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), the Lagos State Domestic Violence Agency, the Federal Ministry of Justice, entertainers, social media influencers, and CSOs to sensitise the public about channels for seeking redress and the need for state governments to fund, sustain and replicate justice and response services that target women, children and persons with disabilities.

Guidelines, tools and reporting templates including Standard Operating Procedures were developed for the Nigeria Police Force. Training and mentoring were provided for police and judicial officers. Statement taking rooms were set up to reduce torture and abuse in interrogations and videos were recorded of over 1,288 confessional statements. Guidelines on how to deploy judicial oversight visits to places of detention were developed and deployed.

Access to legal assistance and representation for vulnerable persons

One key element of ensuring access to justice is to make available legal advice and representation through legal aid. RoLAC provided broad-based support to the Legal

Aid Council of Nigeria (LACON) for the implementation of the Legal Aid Act 2011 and supported the establishment of state Legal Aid Coordination Committees. These brought together legal aid service providers in the state, including LACON, the Nigerian Bar Association and civil society organisations to jointly operate legal clinics in high-risk communities, and the Police Duty Solicitor Scheme (PDSS) at police detention centres. Nearly 3,000 citizens accessed legal assistance through the PDSS. RoLAC supported future-focused plans to expand the scale of delivery of legal aid across the country using paralegals. The University of Lagos, Nnamdi Azikiwe University and Bayero University developed certificate, advanced certificate, and diploma training courses in paralegal practice.

IMPACT

Implementation of key legislation that offers stronger protection for the poor, vulnerable and disadvantaged

New or amended laws have provided and strengthened the legal framework for the protection of vulnerable persons in the justice system. For instance, detainees need not go to court to seek a reprieve. The courts go to them through visits by Magistrates to places of detention where they review cases of detainees and make

appropriate orders as prescribed by the ACJ laws. Over 800 inspection visits have been made by courts to detention centres.

Through the collaboration of the programme and partners, some key provisions of these laws have been implemented for the first time. For instance, since the inauguration of the Disability Rights Commission in Anambra state, it has been coordinating with other state agencies to implement the law and deliver broader support and social welfare services for persons

with disabilities. This included establishment of disability desks and appointment of disability officers, leading to improved services. The disability desk in the Human Rights Commission Office in Anambra has received and dealt with complaints of human rights violations of persons with disabilities. Trained sign language interpreters are being utilised to enhance access to justice for deaf persons, including in state offices in Adamawa and SARCs in Anambra.

More poor persons now accessing justice services

With stronger legal frameworks offering more channels for citizens to access justice services, the number of people accessing the services or impacted by those services is increasing.

11,375 cases involving low-income earning citizens, including women and persons with disabilities, were handled by the Legal Aid Council of Nigeria across six RoLAC locations. 8,409 of these cases involved a specific legal process, such as representation in court or a written application for bail. Oversight visits to places of detention led to 1,422 detainees released on bail or discharged and over 2,000 directives issued to have other detainees charged to court immediately.

Over 5,000 SARC clients, mostly poor women and youths were able to access justice through free legal processes. For instance, between January 2021 and November 2022, there were 3,068 arrests, 604 prosecutions and 36 convictions in relation to cases reported to SARCs. In Anambra state, trained members

of the VAPP Implementation Committee monitored 271 SGBV cases reported in the state between May 2020 and April 2021, resulting in 79 arrests, 105 cases charged to court and three convictions. In Edo state, the SGBV prosecution coordination team handled 70 SGBV cases between 2020 and 2021, including many reported to the Vivian SARC in Benin City; whilst the FCT Sexual and Gender-based Violence Response Team assisted 534 citizens mostly, women and children to access SGBV response and referral services between 2018 and 2022.

Increased understanding and respect for the rights of women, children and persons with disabilities

As a result of these RoLAC engagements, more Nigerians appreciate the challenges faced by women, children and persons with disabilities generally, and more specifically in their quest to access to justice. This increased understanding and awareness is beginning to change attitudes and behaviour. For instance, the culture

of stigmatising victims of rape is being challenged as more victims report to SARCs, SGBV response teams and other service providers. The number of male victims attending a SARC has increased by over 600 per cent (from 179 in 2017 to 1,306 in 2022). Similarly, institutions are responding more positively to the needs of persons with disabilities. In Lagos, the State Police Command has assigned two emergency phone lines to enable persons with disabilities to directly access emergency police response services.



LESSONS

Government alone cannot bear the burden of ensuring access to justice for vulnerable citizens.

It is important to look beyond government and facilitate collaboration between government and civil society across all levels – national, state, and local government – to extend services to as many citizens as possible.

Courthouses and police stations are usually located in urban, heavily-populated areas, with the rest of the country having limited access to the formal justice system.

Mobile courts were a useful emergency mechanism during

the COVID-19 pandemic and are a potential solution to provide justice services where it is not possible to build new courthouses and police stations to serve communities that are far from urban areas.

For citizens to access justice, they must understand their rights and the means for securing their rights.

Many citizens are unaware of the laws available to protect them and do not understand the workings of the criminal justice system. Public awareness raising interventions could include simplifying key legislation and translating it into local languages as well as partnering

with civil society organisations who are well placed to reach people in communities.

If justice is to be accessible for the poor, it is important to reduce or eliminate financial obstacles by supporting the delivery of free or subsidised services.

SARCs provided a good example of how this can work, along with toll-free reporting lines, such as that operated by NAP TIP for reporting rights violations.

DATA/STATISTICS AT A GLANCE

- **A total of 1,422 detainees** were released on bail or discharged during oversight visits to places of detention by magistrates. Some of the magistrates were accompanied by PDSS lawyers.
- The Child Protection Network in Lagos **assisted in 783 cases of child abuse** including neglect and sexual abuse, with **193 cases** referred to the police or other service providers.
- A total of **4,097 SGBV survivors** accessed justice, including **871 going through the legal process** (investigation or prosecution) via community response platforms established by the Women's Rights Advancement Protection Alternative in Adamawa and Kano, the SOAR Initiative Child and Teen Support Centre, and the Ireti Resource and Referral Centre in Lagos.
- **833 (or 89.9 per cent) of the 926 cases reported** across existing national and state Sexual Offender Registers have gone through investigation, prosecution or conviction secured thus assuring survivors of justice.

COMMENTS FROM BENEFICIARIES

**Godiya Simon,
Member, the Joint
National Association of
Persons with Disabilities,
Adamawa state**

“

Before RoLAC, persons with disabilities had no or little knowledge of the Disability Rights Commission Law. Today, we are more informed about our rights and limitations. We must continue to engage the government to ensure the content of the law is implemented. ”

**Hauwa I. Muhammad,
Speaker, Kano
Children’s Parliament**

“

In keeping with the Geneva Declaration of the Rights of the Child and the provisions of the Child Rights Act, 2003, the Children’s Parliament offers a unique platform for us to one step at a time and one day at a time bring to the forefront Child – sensitive issues with a view to support all efforts by diverse stakeholders to make Kano state the safest place to be a child.

”

**Onyendilefu Lovet Uju,
Chairperson, Child
Protection Network,
Anambra**

“

RoLAC has made us much stronger. We now have confidence in talking out issues with the police, civil defence and local vigilante. We have benefited from capacity building and linkage to access to justice activities in the state. Our CSO members now confidently respond to SGBV cases knowing they have the capacity to do so effectively. ”

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PERSONAL STORY OF CHANGE



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In February 2017, a government task force raided a suspected sex workers' hub in Abuja. Monica, a 42-year-old sex worker, was one of those arrested. The task force was comprised of officials from the Abuja Environmental Protection Board, the police and the army. Although, legal experts say there is no Nigerian law that specifically or expressly criminalises prostitution, as with many petty offences, enforcement actions come with rights violations. Monica alleged that the task force searched her indecently and stole money and possessions.

"The police came at night, raiding the whole area. I was assaulted by officials before they arrested me and some others," the mother of three narrated. She was taken to a police station where she was detained for three days before she was bailed.

"Getting home, I discovered that my property was either destroyed or carted away during the operation. The N280,000 I kept at home was nowhere to be found and my plasma television was destroyed among other valuables," she narrated.

“

...Getting home, I discovered that my property was either destroyed or carted away during the operation... ”

Monica, Abuja

In May 2019, Lawyers Alert, an association of pro bono lawyers filed a suit at the Federal High Court in Abuja on behalf of Monica and 15 other women. In December 2019, the judge ruled in their favour, finding that officers of the security taskforce had illegally broken into Monica's and other apartments in violation of their rights. The court awarded Monica N100,000 in compensation.

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 by supporting the adoption and implementation of relevant legislation, policies and strategies in the sector. The six-year programme (2017–23) is funded by the European Union and implemented by the British Council.

Find out more
Rule of Law and Anti-Corruption
(RoLAC) Programme
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www.justice-security.ng

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