

# Communiqué

## Expert Level Convening on Consolidating Legal Aid Approaches in Kano State

### Preamble

Rule of Law and Empowerment Initiative also known as Partners West Africa Nigeria (PWAN) in collaboration with the Kano State Ministry of Justice organized a 2-day Expert Level Convening on Consolidating Legal Aid Approaches in Kano State held Thursday 26th and Friday 27th of April, 2018; it drew participants from the justice and legal aid sectors in Kano, Lagos and Ondo states as well as delegates from Kenya, Tanzania and Rwanda who proffered varied strategies for approaching the consolidation of legal aid services in the state.

In attendance at the event were representatives of the Ministry of Justice, Kano; Nigerian Bar Association (NBA); Legal Aid Council of Nigeria, National Legal Aid Services, Kenya, Legal Aid Forum, Rwanda; Tanzania Network of Legal Aid Providers; and National Human Rights Commission (NHRC). Others were Network of University Legal Aid Institutions (NULAI); Nigeria Prisons Service (NPS); Kano Emirate Council; Kano State Hisbah Board as well as civil society organisations working in the area of access to justice in Kano State.

### ***The participants observed thus:***

- Just like the common law legal system, Islamic (Sharia) and traditional legal systems also support and have provisions for legal aid; legal aid is not alien to both justice systems.
- Indigent persons lack the knowledge of their basic legal rights hence their inability to demand for the enforcement of such rights.
- The meeting acknowledged the fact that legal aid is beyond adjudication and legal representation, instead; it also encompasses Alternative Dispute Resolution (ADR) and mediation.
- The Legal Aid Council (LAC) is grossly underfunded which limits its capacity to perform its constitutional responsibility of ensuring access to justice for indigent persons in Kano State.

- Paralegals assist greatly in ensuring access to justice for indigent persons however, are still not duly recognized by the justice system which hampers their capacity to ensure access to justice.
- If reformed, made gender-sensitive and integrated with the formal legal system, the traditional justice system in Kano state still has the potency to offer indigent persons at the grassroots access to justice, at zero or minimal cost.
- Access to justice for all citizens including indigent persons must be a social service hence the judiciary must not, under any circumstances, be seen as a revenue generating sector.

***The participants resolved:***

- Just like the existing healthcare trust fund in Kano State, having a legal aid trust fund is also desirable in the state; Kano should consider exploiting the opportunity provided by Zakat in Islam to finance the legal aid fund.
- There is need for multi-stakeholder approach to providing legal aid services in Kano state by ensuring inter-agency collaboration between Ministry of Justice, NBA, NHRC, LAC, NPS, Hisbah, PDO, PRAWA, IWEI etc
- Pro bono lawyers offering legal aid services should also be paid stipends as encouragement and also be compelled to handle court cases up to conclusion and not exploit unsuspecting indigent persons just to gain cheap media publicity and then abandon them.
- Kano State should domesticate the Administration of Criminal Justice Act (ACJA) which has the potency to improve access to justice for indigent persons in the state.
- It is important create a sense of mutual trust and confidence between prisoners and legal aid service providers in Kano state to avoid suspicion on the part of prisoners and encourage them to open up.

## Way Forward

- Kano State should adopt the Lagos style justice sector reform with the Ministry of Justice leading the process; and working in collaboration with the network of CSOs offering legal aid services.
- To ensure access to justice for indigent persons, NYSC, graduate and students lawyers in Kano State should be posted to police stations, CSOs providing legal aid services and LAC and be paid stipends to provide legal aid services.
- All civil society and other organisations providing legal aid services in Kano State should be organized into a network to strengthen them for effective collaborations and sharing of information and to avoid duplication when it comes to handling of cases.
- In order to de-crowd the prisons in Kano State varied strategies need to be adopted including speeding up of trials of persons awaiting trial, training of inmates awaiting trial for self-representation as well as the training of prison waders to also work as paralegals.

Signed  
The Conveners