



**PARTNERS WEST AFRICA NIGERIA**  
*Rule Of Law And Empowerment Initiative*



**ENHANCING TRANSPARENCY AND  
ACCOUNTABILITY IN THE JUDICIAL  
SECTOR PROJECT.**

**PRESENTATION OF FINDINGS,  
COURT OBSERVATION AND  
CRIMINAL JUSTICE ACTORS  
SURVEY, FCT  
(OCTOBER 2018- JUNE 2019)**

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# Introduction

## About PWAN

The Rule of Law and Empowerment Initiative, better also known as Partners West Africa Nigeria (PWAN), is a nongovernmental, women-led organization working towards enhancing citizens' participation and improving security governance in Nigeria and West Africa broadly. The organization is in Abuja, with a national and regional reach. PWAN is a member of the Partners Global Network, a vibrant international community of 22 like-minded national organizations around the world. These are organizations united by common approaches such as participatory decision making, collaborative advocacy, consensus building, and social entrepreneurship for democratic governance.

Through our Rule of Law program area, we help strengthen institutions that play a role in safeguarding society through a cooperative advocacy approach. This involves engagement and coordination of criminal justice stakeholders, ensuring access to justice for indigent persons, promoting civil society participation in anti-corruption efforts, and contributing to sustainable criminal justice reform.

## About the Project

PWAN has been involved in contributing to building and strengthening the social accountability of the judicial sector since 2016<sup>1</sup>, by collaborating with the judiciary to have citizens observers placed in selected courts to assess the court processes and in recent times the compliance to the Administration of Criminal Justice Act in the Federal Capital Territory and the Administration of Criminal Justice Laws in Ondo and Lagos States with support from the MacArthur Foundation.

## Methodology

Partners West Africa Nigeria adapted 4 strategies to the observation process, namely:

- i. Expert methodology workshop
- ii. Court Observation
- iii. Case Monitoring
- iv. Criminal Justice actors' Survey on the ACJA

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<sup>1</sup> The initial support in 2016 was provided by the US Embassy Bureau for International Narcotics and Law Enforcement (INL)

## The Observation Process in the Federal Capital Territory, Abuja

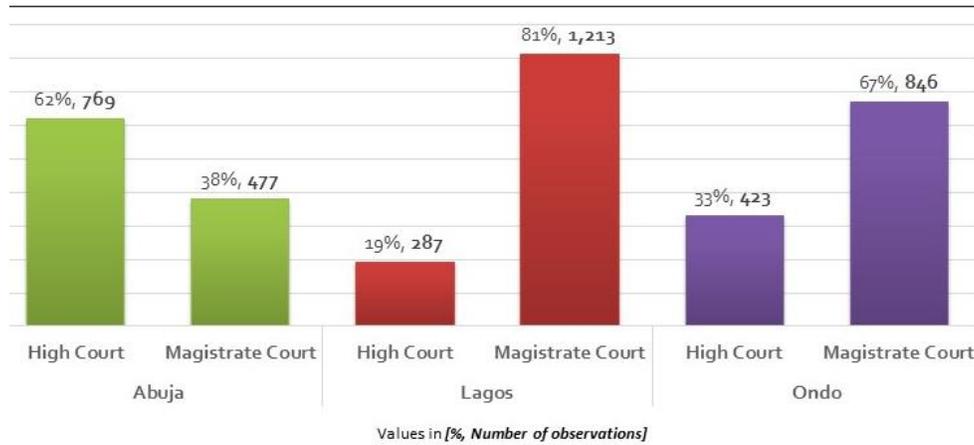
To ensure effective collaboration, PWAN worked with the Chief Judge of the High court of the FCT, the Administration of Criminal Justice Monitoring Committee (ACJMC), Nigeria Institute of Advanced Legal Studies, the court registrars of the courts being observed, the Nigerian Bar Association (Unity Bar and Gwagwalada) and Civil Society Organizations including the media.

- Observation of courts began in October 2017, and since then the project has disseminated findings to (1) Stakeholders in the criminal justice sector; specifically, to the Nigeria Bar Association (NBA), Administration of Criminal Justice Monitoring Committee (ACJMC) and National Judicial Council (NJC), and (2) The Media, the General public, Civil Society and other relevant stakeholders through public release of findings of the events and social media engagement. The project has been able to engage 1,400 people on the ACJA over the past two years in the FCT.
- Engagement with stakeholders has allowed us to strengthen our methodology and develop robust findings over the years. In addition to the observation of courts, PWAN has also been monitoring the 'Declogging Panel for Criminal Cases' set up by the Chief Judge of the FCT High court in 2018.
- Using the purposive sampling methodology, 20 courts (13 High & 7 Magistrate Courts located in Apo, Maitama, Mpape, Jabi, Gudu, Lugbe, LifeCamp, Dutse-Alhaji, Wuse, and Gwagwalada) were selected for the observation.
- The findings in this report are based on observation over a period of nine months which is **October 2018- June 2019**. It comprises of data from the Daily Court Observation and Criminal Justice Actors Survey.

## Presentation of Findings- Court Observation

The data presented for this observation period is based on observation from October 2018 to June 2019. However, comparisons will be made with data from the beginning of the project till date, and across the states of focus (FCT, Lagos and Ondo States). In this observation period, observers in Abuja were in court for 769 days in the high court, and 477 days in the magistrate courts .

Number and % of days Courts were observed in Abuja, Lagos & Ondo (Qtr. 1, 2019)



### 1. Court Sittings

During the period under review, at the high court, the courts sat for a total of 484 days out of the 769 days in which it was supposed to sit, that is it sat 63% of the time. While at the magistrate courts they sat for a total number of 343 days out of the 477 days they were meant to sit, that is 72% of the time. A remarkable improvement in court sitting has been observed in the magistrate courts over the past 4 observation periods.

In the FCT, PWAN is observing more high courts based on the recommendation of courts by the Chief Judge. The reverse is seen in Lagos and Ondo states, where the Chief Judges specifically requested that we focus on the magistrate courts and observe less high courts .

Observation period	Average (%)	High court (%)	Magistrate Courts (%)
OP1 2018	56	60	47
OP2 2018	66	65	67
OP3 2018	62	62	63
OP4 2019	67	63	72

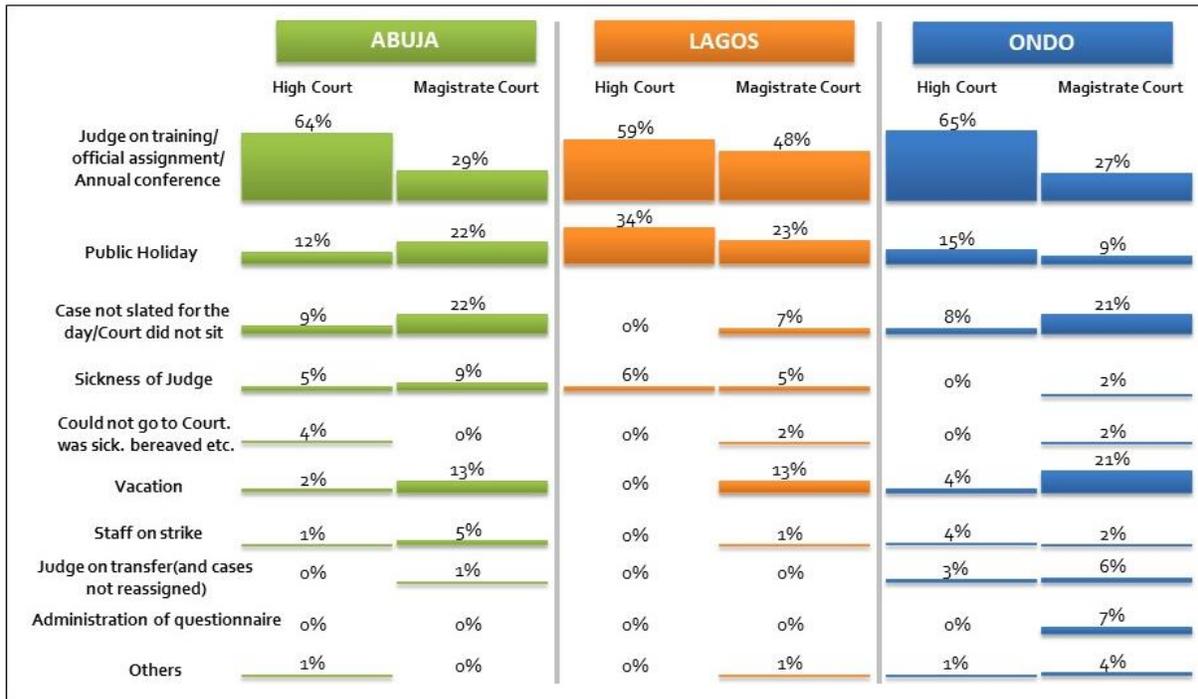
The decline in OP3 2018 is as a result of the court vacation within that period (9<sup>th</sup> July- 7<sup>th</sup> September 2018).

## 2. Factors that affect courts not sitting

I. **Judges on Training/Official Assignment** - 64% at the high court and 29% at the magistrate courts

II. **Public Holidays** - 12% high court and 22% at the magistrate Courts . There have been 15 public holidays within this observation period.

If Court did not sit, indicate reason (multiple options)



## 3. Time spent in Court

We have found over the past 2 years of observing the courts , that the average time spent in court by judges and magistrate is dependent on whether he or she observes recess. In the FCT, 74% of High courts and 80% of magistrate Courts , do not observe recess; the number that does observe recess are low (26% at high courts , 20% at magistrate Courts ).

For the courts that observe recess in the FCT, the average time spent in court is 5 hours 3 minutes at high courts and 4 hours 13 minutes at magistrate Courts . For those that do not observe recess, they spend 3 hours 8 minutes in the high court and 3 hours 11 minutes at the magistrate Courts . High courts spend more time in recess (42 minutes), compared to magistrate courts (36 minutes).

**Average – time spent in court, spent in recess, actual time spent in sitting on cases**  
*Time presented in 'Hours : Minutes'*

		Abuja		Lagos		Ondo	
		High Court	Magistrate Court	High Court	Magistrate Court	High Court	Magistrate Court
Court sittings that involved going on recess	Average time spent in court (HH:MM)	5:03	4:13	5:01	3:52	4:39	3:10
	Average time Spent in Recess (HH:MM)	0:42	0:36	0:52	0:52	0:28	0:26
	Average actual time spent in Sitting on Cases (HH:MM)	4:20	3:37	4:09	2:59	4:11	2:43
Court sittings that DO NOT involve going on recess	Average time spent in court (HH:MM)	3:08	3:11	2:57	2:32	2:37	2:41
All Cases Observed	Average Actual Time Spent in Sitting on All Sittings (HH:MM)	3:27	3:16	3:08	2:41	2:47	2:42

**4. Attendance to daily cause list:**

Courts that go on recess attend to 90% of the cases listed on their cause list at the high court, and 92% at the magistrate Court, as compared to those that do not observe recess which is 88% at the high court, and 90% at the magistrate court.

		Abuja		Lagos		Ondo	
		High Court	Magistrate Court	High Court	Magistrate Court	High Court	Magistrate Court
Court sittings involve going on recess	Average number of cases on the days cause list attended to	10	20	8	18	7	7
	% of cases on the days causes list attended to Versus Cases on the days cause list	90	92	84	78	84	94
Court sittings DO NOT involve going on recess	Average number of cases on the days cause list attended to	7	10	7	17	6	7
	% of cases on the days causes list attended to Versus Cases on the days cause list	88	90	96	85	88	96

*Figure 1- Number of cases attended to for courts that do/don't observe recess*

**5. Case listing on the Cause list:**

The high courts have an average of 9 cases on their cause lists, compared to 13 cases at the magistrate courts. Both courts have more civil cases than criminal cases on the cause lists per day.

**Number of cases on the day's cause list, cases attended to & percentage of cases attended to VERSUS cases on the day's cause list**

	Abuja		Lagos		Ondo	
	High Court	Magistrate Court	High Court	Magistrate Court	High Court	Magistrate Court
Average number of cases on the days cause list	9	13	8	20	7	7
Average number of criminal cases on the cause list	2	3	7	11	6	6
Average number of civil cases on the cause list	8	11	3	14	3	3
Average number of cases on the days cause list attended to	8	12	7	17	6	7
% of cases on the days causes list attended to Versus Cases on the days cause list	88%	91%	94%	83%	88%	96%

## 6. Reasons for non-attendance to cases on cause list:

The main reason for non-attendance to cases on the cause list is the nonavailability of parties including lawyers and witnesses; this has been consistent since 2017. Regarding nonappearance of lawyers, Section 353 (1), (2) of the ACJA states that:

(1) “Where the case is called and neither the prosecutor nor the defendant appears, or the defendant appears and the prosecutor does not appear, the court shall make such order as the justice of the case requires. (2) The court may, in the order, include such direction as to the payment of costs as the court considers fit, and the payment of the costs may be as if it were a fine.”

Absence of witnesses can be attributed to the non-payment of witness expenses. Section 251 states that ‘Where a person attends court as a state witness, the witness shall be entitled to payment of such reasonable expenses as may be prescribed’. The section, however, does not provide for who will bear such expenses.

Section 252 provides that ‘Where a person attends court as a witness to give evidence for the defense, the court may in its discretion on application, order payment by the Registrar to such witness of court such sums of money, as it may deem reasonable and sufficient to compensate the witness for the expenses he reasonably incurred in attending the court.’

**Reason why some cases were not attended to (multiple options)**

	Abuja		Lagos		Ondo	
	High Court	Magistrate Court	High Court	Magistrate Court	High Court	Magistrate Court
One or all the parties were not available	59%	56%	83%	84%	71%	34%
One or all the lawyers were not available	54%	67%	80%	64%	74%	32%
A witness was not available	24%	30%	65%	69%	37%	18%
Services not effected	16%	27%	7%	25%	4%	5%
The files or exhibits were not available when the cases were called	4%	3%	1%	17%	2%	9%
Court did not sit on time	3%	0%	1%	4%	0%	0%
The cases were called out of turn (by senior lawyers)	3%	0%	1%	3%	0%	0%
Power failure (and court had to adjourn sitting)	2%	0%	1%	2%	0%	0%
Judge/Magistrate on official assignment/Indisposed	2%	2%	0%	0%	1%	16%
Congestion of court dockets (large number of cases)	0%	0%	0%	2%	3%	0%
Administering Questionnaire	0%	0%	0%	0%	4%	0%
Others	3%	3%	3%	5%	4%	16%

Figure 2- Observation period 1 2019

## 7. Support available to the Judges and Magistrate

Availability of translation or interpretation services during the period under review was at 79% in the High court, a decline from the 100% reported during the last release of findings. There has been an increase from 82% in translation or interpretation services at the magistrate courts during the last release of findings to 94%. Section 17 (3) of the ACJA states that ‘Where a suspect does not understand or speak or write in the English language, an interpreter shall record and read

over the statement to the suspect to his understanding and the suspect shall then endorse the statement as having been made by him, and the interpreter shall attest to the making of the statement.’

A combined reading of Section 36(6)(a) and (e) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) enshrines the right of the accused to be informed promptly in the language that he or she understands and in detail of the nature of the offense alleged to have been committed. (See the case of *Lawson v. Afani Continental Co. (Nig) Ltd*, (2002) FWLR (Pt. 302) 176 at 199-200)

## Recommendations

1. *Provision of working equipment*: There is a need for the government to appropriate and provide equipment such as electronic recorders for effective discharge of duties by judges and magistrate.
2. *Inclusiveness within the judicial system*: The judiciary should ensure that facilities are provided to cater for all, including persons with disability. This may include sliding rams for access into court premises, sign language provision to aid interpretation.
3. *Discharge of duties by parties/representatives*: The courts should implore the intention of the ACJA on “speedy trial and effective dispensation of justice” to exercise their discretion on erring parties and their representatives in courts .
4. *Witness Expenses*: There should be clarity on who pays witness expenses for their appearance in court, and a specific amount should be stated according to location, nature of the case, number of days required to testify, and other relevant factors.
5. *Observation of Recess*: Various studies have been conducted into judicial stress, and it has been found that the lack of control most trial judges have over their caseload<sup>2</sup> is a major contributor to stress. We recommend that Judges and Magistrate observe recess before continuing with matters before them, to ensure they are rejuvenated, stress is alleviated, and their mental health is improved.

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<sup>2</sup> Zimmerman IM: Stress: what it does to judges and how it can be lessened. Judges J 4: 18-22, 1981

## Presentation of Findings- High Court Declogging Panel for Criminal Cases

PWAN is observing the '**High Court Declogging Panel for criminal cases**' set up by the Chief Judge of the FCT High court, through a Practice Direction of the Administration of Criminal Justice Act, Order 13. This is an innovation by the FCT High court to review and reduce the backlog of cases on the dockets of the court. The panel set up by the Practice Direction can be made up of judges and magistrates. At the inauguration of the declogging panel on 22<sup>nd</sup> October 2018, cases had been identified for review and possible adjudication.

Findings from the observation of the sitting of the panels in the high court:

- Each panel is supposed to have a minimum of two judges at each sitting. However, it has been observed that this is not always the case because some of the judges are preoccupied with other assignments such as election tribunals.
- In some instances where the panes are unable to sit, they are also unable to provide dates for the continuation of trial. This is because the panels sit only once a week. This has forced parties to return to courts of first instance.
- Prosecution counsel also is usually absent resulting in the delay in the cases even when the judges are available.
- Lack of legal aid services in the form of interpreters, translators, and probono lawyers also contribute to the delays.
- Finally, delay in effecting court service has also been observed to affect panel proceedings.

It is our general observation that the panel is experiencing the same challenges faced by the courts. Considering that the panel was set up to be a solution to the issue of backlog of cases, these challenges call into question its effectiveness.

### Recommendations

- The leadership of the judiciary should identify specific Judges who will focus solely on the Declogging panel for a definite period with appropriate support.
- Civil Society Organizations can assist the panel with reviewing backlogged cases, to identify those that have merit and those that lack merit and can be summarily dispensed with. PWAN will be inclined to offer support in this process.

**NB:** PWAN has also been informed that the magistrate courts also set up a declogging panel on criminal cases; based on reports from the magistracy the panel was able to dispense with 60 backlogged cases over a 2-month period.

## Presentation of Findings- Criminal Justice Survey

The survey is administered to criminal justice actors in the FCT, Lagos and Ondo States, to ascertain the level of implementation of the ACJA/L in the various agencies and monitor adherence to specific provisions.

In this observation period, and based on feedback from stakeholders, PWAN altered its methodology of administering questionnaires by tailoring questionnaires to suit 4 different categories of respondents:

- i. Judicial Officers (High court Judges and Magistrate)
- ii. Lawyers (Prosecution and Defense)
- iii. Law Enforcement Agencies/ Investigators, and Nigerian Prisons Service
- iv. Victims/ Nominal Complainants and Witnesses

### Background of Respondents

Of the 89 respondents surveyed in the FCT, 31 are Victims/Nominal Complainants/Witnesses, 41 are Law enforcement officers/Prisons, 10 are Prosecutors/ Defense lawyers, and 7 are from the judiciary. Majority of the respondents where FCT High court Judges, Prosecution witnesses, Defence Lawyers, and Prison officers.

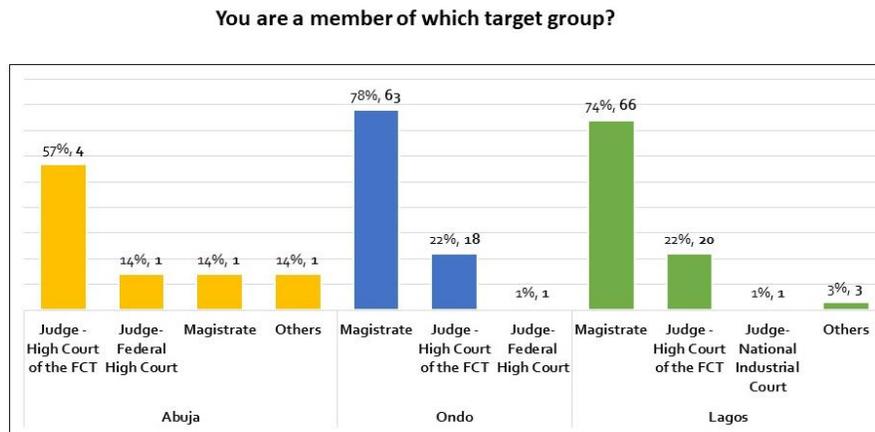


Figure 3- Respondents from judiciary

**You are a member of which target group?**

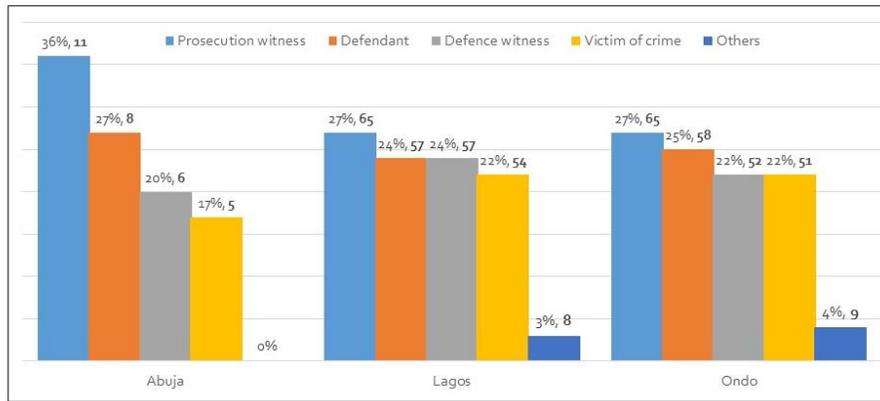


Figure 4- Victims/Witnesses/Nominal complainants

**You are a member of which target group?**

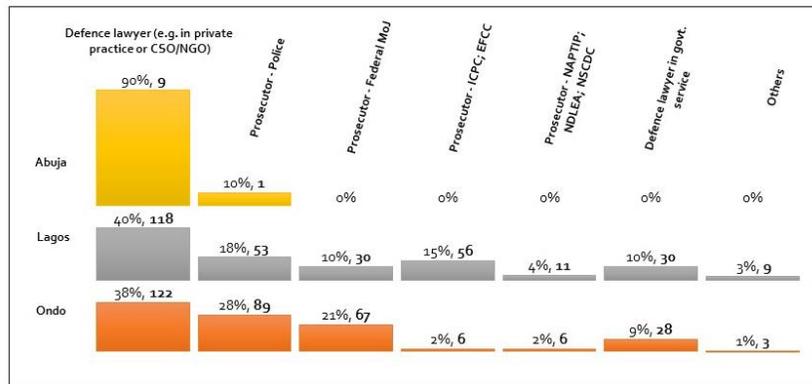


Figure 5- Defence and Prosecution Counsel

**You are a member of which target group?**

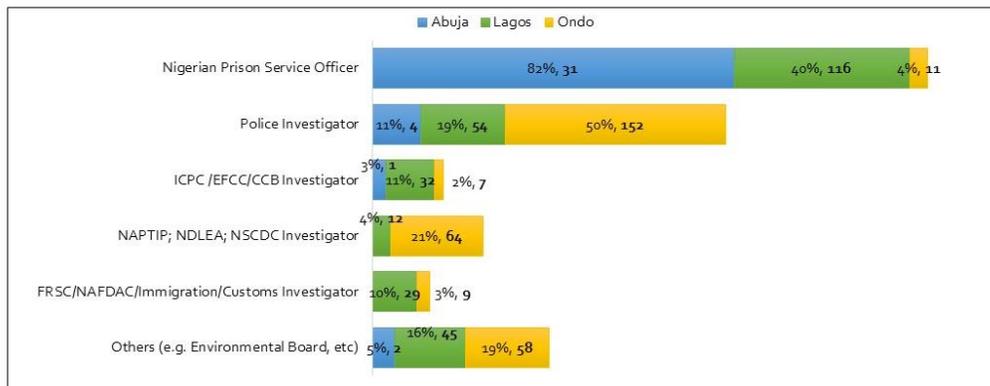


Figure 6- Law Enforcement Agencies/ Investigators/ Prisons Service

43% of Law Enforcement respondents and 40% of the judiciary surveyed have been in their current post for 5-9 years, while 60% of lawyers surveyed have been in their current post for 10-14 years; 75% of respondents were male and 25% were female.

## Capacity Building & Knowledge of ACJA

All the judges and lawyers surveyed had read all provisions of the ACJA that applied to their functions and power. 75% of the judges said they received training in the last 12 months, 67% of them were trained by international donor agencies. 33% of the police investigators and 46% of the prison officers have not read the provisions of the ACJA.

To what extent have you read the provisions of the Administration of Criminal Justice Act (ACJA)?

	Abuja		Ondo			Lagos		
	Total	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court	Total	Magistrate	Judge - High Court
I have read all the provisions of the ACJA	71%	100%	72%	67%	94%	49%	47%	70%
I have only read those Provisions of the ACJA that apply to my functions & powers	29%	0%	28%	33%	6%	44%	45%	25%
I have not read the provisions of the ACJA	0%	0%	0%	0%	0%	7%	8%	5%

Figure 7- Responses from judiciary

To what extent have you read the provisions of the Administration of Criminal Justice Act (ACJA)?

	Abuja				Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NDLEA, NSCDC	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
I have read all the provisions of the ACJA	17%	33%	17%	6%	5%	15%	0%	0%	0%	4%	12%	14%	18%	50%	9%	11%	10%	6%
I have only read those Provisions of the ACJA that apply to my functions & powers	30%	33%	21%	36%	37%	67%	50%	0%	38%	17%	42%	37%	33%	55%	67%	60%	23%	
I have not read the provisions of the ACJA	40%	33%	46%	36%	37%	19%	40%	86%	25%	56%	41%	42%	17%	34%	22%	30%	66%	
I am just hearing about the ACJA for the first time	13%	0%	17%	22%	21%	0%	10%	14%	33%	15%	3%	3%	0%	2%	0%	0%	6%	

Figure 8- Responses from Investigators and Prison officers

67% of the lawyers surveyed said they had not received any training on the ACJA. For those that were trained, training was provided by the Nigerian Bar Association (NBA), FIDA and other CSOs.

Have you had any training on the ACJA?

	Abuja		Lagos						Ondo							
	Total	Defence lawyer private practice or CSO/NGO	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC, EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP, NDLEA, NSCDC	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC, EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP, NDLEA, NSCDC
Yes	40%	33%	25%	11%	50%	38%	31%	24%	29%	43%	36%	41%	62%	50%	38%	33%
No	60%	67%	75%	89%	50%	62%	69%	76%	71%	57%	64%	59%	38%	50%	62%	67%

Figure 9- Responses from Lawyers

Pretrial and trial requirements

Arrest

Section 17 (1) and (2) of the ACJA provides that Where a suspect is arrested on allegation of having committed an offense, his statement shall be taken if he so wishes to make a statement.

(2) Such a statement may be taken in the presence of a legal practitioner of his choice, or where he has no legal practitioner of his choice, in the presence of an officer of the Legal Aid Council of Nigeria or an official of a Civil Society Organization or a Justice of the Peace or any other person of his choice provided that the Legal Practitioner or any other person mentioned in this subsection shall not interfere while the suspect is making his statement, except for the purpose of discharging his role as a legal practitioner.

Recording of the statement of suspects.

80% of lawyers say that 2-5 of the cases they have been involved in have led to arrest of suspects, while 50% of Investigators say 11 cases and above have led to arrest. 43% of Judges have issued warrants of arrest in the last 12 months.

For the arrests made by investigators, 67% say they ‘always’ inform arrested persons the reason for their arrest while 56% say they allow legal counsel to be present during interrogation.

If you were involved in at least 2 cases that led to the arrest and or prosecution of suspects, how often did you: Inform the arrested persons the reason(s) for their arrest, whether orally or in writing?

	Abuja			Lagos						Ondo							
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Always	67%	25%	100%	51%	40%	61%	40%	0%	43%	63%	71%	74%	50%	69%	50%	0%	25%
Sometimes	33%	75%	0%	31%	48%	3%	30%	100%	50%	21%	23%	19%	50%	28%	50%	0%	50%
Rarely	0%	0%	0%	14%	10%	35%	20%	0%	0%	8%	3%	3%	0%	2%	0%	0%	25%
Never	0%	0%	0%	4%	2%	0%	10%	0%	7%	8%	3%	3%	0%	2%	0%	0%	0%

Figure 10- Responses from Law Enforcement/ Investigators

If you were involved in at least 2 cases that led to the arrest and or prosecution of suspects, how often did you:  
Allow the accused person's legal counsel to be present during interrogation?

	Abuja			Lagos						Ondo							
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Always	56%	25%	100%	37%	17%	58%	30%	50%	47%	44%	49%	54%	33%	42%	0%	0%	50%
Sometimes	33%	50%	0%	46%	65%	39%	40%	50%	41%	28%	42%	36%	67%	50%	100%	0%	50%
Rarely	0%	0%	0%	11%	12%	3%	20%	0%	0%	19%	4%	3%	0%	7%	0%	0%	0%
Never	11%	25%	0%	6%	6%	0%	10%	0%	12%	8%	5%	8%	0%	2%	0%	0%	0%

Figure 11- Responses from Law Enforcement/ Investigators

Section 7 of the ACJA states that ‘A person shall not be arrested in place of a suspect.’ From the survey, 28% of the witnesses, complainants, and victims stated that their relations or victims have been arrested in lieu of a suspect before, while 61% being prosecution and defense witnesses have had no experience of arrest in lieu of suspect.

Was a relation or friend or any other person arrested in lieu of or in place of the suspect?

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
Yes	28%	...	...	50%	43%	16%	4%	16%	15%	21%	28%	35%	36%	28%	21%
No	61%	100%	67%	50%	57%	71%	87%	56%	81%	77%	57%	47%	42%	56%	72%
Don't know	11%	...	33%	...	...	12%	9%	27%	4%	2%	15%	18%	22%	17%	7%

Figure 14- Responses from Victims/ Nominal Complainant/ Witnesses

### Bail

Section 45 (1) of the ACJA states that ‘A court, on issuing a warrant for the arrest of a suspect in respect of a matter other than an offence punishable with death, may, if it thinks fit by endorsement on the warrant, direct that the suspect named in the warrant be released on bail on his entering into such a recognizance for his appearance as may be required in the endorsement.’

100% of High court Judges surveyed state that they sometimes endorse bail conditions on arrest warrants they have issued. Once bail is endorsed, it takes law enforcement agencies 24-48 hours to grant suspects bail as opined by 66% of respondents. This is corroborated by lawyers, 90% of whom say it takes 24-48 hours for suspects to be granted bail.

**If Yes, on the average, how long did it take for the suspects to be granted bail by the police (or law enforcement agency), from the time of their arrests?**

	Abuja		Lagos						Ondo							
	Total	Defence lawyer/private practice or CSO/NGO	Total	Defence lawyer/private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAP/ TIP; NDLEA; NSCDC	Total	Defence lawyer/private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAP/ TIP; NDLEA; NSCDC
Not more than 24 hours	0%	0%	26%	9%	36%	6%	67%	11%	33%	31%	27%	48%	10%	40%	35%	25%
Above 24 hours but no more than 48	90%	89%	43%	50%	34%	56%	29%	56%	44%	34%	47%	21%	26%	60%	18%	50%
Between 3 to 7 days	0%	0%	21%	27%	27%	22%	2%	19%	0%	16%	20%	5%	26%	0%	29%	0%
8 to 14 days	10%	11%	10%	12%	2%	17%	2%	15%	11%	10%	1%	16%	23%	0%	6%	25%
15 days and above	0%	0%	1%	2%	0%	0%	0%	0%	11%	9%	6%	10%	16%	0%	12%	0%

Figure 15- Responses from Lawyers

**how long did it take for bail to be granted by law enforcement agency from the time of arrest?**

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
Not more than 24 hours	...	...	...	...	...	34%	80%	32%	17%	29%	20%	11%	13%	57%	18%
Above 24 hours but no more than 48	36%	...	50%	...	29%	19%	13%	17%	33%	17%	31%	22%	4.2%	29%	26%
Between 3 to 7 days	55%	100%	...	...	71%	18%	...	24%	6%	24%	28%	11%	23%	...	44%
8 to 14 days	...	...	...	...	...	19%	7%	22%	17%	22%	6%	11%	10%	14%	...
15 days & above	9%	...	50%	...	...	8%	...	5%	28%	7%	14%	44%	13%	...	12%

Figure 16- Response from Victims/ Nominal Complainants/ Witnesses

*Remand*

The Administration of Criminal Justice Act in Section 293 (1) provides that ‘A suspect arrested for an offense which a magistrate court has no jurisdiction to try shall, within a reasonable time of arrest, be brought before a magistrate court for remand.’

During the recently concluded survey, 75% of the judges of the FCT High court stated that Law Enforcement rarely applies for remand orders from the court. For those that do, 100% of them apply for an extension of the original remand order. The Judges surveyed also believe that it takes 14 days from the time of application of the original remand order, to the time of application for an extension, or from the time of application for an extension to an application for further extension.

75% of the police officers surveyed said they do not apply for remand orders from the court, and those that do sometimes apply for extensions of the original remand order (67%). They are also of the opinion that it takes 14 days from the time of application for an extension to an application for further extension.

**In the last 12 months, how often do law enforcement or prosecutorial agencies apply for remand orders from your court (293 to 299 ACJA ;)**

	Abuja		Ondo			Lagos		
	Total	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court	Total	Magistrate	Judge - High Court
Always	0%	0%	41%	48%	17%	26%	24%	39%
Sometimes	14%	25%	42%	38%	61%	46%	49%	33%
Rarely	71%	75%	15%	15%	17%	20%	21%	17%
Never	14%	0%	1%	0%	6%	7%	6%	11%

Figure 17- Responses from judiciary

**If Always or Sometimes; on the average how long did it take between the original order for remand and the application for extension; or between an order for extension and a subsequent application for further extension?**

	Abuja		Ondo			Lagos		
	Total	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court	Total	Magistrate	Judge - High Court
14 days	100%	100%	40%	42%	38%	27%	22%	31%
Above 14 days to 1 month	0%	0%	40%	39%	38%	53%	60%	44%
Above 1 month to 2 months	0%	0%	17%	16%	23%	18%	18%	19%
Above 2 months	0%	0%	2%	3%	0%	2%	0%	6%

Figure 18- Responses from judiciary

The Administration of Criminal Justice Act in Section 294(1) provides that ‘Where the Court, after examining the reason for the arrest and for the request for remand in accordance with the provisions of section 293 of this Act, is satisfied that there is probable cause to remand the suspect pending the receipt of a copy of the legal advice from the Attorney-General of the Federation and arraignment of the suspect before the appropriate court, as the case may be, may remand the suspect in custody.’

87% of prison officers in the FCT Command surveyed, have not admitted an inmate without a remand order, while 13% alluded to have done so. The prison officers (100%) stated that in compliance with Section 6(2)(a) of the ACJA, they ‘always’ inform inmates about their right to legal counsel of their choice before appearing in court. 61% of them say they also make efforts to ensure that they provide a list of detainees that need legal representation to NGOs, Legal Aid Council that come to the prisons and 75% of the time this information is given after inmates are admitted into custody.

**In the last 12 months have you admitted an inmate into custody without a remand order?**

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Yes	12%	0%	13%	11%	33%	14%	0%	18%	8%	20%	5%	23%	0%	0%	0%	0%	2%
No	88%	100%	87%	89%	67%	86%	100%	82%	92%	80%	95%	77%	0%	100%	100%	100%	98%

Figure 129- Responses form Investigators/ Prisons

**How often to Prison Officers in the FCT command inform prison inmates of their right to: Free legal representation from the Legal Aid Council, NGOs, etc.?**

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Always	61%	0%	61%	51%	40%	67%	0%	48%	54%	33%	53%	80%	0%	17%	67%	75%	47%
Sometimes	32%	0%	36%	40%	60%	33%	100%	41%	36%	50%	33%	20%	0%	50%	33%	25%	35%
Rarely	0%	0%	0%	8%	0%	0%	0%	11%	8%	17%	7%	0%	0%	33%	0%	0%	8%
Never	3%	0%	4%	1%	0%	0%	0%	0%	1%	0%	4%	0%	0%	0%	0%	0%	6%
Don't know	3%	0%	0%	1%	0%	0%	0%	0%	1%	0%	2%	0%	0%	0%	0%	0%	4%

Figure 20- Responses form Investigators/ Prisons

**If Always or Sometimes, when is the information usually given to the inmates?**

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CBB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Before their admission into prison custody	26%	100%	21%	60%	100%	50%	67%	81%	53%	40%	38%	90%	0%	67%	0%	45%	22%
After their admission into prison custody	71%	0%	75%	36%	0%	50%	33%	11%	43%	60%	57%	10%	0%	0%	100%	55%	73%
Don't know	3%	0%	4%	4%	0%	0%	0%	7%	4%	0%	5%	0%	0%	33%	0%	0%	4%
Others	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Figure 21- Responses form Investigators/ Prisons

## Confessional Statements

According to Section 15 (4) ACJA, 'Where a suspect who is arrested with or without a warrant volunteers to make a confessional statement, the police officer shall ensure that the making and taking of the statement shall be in writing and may be recorded electronically on a retrievable video compact disc or such other audiovisual means.'

All the judges surveyed said that prosecutors/ investigators have presented confessional statements in the last 12 months. 50% of high court Judges also stated that the statements are never presented in video format, and written statements are never endorsed by legal practitioners of the suspects. This is corroborated by 78% of lawyers and 57% of investigators who state that confessional statements of defendants are never recorded in video format. 43% of defendants say confessional statements are taken by investigating agencies, and 100% of them stated that the statements were taken in writing and without the presence of legal representation.

**In the last 12 months, how often were confessional statements of defendants you prosecuted or defended recorded in video format?**

	Abuja		Lagos						Ondo							
	Total	Defence lawyer private practice or CSO/NGO	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal Mol.	Prosecutor - ICPC, EFCC	Defence lawyer in govt. service	Prosecutor - NAP TIP; NDLEA; NSCDC	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal Mol.	Prosecutor - ICPC, EFCC	Defence lawyer in govt. service	Prosecutor - NAP TIP; NDLEA; NSCDC
Always	0%	0%	25%	3%	39%	14%	68%	39%	18%	10%	4%	22%	7%	17%	11%	20%
Sometimes	11%	12%	21%	12%	29%	32%	9%	43%	45%	18%	6%	25%	13%	50%	44%	20%
Rarely	11%	0%	20%	24%	27%	25%	9%	11%	27%	28%	29%	35%	28%	17%	11%	0%
Never	78%	88%	33%	62%	4%	29%	14%	7%	9%	44%	62%	18%	52%	17%	33%	60%

Figure 22- Responses from Lawyers

**If you were involved in at least 2 cases that led to the arrest and or prosecution of suspects, how often did you:**  
*Make a video recording of the confessional or other statement of the suspects; or  
in the absence of a video recording, allow a legal practitioner to be present during the making of the statement?*

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAP TIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAP TIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Always	14%	50%	0%	27%	12%	60%	10%	0%	33%	20%	45%	43%	40%	52%	0%	0%	25%
Sometimes	29%	50%	0%	38%	38%	37%	30%	50%	42%	40%	27%	24%	60%	29%	0%	0%	75%
Rarely	0%	0%	0%	23%	36%	3%	50%	50%	17%	17%	14%	14%	0%	13%	50%	0%	0%
Never	57%	0%	100%	12%	14%	0%	10%	0%	8%	23%	15%	19%	0%	6%	50%	0%	0%

Figure 23- Responses from Investigators

**How was the confessional or other statement taken?**

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
In writing but without a lawyer or legal representative	92%	100%	80%	100%	100%	61%	77%	27%	85%	72%	79%	82%	68%	73%	88%
By video recording	8%	...	20%	...	...	8%	5%	10%	...	11%	3%	...	...	...	5%
In writing in the presence of a lawyer or legal representative of defendant	...	...	...	...	...	33%	18%	62%	15%	23%	19%	18%	32%	27%	7%

Figure 24- Responses from Defendants

*Adjournments*

One of the objectives of the ACJA is to ensure speedy dispensation of cases. One of the innovations of ACJA is the day to day adjournment of criminal cases to ensure that there are no undue delays. 25% of the judges stated that ‘always or sometimes’ adjourn criminal cases daily, while 50% of them ‘rarely’ do. For those that rarely do, they opined it takes 15 days to 1 month, or above 1 month to 3 months. This is validated by 62% of parties who say courts do not adjourn daily.

**How often do you conduct criminal trials in your court from day to day?**

	Abuja		Ondo			Lagos		
	Total	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court	Total	Magistrate	Judge - High Court
Always	29%	25%	62%	66%	47%	57%	65%	30%
Sometimes	29%	25%	32%	26%	53%	36%	29%	60%
Rarely	43%	50%	6%	8%	0%	2%	0%	10%
Never	0%	0%	0%	0%	0%	4%	6%	0%

Figure 25- Responses from judiciary

**In the case you are involved, does the court adjourn on daily basis?**

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
Yes	38%	36%	100%	67%	17%	...	...	...	...	...	...	...	...	...	...
No	62%	64%	...	33%	83%	...	...	...	...	...	100%	100%	...	...	...

Figure 26- Responses from Parties

56% of lawyers ‘sometimes’ applied for day to day trials in the last 12 months, however, 60% of the time, the court ‘never’ grants such requests. 67% of lawyers and 71% of defendants stated that 6-10 adjournments were granted in their last case. For the lawyers, they opined that 1-3 of the adjournments granted were at their request, or by the reason of a client of witness.

**How often have you applied for day-to-day trials in cases in which you were involved in the last 12 months?**

	Abuja		Lagos						Ondo							
	Total	Defence lawyer private practice or CSO/NGO	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC
Always	11%	0%	15%	13%	24%	7%	12%	18%	36%	10%	6%	12%	12%	0%	4%	40%
Sometimes	56%	62%	33%	28%	29%	32%	37%	57%	36%	35%	31%	35%	17%	59%	20%	
Rarely	22%	25%	27%	24%	43%	18%	26%	18%	18%	33%	35%	25%	39%	50%	26%	40%
Never	11%	12%	25%	35%	4%	43%	26%	7%	9%	22%	28%	28%	14%	33%	11%	0%

Figure 27- Responses from Lawyers

**If Always or Sometimes, how often did the courts grant your applications?**

	Abuja		Lagos						Ondo							
	Total	Defence lawyer private practice or CSO/NGO	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC
Always	0%	0%	29%	39%	30%	23%	11%	26%	45%	18%	15%	25%	20%	0%	6%	33%
Sometimes	10%	0%	39%	41%	40%	31%	47%	39%	18%	58%	57%	58%	54%	100%	71%	67%
Rarely	30%	33%	23%	11%	30%	38%	25%	35%	18%	12%	13%	6%	20%	0%	6%	0%
Never	60%	67%	9%	9%	0%	8%	17%	0%	18%	12%	15%	10%	7%	0%	18%	0%

Figure 28- Responses from Lawyers

**Plea Bargain**

According to Section 270 of the ACJA, prosecutors may receive or consider a plea bargain from the defendant or on his/her behalf. 100% of defense lawyers surveyed have never applied for a plea bargain for a defendant; 86% of defendants also stated that a plea bargain was not proposed by the Defense counsel or offered by the prosecution. In the cases where a plea bargain was proposed (14%), they were granted 100% of the time.

**In the last 12 months, have you applied for a plea bargain in any case you were involved in defending?**

	Abuja		Lagos						Ondo							
	Total	Defence lawyer private practice or CSO/NGO	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC
Yes	0%	0%	42%	30%	33%	50%	86%	62%	29%	37%	25%	68%	43%	0%	59%	100%
No	100%	100%	58%	70%	67%	50%	14%	38%	71%	63%	75%	32%	57%	100%	41%	0%

Figure 29- Responses from Lawyers

**Was a plea bargain proposed by the defendant or offered by the prosecution at any time in the case(s) you were involved in (S270 ACJA)?**

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
Yes	18%	50%	20%	...	14%	25%	12%	30%	35%	16%	31%	55%	28%	58%	21%
No	59%	50%	20%	100%	86%	52%	75%	40%	50%	60%	27%	9%	15%	8%	43%
Don't know	24%	...	60%	...	...	23%	12%	30%	15%	23%	43%	36%	57%	33%	36%

Figure 30- Response from Defendants

*Witness expenses*

Part 26 of the ACJA makes provision for witness expenses; Section 251 states that “Where a person attends court as a state witness, the witness shall be entitled to payment of such reasonable expenses as may be prescribed.” Our survey revealed, that 40% of prosecution witnesses pay their own witness expenses, while 40% are sponsored by friends and relations.

**As a Victim or Prosecution Witness who pays for your transport and/or feeding each time you are in court for the case?**

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
I pay myself	40%	40%	...	67%	...	68%	75%	50%	72%	29%	69%	48%	67%	86%	93%
Friends & Relations	33%	40%	...	33%	...	18%	5%	50%	19%	29%	12%	16%	17%	4%	7%
The Prosecution	27%	20%	100%	...	100%	13%	16%	...	9%	43%	9%	18%	8%	2%	...
The court	...	...	...	...	...	1%	2%	...	...	...	10%	18%	8%	8%	...
Others	...	...	...	...	...	1%	2%	...	...	...	...	...	...	...	...

For defense witnesses, Section 252 provides that “the court may in its discretion on application, order payment by the Registrar to such witness of court such sums of money...”. 75% of defence witnesses surveyed paid their own witness expenses.

**As a Defendant or Defence witness who pays for your transport and/or feeding each time you are in court for the case?**

	Abuja					Lagos					Ondo				
	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant	Total	Prosecution witness	Defence witness	Victim of crime	Defendant
I pay myself	50%	60%	75%	75%	17%	66%	70%	76%	58%	59%	59%	53%	50%	61%	61%
The Prosecution/police/prisons	30%	20%	25%	...	50%	23%	19%	12%	34%	24%	11%	10%	3%	9%	20%
Friends and relations	20%	20%	...	25%	33%	10%	6%	12%	8%	17%	15%	20%	23%	13%	7%
The Court	...	...	...	...	...	1%	4%	...	...	...	15%	17%	23%	17%	11%

## Oversight Powers

Section 34 of the ACJA states at least monthly, magistrates are to conduct an inspection of police detention centers or other places of detention within their territorial jurisdiction. 100% of respondents from investigating agencies surveyed stated that magistrates do not perform this function.

**N.B:** PWAN wishes to state that engagement with the FCT Magistracy has revealed Magistrates perform this function regularly; PWAN has also participated in the inspection of police detention facilities within the FCT.

In the last 12 months, has a Magistrate or Judge carried out an inspection of your agency's place of detention? (S. 34 ACJA)

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Yes	0%	0%	0%	49%	61%	41%	50%	50%	67%	36%	52%	64%	33%	25%	100%	0%	80%
No	83%	100%	100%	51%	39%	59%	50%	50%	33%	64%	46%	33%	67%	74%	0%	0%	20%
Don't know	17%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	2%	0%	2%	0%	0%	0%

Figure 13- Response from investigating agencies

To determine adherence to Section 29 of the ACJA, investigating agencies asked if the head of their agency sends records of arrest/ detention to the Attorney General of the Federation. 50% of police investigators said yes, while the other 50% are not sure. For those that answered yes, 33% stated that the reports are sent monthly.

In the last 12 months has the head of your agency (Inspector General of Police; or the Commissioner of Police; or Chairman EFCC; Chairman CCB; Chairman ICPC; Director Environmental Board; Controller General Immigration, Comptroller General Customs, Commandant General NSCDC, DG NAFDAC, etc.) sent records of arrests/ detention to the Attorney General of the Federation? (S.29 ACJA)

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Yes	40%	50%	0%	19%	22%	3%	36%	100%	31%	14%	28%	32%	17%	18%	100%	0%	40%
No	0%	0%	0%	28%	14%	48%	27%	0%	46%	25%	6%	3%	0%	13%	0%	0%	20%
Don't know	60%	50%	0%	53%	64%	48%	36%	0%	23%	61%	66%	65%	83%	69%	0%	0%	40%

50% of high court judges surveyed stated that they send reports of cases that did not commence 30 days after arraignment or conclude after 180 days from arraignment to the Chief Judge. This is in accordance with Section 110 (4) of the ACJA. For those that send, 50% send on a monthly basis, and 50% send on a quarterly basis.

52% of prison officers surveyed stated that the Comptroller General sends reports of persons awaiting trial beyond 180 days of arraignment; 61% stated that this is done on a quarterly basis. (Section 111).

**In the last 12 months has the Comptroller General of the Nigerian Prison Service or other officers sent to the FCT Chief Judge and the Attorney-General returns of all persons awaiting trial held in prison custody within the FCT for a period beyond one hundred and eighty days from the date of arraignment (S. 111 ACJA)**

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)	Total	Police Investigator	ICPC/EFCC/CCB Investigator	NAPTIP, NDLEA, NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Yes	50%	0%	52%	75%	0%	0%	0%	0%	75%	0%	56%	11%	0%	0%	67%	40%	73%
No	6%	100%	3%	25%	0%	0%	0%	0%	25%	0%	1%	0%	0%	0%	0%	0%	2%
Don't know	44%	0%	45%	0%	0%	0%	0%	0%	0%	0%	43%	89%	0%	100%	33%	60%	25%

## Recommendations

Since the commencement of the project in 2017, PWAN has proffered recommendations based on findings in each observation period. While progress has been observed in some areas, the following recommendations remain relevant based on findings in this observation period:

1. *Alternatives to Prison Sentencing:* Section 455-459, and Section 460- 466 provide for Probation, and Suspended Sentencing/ Community Service respectively. There is a need to institute these measures as alternatives to prison sentencing, especially in the High courts, to encourage speedy trial, and reduce Pre-Trial detention.
2. *Make ACJA/L a mandatory program in legal training institutions:* 23 of the 36 states of the Federation have currently adopted the law across the country; this speaks to the important part the law plays in Nigeria's justice sector. We recommend that the law be made a core program of the National Judicial Institute, the Nigerian Institute of Advanced Legal Studies, Nigerian Law School, Faculties of Law of the Universities and Police Training colleges, to ensure learnings from the start.
3. *Introduce 'court managers or administrators' in the justice sector:* Court clerks may be assessed and retrained for that purpose. They will be responsible for, amongst things, harmonizing periods/roasters for inspection of detention facilities, vacation times, official assignments to avoid conflicts and adjournments of cases.
4. *Communication between Criminal Justice Actors:* The survey revealed that there is a lack of communication regarding implementation of the ACJA between criminal justice actors. We recommend that actors provide periodic reports on activities carried out specific to their mandates to ensure effective information sharing.
5. *Coordination between CSOs:* Finally, there is a need for continuous coordination among CSOs working on the ACJA. This is to ensure harmonization of efforts to increase impact.