

J4A and gender equality

A central feature of the Justice for All (J4A) Programme is its concern with human rights and equal access to safety, security and justice under the law for all Nigerians, irrespective of gender. It is vital to acknowledge that gender has an enormous impact upon an individual's experience of crime, disputes and the justice system whether they are victims, witnesses or suspects.

Women are often amongst the poorest and most vulnerable in Nigerian society and if the programme goal of equal access to justice for all Nigerian's is to be achieved, it follows that the gender specific experiences and needs, particularly of women, must be recognised and addressed.

The gender strategy and toolkit developed by J4A advocates an approach that incorporates gender perspectives into all aspects of programme design, planning, implementation and evaluation so that the programme delivers a holistic package of interventions that target a whole range of inequalities in the justice sector, including, but not distinct from those that have their basis in gender.

Experience indicates that this approach is likely to deliver greater impact and a greater depth of change to the experience of women across the spectrum of the security and justice sector than the sum of individual impacts that can be achieved through discrete, issues based or stand alone activities.

An integrated gender sensitive justice model



Create an environment that encourages and supports women and other vulnerable groups know how to access support to speak up for their rights and report crime and abuse.

Ensure that service providers and other justice sector institutions deliver quality services by providing suitable facilities and demonstrating behaviours that are sensitive to gender issues and women's needs.

Ensure that gender specific crimes, rights violations and inequalities are recognised in statute and by the justice sector institutions in place to uphold it.

Increase public gender sensitivity in relation to equal access to justice; support legislation aimed at protecting women from harmful behaviour and provide information to counter social and religious misunderstanding that denies women their rights under the law.



Equip service providers and institutions across the sector with the professional skills and specialist techniques required to meet gender specific needs in the resolution of gender specific crimes, rights violations and disputes.

Why is gender so relevant to security and justice?

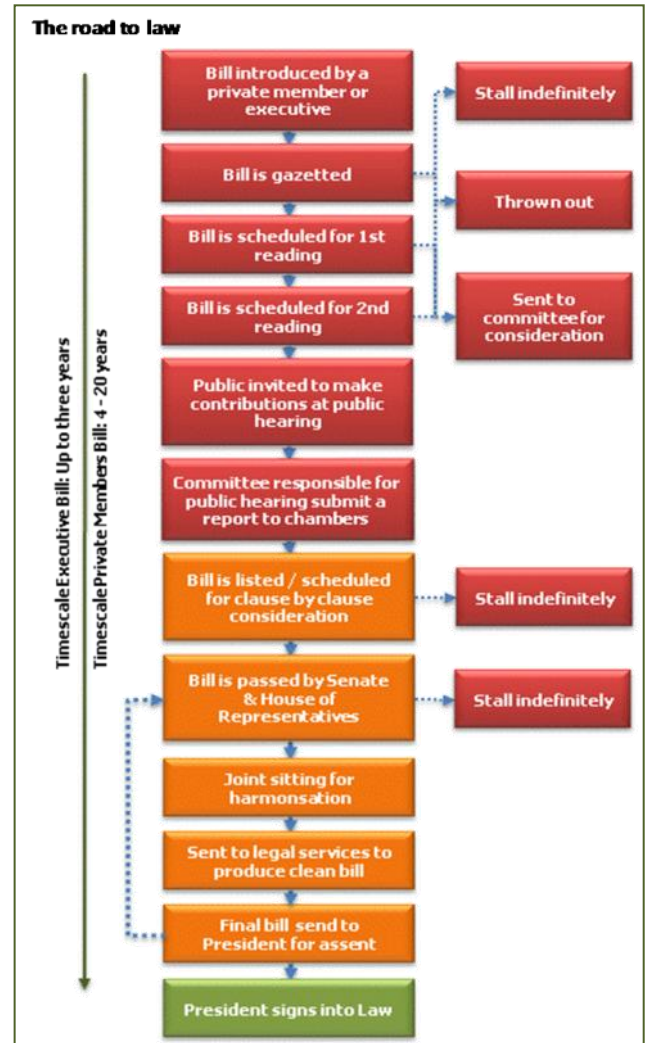
- Certain crimes such as sex crimes, people trafficking and spousal battery are gender specific and predominantly, although not exclusively, affect women and female children.
- Strong cultural and societal influences make it less likely that gender specific crimes will be reported. The status of women in the home, in families and in society can make them particularly susceptible to these influences.
- Social attitudes mean that the suffering of victims of gender specific crimes is compounded when they are ostracised, further victimised or even held responsible for the act of the criminal. These attitudes are prevalent across the spectrum of society and professionals within the justice sector are not immune to their influence.
- Misinterpretation, misuse and abuse of the law and of religious teachings perpetuate many traditional practices that are harmful to health and welfare, particularly of women and girls.
- The militaristic and male dominated history of some justice sector institutions makes them ill equipped to deal with the sensitive nature of certain crimes and the special needs of vulnerable female victims, witnesses and suspects.

In this issue:

The Justice for All (J4A) Programme and the passage of new bills

The passage of bills into law is typically a slow and painstaking process and Nigeria is no different. The proposition of new laws and amendments to existing legislation is a continuous cycle as the legal framework strives to keep up with evolving customs, societal perspectives and advancements in science and technology that affect everyone. A new bill may be initiated for many reasons – for example to reflect the special needs or interests of a particular group in society, to strengthen and underpin the work of a mandated body or to close a loophole in an existing law that has become outdated. As a natural consequence there are many overlapping and conflicting interests that come into play when competing for the time of key officials who are needed to make essential contributions during the process of law making and the passage of any bill.

At many points on this journey and for any number of reasons, a bill can be thrown out, stalled indefinitely or returned to an earlier stage in the process for reconsideration. With maximum access to influential support and strong champions, an executive bill can take up to three years to become law. In contrast, a private members bill, particularly one that is relevant to a smaller interest group, or the vulnerable and voiceless in society can take anything from four to twenty years to make its journey into law. A sustained cooperative and coordinated effort in respect of lobbying and awareness raising in parallel with highly specialised legal input are the critical factors affecting the outcome of an endeavour that can last more than a decade.



“The law affects every member of our society, so we all have an interest in ensuring that it is relevant, responsive, effective, accessible and just. Your participation in the on going renewal of our legal system is essential. Get involved and make a difference!”

Senator Umaru Dahiru

Chairman Senate Committee on Justice, Human Rights and Legal Matters

Highlights

The Human Rights Commission Amendment Bill

- Independence of the Commission free from Government or other political interference
- Authority of the Commission is now equivalent to that of the High Court in relation to investigations and hearings
- Provides for a trust fund to compensate victims of human rights abuses and to support the research and policy work of NGOs / CSOs

The Human Rights Commission Amendment Bill was the first of the supported bills to be passed in February 2011.

The Legislative Advocacy Core Group (LACG) is a coalition of state and non-state actors established in 2009 with the support of the DFID funded Security, Justice and Growth Programme (SJG). The group engages with a range of stakeholders to raise awareness of and pursue Justice Sector Bills that are before the National Assembly.

In October 2010 the LACG and Justice for All (J4A) collaborated to shortlist bills that underpin the work of J4A partner agencies such as the Nigeria Police Force, formal and informal justice sector organisations and anti-corruption agencies. The bills that were selected were those that would benefit most from support and stand a reasonable chance of being passed before conclusion of the legislative session.

Highlights**The Prison Act Amendment Bill**

- Emphasise rehabilitation from first contact
- Fully apply the provisions of the United Nations Standard Minimum Rules for the Treatment of Prisoners
- Better use of bail to reduce overcrowding
- Remove the provision for hard labour
- Special provision for the treatment of HIV infected prisoners
- Require the establishment of legal service offices for

The Prison Act Amendment Bill has been passed by both houses and awaits President Assent.

Highlights**The Legal Aid Act Amendment Bill**

- Broaden the scope of Legal Aid Councils to make support more widely available
- Provide for greater representation of women and therefore women's' needs at board level
- Establish a legal aid trust fund to increase access to legal aid for the most vulnerable

The Legal Aid Council Act Amendment Bill was passed by both houses and awaits President Assent

Highlights**The Violence Against Persons Bill**

Defines specific offences and police powers in relation to acts that disproportionately affect women and children, including:

- Sexual violence, harassment, exploitation, assault, spousal battery and people trafficking
- Traditional customs that are harmful including genital mutilation, child marriage and widowhood practices

The Violence Against Persons Bill has been adopted and is undergoing other necessary procedures before it can be passed.

Over the following months, J4A supported the LACG to develop strategies for lobbying activities, media campaigns, round table discussions and public engagement. Most importantly, LACG was able to influence multiple interest groups to identify areas of common interest and support fewer mutually beneficial bills, replacing a number that were aimed at addressing the same underlying issues.

The impact of this collaboration was threefold: it reduced the number of bills being pursued, intensified support for the issues that mattered most to stakeholders and countered bills in similar topic areas that stakeholders felt would be particularly detrimental to marginalised interest groups. An example of this was the Violence Against Persons Bill which ultimately subsumed eleven bills aimed at addressing violence against women as the core issue.

The LACG and J4A engaged with over one hundred senior influencers – members of the National Assembly, heads of civil society organisations and legal specialists who met regularly and worked tirelessly to ensure that strategically positioned advocates, champions and media groups were kept informed of core issues. Through its network of over two hundred civil society organisations, LACG mobilised

more than one thousand representatives and members of the public to attend public hearings at the National Assembly where well informed stakeholders were able to meet resistance head on, in person.

The LACG has made significant progress in the pursuit of key bills, including the Human Rights Commission Act Amendment, the Money Laundering (Prohibition) and the Terrorism Prohibition Bill having been passed into law. The Evidence Act Amendment Bill and the Legal Aid Act Amendment Bill have been passed by both houses and President assent is imminently anticipated. As a direct result of the work of the LACG, the Violence Against Persons Bill has been adopted by an Executive member and is expected to proceed swiftly.

**Cross Sector Coordination**

The cross sector coordination component of J4A focuses upon strengthening relationships between organisations across the entire justice sector, including formal, informal and civil society organisations. The rationale for this approach is that the administration of justice is an end to end process spanning multiple institutions the overall strength of which is dependent upon it's weakest link. Efficient, equitable and effective delivery of justice can only be achieved by organisations working in partnership to achieve common aims.

Awaiting Trial Persons who make up an estimated 69% of the prison population nationally are an excellent example of how process weaknesses cause lengthy delays to and ultimate frustration of justice administration and contribute to a wide range of other problems including human suffering and financial resource pressure within institutions.

The component is supporting the development of 'Coordination Groups' at different levels throughout the sector, from Federal and State level 'Justice Reform Teams' to 'issues-based' groups that bring together a range of organisations around a common interest e.g. the Legislative Advocacy Core Group – LACG which is involved in the work on the passage of bills.

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Customary Court, Enugu (A2J Programme)

Recent Events

Reinventing criminal investigation – the case for intelligence-led policing

The Justice for All (J4A) programme in collaboration with the Nigeria Police Force delivered a two-week training workshop for officers of the state Criminal Investigation Department (CID) Yaba, Lagos from the 6th to the 16th of June. The topics covered included: general principles and values of community policing; partnerships and problem solving approaches; an introduction to Nigeria police integrated intelligence model; methods of data collection, storage and retrieval; modus operandi systems in crime management; interviewing and interrogation techniques; finger prints and criminal records. The enthusiasm was huge but the potential for change is even greater as this training has a huge implication for the police in a country like Nigeria where police officers have had limited exposure to the strategies and tactics of contemporary policing. Intelligence Led Policing (ILP) is a key Community Policing strategy that promotes cooperative approach to policing and seeks to participate with communities and other agencies to find solutions to policing problems.



Official endorsement of the IADS workshop communiqué



Sam Saba, Chairman CCB

In May 2011, J4A collaborated with UNODC, the World Bank and the US embassy to organize the Income and Asset Disclosure Systems (IADS) training for states and the headquarters of the Code of Conduct Bureau (CCB); key observations were raised around the areas of credibility and visibility as well as the lack of resources and inadequate inter-agency collaboration. These fed into a follow-up policy workshop for management of the CCB at the end of which a draft communiqué was drawn up. On Friday 17th June 2011, the Chairman and board of the Code of Conduct Bureau officially endorsed the communiqué of the Income and Asset Declaration System (IADS) workshop.

Coming up...

In the coming months, J4A will be:

- working with the Federal Justice Sector Reform Coordinating Committee (FJSRCC) (in collaboration with the Nigeria Prison Service) to review the Prison Standing Order;
- reviewing (with the FJSRCC) the report of a baseline survey on the application of the child rights act and the use of family courts in the FCT;
- developing a strategic plan with the Code of Conduct Bureau (CCB) that will increase the Bureau's capacity to receive, verify and monitor information declared by public officers;
- meeting with partners in Enugu State as part of efforts to implement community paralegal & mediation schemes.

For more information on any of these articles or the J4A Programme, please contact:

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