



## **PRESENTATION ON THE FINDINGS OF THE COURT OBSERVATION AND COURT USER SATISFACTION SURVEY (DECEMBER 2016 – FEBRUARY 2017)**

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### **Introduction**

The Judicial Integrity Project is an 8-month project being implemented by the Rule of Law and Empowerment Initiative (also known as Partners West Africa – Nigeria)\* with support from the US Department of State Bureau International Narcotics and Law Enforcement Affairs (INL). Partners West Africa – Nigeria also worked closely with the Nigeria Bar Association Abuja (Unity, Bwari and Gwagwalada Branches), Kano branch, FCT and Kano State High Courts.

The major objective of this project is to increase civil society's access to government information as a tool to fight judicial corruption, increase citizens' access to justice and expand citizens' engagement with the government. We realize that this can only be achieved by firstly increasing the capacity of civil society to access this information on the judicial process. We aim to achieve this by promoting social accountability in the judicial sector.

### **Methodology**

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

- i. Desk review on Judicial Reforms in Nigeria 1999 till date
- ii. Court Observation
- iii. Case Monitoring
- iv. Court User Satisfaction Survey

### **Background of the Observation Process:**

A total of 74 observers were deployed across the Federal Capital Territory, Abuja and Kano State.

We worked with the Chief Judges and Supervising Judges of the courts that were open to collaboration, approved access for the observers to be placed in their courts.

- In Abuja, there were 27 observers who were placed at 15 courts (FCT High and Magistrate Courts). The designated courts were in Maitama, Wuse, Kubwa and Zuba.
- In Kano, a total of 47 observers were deployed across (number of courts) (State, Magistrate, Sharia, Sharia Court of Appeal, Federal High Court and Industrial Court).

### **Presentation of findings**

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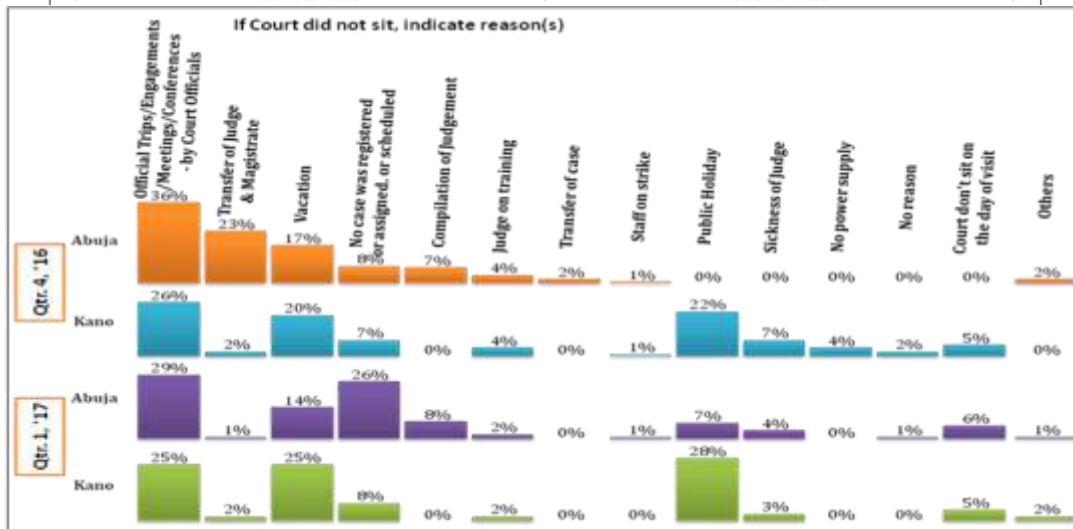
\* We are a nongovernmental organization registered in Nigeria with the Corporate Affairs Commission. We are part of a global network that promotes good governance, in particular accountability, transparency and improved service delivery by expanding opportunities for citizens to engage. Contact details: [www.partnersnigeria.org](http://www.partnersnigeria.org)



**Court observation**

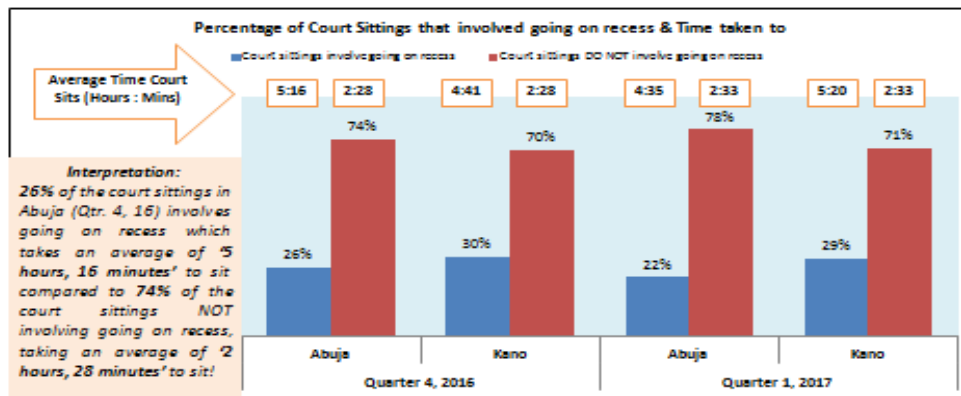
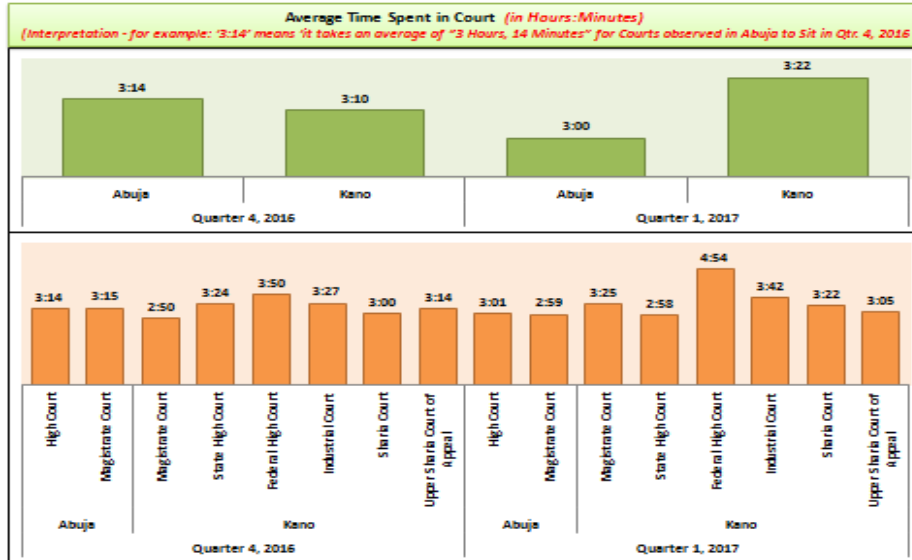
The data being presented here is for observation held from December 2016 – February 2017. The observers were in court Mondays to Wednesday every week from dates above stated. This means each observer was in court for at least 30 days within this period. Data for Quarter 1 (Q1) 2016 and Quarter 2 (Q2) 2017 is also compared here.

**1. Court sitting**

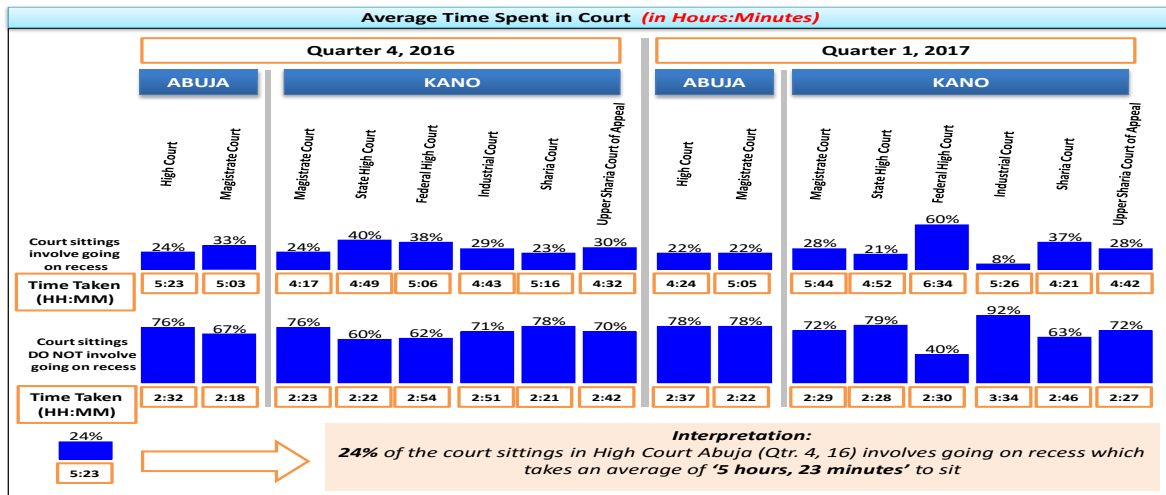


71% of the time there were court sittings in the courts observed in Kano. The Upper Sharia Courts sat 88% compared to the Federal High Court 61%. Overall, the courts being observed did not sit 29% of the time and reason for not sitting include public holiday, vacation and official trips/engagement, etc. Q2 indicates a slight decrease in court sitting when compared to Q1 however the reasons for not sitting still remain the same.

**2. Average time of court sitting**

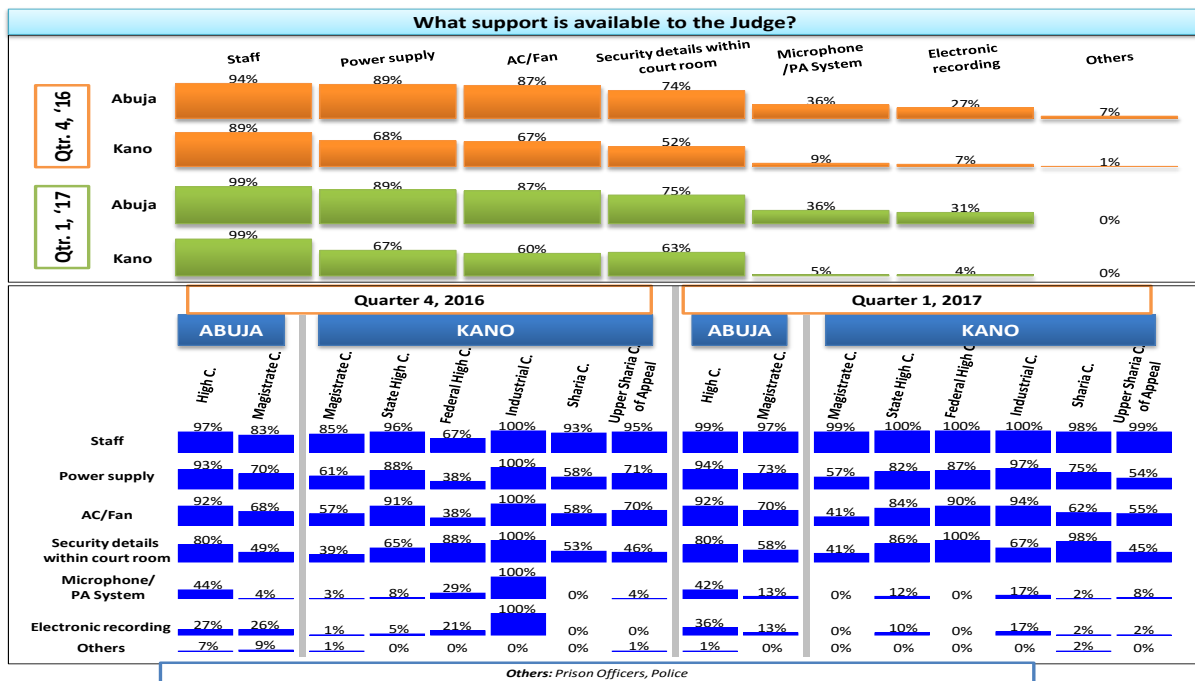


In Kano the courts observed, sat for an average of 3hours 22 minutes in Q2 (Federal High Court 4hrs:34mins; Industrial Court 3hrs:42mins; Magistrate Courts 3hrs:25mins; Sharia Court 3hrs:22mins; Upper Sharia Court of Appeal 3hrs: 5mins; and Kano State High Court 2hrs 58mins). 29% of court sittings involved going on recess which takes an average of 5hours 20mins to sit compared to 71% of court sitting that do not involve going on recess taking 2hours 33mins to sit. However the data reveals that the courts that go on recess spend more time during their sitting.



### 3. Support available to the Courts

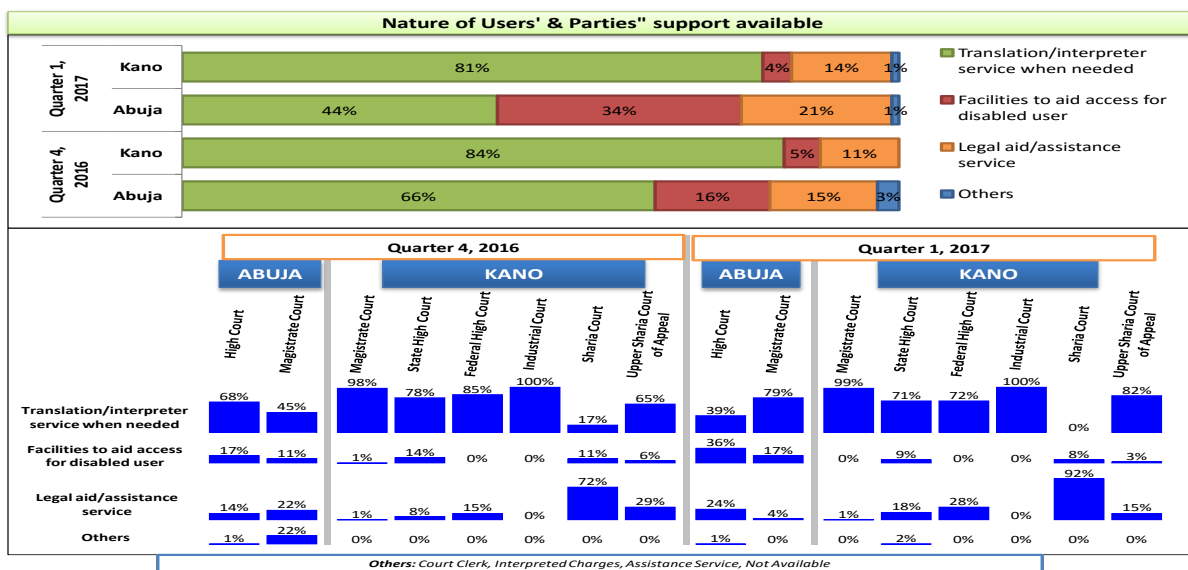
In Kano in overall, the courts observed were noted have 99% staff support, 67% power supply, and 63% availability of security details within the courts. However microphone and electronic recording were below average 5% and 4% respectively. Notably Magistrate and Sharia Courts were lacking in these facilities. Comparism of Q1 & Q2 reveals a general down review of these facilities. This therefore indicates that most judges and magistrates are still recording their proceedings manually.



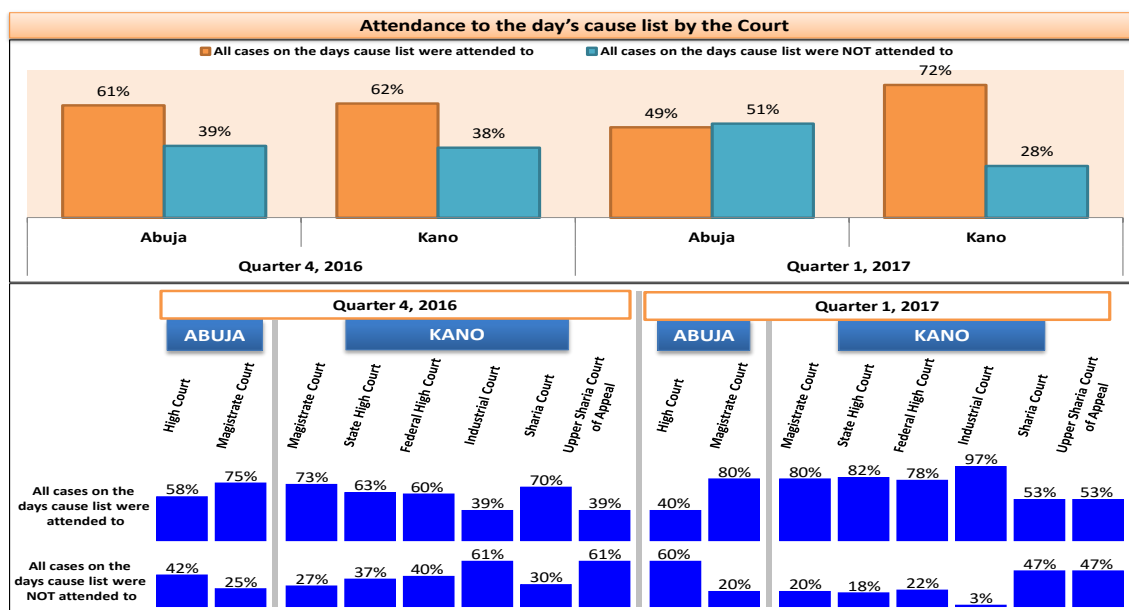
A comparison of Q1 & Q2 reveals an increase in the availability translation/interpretation services from 81% to 84% respectively. Overall, availability of legal aid/assistance services (14%) and facilities to aid



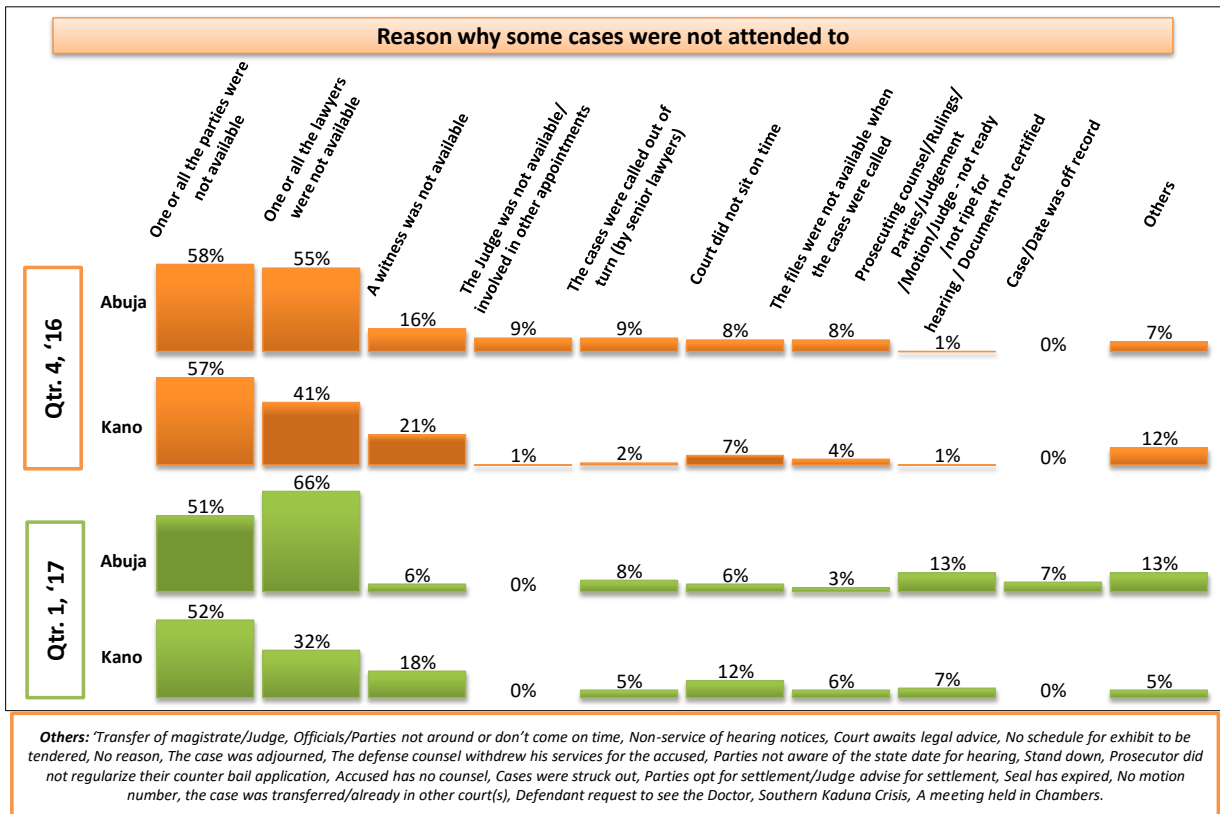
disabled users (4%) are still below average in the Kano courts being observed. However, legal aid service is notably available at the Sharia Court (92%). This is the same trend for Q2 and Q1.



#### 4. Attendance to Cause list



In this quarter, 72% of cases on day's cause list were attended to as compared to 62% attended to in Q1 in the courts observed in Kano. 28% of cases were not attended to for reasons ranging from one or all parties not available (52%), one or all lawyers not available (32%) and a witness was not available (18%).



**Recommendations**

1. The Federal and State government should provide electronic recording facilities to the courts to ensure effective record taking by Judges/Magistrates/Khadis and improve efficiency.
2. Provision of Legal Aid Services: The Commissioner of Justice / Attorney General, Kano State in collaboration with the Nigeria Bar Association should conduct an audit of Legal Aid Services in the State with a view in ensuring that the scare resources in this sector are harmonized and effectively utilized.
3. There are Judges/Magistrates/Khadis that are doing good work; they work tirelessly to ensure that cases on cause list are attended to. Efforts should be made to encourage these judges and magistrates.
4. Discharge of duties by prosecutorial agencies: Prosecutorial guidelines and code of ethics have been developed by the Office of the Federal Attorney General & Minister of Justice. States like Kaduna have domesticated these guidelines. We hereby urge the Attorney General and Commissioner of Justice, Kano State to do same.



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5. The Nigerian Bar Association should continue to take steps to ensure that its members comply with the standards of the profession.