



**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, LAGOS  
(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 Lagos state

To ensure effective collaboration, PWAN worked with the Chief Judge of the high court of the Lagos State, 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 (Ikeja and Badagry) and Civil Society Organizations including the media.

- Observation of courts began in Lagos State in March 2018, 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.
- Using the purposive sampling methodology, 25 courts (4 High Courts & 21 Magistrate Courts located in Apapa, Badagry, Isolo, Ogba, Ikeja, Igbosere, Surulere), 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.

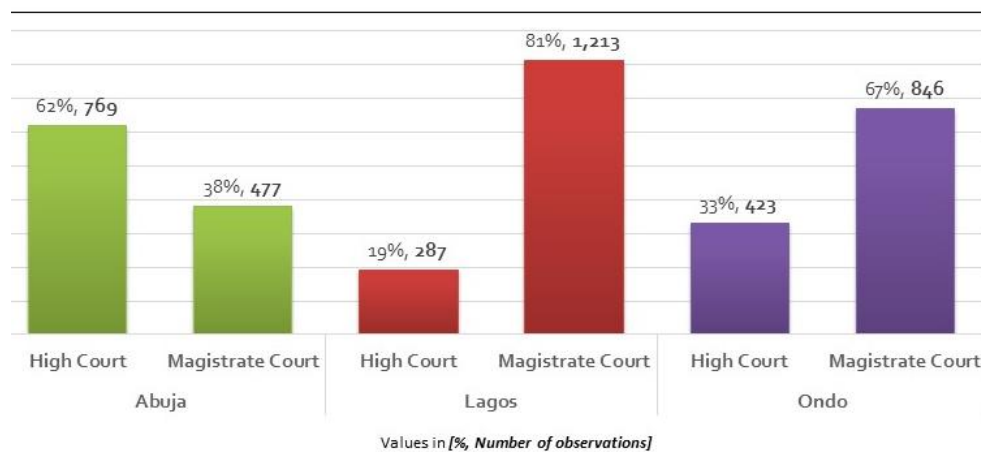
## Presentation of Findings

### Court Observation

As stated earlier the data presented for this quarter is based on observation from October 2018 to June 2019. However, data will be compared to see trends which have emerged across other states (F.C.T. and Ondo). Observation periods in court was for 3 days, namely Monday – Wednesday and it could be extended to Thursday – Friday depending upon if the cases being observed are adjourned to come up on those days.

In this observation period, observers in Lagos were in court for 287 days in the high court, and 1,213 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 250 days out of the 287 days in which it was supposed to sit, that is it sat 87% of the time. While at the magistrate courts they sat for a total number of 873 days out of the 1,213 days they were meant to sit, that is 72% of the time. A remarkable improvement in court sitting has been observed in the High courts since the inception of the project<sup>2</sup>.

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

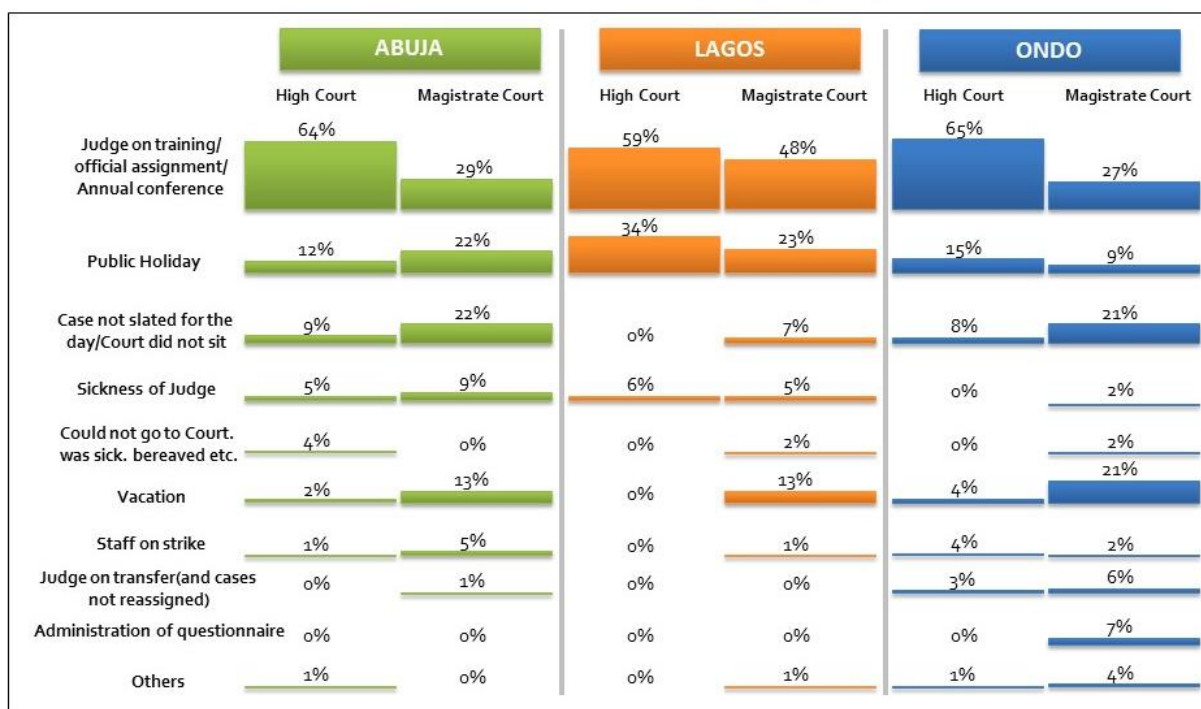
Observation period	Average (%)	High court (%)	Magistrate Courts (%)
OP2 2018	70	83	69
OP3 2018	71	77	70
OP4 2019	67	63	72

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

## 2. Factors that affect courts not sitting

The data shows that 59% of the time that the judges do not sit at the high court and 48% of the time that they do not sit at the Magistrate courts was as a result of judges being on training/official assignment. It was further found that 34% of the reasons why the judges did not sit at the high court and 23% at the magistrates' court was as a result of public holidays<sup>3</sup>.

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



## 3. Time spent in Court

In the past 2 years in the cause of observing the courts, we found out that the average time spent in court by judges and magistrates is dependent on whether he or she observes recess.

For the courts that observe recess in Lagos, the average time spent in court is 5 hours 1 minutes at the high courts and 3 hours 52 minutes at the magistrate courts. For those that do not observe recess, they spend 2 hours 57 minutes in the high court and 2 hours 32 minutes at the magistrate Courts.

<sup>3</sup> Independence day, Eid El Maulud, Christmas Eve, Christmas day, Boxing day, New Year's day, Good Friday, Easter Monday, Labour day, Presidential Inauguration, Eid El Fitr & Democracy day

### 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

We found that Courts that go on recess attend to 84% of the cases listed on their cause list at the high court, and 78% at the magistrate Court, as compared to those that do not observe recess which is 96% at the high court, and 85% at the magistrate court<sup>4</sup>.

		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

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

Overall, the survey showed that the High Courts have an average of 8 cases on their cause lists while the Magistrate courts have an average of 20 cases.

<sup>4</sup> This is unlike what happens in Ondo and the F.C.T. where our findings showed that judges that go on recess attend to more cases than those that do not.

**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

In Lagos state one of the main reasons for non-availability of one or all the parties which led to 83% of the cases not being attended to at the high court and 84% at the magistrate court.

The second main reason is the non-availability of one or all the lawyers which led to 80% of the cases not being attended to at the high court and 64% at the magistrate court.

The third main reason is the non-availability of witnesses which led to 65% of the cases not being attended to at the high court and 69% at the magistrate 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%

## 7. Support available to the Judges and Magistrate

During this observation period, we observed that the availability of translation or interpretation services was at 100% in the high court, and 85% at the magisrate courts. The provision of legal aid services/assistance in Lagos state at the High courts is at 93% which is commendable while, the survey shows 16% at the Magistrate court which is very low. With respect to facilities available to aid access for persons with disability the survey shows that it is 3% at the high court and 22% at the magistrate court.



### Nature of Users' & Parties' support available

	Abuja		Lagos		Ondo	
	High Court	Magistrate Court	High Court	Magistrate Court	High Court	Magistrate Court
Translation/interpreter service when needed	79%	94%	100%	85%	93%	100%
Legal aid/assistance service	81%	1%	93%	16%	8%	2%
Facilities to aid access for disabled users	15%	8%	3%	22%	6%	0%
Others	8%	0%	0%	4%	0%	0%

### 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 magistrates.
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 wheelchair sliding ramps for access into court premises, sign language professionals to aid interpretation and the use of brail for the blind.
3. *Discharge of duties by parties/representatives:* The courts should implore the intention of the ACJL on “speedy trial and effective dispensation of justice” to exercise their discretion on erring parties and their representatives in courts .
4. *Observation of Recess:* Although our data shows that observation of recess has led to less cases being handled per day in Lagos. We still encourage recess to be observed as it improves the mental and physical health of the judges but we also encourage the judges to not allow observing recess to lead to less cases being handled by them.
5. *Conducive working environment:* we have found that some judges and magistrates work in areas where they do not have power and an efficient cooling system and this leads to less amount of sitting time as a result of dehydration and other issues arising therefrom.

## 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

In Lagos State, 928 respondents were surveyed in total. 67% of the respondents were male and 33% were female.

89 of the respondents were members of the judiciary, 301 of them were prosecutors and defense lawyers, 249 consisted of victims/nominal complainants and witnesses. 302 were law enforcement officers and prison officials.

33% of law enforcement respondents and 24% of the judiciary surveyed have been in their current post for 5-9 years, while 34% of lawyers surveyed have been in their current post for 10-14 years.

#### How long have you been at your current post (as investigator/law enforcement agent or Prison officer)?

	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
15 years and above	16%	25%	10%	13%	9%	19%	8%	11%	16%	9%	18%	21%	0%	3%	11%	8%	28%	
10 to 14 years	11%	25%	10%	23%	19%	19%	8%	18%	31%	18%	22%	23%	29%	12%	22%	17%	28%	
5 to 9 years	43%	25%	50%	33%	30%	28%	50%	43%	35%	24%	33%	28%	29%	50%	11%	58%	26%	
1 to 4 years	30%	25%	30%	27%	34%	34%	33%	29%	16%	38%	24%	27%	43%	28%	22%	17%	14%	
Below 1 year	0%	0%	0%	4%	8%	0%	0%	0%	3%	11%	3%	1%	0%	6%	33%	0%	4%	

## Capacity Building & Knowledge of ACJL

One of the aims of the survey was to ascertain whether members of the judiciary have read all the provisions of the ACJL that applies to their functions, our survey shows that 49% of judges and magistrates have read all the provisions of the ACJL. 45% of them have read only the provisions that apply to their functions and powers. Our survey further shows that only 6% of the law enforcement agencies have read the law, 36% haven't read the provisions that relate to their functions and powers.

### To what extent have you read the provisions of the Administration of Criminal Justice Law (ACJL)?

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

With respect to training in relation to the ACJL 69% of the judiciary affirmed that they received training in the last 12 months. 67% of them stated that they were trained by the judiciary and 11% stated that they were trained by international donor agencies. 17% of police investigators and 4% of the prison officers stated that they received training on the ACJL.

	Ondo			Lagos			Abuja	
	Total	Magistrate	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court of the FCT	Total	Judge - High Court of the FCT
Yes	70%	80%	33%	69%	74%	55%	71%	75%
No	30%	20%	67%	31%	26%	45%	29%	25%

	Ondo			Lagos			Abuja	
	Total	Magistrate	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court of the FCT	Total	Judge - High Court of the FCT
The Judiciary	88%	86%	100%	67%	74%	54%	20%	0%
An international donor agency	14%	16%	0%	11%	10%	15%	60%	67%
Another government agency	5%	6%	0%	14%	10%	23%	20%	33%
The Nigerian Bar Association /FIDA/CSOs/NGOs	9%	10%	0%	11%	10%	8%	0%	0%
Others (pls name)	4%	4%	0%	0%	0%	0%	0%	0%

On the part of the lawyers surveyed 75% of them said they had not received any training on the ACJL. Out of the 25% that were trained, 15% of that number were trained by their employers while 11% were trained by the NBA, FIDA, CSO's and NGO's.

### Have you had any training on the ACJA/L?

	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%

### Pretrial and trial requirements

*Recording of the statement of suspects.*

#### Arrest

**Section 9 (1) (2) and (3) of the ACJL provides that**

- (1) Any person who is arrested, whether with or without a warrant shall be taken with reasonable dispatch to a police station, or other place for the reception of arrested persons and shall without delay be informed of the charge against him.**
- (2) The person who is arrested under subsection (1) of this section while in custody shall be given reasonable facilities for obtaining legal advice, take steps to furnish bail and otherwise make arrangements for his defence or release.**
- (3) Where any person 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 such statement is recorded on video and the said recording and copies of it may be produced at the trial provided that in the absence of video facility, the said statement shall be in writing in the presence of a legal practitioner of his choice..**

32% of lawyers state that in the last 12 months, 2 - 5 of the cases they have been involved in are related to the arrest of suspects while 34% of Investigators stated that they have been involved in 11 cases and above which have led to arrest. 43% of Judges surveyed stated that they have issued warrants of arrest in the last 12 months.

**In the last 12 months, how many criminal cases have you been involved in that led to the arrest and or prosecution of the suspects in the case?**

	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
0-1	0%	0%	10%	13%	0%	14%	5%	17%	18%	5%	7%	1%	3%	17%	7%	0%
2 to 5 cases	80%	89%	32%	37%	27%	17%	26%	28%	36%	33%	49%	26%	20%	33%	33%	20%
6 to 10 cases	10%	11%	28%	29%	33%	28%	28%	21%	27%	28%	26%	26%	34%	17%	30%	60%
11 cases and above	10%	0%	32%	21%	40%	41%	42%	34%	18%	34%	18%	47%	43%	33%	30%	20%

For the arrests made by investigators, 51% stated that they ‘always’ inform arrested persons of the reason for their arrest while 37% stated 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/CBB 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/CBB Investigator	NAP TIP; 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%

**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/CBB 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/CBB Investigator	NAP TIP; 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%

Section 4 of the ACJL provides that ‘No person shall not be arrested in lieu of other person.’ Our survey showed 16% of the witnesses, complainants, and victims stated that their

relations or victims have been arrested in lieu of a suspect, while 71% stated that they have had no experience of arrest in lieu of another person.

**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%

**Bail**

**Section 29 (1) of the ACJL states that ‘A court, on issuing a warrant for the arrest of a suspect in respect of any 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 his entering into such a recognizance for his appearance as may be required in the endorsement.’**

In Lagos state 64% of the judiciary stated 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 surveyed by 43% of respondents. This is corroborated by lawyers, 43% of whom state that it takes 24 - 48 hours for suspects to be granted bail. 19% of the responses from the victims, complainants and witnesses further corroborated this by stating that it takes 24 - 48 hours for bail to be granted.

**If Yes, how often do you include/endorse bail conditions on such warrants (S.29 ACJL)?**

	Ondo			Lagos			Abuja	
	Total	Magistrate	Judge - High Court of the FCT	Total	Magistrate	Judge - High Court of the FCT	Total	Judge - High Court of the FCT
Always	41%	40%	50%	23%	25%	21%	0%	0%
Sometimes	16%	13%	30%	64%	68%	50%	67%	100%
Rarely	25%	26%	20%	9%	6%	14%	33%	0%
Never	17%	21%	0%	4%	2%	14%	0%	0%

**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 TTP; 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 TTP; 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%

**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%	42%	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%

**Remand**

264 (1) of the ACJL provides that ‘Any person arrested for any offence triable on information shall within a reasonable time of arrest be brought before a Magistrate for remand and the Magistrate shall have powers to remand such a person after examining the reasons for the arrests exhibited in the request form filed by the police, and if satisfied that there is probable cause to remand such person pending legal advice of the Director of public prosecutions or the arraignment of such person before the appropriate Court or Tribunal.’

The survey showed that 26% of the judiciary stated that law enforcement officers ‘always’ apply for remand orders from the court. 43% of the investigators surveyed stated that they apply for remand orders from the judiciary and 52% stated that they have cause to apply for an extension of the order.

**In the last 12 months, how often do law enforcement or prosecutorial agencies apply for remand orders from your court (264)**

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

The survey also shows that the 53% of the judiciary state that it takes 14 days – a month from the time of the application of the remand order to the time of application for an extension, or from the time of application for an extension to a subsequent application for further extension.

**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%

53% of the police investigators surveyed stated that they do not apply for remand orders from the court, and 63% of those that do sometimes apply for extensions of the original remand order. 32% were also of the opinion that it takes 14 days from the time of application for an extension of the remand order to the time for an application for further extension.



**Did you have cause to apply to a Magistrate or Judge for an order to remand a suspect in any of the cases you were involved in?**

	Abuja			Lagos						Ondo							
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/JEFCC/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/JEFCC/CBB Investigator	NAPTIP; NDLEA; NSCDC Investigator	FRSC/NAFDAC/Immigration/Customs Investigator	Nigerian Prison Service Officer	Others (e.g. Environmental Board, etc)
Yes	40%	25%	0%	43%	47%	62%	33%	50%	31%	32%	55%	57%	50%	46%	100%	0%	80%
No	60%	75%	0%	57%	53%	38%	67%	50%	69%	68%	45%	43%	50%	54%	0%	0%	20%

92% of prison officers surveyed, stated that they have not admitted an inmate to prison without a remand order, while 8% alluded to have done so.

**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/JEFCC/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/JEFCC/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%

100% of the prison officers surveyed stated that in compliance with **Section 3(3) of the ACJL**, they 'always' inform inmates about their right to legal counsel of their choice before appearing in court.

**How often to Prison Officers in the Lagos 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/JEFCC/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/JEFCC/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%

51% of them stated that they also make efforts to ensure that they provide a list of detainees that need legal representation to NGOs and the Legal Aid Council that come to the prisons. They further stated that 53% of the time this information is given before their admission into custody while 43% stated that the information is given after inmates are admitted into custody.

**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/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)
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%	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%

*Confessional Statements*

**According to Section 9(3) ACJL, ‘Where any person 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 such statement is recorded on video and the said recording and copies of it may be produced at the trial provided that in the absence of video facility, the said statement shall be in writing in the presence of a legal practitioner of his choice.’**

80% of the Judiciary surveyed responded that prosecutors/investigators have presented confessional statements in the last 12 months. 20% of high court judges also stated that the statements are rarely presented in video format, and written statements are rarely endorsed by the legal practitioners of the suspects. This is corroborated by the survey on the lawyers and investigators that shows that 62% of lawyers and 23% of investigators state that the confessional statements of defendants are never recorded in video format. Furthermore only 11% of defendants surveyed stated that their statements were recorded. 72% of them stated that the statements were taken in writing, without the presence of a legal practitioner while 23 percent stated that it was taken in the presence of their legal practitioner.

**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	Prosecutor - ICPC; MoJ	Prosecutor - EFCC	Defence lawyer in govt. service	Prosecutor - NAPTIP; NDLEA; NSCDC	Total	Defence lawyer private practice or CSO/NGO	Prosecutor - Police	Prosecutor - Federal	Prosecutor - MoJ	Prosecutor - ICPC; EFCC	Defence lawyer in govt. service
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%	

**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	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	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%

**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%

*Adjournments*

An objective of the **ACJL** is to ensure speedy dispensation of justice. One of the innovations of **ACJL** is the day to day adjournment of criminal cases to ensure that there are no undue delays. 30% of the judges stated that they ‘always’ adjourn criminal cases daily, while 10% of them stated that they ‘rarely’ do.

**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%

57% of defence lawyers stated that they ‘sometimes’ applied for day to day trials in the last 12 months, however, 39% of the time, the court ‘never’ granted such requests. 67% of lawyers and 71% of defendants stated that 6-10 adjournments were granted in their last case. For the lawyers, they stated 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%	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%

**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 - NAP TIT; 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 TIT; 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%

**Plea Bargain**

According to Section 75 of the ACJL Lagos State, the Attorney-General of the State shall have power to consider and accept a plea bargain from a person charged with any offence where the Attorney-General is of the view that the acceptance of such plea bargain is in the public interest, the interest of justice and the need to prevent abuse of legal process. 70% of defense lawyers surveyed stated that they have never applied for a plea bargain for a defendant; 60% of defendants also stated that a plea bargain was not proposed by the defense counsel or offered by the prosecution. 16% of the cases where a plea bargain was proposed they were granted 53% 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 - NAP/ITIP; 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/ITIP; 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%

**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%

*Witness expenses*

**Section 191 to 194 of the ACJL of Lagos State makes provision for the payment of witness expenses.** Our survey however revealed, that 75% of the prosecution witnesses pay their own witness expenses, while 20% are sponsored by prosecution/police/prisons.

**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 192 of the ACJL provides that 'the court may in its discretion on application, order payment by the Registrar to such witness of court such sums of money. Our survey shows that 76% 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 10 (3) of the 2015 ACJL provides that the Commissioner of Police or head of agency authorized by law to make arrest should remit quarterly reports to the State Attorney General of all arrest made with or without warrant.**

To determine adherence to the above section, investigators were asked how often the heads of their agency send records of arrests/detention to the Attorney-General of the Federation?

19% stated that the heads of their agency send the report while 53% stated that they did not know whether or not the report was being sent.

**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?**

	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)
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%

78% of the members of the judiciary 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.

**In the last 12 months have you sent to your head of court (Chief Judge) reports of criminal cases in your court whose trial did not commence after 30 days of arraignment or; where commenced within 30 days are not concluded/disposed of after 180 days from arraignment?**

	Ondo			Lagos			Abuja	
	Total	Magistrate	Judge - High Court	Total	Magistrate	Judge - High Court	Total	Judge - High Court of the FCT
Yes	54%	50%	77%	78%	82%	63%	43%	50%
No	46%	50%	23%	22%	18%	37%	57%	50%

75% of prison officers surveyed stated that the Comptroller General sends reports of persons awaiting trial beyond 180 days of arraignment; 100% of prison respondents stated that this is done on a quarterly basis.

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

	Abuja			Lagos							Ondo						
	Total	Police Investigator	Nigerian Prison Service Officer	Total	Police Investigator	ICPC/JEFC/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/JEFC/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 Lagos in 2018, 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. **Capacity building and knowledge:** We recommend that this should be encouraged and the criminal justice actors should endeavor to study the ACJL entirely and not limit it to their functions and powers.
2. **Plea bargain:** As provided for in Section 75 ACJL PWAN would like to recommend the use of plea bargain as a means of reducing court caseloads, and thus making the system more effective.



3. *Declogging panel:* we observed that the declogging panel set up by the Chief Judge of the High Court of the F.C.T, has aided in significantly reducing the number of backlogged cases from the cause list of the judges. PWAN believes that if it is applied in Lagos State, it will go a long way to ensure that backlogged cases are disposed of more speedily.
  
4. *Make ACJL a mandatory program in legal training institutions:* even though this is the current position, we encourage further continuing legal education courses on the ACJL to ensure that all actors are conversant with the all the sections and are able to work together knowing who is responsible for what and ensuring a more effected criminal justice system. So far, 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 courses and programmes continued to be conducted at 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 that it is learnt by all those seeking to be part of the criminal justice system.
  
5. *Presence of Lawyers during interrogation:* we recommend that suspects should be allowed to have access to a legal practitioner of their choice and where he cannot afford one, he ought to be informed that he can have access through the legal aid council and CSO's. PWAN with the support of NPP has produced a legal directory which contains the information of civil society organizations providing legal aid services across the country, this directory can contribute to assisting with the implementation of the provision on the availability of legal representation. The members of the families of the suspects and / or the law enforcement officials can use it to get legal representation for the suspects.
  
6. PWAN recommends that a dedicated interrogation room be provided for and should be properly equipped with modern facilities like video cameras to aid the proper investigation of cases and the recording of confessional statements in accordance with the ACJL.
  
7. *Coordination between CSOs:* Finally, there is a need for continuous coordination among CSOs working on the ACJL. This is to ensure harmonization of efforts to increase impact. The CSO's of which PWAN is willing to assist, can aid in the process of going through backlogged matters and classifying them into those that can be summarily disposed of and those that need to go to trial. This will go a long way in enhancing justice delivery.