

REFORM KUJE NEWSLETTER

VOLUME 2

BACKGROUND

Reforming Pretrial Detention in Kuje Prison Project (Reform Kuje) is funded by the US Embassy Bureau of International Narcotics and Law Enforcement Affairs (INL). The project is being implemented by Partners West Africa Nigeria, PartnersGlobal, the Network of University Legal Aid Institutions Nigeria, and New-Rule L.L.C.

The project commenced in July 2018 and is set to run through March 2020. The project aims to achieve significant reduction in the size of pre-trial detention population in Kuje prison and ensure effective implementation of the pre-trial provisions of the Administration of Criminal Justice Act (ACJA).



ELEVEN PRE-TRIAL DETAINEES RELEASED

The Law Clinic Partnership for Kuje (LCPK) which was established to manage the cases of and to provide legal representation to pre-trial detainees in Kuje Prison.

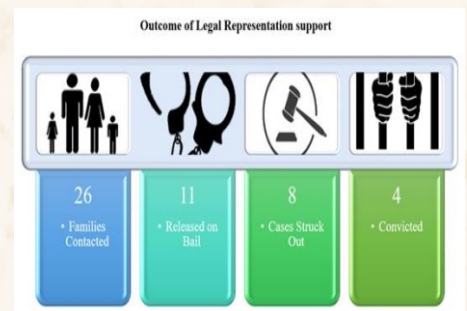
The partnership is comprised of US and Nigerian legal practitioners, clinical law professors of University of Abuja, Baze University, Nile University, Georgetown University Law School, the University of Maryland Law

School, PartnersGlobal, New-Rule and NULAI staff. Notable this quarter, the LCPK conducted the project's first pretrial detainees' interviews. The LCPK is representing 202 pre-trial

detainees and is providing 11 pro-bono lawyers who work with law students at the University of Abuja, Baze University and Nile University to process pre-trial cases. The law students conducted case conferencing with their assigned pro-bono lawyers to discuss recommended next

steps for each case ahead of court appearance and following adjournment

The 11 pro-bono lawyers attended 73 court hearings from which 11 detainees were released on bail.



LCPK ACHIEVEMENTS

• Pretrial
Detainees
Interviewed

356



• Consent to
provide Legal
Representation

202



• Court Hearings

73



NULAI NIGERIA HOSTS UNITED STATES PARTNERS ON AN EXCHANGE

As part of the Reform Kuje Project, NULAI Nigeria hosted the United States partners in the Law Clinic Partnership for Kuje Prison (LCPK) on an exchange visit to Nigeria from the 11th - 18th of May 2019.

The exchange visit was attended by a host of organizations and legal practitioners and justice sector actors Nigerian and US clinical educators, PartnersGlobal, PWAN, New-Rule, criminal law fellows, and NULAI Nigeria. The weeklong exchange visit emphasized learning from comparative examples, information, experience sharing, and relationship building.



Interactive meeting with the Chief Justice of Nigeria; and at the Federal Ministry of Justice



Highlights from the week's activities include:

- A workshop organized for Nigerian clinical law professors and students on effective teaching and feedback techniques.
- A workshop was organized for criminal justice participants to discuss and share experience and challenges on pretrial processes in Nigeria. Members of the Administration of Criminal Justice Monitoring Committee (ACJMC), Nigerian Correctional Service, PWAN and other CSOs were present.

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FEATURES OF THE CASE MANAGEMENT MODULE (CMM)

The Case Management Module (CMM) of the Nigerian Correctional Service Information Management System is monitored by NULAI to track institutionalization in Kuje Correctional Centre, some of the features of the CMS include:

- Form L generated in-forms on all detainees who have been remanded for more than 180 days, this is submitted to the Administration of Criminal Justice Monitoring Committee (ACJMC).

A snapshot of the Form L

- The ACJA dashboard, generated quarterly by the Comptroller General of the Nigerian Corrections Service, helps to analyze the length of stay of pretrial detainees, reasons why court did not sit and average length between adjournments.

- Legal representation report: which is generated monthly, provides details of pretrial detainees with or without legal representation and date of next adjournment.
- Court schedule: this notifies records officers of the number of pretrial detainees that have upcoming court dates and those who do not.

| # | Inmate ID | Legal Rep. details | Case Number | Offence | Court | Prosecuting Agency | Date Arrived in Prison | Status |
|---|-----------|--------------------|-------------|---|---------------------|--------------------|------------------------|----------------|
| 1 | 88882888 | | CR/24/2017 | Robbery/300 | High Court 10 Abuja | Police | 18/10/2018 | Awaiting Trial |
| 2 | 888838 | | CR/180/2017 | DRUGS | HC 7 Abuja | Police | 18/10/2018 | Awaiting Trial |
| 3 | 888838 | | CR/180/2017 | Possessed 10.0g of Cannabis Sativa | HC 7 Abuja | NULAI | 18/10/2018 | Awaiting Trial |
| 4 | 888838 | | CR/12/18 | CONSPIRACY H/W/ROBBERY AND ATTEMPT BURGLARY | HC 28 Kofor | Police | 15/10/2018 | Awaiting Trial |
| 5 | 888838 | | CR/25/18 | H/W/ROBBERY AND BURGLARY OR SHEDIOUS BODILY | HC 28 Kofor | Police | 15/10/2018 | Awaiting Trial |

Detainees with and without Legal Representation

PWAN TO SUPPORT the CMS WITH IMPROVED COURT OBSERVATION

To support the CMS, PWAN's court observer app was adapted to track court compliance with the Administrative Criminal Justice Act (ACJA) pre-trial provisions.

Lawyers, criminal Justice actors and court observers have been identified and trained on the use of the app when in court.

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The app will track daily court proceedings and particular time of court sitting, recess, and adjournments.



PWAN Court Observer App

The branches of Nigerian Bar Association (NBA) across the country are committed to engaging their members to use the app and monitor daily court proceedings.

The app is available on Android and IOS. Data inputted from the app will be used to support the project CMS.



Participants viewing the app

31 CRIMINAL JUSTICE ACTORS TRAINED ON STRATEGIC COMMUNICATION

PWAN organized a two-day skills-building communication training from the 26th - 27th June 2019 in Abuja. Attendees included public relations officers of the Nigerian Police Force (NPF), Nigerian Correction Service (NCS), National Agency for Prohibition of Trafficking in Persons (NAPTIP), Independent Corrupt Practices Commission (ICPC), Federal Ministry of Justice (FMOJ), Court Registrars, PWAN and NULAI Nigeria staff.



A breakout session during the training

A pre-evaluation test of the training indicates that majority of the participants had no knowledge of the Freedom of Information Act (FOIA) and had received no prior training on communications.

Training participants learned about the 2011 FOIA, proactive disclosure of information,

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timelines required to respond to FOI requests and supremacy of the FOIA on the Official Secrecy Act.

Participants also learned how to prepare press releases and public statements and how to create engaging social media posts.

The training was done in collaboration with Isu Media, BwBinary and Right 2 Know. At the end of the training, the post evaluation results showed that 88% left with a knowledge and understanding of both the FOIA, communications and the need to apply both in their work.

ACJA RADIO SESSION WITH PWAN

To inform a broader range of citizens on their fundamental rights and the ACJA pre-trial provisions, PWAN organised two radio call-in programs at the Federal Radio Corporation of Nigeria (FRCN) and the Human Rights Radio and Television on the 25th and 28th of June, respectively.

Phone lines were opened for listeners. Listeners aired their views and concerns regarding Stop and Search protocols, and arrest in lieu.



Radio Program

Listeners were informed that the ACJA empowers relevant agencies to arrest with or without warrants, however section 7 prohibits arrest in lieu (you cannot arrest one person in place of another).

Importantly, citizens were advised to, when in contact with arresting agencies follow their instruction and subsequently seek legal advice.

PWAN HOST 3RD KPCC MEETING



Cross section of participants at the KPCC meeting

The 3rd Kuje Prison Coordination Committee (KPCC) meeting held on the 31st of July 2019 in FCT, Abuja. In attendance were implementing partners and criminal justice actors involved in the Reform Kuje project.

Presentations summarized activities that contributed to the decrease of pre-trial detainees in the Kuje prison such as:

- Monitoring of the CMS and integration of the Court Observation App into project monitoring
- Training of criminal justice actors on communications and FOIA,
- Townhall and Radio awareness programs on the ACJA

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THESE WERE ADDRESSED DURING THE KPCC MEETING:

Firstly, was the management of the pro-bono lawyers. It was brought to light that some lawyers had a misunderstanding of what it takes to provide pro-bono services, and this resulted in lawyers leaving detainees without providing any service. This will also affect CMS efficiency because it will be on record that the detainee already has a lawyer assigned to him or her.

To sort this, students and lawyers from the law clinic visit the prisons to interview detainees, make necessary corrections and manage their cases.

Secondly, clarifications were made on the scope of “Pre-trial detainees” to include individuals that have been arraigned and possibly remanded but outside of this, nothing else been done concerning their cases.

ACJA
Law wey dey
protect your rights

UPCOMING EVENTS
Community Townhall and
Radio awareness on ACJL –
September 2019

Law Clinic Prosecution
meeting - September 2019

Legal representation by Pro
bono lawyers - On going.

FOOD FOR THOUGHT

“Never doubt that a small group of thoughtful, committed citizens can change the world.

Indeed, it is the only thing that ever has.”

- Margaret Mead

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Administration of Criminal Justice Act/Law (ACJA/L)

The purpose of this Act is to ensure that the system of administration of criminal justice in Nigeria promotes efficient management of criminal justice institutions, speedy dispensation of justice, protection of the society from crime and protection of the rights and interests of the suspect, the defendant, and the victim.



If the police or anyone should arrest you, there would be no need to handcuff or tie your hands...



...unless you resist arrest or fight.

If the police or anyone wants to arrest you, they must state your offence or tell you why they want you to come with them to the police station



The police officer in charge **MUST** tell you your right to:

- i. Not speak until your **LAWYER** is present;
- ii. Speak with your **LAWYER** before you write a statement or sign anything;
- iii. Have a **LAWYER** free of charge from the Legal Aid Council of Nigeria if you can't afford one.



ARREST PROTOCOLS

Administration of Criminal Justice Act/Law (ACJA/L)

The police have no right to arrest you in place of a missing suspect.



Apart from the police, Judges and Magistrates have the power to arrest a suspect. An ordinary civilian can also arrest a suspect caught damaging or stealing someone else's property.

If arrested, the police must present you in court before a Judge.



otherwise they must release you conditionally or unconditionally



The police would show respect to arrested persons, and not engage in torture or abuse of any kind that can reduce the esteem of anyone.



The suspect will then be handed over to the police.



In their lawful quest to arrest a suspect, the police are empowered to pursue the suspect to any part of Nigeria.

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About PWAN



Rule of Law & Empowerment Initiative 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.



Located in Abuja, Nigeria's capital and have field office in the North East-Borno and North West-Kano and other with national & regional reach.



We are part of a network of a 22 national organizations by common approaches such as participatory decision making, collaborative advocacy, consensus building and social entrepreneurship for democratic governance.

| | | |
|---|--|--|
| <p>Mission</p> <p>Our organization is dedicated to enhancing citizens' participation and improving security governance in Nigeria and West Africa broadly.</p> | <p>Vision</p> <p>Robust good governance & accountable institutions in Nigeria and West Africa</p> | <p>Our Values</p> <ul style="list-style-type: none"> • Integrity • Inclusiveness • Impact • Professionalism |
|---|--|--|

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