



Promoting Survivor-Centered Policing In Nigeria

*A study by Partners West Africa Nigeria with support from
FORD Foundation in February 2022*



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About Partners West Africa Nigeria

The Rule of Law and Empowerment Initiative is also known as Partners West Africa Nigeria (PWAN). We are a non-governmental organization dedicated to enhancing citizens' participation and improving security governance in Nigeria and West Africa broadly, which we achieve through our Rule of Law and Citizens Security Program Areas.

The organization does this through research, collaborative advocacy, capacity building, dissemination of information, and integrating the implementation of government policies such as United Nations Resolution 1325, Women Peace and Security Second Generation National Action Plan (NAP 2), Prevention and Countering Violent Extremism National Action Plan (P/CVE NAP), Administration of Criminal Justice Act/Law (ACJA/L), UN Resolution 2250 amongst others which are complementary to our strategic objectives.

We are a member of the Partners Network which is a network of 22 like-minded national organizations around the world, united by common approaches including participatory decision making, collaborative advocacy, consensus building, and social entrepreneurship for democratic governance.

About the Project

The Rule of Law and Empowerment Initiative also known as Partners West Africa Nigeria (PWAN) with support from FORD Foundation conducted a research study on the 'Promoting Survivor-Centered Policing in West Africa' project, aimed at improving the capacity of security agencies (Nigeria Police Force and Nigeria Security and Civil Defence Corps (NSCDC) to prevent and respond to SGBV to drastically reduce incidences of SGBV in West Africa.

The Research was conducted in Akwa Ibom, Benue, Borno, Enugu, Kano, Ogun states, and the FCT. The Nigeria, Police Force, other security and government institutions at the state level, and survivors were assessed. Findings from the study will be shared with key stakeholders within the governments of Nigeria and based on recommendations obtain buy-in from key stakeholders to implement best practices on SGBV prevention and response in Nigeria.

Executive Summary

The increasing cases of Violence Against Women and Girls (VAWG) in Nigeria, exacerbated by the outbreak of the COVID-19 pandemic, has not been met with adequate response mechanisms that promote survivor-centered services and support by policing agencies. The implications have been the unwillingness of victims to report to the agencies as well as the revictimizations of individuals who have made efforts to report. The experiences in Nigeria reveal that policing institutions are ill-equipped to promote survivor-centered approach to managing VAWG cases.

Secondly, evidences indicate that the policing institutions do not collect adequate evidence in their role as first responders and, leading low rate of conviction. For instance, there have been only 65 convictions for rape cases in the country since 1973. However, examples of appropriate survivor-centered responses are beginning to emerge in Nigeria. For instance, the Nigeria Police Force (NPF) and the Nigerian Security and Civil Defence Corps (NSCDC) have established Gender Desk Units dedicated to VAWG in several State Commands across the country. There is a need to evaluate the effectiveness of these initiatives to provide the policing institutions with evidence-based strategies that can be widely adopted to improve survivor-centered VAWG response and prevention approach in Nigeria and across West Africa.

Using both qualitative and quantitative data sets generated through a dual methodology of desk research and field work that included nationwide online survey, KIs and FGDs, the study, conducted in six states – Akwa Ibom, Benue, Borno, Enugu, Kano and Ogun, representing the six geo-political zones of the country, as well as the Federal Capital Territory (FCT), purposively selected participants and research subjects from among policing agencies, range of CSOs, VAWG survivors, and other stakeholders. Findings from the study indicate, among other things, that:

- VAWG in Nigeria manifest in various forms, including rape, spousal physical and emotional abuse, economic disempowerment of women and girls, women abduction and abandonment, incest, and sodomy.
- VAWG in Nigeria is caused by several factors including ancient traditional practices that subjugate women and girls. However, recent incidences indicate that escalating violence, especially in northern part of Nigeria as well as occultic practices in southern part of the country are contemporary drivers of sexual and gender-based violence.
- Reported and unreported cases of VAWG in Nigeria have risen exponentially, especially since the outbreak of COVID-19 pandemic.
- Nigeria, both at the federal and state levels, has robust legal, policy and institutional frameworks for managing cases of VAWG, however, the policing agencies, especially the NPF and NSCDC, do not leverage the extant frameworks to provide survivor-centered services to victims of VAWG in the country. The reasons for this include low level of awareness of the frameworks by personnel of the agencies due to poor exposure to specialized training and capacity building programmes targeted at

- promoting survivor-centered approach to VAWG.
- Promoting survivor-centered approaches to managing VAWG by policing agencies in Nigeria is also hindered by agencies' personnel poor understanding of the dynamics of VAWG. In some cases, policing agencies have treated reported cases as "family matters" rather than violations of the law and victims' fundamental human rights.

Based on the findings, recommendations were made for Security and Law Enforcement Agencies, Community and CSO Stakeholders, as well as Governments at the federal and state levels. They include, among others:



Providing specialized trainings and capacity building for personnel of policing agencies on adopting survivor-centered approach to managing VAWG cases and observance of human rights.



Creating awareness among citizens on the duties and responsibilities of policing agencies on the management of VAWG cases.



Beyond extant frameworks, State Governments should create platforms for collaboration between policing agencies, communities, CSOs and other relevant stakeholders to promote survivor-centered policing approach in managing cases of VAWG across the country.



Promulgate laws to abolish ancient traditional practices including harmful widowhood norms that cause and sustain SVAWGGBV in the country.



Amend extant VAWG-related laws to ensure that public press does not trivialize cases of VAWG.



NPF and NSCDC establishing Gender Desk Units at all divisional levels and to be headed by females, who should be trained on survivor-centered policing services.



Introduction

Maurice Ogbonnaya

While Violence Against Women and Girls (VAWG) is prevalent in Nigeria, inadequate response mechanisms deny survivors the needed access to survivor-centered services and support. In late 2020, Partners West Africa Nigeria (PWAN) published a study finding that the COVID-19 lockdown in Nigeria exacerbated existing vulnerabilities to VAWG.

Many survivors in Nigeria turn first to the police as they seek protection, support and, ultimately, justice. However, the police are ill-equipped to meet this need. The experiences in Nigeria reveal that police officers do not collect adequate evidence in their role as first responders and, as a result, the conviction rate for perpetrators is low. Indeed, there have been only 65 convictions for rape in the country since 1973. A comprehensive reform agenda is needed in both countries.

Despite these challenges, examples of appropriate survivor response have emerged in Nigeria. The Nigeria Police Force (NPF) has established Gender Desk Units dedicated to VAWG in several police stations around the country. There is the need to evaluate the effectiveness of these initiatives to provide the police and other law enforcement agencies with evidence-based strategies that can be widely adopted to improve

prevention and response of VAWG by the relevant institutions.

Against this background, PWAN in collaboration with consortium members - Partners West Africa Senegal and Partners Global and with support from Ford Foundation, is implementing the “Promoting Survivor-Centered Policing in West Africa” project with focus on Nigeria.

The project aims to provide best practice models of survivor-centered policing to reduce VAWG. This includes the improvement of the capacity of the NPF and the Nigerian Security and Civil Defence Corps (NSCDC), among other policing agencies to respond to and prevent training, occasioning institutional reform such as the strategic elevation of VAWG, revised Human Resource (HR) policies to recruit more women, infrastructure modifications, and changes in legislations.

To this end, PWAN conducted field research activities including Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs) with the NPF, NSCDC, Ministries, Departments and Agencies (MDAs), as well as Civil Society Organisations (CSOs) and other stakeholders in Nigeria.

Rationale and Justification for the Study

The 1995 Beijing Platform for Action and the post-2015 Sustainable Development Goals (SDGs), set the agenda for the elimination of VAWG around the world. This was done to focus on the importance and the need for women to participate in the society fully and equitably as citizens. Similarly, United Nations Security Council (UNSC) Resolution 1325 of 2000 on Women Peace and Security (WPS) set out the roadmap to increase women's representation and participation in peace and security initiatives.

While these frameworks provide important guidelines to protect women and girls from violence, there is need to collect data to measure to the extent to which actors at the national and local level are actually implementing them. For instance, there is currently not enough data about how Nigerian police prevent and respond to VAWG and how they could contribute more significantly to the protection of women and girls. This study seeks to fill this gap.

Objectives of the Study

Illuminate best practices for policing institutions on VAWG in Nigeria.

Analyze national policies on VAWG response and prevention to ascertain the extent to which they promote survivor-centered policing

Investigate policing institutions' cultural norms and operational guidelines on VAWG response and prevention to ascertain the extent to which they promote survivor-centered policing.

Identify best practices and gaps in the current response to VAWG by policing agencies in Nigeria taking into account regional and international best practices

Suggest legislative changes, institutional reform, and training that will enhance the response of policing agencies to VAWG.

Methodology

Using both qualitative and quantitative data set generated through a dual methodology of desk research and field work that included nationwide online survey, KIIs and FGDs, the study assessed the current trend and scope of VAWG in Nigeria, investigated the various manifestations of VAWG, geographical locations, survivor data, capacity of policing institutions to respond and prevent VAWG, as well as the extent to which institutional responses are guided by extant legal and policy frameworks and international protocols.

Purposive sampling technique was used to select the participants for the KIIs and FGDs.

The selection and interview subjects ensured a cross-sectional and nationally representative sample of data reflecting the different experiences among policing agencies, CSOs and survivors, including:

- Personnel of NPF, NSCDC and other policing institutions.
- Civil/Public Servants in Police Service Commission, Federal Ministry of Police Affairs, Federal and State Ministries of Women Affairs and Social Development, and
- The civil society community and other Non-State Actors (NSAs), including community members and survivors of VAWG, traditional and religious leaders, women-based organisations – National Council of Women Society (NCWS), Federation of Muslim Women Association of Nigeria (FOMWAN), Women Wing of the Christian Association of Nigeria (WOWICAN), International Federation of Women Lawyers (FIDA), among others.

Using both qualitative and quantitative data set generated through a dual methodology of desk research and field work that included nationwide online survey, KIIs and FGDs, the study assessed the current trend and scope of VAWG in Nigeria

Table 1.1: Tabular Representation of Participants in the KIIs and FGDs

State	CSOs		Government Officials		Police		NSCDC		Survivor	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Akwa Ibom	4	6	0	5	5	4	2	2	-	7
Benue	6	16	2	2	3	2	1	0	-	2
Borno	3	6	2	5	1	5	2	7	-	3
Enugu	2	3	0	4	4	6	1	5	-	4
FCT	1	8	1	2	2	3	1	3	-	-
Kano	4	10	2	7	2	0	2	0	-	2
Ogun	7	6	3	7	6	1	2	6	-	5
	27	55	8	32	23	21	11	23	0	23

Conducted in six states – Akwa Ibom, Benue, Borno, Enugu, Kano and Ogun, representing the six geo-political zones in Nigeria, as well as the Federal Capital Territory (FCT), the study was guided by such research questions as:

The structures that exist within the policing institutions to enable effective response and prevention of VAWG.

Adequacy of capacity building among personnel of policing institutions on survivor-centered VAWG response and prevention.

The gaps in the models imbedded in extant policies on survivor-centered VAWG response and prevention.

Whether the policing institutions respond differently to different survivors such as exhibiting a tendency to protect minors or adults..

There is currently not enough data about how Nigerian police prevent and respond to VAWG and how they could contribute more significantly to the protection of women and girls. This study seeks to fill this gap.



CHAPTER 2

Federal Capital Territory:

Absence of Institutional Database and Published Statistics on VAWG

Jane Ezirigwe

Background and Context

According to interviews with the police, the most prevalent types of VAWG in the FCT are wife battery, spouse/family neglect and abandonment, and forceful withdrawal of children, as well as rape and incest. Other emerging crimes include stalking and cyberbullying with one law enforcement agency recording about 3-4 of these monthly.

This research focused on providing data-driven evidence that reveals the gaps in a survivor-centered approach to the prevention and response to violence against women by stakeholders, especially the law enforcement agents in Nigeria. It highlights best models of policing to improve the prevention and response to violence against women and girls that focus on the needs and expectations of survivors.

The focus here is on relevant federal agencies in the Federal Capital Territory (FCT), which have responsibilities for the enforcement and provision of services related to the prevention and response to VAWG.

A recent survey by the Centre for Social Justice (CSJ) in Nigeria showed that about 25% of women in the FCT will excuse gender-based violence when perpetuated by a husband.¹ The survey also found that women who experienced both physical and sexual violence were more likely to seek help than women who experienced only sexual violence as well as those that experienced only physical violence.

Similarly, the Nigerian Tribune reported that 51% of women who work in the FCT may have been subjected to one form of sexually based violence or the other in their various workplaces ranging from physical to verbal and cyber sexual harassment².

It has also been reported that 6% of women experience violence during pregnancy, while women and girls with disabilities are twice as likely to experience violence of any form³.

During the COVID-19 lockdown, VAWG was reported to have increased significantly in the FCT⁴. Based on data reflecting the number of reported cases of gender-based violence in Nigeria during March and April 2020 by state and geopolitical zones, the FCT was recorded to have had 5 reported cases in the month of March 2020 and by April 2020, the number of reported cases was said to have increased to 31.

In 2021, the NPF revealed that over 150 convictions have been secured for offenders charged with VAWG especially rape cases involving children across the country⁵. However, it was reported that only 1 out of 444 cases of VAWG reported in the FCT had secured a conviction⁶.

According to interviews with the police, the most prevalent types of VAWG in the FCT are wife battery, spouse/family neglect and abandonment, and forceful withdrawal of children, as well as rape and incest. Other emerging crimes include stalking and cyberbullying with one law enforcement agency recording about 3-4 of these monthly. However, reported cases of wife battery have recently been on the increase. In the FCT, VAWG

¹Victor Okeke, Osinachi's Death: 24.9% FCT Women Believe Husband Can Beat Wife, April 13, 2022, <https://csj-ng.org/osinachis-death-24-9-fct-women-believe-husband-can-beat-wife/>
²Osaretin Osadebamwe (2022), 3 Out Of 20 FCT Women Experience Office Rape – Survey, <https://tribuneonline.com/3-out-of-20-fct-women-experience-office-rape-%E2%80%95-survey/> Nigerian Tribune, January 26, 2022 accessed 6th April, 2022 at 3:47pm

³Nike Adebawale (2021), SGBV: FCT secures one conviction from 444 reported cases – Official, <https://www.premiumtimesng.com/news/top-news/463704-sgbv-fct-secures-one-conviction-from-444-reported-cases-official.html> Premium Times, May 25, 2021 accessed 6th April 2022 at 3:48pm

⁴United Nations Nigeria (2020), Gender-Based Violence In Nigeria During The Covid-19 Crisis: The Shadow Pandemic- Brief, 4 May 2020 prepared by UN Women with UNFPA, UNODC and UNICEF on behalf of the UN System in Nigeria

⁵Kingsley Omonobi (2021), Rape/Violence Against Children: Police secure 150 convictions against offenders – IGP, <https://www.vanguardngr.com/2021/02/rape-violence-against-children-police-secure-150-convictions-against-offenders-igp/> Vanguard, February 24, 2021 accessed on 6th April 2022 at 4:56pm

⁶Nike Adebawale (2021), SGBV: FCT secures one conviction from 444 reported cases – Official, <https://www.premiumtimesng.com/news/top-news/463704-sgbv-fct-secures-one-conviction-from-444-reported-cases-official.html> Premium Times, May 25, 2021 accessed 6th April 2022 at 3:48pm

happen both in urban, semi-urban and rural communities and are suffered by both older and younger women and across ethnic groups and religions. FGD with law enforcement agencies revealed more complaints from Kuje, Bwari, Lugbe, Souka, Karu, Massaka, Nyanya, Guzape Village, and Kuchigoro communities.

Although few reports were made by the women from the northern part of Nigeria, a change in trend was observed as more women now report cases of VAWG either to the police and NSCDC or to NGOs and CSOs who report to the police on their behalf. NAPTIP has also recorded walk-in complainants, referrals from other agencies and NGOs and complaints through its call centres and official email.

During interactions with CSOs, it was noted that reports there have been increase in reported cases of VAWG to NGOs from Mararaba, Nyanya, and Lokogoma. Cases have also been reported from Byjaji in Kubuwa District, Kurudu in Jikwoyi District, Lugbe, Apo, Piwoyi, and Lungu. The reports indicate that the victims are mostly women between the ages of 15 and 30 years while the perpetrators are majorly males between the

ages of 25 and 45 years.

The foregoing notwithstanding, it was observed from interactions with policing agencies that there is the absence of institutional database and published statistics on VAWG among law enforcement agencies. The agencies do not have comprehensive data on the geographic location and profiling of both the survivors and perpetrators. Although the NPF has a magazine, “The Don” which may contain some information on some of the required data, the magazine is not easily accessible.

Similarly, NAPTIP estimates a report of 10-15 cases daily, with at least 5 of these cases assuming life threatening dimensions, which makes its annual report as VAPPA coordinator to the National Bureau of Statistics, but the statistics do not contain information on trends, patterns and profile of victims and perpetrators. According to NAPTIP official, “there is no updated survivor-based data. Although recently with the coming of a new DG, efforts have been made to develop a survivor centred data base with disaggregated data which can be presented to the public and referenced.”

NAPTIP estimates a report of 10-15 cases daily, with at least 5 of these cases assuming life threatening dimensions, which makes its annual report as VAPPA coordinator to the National Bureau of Statistics, but the statistics do not contain information on trends, patterns and profile of victims and perpetrators.



Causative and Sustaining Factors

Certain factors trigger or escalate VAWG in the FCT. The major factor that triggers violence is lack of finances. Victims narrated their ugly experiences by asking their spouses for household maintenance money. Others recounted how the lack of funds made the man frustrated and irritable, triggering violence at the slightest provocation.

One victim narrated how her husband lost his job and could not provide for the family. He got easily provoked and resorted to violence whenever she suggested that he takes up menial jobs to take care of the family. Another victim recounted how she had to go visit some relatives to ask for money for the survival of her family and her husband accused her of unfaithfulness which resulted in severe beatings that almost took her life.

Factors that sustain VAWG include the preferred strategy/attitude of the Police to treat VAWG cases as civil cases as well as culture and religion. Due to the fact that some policemen themselves believe and do “chastise” their wives and some policewomen are also chastised by their husbands, there is a general tendency amongst the police force to treat VAWG cases with kids' gloves.

Sometimes, the men are only made to sign undertakings when the cases are life threatening. The prevailing culture and religion in most ethnic groups do discourage a woman from reporting her husband to the police. Thus, family members counsel and put pressure on women to either endure or leave the marriage in extreme cases rather than report the violence to appropriate authorities.

The prevailing culture and religion in most ethnic groups do discourage a woman from reporting her husband to the police.



Frameworks for Promoting Survivor-Centred Policing

Several laws and polices exist to enable effective policing and enforcement of laws that prohibit violence against women in Nigeria. It is, however, important to examine whether these laws enable survivor-centered approach to policing and enforcement, especially in the FCT. The VAPP Act was enacted in 2015 as an attempt to curb the prevalence of VAWG by providing innovative provisions.

An appraisal of the Act reveals that some of the provisions are survivor-centered. Section 1(3) of the Act makes provisions for compensation to the victims of sexual offences while Section 2(5) makes provisions for the victims who have suffered injury. Also, Sections 28 to 31 make provisions for protection orders for victims who may be in danger or perceived danger.

This protection order can be made by both the police, the victim or anyone interested in the welfare of the victim. Importantly, Section 32 of the Act lists the duties of the police to victims of the offences under the Act. These include filling of a complaint, arranging a safe shelter, explaining the rights to protection and remedies under the Act to the victim, accompanying the victim to her residence to collect her belongings. Section 32 (3)(d) also provides that the police will act to secure the safety and welfare of victim wherever necessary.

These duties impose a compulsory obligation on the police to ensure the safety and welfare of the victims or survivors during investigations and prosecution. The Act also provides for the privacy of the victim during court proceedings/prosecution (S 38 (3)) and prohibits the publication of identity of victim (S 39). To ensure effective implementation of the VAPP Act, the FCT Judiciary established four designated courts to handle cases of VAWG⁷.

The FCT Judiciary is also developing Practice Direction & Guidelines for effective implementation of Protection Orders in the FCT.

Another legal framework is the Child Rights Acts (CRA). Sections 1 and 2 of the Act provides that the best interest of the child shall be of primary and paramount consideration in all actions to be undertaken by any authority. Sections 50-52 of the CRA empowers police or any other authorised person to bring a child in need of care and protection before a court for a corrective order, if he has reasonable grounds to believe that the child is exposed to any moral or physical danger.

Under Order 20 of the Child Rights Act (Enforcement Procedure) Rules 2015, the court can make any additional orders, having regards to the peculiar circumstances of the case. Apart from the general protection for a child, the CRA has no specific provisions on the survivor-centered approach in responding to a child survivor.

There is also the Trafficking in Persons (Prohibition, Enforcement and Administration) Act, 2015. Section 9 of the Act requires NAPTIP to liaise with the police for the prevention and detection of offences in violation of the provisions of the Act, and to work in collaboration with other agencies for counselling, after-care rehabilitation, social reintegration, and education of trafficked persons.

Section 52 of the Act also provides for the right of a trafficked persona to institute a civil action against a trafficker and any other person including a public officer who has exploited or abused her; and is entitled to compensation, restitution, and recovery for economic, physical and psychological damages to be met from the assets, if any, of the convicted trafficker forfeited and paid to the Victims of Trafficking Trust Fund.

The NAPTIP recently launched “The National Policy on Protection and Assistance to Trafficked Persons in Nigeria, 2022” and the “Protocol for Identification, Safe Return and Rehabilitation of Trafficked Persons, 2022”, all targeted at a survivor-centered approach to trafficked

⁷Stephen Anugbulu, 'FCT opens special courts for gender-based violence', 23 March 2022, <https://punchng.com/fct-opens-special-courts-for-gender-based-violence/>

persons who are predominately women and children.

The Nigeria Police Act was amended in 2020 to provide for emerging societal needs. Section 2(C) of the Acts provides that the functions of the Police should be performed sensitive to the needs and well-being of the public, survivors inclusive. Section 2(H) demands respect for victims of crime and an understanding of their needs. Sections 96(2) and 135 also provide that the police should not discriminate on basis of gender, etc.

Additionally, the NPF Gender Policy, which has been in operation since 2011, seeks to develop the capacity and skills of the personnel of the NPF to handle sexual and gender-based violence and violence against women. Its main strategy is to build structures within the Police to make reporting, and handling of cases of violence against women gender friendly, efficient, and effective, as well as establish a Gender-Based Violence Unit in all police formations to provide information to victims and perpetrators of VAWG. It also provides for the creation of enabling environment to give support to victims of VAWG, and punishment for perpetrators.

The existence of this policy notwithstanding, the NPF has constantly been accused of gender-biased treatment of domestic violence etc., and the use of operational frameworks and guidelines that inhibit women's access to justice.

There is also a Nigeria Police Force Guidelines for Policing During the COVID-19 Emergency⁸. Although Paragraph 11 mentions the need to look out for signs of domestic violence during COVID, nothing was said on how to handle victims of VAWG during COVID given their peculiar needs.

Furthermore, Section 3(1) of the Nigeria Security and Civil Defence Corps Act, 2007 mandates the Corps to assist in maintaining peace and order as well as the protection and rescuing of the population during the period of emergency. The law empowers NSCDC to arrest with or without warrant, detain, investigate and institute legal

proceedings in accordance with the Constitution of Federal Republic of Nigeria 1999 (as amended) any person who is reasonably suspected to have committed an offence under this act or is involved with criminal offences⁹.

By these provisions, NSCDC serves as first responders to domestic violence complaint and other types of criminal offence report or complaint. However, the Act is silent on approaches to handling or protection of victims at the point of crime detection or prevention.

Additionally, although the NSCDC Gender Policy 2021 seeks to promote the development of guidelines and the enforcement of standards against VAWG and gender-insensitive language and actions within the Corps and towards the public, its emphasis is more on the institution and its internal arrangement and less on how its officers interact with survivors of violence against women.

However, Policy Objective 1 commits the Corps to the establishment of a structure to enable the NSCDC to serve as first responders for incidents of VAWG. The responsibilities include receiving complaints, managing evidence, and referring to relevant institutions. It also commits to supporting the Gender Units to address VAWG within the Corps and the external community.

It further commits to provide immediate assistance and support to survivors of violence, such as information and referrals to facilitate safety and support for victims and the establishment of juvenile protection to ensure the protection of minors from violence, exploitation, and abuse.

Other procedural laws relevant to promoting survivor-centered policing to policing in Nigeria include the Fundamental Rights (Enforcement Procedure) Rules, 2009 (FREPR) and the Administration of Criminal Justice Act

⁸Available at https://www.unodc.org/documents/nigeria/NPF_COVID-19_Guidance_Booklet_Final.pdf.
⁹Section 3 (1) (a-f) of the NSCDC Act 2007 as amended.

2015, which aims at ensuring that the criminal justice institutions are efficiently managed to protect the rights and interest of suspect, the defendant and the victim of crime¹⁰.

The Act made no provision for victim/survivor centred approaches at the stage of complaints especially with regards to domestic violence. Rather, the scope of protective measures is limited to procedural measures applicable in court settings such as limiting of public disclosure of victims' identity or witness identity, video link, the use of screens or masks, and other anonymity and confidentiality measures that conceal the names, identity, address and telephone numbers of the victim or witnesses.¹¹

Section 232 (4) (a-d) of the Act specifically limit the scope of crimes or offences that require protection to trials for rape, defilement, incest, unnatural or indecent offences against a person, offences under the Terrorism (Prevention) (Amendment) Act, offences relating to Economic and Financial Crimes; trafficking in Persons and related offences and; any other offence in respect of which an Act of the National Assembly permits the use of such protective measures or as the Judge may consider appropriate in the circumstances.¹²

The 2011 Evidence Act is another procedural law that regulates the admissibility, relevance and other processes relating to the use of evidence in a legal proceeding.¹³ It has no specific provisions that are survivor centred.

However, under the Act, in the absence of the survivor's/victim's oral evidence or eyewitness evidence, offence of sexual and gender-based violence can be proved by expert witness who examined the victim, or the materials found at the crime scene. For instance in the case of rape, evidence such as specimens (semen or vaginal secretions), DNA, clothes worn during the offence, hair etc, will be tendered in court as evidence but will be analysed and proved by expert witness who either examined or carried out the medical and physical examination on the survivor.¹⁴

An analysis of the legal frameworks on VAWG reveals that although the more recent laws try to adopt survivor-centred approaches in their provisions, such as the VAPP Act, the ACJA and the Gender policies, much older laws are silent on the fate of the survivor, namely, the Evidence Act, the NAPTIP Act, the NSCDC Act and the FREPR (see Table 6.1). The reason is that the survivor-centered approach to policing is a contemporary concept/approach as victims were seldom the focus of the justice system in the past.

*Analysis reveals that more recent laws try to adopt survivor-centred approaches in their provisions, such as the VAPP Act, the ACJA and the Gender policies, **older laws are silent on the fate of the survivor, namely, the Evidence Act, the NAPTIP Act, the NSCDC Act and the FREPR***

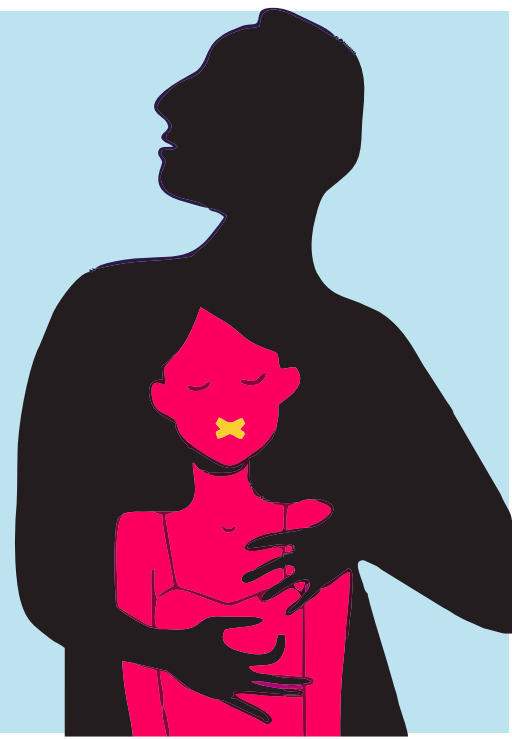
¹⁰Section 1 of the Administration of Criminal Justice Act, 2015.

¹¹Section 232 (2) and 232 (3) of the ACJA 2015

¹²Section 232 (4) (a -d) of the ACJA 2015

¹³Section 1 of the Evidence Act 2011

¹⁴Section 68 to 76 of the Evidence Act, 2011



S/N	Law	Survivor-Centred?	Remarks
1	VAPP Act 2015	Has some provisions that are survivor - centred	Need for amendment
2	Child Rights Act 2003	Has few provisions that are survivor - centred	Need for amendment
3	Trafficking in Persons (Prohibition, Enforcement and Administration) Act, 2015	Has few provisions that are survivor - centred	The National Policy on Protection and Assistance to Trafficked Persons in Nigeria, 2022” and the “Protocol for Identification, Safe Return and Rehabilitation of Trafficked Persons, 2022”, adopt survivor-centered approach. Need for amendment
4	Nigeria Police Act, 2020	Has few provisions that are survivor - centred	NPF Gender Policy adopts a survivor-centered approach to some extent, Nigeria Police Force Guidelines for Policing During the COVID-19 Emergency did not. Need for amendment of the law and policies.
5	Nigeria Security and Civil Defence Corps Act, 2007	Has very limited provisions that are survivor -centred	NSCDC Gender Policy 2021 adopts survivor approach to some extent. Need for amendment of the law and policies.
6	Fundamental Rights (Enforcement Procedure) Rules, 2009	None	Need for amendment of the rules
7	Administration of Criminal Justice Act 2015	Has few provisions that are survivor - centred	Need for amendment of the law.
8	Evidence Act, 2011	Has very limited provisions that are survivor -centred	Need for amendment of the law.

Source: FCT Researcher's Compilation



Key Findings and Implications for Policy

Major findings of the study are discussed under the following broad headings; awareness and capacity of law enforcement agencies, institutional responses and practices, survivors' experiences, collaborations among state agencies to combat VAWG in the FCT.

Awareness and Capacity of Law Enforcement Agencies



The NPF and NSCDC at the FCT Command, including Gender Desk officers, have not attended any specialized trainings on VAWG as their colleagues at the headquarters. There is no structure in place to step down the skills acquired during the trainings for the benefit of others in the agencies.

While the gender desk officers of the NSCDC were aware of and had some knowledge of the provisions of the VAPPA and the existence of an NSCDC gender policy, the gender desk officers of the NPF from the Force headquarters had some knowledge of the existence and provisions of the VAPPA and the gender policy of the NPF. On the other hand, the desk officers of the NPF from the FCT Command in Kubuwa and Gwagwalada Districts had no knowledge of these laws.

The situation gets worse where experienced police officers in the FCT who are not gender desk officers do not know the fact that wife battery is a criminal offence and prohibited under any law. The officers of NAPITIP were however knowledgeable on the provisions of the VAPPA and other laws.

On enforcement of the laws, officers of the NPF and NSCDC still rely on and utilise the Penal/ Criminal code as the principal law on VAW while the NAPITIP officers prefer to reference and utilize the VAPPA as a more contemporary and comprehensive principal law on VAWG. They claim that the Penal/Criminal Codes provisions accommodate more offences, and they are more comfortable using the Penal/Criminal Codes. National Human Rights Commission (NHRC) uses both national, regional, and international Laws to make recommendations to its Council.

The NHRC's Council has quasi-judicial powers, meaning that decisions/ Terms of Settlement reached by the Council are binding and are registered with the High Court. However, the capacity to enforce these laws by all the agencies is limited due to lack of funds and adequate shelters.

While all the enforcement agencies investigate reported cases at the initial stages, further investigations and prosecution are stalled by due to family or political pressures.



..to the best of my knowledge as a Gender Desk Officer, there has been no specialised VAWG training beyond the normal police force training received

Police respondent in Kubuwa District, FCT Command

The NPF and NSCDC at the FCT Command, including Gender Desk officers, have not attended any specialized trainings on VAWG as their colleagues at the headquarters. There is no structure in place to step down the skills acquired during the trainings for the benefit of others in the agencies.

According to a Police respondent in Kubuwa District, FCT Command, “to the best of my knowledge as a Gender Desk Officer, there has been no specialised VAWG training beyond the normal police force training received. However, that has not prevented us from treating and attending to GBV cases in our division. Similar situation is reported in the NSCDC.

A respondent from the Corps in the FCT command, “there has been no FCT Gender trainings for the officers in the Command's Unit except for personal efforts of the Officers to seek trainings.” In NAPITIP, although personnel have undergone some basic trainings, none of the trainings is on VAWG.

The poor capacity building in the agencies hinder effective promotion of survivor-centered policing in the FCT. As noted by a police respondent, “when women report the cases, we will invite the husband. While the man is with us and we notice that the man is a very violent person, we will direct the woman to go home and get prepared.

We will then ask the man what he wants, either to terminate or continue with the marriage. His response will determine whether we will report the case to FIDA, who will take further actions.” This is harmful because it does not it neither secures the woman from violence nor punish the husband for violence against the woman.



Institutional Responses and Practices

In the Police and NSCDC, the most common referral method is walk-ins by the victims to report violent acts. NAPTIP receives both referrals and walk-ins. At the Police stations, NSCDC and NAPTIP, there are no VAWG response kits/materials that guide on how to collect information, evidence, and conduct interviews. However, NAPTIP is currently developing such guidelines and materials.

At the Police stations, there are no separate filing and storage system for the VAWG cases apart from the usual crime diaries/case files. There are also no registers for registering the VAWG cases and so there has been no compilation and publishing of the data of the victims and perpetrators of VAW cases reported at the division.



At the Police stations, there are no separate filing and storage system for the VAWG cases apart from the usual crime diaries/case files. There are also no registers for registering the VAWG cases

There are also no female cells. In NSDCD, information received from survivor and perpetrator are collated, filed and stored in confidential files in the Gender Unit. Also, reports are often collated and forwarded to the Headquarters for compilation of annual reports. These reports consist of information such as age, sex, occupation, location, etc. NAPTIP records are also collated, filed and stored but are not disaggregated.

In the NPF, officers in the gender unit are mainly females with few males. The police interviewers at the Gender Desk are however usually same sex with the victims/survivors. This allows the victims to be comfortable enough to give their statements. In the NPF, mediation and counselling sessions are usually provided by the officers themselves, while they make referrals for medical services.

Where the victim is a minor, the statement of the parents is recorded as that of the complainant. There are no separate cells and bathroom for females but most times the Police leave the women behind the counter and put the men in cells. There are no survivor centred promotional materials around the police stations. For the NPF, the commands can receive reports for rape cases but are not allowed to handle them.

Police officer narrates the usual first response to victims as such:

When victims/survivors come to the Police station they are received first at the front desk. Upon filling of complaint form, when it is discovered that it is a matter of VAWG, the victims are then directed to the Gender Desk Unit of the Division where they are attended to by female Police Officers who take them to a secluded part of the station, try to make them comfortable enough to respond to questions about their experiences. If there is need to do a quick physical check on the victims, it is also done in a secluded part of the station, away from other eyes and then where medical attention is seen to be needed, the victims are taken to the hospital for professional medical help and check-ups - Police Officer, Kubuwa District.

In the NSCDC, most of the officers in the gender unit are mainly females with few males. When a survivor walks into report, they first document his/her details along with her complaint and immediately take her to the NSCDC clinic where she is given first aid treatment. Contact is made with family members who can serve as a support system for the survivor.

During the interviews, the survivors are separated from the perpetrators. However, there is no specific room in the command allocated as safe rooms and waiting spaces for the perpetrators and survivors separately. Minors are interviewed in the presence of their parents or guardians. There is no separate cell or bathroom for females but there are survivor centred promotional materials around the gender desk offices.

While the NSCDC refers most of its serious cases of SGB to NAPTIP, they try to mediate on minor cases. In the NSCDC, in addition to mediation and counselling sessions, medical services and first aid treatments are also offered to victims. In handling the survivors whenever they make a report at the station, the officer taking down the statement of the survivor employs the strategy of “believing” the story/report of the survivor to make the survivor feel safe to give her report.

CSOs also provide some survivor-centred services aimed at preventing, mitigating, and responding to cases of VAWG. The services include legal aide to survivors, monitoring the prosecuting agencies and the cases in court, providing safe spaces/shelter for survivors, and conducting mediation sessions.

Other services rendered include organising of seminars, sensitization programmes for survivors, students, medical practitioners and law enforcement agents, execution of projects focused on survivors, collaborations, and partnerships with other organisations and institutions, working on the establishment of gender departments in schools and counselling of survivors. The media also provide such services as the dissemination of information about violence against women through jingles and talk shows, avoiding victim blaming during presentation of special reports on VAWG, naming and shaming of perpetrators of VAWG on air.

Collaborations between State and Non-State Actors

The NPF, NSCDC and NAPTIP have a cordial working relationship among them. The NHRC partners with the Police and NAPTIP but not with the NSCDC as it is not aware of NSCDC's mandate on VAWG. These collaborations are on various operations and logistic issues, programmes, trainings, conferences, and policy issues. For instance, there was a recent training session by NAPTIP for the Police. There have been collaborations between NAPTIP and NHRC in cases of quick responses and enforcement support. There are also collaborations with the Women Affairs Ministries, and International Organisations etc.



An example was given where Police denied a rape survivor access to medical check-up at a free clinic. The CSO loaned some money to the survivor who did not have the resources to pay for medical check-up to go to another. It was mentioned that the Police also engage or encourage VAWG.

Most of the CSOs have a cordial relation with the Police Gender Unit and NAPTIP for prosecutions and referral services. CSOs and the media work majorly with the Nigeria Police Force, National Agency for the Prohibition of Trafficking in Persons (NAPTIP), National Human Rights Commission (NHRC). On rare occasions, the Legal Aid is also engaged. It was discovered that the CSOs do not engage the NSCDC in VAW cases as some of the CSO representatives believe it is not part of their statutory mandate to handle such cases while those who are aware of the existence of an NSCDC Gender Desk do not think they are active or functioning. These government agencies also make referrals to CSOs to provide private shelters and survivor centred services due to limited resources from government.

In sharing their experiences with the law enforcement agencies particularly the Police, CSOs revealed that there is the lack of empathy on the part of the Police, which is the first responders to VAWG towards the victims and their ordeals. This results in the Police not having a sense of urgency towards the next line of action to take which usually entails taking the survivor for proper medical check-up/ arresting the perpetrator. An example was given where Police denied a rape survivor access to medical check-up at a free clinic.

The CSO loaned some money to the survivor who did not have the resources to pay for medical check-up to go to another. It was mentioned that the Police also engage or encourage VAWG.

There is mistrust between the public and the Police when it comes to investigations or the use of a Police-approved hospital for medical check-ups.

The story of a woman who was detained by a police officer and while in detention, was raped by two criminals on the order of the female arresting officer.

There is mistrust between the public and the Police when it comes to investigations or the use of a Police-approved hospital for medical check-ups. It was also revealed that CSOs would rather report and work with NAP TIP on VAWG cases such as rape rather than with the Police while some CSOs attested to engaging with the Police and receiving adequate response and services based on the type of rapport developed with the Police over time.

There is also some form of collaboration between the law enforcement agencies and the community/religious/traditional leaders on VAWG cases. For instance, the Traditional Ruler in Jahi community has been proactive in protecting the rights of women and supportive with programmes aimed at training and providing first responders in the community. Some other religious leaders however claim not to have any such collaboration with law enforcement agents.



Challenges to Justice

Several challenges exist, which hinder the promotion of survivor-centred policing in combating VAWG. First, is the low level of funding for security and law enforcement agencies by government. This is also complicated by undue political and traditional institution's interference in the prosecution of VAWG cases.

There is also the challenge of lack of support and cooperation of the survivors in the investigation of the cases due to family pressure. According to the police,

1

Often, cases reported to the Police do not end up being prosecuted because of the type of relationship between the perpetrator and the victim. Since most of these cases are between marital and intimate partners, and families re involved, it is the victim who reported the case that ends up withdrawing it to prevent her perpetrator from being prosecuted by the Courts. Sometimes, it is because of pressure and threats from family members and fear of losing the marriage.

Another challenge is culture and religion. First, most cultures allow “traditional authorities to handle these cases first before the law enforcement agencies intervene.” (Pastor, Gwagwalada). This initial step is usually stretched and sometimes promoted as the only action permitted as family members frown against reporting a man to the Police. Islam also forbids it, necessitating Muslim women to avoid reporting their spouses to the Police. As one respondent stated,

2

My culture forbids me from reporting my husband to the Police authority as any such act by me would be tagged as me not being serious about marriage and lead to the eventual dissolving of my marriage.... I believe the Police do not fully help the victims like me because after the initial report, there is usually no follow up. For example, I have a neighbour who is going through the same experience, the woman reported to the Police but is still experiencing violence at the hand of her husband. Also, my religion does not permit me to report my husband and expose my marital problems to the Police. Wife battery survivor.

Recommendations

Based on the findings of the study, the following recommendations are made

Development of a Standard Operating Procedure (SOP)

There is need for Standard Operating Procedures/ Guidelines for treating VAWG cases as there is currently none for law enforcement agencies. An SOP is a standard step by step instructions for the application of survivor centered VAWG intervention is crucial among law enforcement agencies. For instance, the SOP will include steps to follow in receiving victims and survivors, evidence collection & gathering, etc.

Having a standard operating procedure ensures for uniformity in how VAWG cases are treated as opposed to any agency or organisation handling it as it feels or wishes. Instead of waiting on the government, funders can engage with CSOs to develop these Guidelines which can be presented to the law enforcement agencies for adoption/implementation. At the end of it all, the Standard Operating Procedures/Guidelines can become a Policy. Provisions should also be made for the monitoring of these law enforcement agencies and their operations when it comes to VAWG cases.



Capacity Building

There is also need to engage officers of the gender unit on specific sections of the VAPP Act such as protection Order, framing of VAWG Charges, proof of VAWG offences, satisfying the ingredients of VAWG cases such as rape etc. Constant training and retraining would help in reinforcing capacity for established and emerging acts of VAWG. The Officers suggested training programs on Gender and Security, Raising Awareness within the Unit on VAWG specific laws, and specialized trainings on forensics and improved access to justice.

Since some of the security personnel engage in various acts of VAWG in their personal lives which reflects in their handling of such cases, there is need for VAWG trainings separate from the basic training in these agencies. Also ensuring that there are enough VAWG trained female security personnel at the gender desk units of these law enforcement agencies will help to enable survivors feel safe enough to report and narrate their ordeals. Law enforcement agencies should also employ the services of well-trained psychologists at their various gender desk units.



Advocacy and sensitization

Constant sensitization and advocacy on the existing laws and policies are necessary. Certain provisions of the VAPPA on the duties of the police officers/law enforcement agents towards survivors and the use of protection orders to protect and empower survivors are unknown to both survivors and law enforcement agencies. Sensitisation also helps to create a positive change against drivers of VAW and build gender equality and cultures of non-violence. This is necessary because it will help in changing social norms and expectations regarding behaviour within the reference group.



Publicizing the change achieved and catalyzing and enforcing the new norm through sanctions and rewards is also important. The media also needs to be sensitized to focus on following the stories around the sanctions, consequences, and punishments that perpetrators should or do face when a crime related to violence against women is committed. The Media should also partner with CSOs to disseminate vital information about VAWG to the grassroots. This is particularly in reference to gender policies which have been launched at the national level but is yet to trickle down to the state and local level. Example is the Nigeria Police Force Gender Policy, which Police Officers at the local division level are unaware of.

Amendment of relevant legislation to become survivor centered:

While the aim of the VAPP Act 2015 is to prevent and reduce the prevalence of VAWG, some of its provisions are not survivor-centered to help secure justice for victims. Most other legislation pre-2015 are also not survivor centered and need to be amended. Monitoring of how law enforcement agencies handle VAW is presently absent in the Violence Against Persons (Prohibition) Act (VAPPA). Therefore, the VAPPA should also be amended/updated to allow for such provision.



Access to Quality Services

Access to psychological, psychosocial, medical & legal support, safe accommodation/shelter are essential for survivors of VAWG. While the provisions of comprehensive services alone are not sufficient to end violence against women, they are essential component of all efforts and have the potential to contribute to secondary prevention including reoccurrence of violence.

Offering pro bono services to victims and empowering and rehabilitating victims of violence against women especially women with disabilities will help in lessening the burden for survivors. It is important to have all the services under one roof, preferably at the police stations as seen in Brazil. There is also need to provide adequate resources budgeted specifically for the handling of VAW case. This would enable the law enforcement agencies to properly handle any such reports as received. Most of the time when cases are reported, the Police complain of not having vehicles to go to arrest the perpetrator or even when there is vehicle, they do not have fuel in those vehicles, and they resort to tasking the survivor/ victim for the funds required to do the job. CSOs and donor agencies could help the Police in this aspect by volunteering to provide some of the human and material resources required to act on VAWG cases.



CHAPTER 3

Akwa Ibom:

Varied Experiences Amidst Insufficient Support Services

Solomon Akpanufot

Background and Context

“one of the bad experiences we had with the police was a case we took to them. It was an emergency, and they didn’t treat it as an emergency.” Caseworker Respondent

The research sought to establish current best practices and gaps in survivor-centered policing and response to VAWG in Akwa Ibom State. Primacy was given to establishing the extent to which the state security personnel, especially in the NPF and NSCDC, among other policing agencies, adopt survivor-centered policing approach in managing cases VAWG. It also examined the extent to which the existing institutional structure in urban and rural areas in the state levels engender or endanger swift response of security personnel to cases of VAWG.

The prevailing types of VAWG cases in the state, age brackets of victims, age brackets of perpetrators, number/percentage of cases prosecuted as well as common referral methods were also examined embedded in this study. Researchers also looked at the adequacy or otherwise of extant legislations on survivor-based approaches to VAWG in the state, the level of awareness of the legal and policy frameworks by policing institutions and the extent to which institutional responses are guided by extant frameworks.

The focus was to ascertain the types of institutional support services available to survivors, in terms of healthcare, legal, trauma healing and support, resources available to policing institutions to promote survivor-centered approach to VAWG, attitude of the personnel of policing institutions in following up cases brought before

it and whether institutional methods of investigation are survivor-centered.

Finally, the research looked at the nature of training and capacity building programmes that personnel of policing institutions in Akwa Ibom State receive to promote survivor-centered approaches to combating VAWG and how reforms in institutional, legislative and policy frameworks can enhance their response to VAWG. Another area of concern was the capacity of policing institutions. Attention was given to the nature and type of capacity building programmes and trainings that personnel of the policing institutions are exposed to.

In Akwa Ibom State, cases of VAWG are many and varied, including defilement, rape, spousal battery, abuse and physical injury, as well as disinheritance. VAWG also manifests in child abduction, tenancy, harmful widowhood practices, incest, stalking and forceful ejection.

Defilement and rape account for about 90% of reported and unreported cases. Of the 103 incidents recorded by the NPF in 2020¹⁵, 65 representing 63.1% were defilement, 30 representing 30.1% were rape.

Sodomy, child abduction and trafficking had one incidence each. In 2021, 61.9% of all recorded cases in the state were defilement.

¹⁵ Family Unit. Akwa Ibom State Police Command. Uyo

This was followed by rape, 26.2%. Comparatively, prevalence of VAWG was higher in 2020 (103) than 2021(84) (see Table 2.1).

Efforts to implement VAPP by state and CSO actors are likely to have contributed to the reduction.¹⁶

Table 3.1: Reported Cases ofVAWG NPF: 2020 - 2021

Year	Cases	Frequency	%	Year	Cases	Frequency	%
2020	Defilement	65	63.1	2021	Defilement	52	61.9
2020	Rape	31	30.1	2021	Rape	22	26.2
2020	Incest	4	3.9	2021	Incest/Defilement	4	4.8
2020	Sodomy	1	1.0	2021	Incest	1	1.2
2020	Child Stealing	1	1.0	2021	Incest/Rape	2	2.4
2020	Child Trafficking	1	1.0	2021	Domestic Violence	1	1.2
	Total	103	100	2021	Sodomy	1	1.2
				2021	Indecent Assault	1	1.2
					Total	84	100

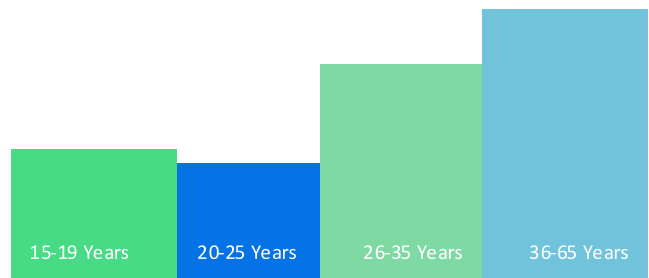
Source: Compiled with Data from Family Unit, Akwa Ibom State Police Command, Uyo¹⁷

The age brackets of perpetrators show that adult men within the ages of 36 and 65 years have the highest degree of involvement in VAWG in the state. This is followed by those within the age brackets of 26 and 35 years (see Fig. 2.1). Data indicate that spousal battery ranks highest, followed by rape. Comparatively, there is a significant reduction in rate of occurrence for both cases between 2020-2021 and 2022.

VAWG anchored by the State Gender Based Violence Management Committee, increased collaboration among stakeholders (especially NPF, CSOs, FIDA, traditional rulers, state VAWG response Department and State Gender Based Violence Management Committee) are helping to reduce incidences across the state. The government went further to translate the VAPP Law 2020 into four major dialects in the state to ease comprehension.

From the interviews with personnel of policing agencies and other stakeholders, the full implementation of the state VAPP Laws 2020 resulting in the creation of state VAWG response Department in the State Ministry of Justice with appointment of the immediate past president of FIDA as head, the state-wide campaign against

Fig. 3.1: Age Brackets of Suspects of Defilement(%)



Data indicate that spousal battery ranks highest, followed by rape. Comparatively, there is a significant reduction in rate of occurrence for both cases between 2020-2021 and 2022.



¹⁶ Respondents from FIDA, Ministry of Justice, VAWG Management Committee during KIIs alluded to this point

¹⁷Family Unit at the State Police Headquarters is charged with the mandate of coordinating SGBV related cases across the state

Causative and Sustaining Factors

During interactions, respondents identified the following as the causative and sustaining factors of VAWG in Akwa Ibom State:

Socio-Economic Nature and Character of the Society



The point being made is that men beat women to maintain their status of patriarchs, especially in situations where men cannot provide for the family economically.

The disempowerment of women

The patriarchal nature of the society in the state enables and sustains violence against women and girls. The economic disempowerment of women and the failure of most men to perform their responsibilities, such as providing for the family, result in crisis that lead to domestic violence, mostly against women and girls. The point being made is that men beat women to maintain their status of patriarchs, especially in situations where men cannot provide for the family economically.

The disempowerment of women is exacerbated by traditional practices of disinheritance in which women are not allowed to inherit any estate of their deceased parent. Some women who did not give birth to a male child are also pushed out of their husbands' properties after the death of the husbands.

Also, in-laws put unnecessary pressure on women who have delays in childbearing. In most instances, the husband will be coerced by his family to look elsewhere to have a child. As a result, the husband in partnership with his kinsmen will start treating the wife harshly and sometimes violently.

Compromise by Survivors' and Fear of Stigmatization

The refusal or inability of the survivors to pursue the cases due to actual restrictions poses a challenge to the prosecution of cases and securing of judgement against suspects/culprits.

Most survivors of VAWG do not report the cases to the police and many of those who report do not actually follow up the cases. The refusal or inability of the survivors to pursue the cases due to actual restrictions poses a challenge to the prosecution of cases and securing of judgement against suspects/culprits. As a respondent noted, “if the victim says she won't continue with the case, you will go to court and fail. Some families do not want such cases to be in public domain for fear of stigmatization.

Thus, some of these cases are settled secretly between the families of victims and culprits. A lot of girls will not want to be called survivors of rape for fear of stigmatization by the society. Hence, they don't speak out.” The deliberate refusal or inability of victims to report cases to policing agencies is a sustaining factor of VAWG in the Akwa Ibom State.

Complicity and Poor Attitude by Policing Agencies

the greatest challenge to the fight against VAWG is complicity by some security agencies who release offenders without charging them to court

The greatest challenge to combating the menace of VAWG in the state is the negative attitude of the police. This was corroborated by respondent who noted that the greatest challenge to the fight against VAWG is complicity by some security agencies who release offenders without charging them to court, as well as compromise by survivors and their families who go behind to collect money from the perpetrators of the crime and settle out of court.

For instance, a case of defilement of a seven-year-old child was reported to the police but it was treated with levity. According to the respondent, “one of the bad experiences we had with the police was a case we took to them. It was an emergency, and they didn't treat it as an emergency. We came there (the police station) around pass eleven. By the time they attended to us, it was already pass three. We kept waiting until we had to take the child for medical attention since we couldn't get speedy attention from the police”.¹⁸

Another respondent from FIDA also stated that the police in the state normally see cases of VAWG as family issue. “They normally see cases of VAWG as family issue which is always very wrong. They will be asking those involved to go and settle at home that it's a family issue. They only take it seriously if we insist that VAWG is a crime and that they should not treat it as a family issue. If a man assaults his wife, police don't see it as a crime. It's a family matter”.¹⁹

¹⁸ Interaction with respondents during FGD Session in Uyo.

¹⁹ A respondent from FIDA during FGD Session in Uyo.

Poor Funding, Inadequate Training of Personnel and Lack of Mobility for Policing Agencies

there are no separate interview spaces for survivors as they give testimony in the public waiting area. There are few police officers with specialised training on VAWG such as trauma healing.

During KIIs with the police personnel, it was stated that some divisions would want to transfer cases relating to VAWG to the State Criminal Investigation Department (SCID) but are unable to do so due to lack of mobility. In most instances, these divisions do not have the vehicle to bring the victims to Uyo and the victim cannot provide means of transportation. Where such happens, “the case will linger and fail”. Police personnel are not well trained to handle issues relating to VAWG.

Many of them still handle issues like spousal battery and other forms of domestic violence as family (and not criminal) matters. This is despite the law criminalizing domestic violence. Some do not know the rudiments of survivor-centered policing and as such, do not apply its principles in the discharge of their duties. For instance, there are no separate interview spaces for survivors as they give testimony in the public waiting area. There are few police officers with specialised training on VAWG such as trauma healing.



Frameworks for Promoting Survivor-Centered Policing

In Akwa Ibom State, the Frameworks for promoting survivor-centered policing in the management of VAWG can be broadly categorized into legal, institutional and policy frameworks

Legal Frameworks

Following the adoption of the Declaration on the Elimination of Violence Against Women by the United Nations General Assembly in 1993, which Nigeria is a signatory to, there has been the development and adoption of other legal frameworks at the international level to combat VAWG.

These include the African Charter on Human and Peoples Rights and its Protocol on the Rights of Women, Beijing Declaration and Platform for Action, and the ECOWAS Protocol on Good Governance and Democracy, Others include, Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), and United Nations Security Council Resolution 1325 on Women, Peace and Security.

In Nigeria, there has also been the development and adoption of laws and conventions at the national and sub-national levels to combat VAWG. Examples include:

1
Child Rights Act (CRA) 2003 which expands the horizons of human rights enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended)

2
Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

3
Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power

4
The Violence against Persons (Prohibition) Act (VAPP) 2015

5
The Constitution of the Federal Republic of Nigeria 1999 (as amended)

The laws and conventions not only give impetus to fundamental human rights as provided for in the United Nations Universal Declaration of Human Rights and enshrined in Chapter IV of the Constitution of the Federal Republic of Nigeria 1999 (as amended), they also guarantee the rights of victims and witnesses of VAWG, including the right to be protected from contact with the alleged offender at court, right to be protected from harassment, and the right to claim expenses incurred in process of giving evidence.

In Akwa Ibom State, the Violence Against Persons (Prohibition) Law, 2020 (VAPP), was enacted with a view to eliminating all forms of violence and discrimination against persons, protect victims

of violence and punish offenders. Offences covered in the VAPP include rape; abandonment of women, children, and other persons; domestic violence; emotional, verbal and psychological abuse; harmful traditional practice; forced isolation from family and friends; harassment, and incest. Others include spousal battery; stalking; substance attack; inflicting physical injury on a person; coercion, willfully placing a person in fear of physical injury, and indecent exposure.

For instance, Part 1 (1) of the VAPP Law provides that a person commits the offence of rape if:

- He or she intentionally penetrates the vagina, anus or mouth of another person with any part of his or her body or anything else.
- The other person does not consent to the penetration; or
- The consent is obtained by force or means of threat or intimidation of any kind or fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or additive capable of taking away the will of such person or in the case of a married person by impersonating his or her spouse.

Assessment of the law indicates that the offences are not gender specific. This notwithstanding, women and girls, more than men and boys, have fallen victims to most of the enumerated offences. Therefore, if the Law is effectively implemented, the menace of violence against women and girls in the state will be reduced drastically.

One key factor that may reduce the perpetration of the offences enumerated in the VAPP Law is accurate and comparable data on violence from across the 31 LGAs in the state. Evidence-based data will strengthen partnership between the police and key stakeholders, support advocacy efforts, help policy makers understand the dynamics of the problem and guide the design of interventions towards mitigating VAWG.

In Akwa Ibom State, the legislation mostly in use to institutionalize survivor-based approaches to VAWG is the State VAPP Laws 2020. The Child Rights Law is also in use, but it is pertinent to note that VAPP Law is increasingly taking the center stage as most respondents from FIDA, CSOs forum and State Ministry of Justice and indeed the police stated that they prefer prosecuting gender related cases using the VAPP law due to stiffer penalty entrenched therewith.

Findings across divisions in the 31 LGAs of the state shows that officers posted to man such organizational homes at divisional levels lack knowledge of these legislations. About 80% of JWC desk officers do not know about the existence of such legislations.²⁰ Worse still, those who are aware of the legislations lack knowledge of their contents. Though the degree of awareness as well as capacity to enforce is high at the state police headquarters, this cannot be said of the divisions and police formations across the state.

Institutional Frameworks

The institutional frameworks for combating VAWG in Akwa Ibom State include the NPF, NSCDC, Ministry of Justice, Ministry of Women Affairs, Sexual Assault Referral Center (SARC), and the State VAWG Management Committee, established by the VAPP. Responses from the field indicate that cases of VAWG are first reported to the police at the counter.

All Police officers interviewed submitted that they receive victims courteously, treat their cases professionally while trying not to be seen or perceived to re-victimize the victims. This notwithstanding, most victims of VAWG are not treated in a survivor-centered manner by the policing agencies.

As the lead agency in the management of VAWG cases, at the Divisional level, the NPF has the Juvenile and Women Center (JWC) where complaints are first made. The complaints are

²⁰ Generated from interviews with Heads of the JWCs in Akwa Ibom State.

transferred to the Family Support Unit (FSI) of the State Police Command, which liaises with the VAWG Department of the State Ministry of Justice to prosecute the case.

If the case was first reported at VAWG Department of the Ministry of Justice or any of the offices of the State VAWG Management Committee, police officers attached to those institutions will investigate to establish prima facie evidence, proceed for medical test, arrest the suspect and liaise with other relevant authorities to prosecute the matter. The prosecution of cases is hindered by a number of factors, especially the unwillingness of the victims to continue with the case and the lack of mobility by the policing agencies to attend court sessions.

Non-governmental institutions in the state that also work on VAWG-related areas include International Federation of Women Lawyers (FIDA) and other CSOs. Particularly, the state VAWG Management Committee is deepening a revolutionary-like campaign against VAWG in the state. With the effort of the Committee and other stakeholders, the State Government enacted the State's Violence Against Persons (Prohibition) Laws 2020, which was gazetted on 18th June, 2020.

Support services currently available to survivors of VAWG in the state are quite insufficient. This is worse if the cases are first reported to the police. There is only one medical facility to give any form of medical assistance in the entire State

Police Command, which is located at the State Police Headquarters, Ikot Akpan Abia. However, while Officers attached to FSU at the State Police Headquarters are trained on trauma counselling and support in managing victims brought before them, their counterparts at the JWC units across various divisions and police formations are not. However, the extent of the application of the knowledge acquired is not evident.

To a large extent, support services could be accessed by victims who chose to report straight to FIDA, VAWG Department of the Ministry of Justice or the State VAWG Management Committee instead of going to the police station. These institutions have lawyers, medical doctors, trauma counsellors and other relevant professionals attached to them.

They are also better improvised and supported by the state government. Beyond counselling, medical and legal assistance, the State VAWG Management Committee has built special homes for victims in Eket and Ikot Ekpene respectively. For security reasons, access to the special homes are highly restricted only to those that live and work there. However, field evidences indicate that some victims of rape who ended up pregnant are well accommodated and fed by the government until they are mentally and physically prepared to go back home to continue their normal life.

Beyond counselling, medical and legal assistance, the State VAWG Management Committee has built special homes for victims in Eket and Ikot Ekpene respectively.



Key/Major Findings

- Noticeable cases of VAWG in Akwa Ibom State are defilement, rape, and incest. Among these, defilement, and rape rank high.
- In Akwa Ibom State, the legislation mostly in use to institutionalize Survivor-based approaches to VAWG is the State VAPP Law 2020. The Child Rights Law is also in use but VAPP Law is increasingly taking the center stage. VAPP provides stiffer penalties than any other law previously used in prosecuting cases of VAWG. In Part 1 Section (2) of the VAPP Laws 2020, a person convicted of rape is “liable to imprisonment for life except where the offender is less than 16 years of age, the offender is liable to maximum of 14 years' imprisonment”. With the implementation of VAPP, the VAWG management Committee working in partnership with CSOs, the police, the media, traditional ruler's council, religious leaders and other stakeholders are deepening advocacy and consultation as well as influencing traditional institutions to take tough stance against incidence of VAWG.
- The state is increasingly strengthening its capacity to reduce all forms of violence and discrimination against persons, protect victims of violence and punish offenders. The Akwa Ibom State Gender Based Violence Management Committee has strong presence across the state. To a large extent, the committee has mobilised critical stakeholders (media, religious leaders, CSOs, women groups, youth groups, traditional rulers, NPE, NSCDC etc) to be part of its advocacy and sensitization against gender-based violence. Recently, the state SARC, established by Heartland Alliance in partnership with the Committee, was commissioned to cater for victims of rape. The SARC is well equipped with state-of-the-art facilities to provide both medical and forensic services to rape victims. The SARC offers free services and is open to everyone.
- The police at the State Police Command, Ikot Akpan Abia, especially those posted to the family support unit (FSU) are conversant with both VAPP Law and The Child Rights Acts. Officers at the FSU have been trained, mentored and supported on these legislations by the state VAWG management Committee. Their daily approach to survivor-centered policing is also based on these legislations. However, findings across divisions across the 31 LGAs shows that officers posted to man such organizational homes at divisional levels lack knowledge of these legislations.
- The police at the State Police Command, Ikot Akpan Abia, especially those posted to the family support unit (FSU) are conversant with both VAPP Law and The Child Rights Acts. Officers at the FSU have been trained, mentored and supported on these legislations by the state VAWG management Committee. Their daily approach to survivor-centered policing is also based on these legislations. However, findings across divisions across the 31 LGAs shows that officers posted to man such organizational homes at divisional levels lack knowledge of these legislations.
- Support services currently available to survivors of VAWG in the state are quite insufficient. This is worse if the victim goes straight to the police to lay complains. There is only one medical facility to give any form of medical assistance in the entire state police command. This facility is situated only at the State Police Headquarters, Ikot Akpan Abia. There are no additional support services provided either by the State Government or CSOs.
- While officers attached to FSU at state police headquarters are trained on trauma counselling and support and are doing quite well in this area while dealing with victims brought before them, this could not be said about their counterparts at the JWC units across various divisions and police formations.
- Again, support services could be significantly accessed by victims who chose to report straight to FIDA, VAWG Department of the ministry of Justice or the State VAWG Management Committee instead of going to the police station. These institutions have lawyers, medical doctors, trauma counsellors and other relevant professionals attached to them. They are also better improvised and supported by the state government.

Recommendations

Based on the findings of the study, the following recommendations are made

The state commissioner of police ensures that Juvenile Welfare Centres (JWCs) are established and supported to function optimally across all divisions and police formations in the state. Staff posted to JWCs should be trained to become professional trauma counsellors. This category of officers should also be retained in their position for a long time before they can be transferred to other sections. When this is done, institutional memory will be preserved and while the impact of the training received will permeate the system. Where intra-state or inter-state transfer becomes inevitable, the affected officers should be posted to man similar portfolio in their new locations. Survivors of rape or sexual violation should be supported by the police to receive adequate medical attention, counselling, and other support services. Entrenching survivor-centered norms and behaviour requires proactive as against reactive policing.

Survivors of rape or sexual violation should be supported by the police to receive adequate medical attention, counselling and other support services. The medical unit of the police should be supported to organize medical outreach and other sensitization activities, in communities as part of its Corporate Social Responsibility (CSR) to encourage survivors to seek medical care and conduct VAWG prevention activities. Relevant units of the police can unite to carry out town hall meetings, public sensitisation and enlightenment campaigns on the dangers of VAWG and how the victim could reach out to the police for support. The police need to deepen proactive as against reactive policing in the state.

To deepen implementation, VAPP, synergy and collaboration among critical stakeholders is key. The VAWG management Committee must establish strong partnership with CSOs, the police, NSCDC, the media, traditional ruler's council, religious leaders and other stakeholders carry out advocacy and sensitization on the content/context of the Laws and implications for perpetrators of VAWG.

The state VAWG management Committee must be institutionalized to remain functional beyond the present governor of the state. There may be need for the governor's wife to relinquish her position as chairperson at some points and appoint a competent civil servant from the state ministry of justice to perform that role while she can outside from the outside as a matron or member of the board of directors.



CHAPTER 4

Benue:

Fostering Dependency, Male Supremacy and Female Subordination

Elizabeth Jeiyol

1 Case study; Rural Area Police Personnel.

“The police often employ adequate measures within the confines of the law to handle cases of VAWG.”

A male police officer in a rural outskirts of Makurdi said handling cases of sexual and gender-based violence is part of his responsibilities in his rural setting; especially with the prevalence of cases such as rape, elopement, human trafficking, wife battery and physical assault – with wife battery being the commonest of all the sexual violence crimes in his community. In all these, only human trafficking cases are mostly reported and resolved by the police with the victims and survivors reunited with their families – while most of the suspects arrested have cases; with families settling out of court.

According to him, there is no available data for rape – and that police respond to cases of rape by hospital referrals before cases are investigated as he is not aware of any legislative or policy framework on sexual and gender-based violence even as police personnel. He also revealed that in order to provide support to victims or survivors of gender-based violence, the police liaise with the local CSOs to handle cases of VAWG.

Background and Context

The scope and trend of VAWG in Benue State mirror the incidence and prevalence in the larger Nigerian state. The 2018 National Demographic and Health Survey (NDHS) showed that in Nigeria, 31% of women between the ages of 15 and 49, have experienced physical violence, and 9% have experienced sexual violence.

The NDHS further indicated that 36% of every married women have experienced spousal physical, sexual, or emotional violence. Out of this number, more than 55% who have experienced physical or sexual violence have never sought help to stop the violence. Only 32% have sought help.

This is approximately the same percentage (31%) with 2013.²¹ Between 2013 and 2019, the population of married women seeking help for VAWG only increased by 1%.

The NDHS indicated that Benue State is among the top 10 states with the highest cases of VAWG in the country involving women between the ages of 15 and 49. In Benue, VAWG manifest in various forms and dimensions, including wife battery, physical assault, spousal rape, domestic violence, workplace sexual harassment and abuse, and recently school-related sexual abuse.

²¹ <https://www.dhsprogram.com/pubs/pdf/FR359/FR359.pdf>

Emerging evidences have however, indicated new dimensions of the phenomenon to include emotional and mental torture as well as several forms of domestic violence against women and girls, especially since the outbreak of the COVID-19 pandemic.²²

In whatever forms VAWG manifests, there is unanimity among respondents that the phenomenon has negative impact on women, girls and the larger society. Evidences from the field indicate that domestic violence has significant

impact on women in the family, especially in female-headed households and among people with disabilities.

The challenge, however, is that victims and survivors of VAWG do not have adequate access to legal, emotional, health and psychosocial support,²³ due largely to the absence of capacity and enabling policy and legal frameworks for policing institutions to effectively respond to the challenge. Both the women and responders have no knowledge on how to seek redress for survivors of VAWG.

2 Case study; Rape Survivor

“My rape case has made me lose interest in the beauty of life. I now have resentment and feel very inadequate.”

She was raped by a young man in her village – when she was sent on an errand to the boy's house only to discover that no one was around except the boy. The boy had been demanding sex from her for over a year and on this fateful day, he raped her. She didn't immediately identify herself as a victim of sexual violence until she opened up to her sister who lived in the city but was home for the yuletide season. The case was reported to the local police station – but it wasn't easy for her to process the publicity that came with the case in the village. Growing up with the belief that a woman who's raped finds it difficult to get married, she was afraid. She was scared of being seen in public. She missed church and missed school for days until her teacher reported her truancy to her parents.

At the police station, she was directed to the Gender Desk where she was given a form to fill, expressing the incidents of abuse. Her parents were asked to pay for a case file by the police gender desk officer – who also suggested that she stayed in a safe place. The boy was arrested, but the case was settled between the families – without her knowing the full details of the settlement between her parents and the boy's parents.

She doesn't know that the police and other law enforcement agencies have laws that protect victims or survivors of sexual violence. From a personal point of view, she said even though the police treated her well during the case, she was not fully satisfied with the handling of the case – as the male police officers didn't see rape as a serious offence except the female officer who was the Gender Desk Officer. She also said that many girls in the village would find it difficult to open up on abuse because of several cultural practices silencing women and girls.

²¹ <https://www.dhsprogram.com/pubs/pdf/FR359/FR359.pdf>

²² https://nigeria.un.org/sites/default/files/2020-05/Gender%20Based%20Violence%20in%20Nigeria%20During%20COVID%2019%20Crisis_The%20Shadow%20Pandemic.pdf

²³ CEWHIN unpublished Baseline Evaluation Report

Causative and Sustaining Factors

One of the major causes of VAWG in the state is conflict and displacement. Escalating conflict, especially between nomadic herders and sedentary farmers in the state has resulted in increased cases of VAWG, especially among individuals in Internally Displaced Persons (IDPs) camps where abuse and exploitation of women have severally been reported.

The conflicts cause women and girls to lose their livelihoods and limit their access to and ownership of productive resources, thereby making them susceptible to violence. For instance, female-headed households affected by the conflict face increased risks of VAWG, such as rape by attackers.

The 2019 United Nations High Commission for Refugees (UNHCR)'s comprehensive assessment of the refugee situation in Benue State, highlighted the impact of conflict and displacement on women and girls, noting that girls living in settlements and camps are regularly attacked and raped by boys from the ethnic groups in conflict.

Similarly, other studies found that conflict in the Benue belt due to contestations over access to and ownership of land and water resources drive inequality and gender discrimination that deny women productive resources, resulting in their exposure and vulnerability to VAWG.²⁴

Beside conflict, the perpetuation of VAWG in Benue State is sustained by cultural and traditional practices as well as family structures and role relationship that reflect group orientation, which foster dependency, male supremacy and female subordination, in a hierarchical, patriarchal and patrilineal social structure.

These societal practices and norms include male preference and freedom of men to discipline their wives, consideration of women as inheritable properties of men and the disposition that women are second class citizens.²⁵ Cross-cultural studies have also shown that gender norms influence gender roles, as well as access and control over resources and participation of women in society, including Benue State.²⁶

For instance, in Guma and Makurdi Local Government Areas (LGAs) of the state, domestic violence is a common practice that have been accepted by men as normal, necessary to keep women under control.

Thus, the context of VAWG in Benue State is not different from the patriarchal dynamics of social power structures common in the Nigerian and African societies. However, the trend has been exacerbated by recurrent farmer-herder conflict that has been prevalent across the North-Central region of Nigeria, including Benue State.

in Guma and Makurdi Local Government Areas (LGAs) of the state, domestic violence is a common practice that have been accepted by men as normal, necessary to keep women under control.



²⁴<https://www.ijmsspcs.com/index.php/IJMSSPCS/article/view/272/301>

²⁵<https://doi.org/10.11564/24-3-301>; <http://dx.doi.org/10.1136/injuryprevention-2018-safety.273>

²⁶<https://www.humanitarianresponse.info/en/operations/nigeria/document/care-gender-gbv-assessments-borno-january-2018>

Frameworks for Promoting Survivor-Centered Policing

In Benue State, the Frameworks for promoting survivor-centered policing in the management of VAWG can be broadly categorized into institutional, policy and legal frameworks.

Institutional Framework

There are two main categories of institutions for the management of VAWG in the state. The first category are the state institutions, which are divided into Federal and Benue State institutions. The federal institutions in the state include the State Commands of the NPF and the NSCDC, Human Rights Commission, and the National Agency for the Prohibition of Trafficking in Persons (NAPTIP). State institutions include the Benue State Ministry of Women Affairs and Social Development (MWASD), Benue State Ministry of Justice, Benue State Volunteer Guard, and the Benue State Gender Based Emergency Response Committee.

Interactions with respondents indicated that the NPF and NSCDC have Gender Desks in all the Command and Zonal offices as well as in the 23 LGAs to enable effective response to VAWG-related issues. The Gender Desk Officers, mostly women, are trained to respond to general human rights issues and cases that are related to VAWG as well as violence against children and persons. While officers in the urban centres receive training on general human rights and VAWG-related issues, those in the semi-urban and rural areas do not.

The trainings, usually provided by non-governmental organizations (NGOs) rather the policing institutions, reveal a lack of commitment from the NPF and NSCDC authorities on VAWG issues. While there is a growing awareness among the populace on the role and responsibilities of the police and other security agencies in addressing VAWG-related issues, interactions from the field indicate that such awareness are created more by CSOs than the security agencies. For instance, there are no evidences of deliberate efforts either by the NPF or the NSCDC in Benue State to organise awareness and sensitization campaigns on their roles and responsibilities the promoting survivor-centered policing.

The second category are the non-state institutions, which comprise a wide range of actors that include traditional and religious leaders, community vigilante and neighbourhood watch groups, as well as the civil society community, especially the Benue State Chapters of Federation of Muslim Women Association of Nigeria (FOMWAN) and Women Wing of the Christian Association of Nigeria (WOWICAN).

These state and non-state institutions notwithstanding, promoting survivor-centered policing as a strategy in managing cases of VAWG in the state has remained difficult due to several factors.

First, the conservative nature of traditional and patriarchal society in Benue State binds women and girls to remain silent on VAWG cases for fear

the conservative nature of traditional and patriarchal society in Benue State binds women and girls to remain silent on VAWG cases for of stigmatization and further victimization



of stigmatization and further victimization, shadowing many cases and preventing the police to prosecute perpetrators.

Also, interference by families and traditional authorities have forced survivors to withdraw their cases from security agencies. On the other hand, the security agencies, especially the NPF and NSCDC, are not designed by the laws establishing them, to promote survivor-centered policing in dealing with VAWG cases. For instance, the agencies work at cross purposes with both survivors and other institutions in the community, especially the community vigilante and neighbourhood watch groups in the management of cases of VAWG.

While state institutions seek to secure justice for victims of VAWG through formal legal institutions, community vigilante groups employ traditional means of resolving the issues, which in all cases do not take the rights of the victims, especially females, into consideration. The second factor is that personnel of the security agencies at all levels do have adequate knowledge of the laws on VAWG. The consequence of this has been the manifestation of heavy-handed actions by security agencies against survivors, resulting in the abandonment of cases and the inability of survivors to access and secure justice.

Img Source: <https://womensmediacenter.com/women-under-siege/addressing-surging-gendered-violence-in-locked-down-nigeria>



3 Case study; Female FBO Aid Worker

“Responses to VAWG cases are not adequate and this discourages survivors from reporting cases.”

A female FBO aid worker who works with a local Muslim organization for women and girls revealed that the most prevalent cases of VAWG in the Muslim communities are defilement of minors and rape; and the major reason for this prevalence is lack of parental care. Like most respondents on the subject matter, she does not have access to data to ascertain the number of VAWG cases within the Muslim communities. She however stated that when cases of VAWG are reported to the police, the perpetrators are arrested but released without trial – as the police collects money from the perpetrators.

According to her, sometimes parents of survivors collect monies from perpetrators and withdraw cases against the offenders since there is no strong support system at the community level to prevent such situations. Furthermore, she revealed that she is aware that the VAPP law covers for most frameworks on VAWG but more needs to be done in terms of survivor-centered response to VAWG by law enforcement agencies, as well as a total reorientation of social and religious customs towards VAWG in Muslim communities.

The third factor is the inability of the institutional frameworks to deal with structural inequalities in the state that predispose women and girls to VAWG. Central to the issue of institutional frameworks for promoting VAWG survivor-centered policing is the emphasis on women's formal and informal access to justice within the infrastructure of justice as offered by the police, the judiciary, and the traditional

institutions to address structural inequalities that act as barriers to justice. The consequence is the perpetuation of socio-cultural beliefs and practices that are validated by patriarchy. As a result of these institutional deficits, existing policy frameworks against VAWG have been mostly ineffective across board due to gender discriminatory practices.

4 Case study; A CSO Executive in Urban Makurdi.

“The police should ensure quick administration of justice for survivors of VAWG.”

A female CSO executive in Makurdi metropolis stated that she collaborates with law enforcement agencies to handle cases of sexual and gender-based violence. In one of the cases, a teenage girl was raped by her guardian and the matter was reported to the police. However, community members claimed that they had already settled the case amicably; which made the police to abandon the case. “It's not been very smooth or easy working with the police over cases of VAWG,” she said.

She advised that the police should always respond rapidly to cases of VAWG when reported to them and stop insisting on payments before hearing cases so as not to discourage them. Surprisingly, she stated that she wasn't aware of policies or programmes that have been put in place by the police to tackle VAWG except the police gender desk which is trying in some regard.

The World Bank states that decreasing violence against women and girls requires a community-based, multi-pronged approach, and sustained engagement with multiple stakeholders.²⁷ In Nigeria, managing VAWG at community level has proven to be herculean especially with security agencies such as the police and local vigilantes dealing with VAWG – which manifests in heavy-handed actions by security agencies, case abandonment and sociocultural beliefs and practices that are validated by patriarchy. As a result of these institutional deficits, existing policy frameworks against VAWG has been mostly ineffective

across board due to gender discriminatory practices. In Benue State, cross-cutting gender equality laws, policies and programmes (legal and social protection) at the national level such as the Child's Right Act (2009), VAPP Act (2015), National Gender Policy (2006 revised 2013), and the NPF Gender Policy (2010) have been domesticated in Benue State to respond, prevent and mitigate VAWG and address child protection issues – especially survivor-centered response and policing.

Legal Framework

Whilst the Federal Government of Nigeria has ratified multiple international laws and conventions to address the historical discrimination and marginalization of women and girls, including VAWG, there have been limited implementation and domestication of these laws at other tiers of government. These include the Child's Rights Act of 2003, Violence Against Persons Prohibition Act (VAPP) of 2015, and the Penal Code. All these laws apply in Benue State, among other national and state legal frameworks.

The Child's Right Act



The Act stipulates the dignity of the child, noting that a child is entitled to respect for the dignity of his person and no child shall be subjected to physical, mental, or emotional injury, abuse, torture, inhuman or degrading treatment, servitude, slavery, while in care of a parent or institution.”

The Child's Right Act was adopted in Nigeria in 2003 to domesticate the Convention on the Rights of the Child. The Act expands the rights bestowed to citizens, especially children as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended). In Benue State, the Child's Right Act was adopted and enacted by the Benue State House of Assembly on November 18, 2008 “as a law to provide and protect the rights of the child in the state and for the purposes connected therewith.”

The Act defines a child as anyone below the age of 18 and clearly provides for the broad rights and responsibilities of the child, including protection and welfare, duties and responsibilities of government institutions, among other issues. It also guarantees the rights of all children in Nigeria to a broad extent and majorly prohibits child marriages and marriages to members of an adoptive family.

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Most importantly, the law prohibits sexual intercourse with a child in any manner. It also prohibits discriminatory, harmful and exploitative practices against children. As a modern law, the Child Rights Act adequately provides for and addresses major gaps in and around sexual and gender-based violence as it pertains to children and caters for the gaps prominent in old laws as the Penal Code.

²⁷<https://www.worldbank.org/en/topic/socialsustainability/brief/violence-against-women-and-girls>

The Violence Against Persons (Prohibition) Act, 2015



The VAPP is the only legislation that criminalizes almost every form of sexual and gender-based violence and provides for compensation for victims by offenders. It is also the first federal law that prohibits FGM

The Violence Against Persons (Prohibition) Act was enacted on May 25, 2015. The Act criminalizes acts, which are harmful and discriminatorily against women, including female circumcision or Female Genital Mutilation (FGM), forceful ejection from their home, and harmful widowhood practices. In addition, the law broadens the narrow definition of rape as contained in Criminal and Penal codes.

The VAPP is the only legislation that criminalizes almost every form of sexual and gender-based violence and provides for compensation for victims by offenders. It is also the first federal law that prohibits FGM. Specifically, the Act criminalizes VAWG, including rape, spousal battery, forceful ejection of women from home, economic abuse of women, harmful widowhood and traditional practices, abandonment of children, harmful substance attack such as acid baths, political violence, forceful isolation and separation from family and friends, deprivation of personal liberty, incest, indecent exposure and violence by individuals and state actors, among others. The Act redefines rape to protect both male and female and stipulates punishment for rape as life imprisonment or 20 years' or 12 years' imprisonment depending on the degree of penetration and part of the body.

However, in promoting survivor-centered policing, the Act is limited in several respects. For instance, the Act does not separate and specify legislations that protect women and girls, especially given that women and girls more commonly suffer gender-based violence compared to men. It also does not provide recognition and protection for specific categories of persons, i.e., it does not include “gender-neutral and gender-specific provisions to reflect the specific experiences and needs of female complainants/survivors of VAWG, while allowing the prosecution of violence against men and boys.”

Finally, the Act does not capture new trends of VAWG such as online sexual abuse/harassment, and the use of online platforms for sexual crimes such as cyber stalking, bullying, threatening of victims, and other such offences prevalent in virtual spaces.

The Penal Code

The VAPP is the only legislation that criminalizes almost every form of sexual and gender-based violence and provides for compensation for victims by offenders. It is also the first federal law that prohibits FGM

The Nigeria Penal Code is a law that is applicable in Northern Nigeria. The Penal Code became operational in Benue State on February 3, 1976. The Penal Code grounded in tradition, customs and belief systems common in Northern Nigeria, which are characterized by patriarchal norms. It defines rape as sexual intercourse with a woman in any of the following circumstances:

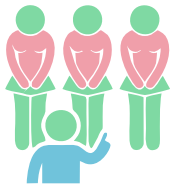
- 1 Against her will
- 2 Without her consent
- 3 With her consent, when her consent has been obtained by putting her in fear of death or hurt;
- 4 With her consent, when the man knows that he is not her husband and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married;
- 5 With or without her consent, when she is under fourteen years of age or of unsound mind.

As an antiquated law rooted in the old patriarchal norms of Northern Nigeria, the Penal Code has so many gaps that legalize and enable sexual and gender-based violence against women. For instance, on the correction of a child, pupil, servant or wife, the law states that nothing is an offence, which does not amount to the infliction of grievous hurt upon any person, and which is done: by a husband for the purpose of correcting his wife such husband and wife being subject to any native law or custom in which such correction is recognized as lawful.

The Penal Code also wrongly disregards spousal rape and categorizes women as property of the man. It also does not address broad forms of gender-based violence that encompasses cultural, legal, economic, and political factors.

Key Findings and Implications for Policy

Top 10 state with the highest cases of VAWG



Respondents also stated that human trafficking for sexual exploitation, early and forced child marriages and child abuse are increasingly becoming rampant in the state.

Since 2018, Benue State has been among the top 10 states with the highest cases of VAWG involving women between the ages of 15 and 49 in Nigeria. VAWG in the state manifest in various dimensions, including wife battery, and physical assault, rape especially defilement of minors, and marriage by abduction. However, evidences from field discussions indicated that new dimensions of the phenomenon to include emotional and mental torture as well as other forms of domestic violence against women and girls, especially since the outbreak of the COVID-19 pandemic.

VAWG manifests in varying degrees, including domestic violence, workplace sexual harassment and abuse, and recently school-related sexual abuse, within complexities of conflict. Respondents also stated that human trafficking for sexual exploitation, early and forced child marriages and child abuse are increasingly becoming rampant in the state.

Rape Incidents



the low record of rape incidents in rural areas is due to hegemonic traditional culture of silence created in women and girls.

Rape cases occurred in urban areas while domestic abuse, human trafficking for sexual exploitation and marriage by abduction are predominant in rural areas.

According to some respondents, the low record of rape incidents in rural areas is due to hegemonic traditional culture of silence created in women and girls, thus, strongly discouraging women and girls from reporting out of fear of stigmatization, shame and loss of dignity in their communities.

The impact of Conflict on VAWG

escalating conflict between nomadic herders and sedentary farmers, has resulted in increased sexual and gender-based violence in camps and shelters, among individuals in Internally Displaced Persons (IDPs) camps

Some of the major causes of VAWG in the state include conflict and displacement in the state, especially escalating conflict between nomadic herders and sedentary farmers, which has resulted in increased sexual and gender-based violence in camps and shelters, among individuals in Internally Displaced Persons (IDPs) camps where abuse and exploitation of women have been on the increase.

Conflict has also created many female-headed households, which face increased risks of VAWG such as rape by attackers.

Law enforcement and security agencies collaborate with CSOs



The NPF and NSCDC also collaborate with NAPTIP and CSOs who have safe spaces to refer survivors for psychosocial support and trauma counseling.

Law enforcement and security agencies collaborate with CSOs for appropriate assistance to survivors regarding health and trauma healing, safe spaces, legal and psychosocial supports. For instance, The NPF and NSCDC also collaborate with NAPTIP and CSOs who have safe spaces to refer survivors for psychosocial support and trauma counseling.

Apart from meeting and exchange with the CSOs, they also refer survivors to the CSOs and implement joint advocacy activities. Survivors who consent are advised on legal procedures. Divisional Police Offices located in semi-urban areas refer rape cases to the State Command immediately after the initial documentation. Survivors of VAWG are sometimes referred to State Command depending on the magnitude of injuries sustained.

In addition, complicated rape cases at the State Command are investigated by the Criminal Investigation Department (CID) for follow up assessment. At the Benue State Police Command Headquarters, cases are reported to the Commissioner of Police, who then directs it to the Gender Desk Officer for investigation

Legal frameworks to support Policing



general awareness of international, regional and national VAWG legal frameworks among law enforcement agencies, including knowledge on general human rights is low in the state.

Legal frameworks domesticated in Benue State to support the promotion of Survivor-Centred Policing in addressing VAWG include Panel Code, Child Rights Act, and Violence Against Persons Prohibition Act. Both the Benue State Commands of NPF and NSCDC confirmed availability of the Police and Civil Defense National Gender Policies.

However, general awareness of international, regional and national VAWG legal frameworks among law enforcement agencies, including knowledge on general human rights is low in the state. This is largely due to the technical nature of the frameworks. The low level of awareness among personnel is also informed by the fact all personnel are not exposed to the frameworks.

Respondents informed that only female officers and others deployed to the gender desk unit or department have access to gender and VAWG relevant legal laws.

Low Enforcement of legislations on VAWG



Gender Department or Desk Units are created mostly in the urban centres of the NPF and NSCDC.

Enforcement of legislations on VAWG is low in Benue State. Arrests and persecution of perpetrators of VAWG in the state are based on the available legal frameworks. This is due to the highly technical nature of the frameworks, and limited knowledge resulting from inadequate training and awareness of the existing frameworks.

Fundamentally, enforcement of legislations by security agencies vary between the female and male officers, and between urban and rural settings. In Benue State, Gender Department or Desk Units are created mostly in the urban centres of the NPF and NSCDC. Capacity building and training on handling VAWG issues and law enforcement, are only extended to officers deployed to units in the urban centres.

This is not the case with offices in semi-urban and rural areas. The implication of this is that officers in these locations rely on general human rights trainings and the Benue State Penal Code in particular, in the management of cases of VAWG.

Impact of inherent conservative nature

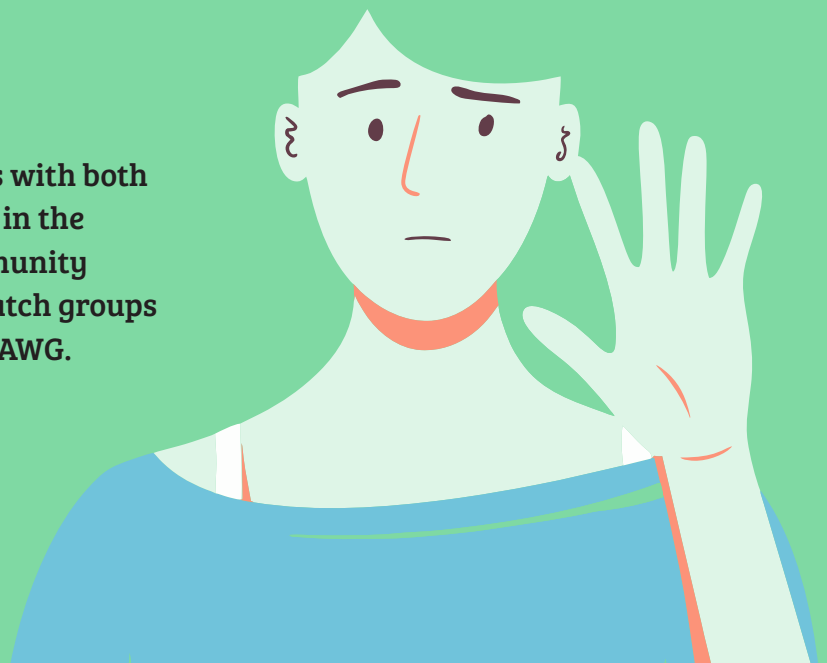
interferences by families and traditional authorities have forced survivors to withdraw their cases from security agencies.

The conservative nature of traditional and patriarchal society in Benue State binds women and girls to remain silent on VAWG cases for of stigmatization and further victimization, shadowing many cases and preventing the police to prosecute perpetrators.

For instance, interferences by families and traditional authorities have forced survivors to withdraw their cases from security agencies. But more problematic is the fact that the security agencies, especially the NPF and NSCDC, are not designed by the laws establishing them, to promote survivor-centered policing in dealing with VAWG cases.

For instance, the agencies work at cross purposes with both survivors and other institutions in the community, especially the community vigilante and neighbourhood watch groups in the management of cases of VAWG.

Agencies work at cross purposes with both survivors and other institutions in the community, especially the community vigilante and neighbourhood watch groups in the management of cases of VAWG.



Recommendations

Based on the findings, the following recommendations are proffered:



CSOs should strengthen partnership and collaboration with law enforcement officials and the judiciary; to create awareness of existing laws to protect and support women seeking redress.



Donor agencies and development partners in partnership with security agencies and CSOs should develop and implement a robust and coordinated Capacity Building Program for security agencies, especially the NPF, and also mobilize human and financial resources for effective GBV service delivery by the police and other security agencies.



The Benue State Government in collaboration with development partners and CSOs should intensify efforts in VAWG prevention programming targeting community actors, including local leaders, chiefs, and opinion makers to address social structures and belief systems that increase prevalence in communities across the state.



The State Commands of the NPF and NSCDC should design a uniform referral pathway for Benue State, and also work with available sexual assault referral mechanisms to ensure survivors have access to their services.



The Benue State Government in collaboration with CSOs should identify and address social norms that perpetuate GBV incidence and inequality in access and control over resources and humanitarian services for women and girls, men and boys - through strategic messaging and awareness campaigns, especially in rural and under-served communities; and also strengthen community-based mechanisms for GBV prevention and response in Benue State

CHAPTER 5

Borno:

A Culture of Male Supremacy and Women Subordination

Patricia Donli

Background and Context

"I remember a victim complained to me that a police man requested for money (NGN 2000) for filing case. It's high time we let the police know that we know their mandate/ policies and our rights. If the case is taken to civil defence the NSCDC don't have the mandate on VAWG but the police has. These demands are very annoying to parents and discourage many from reporting. There is lack of professionalism on the handling of VAWG cases presently. For example, once VAWG case is confirmed in the hospital, the case is normally handed over to the police who are the ones to take the statement of the case. At times the police refuse to release the results say it will be released only in the court and sometimes this is how the case will end being compromised and without any conclusions. There is need for capacity building for the police to do better. Much need to be done to strengthen the capacity of the law enforcement agencies on handling issues of VAWG and this department should be headed and handled by a female professional." CSO Respondent

Borno State is one of the most conservative societies in Nigeria, having been a centre for Islamic knowledge. It is also a highly patriarchal society, a culture of male supremacy and women's subordination that sets the parameters for women's structurally unequal position in families and society, fuelling gender inequality which is the root cause of VAWG.

Violence against women and girls is highly prevalent and pervasive, exacerbated in northern Nigeria by the protracted conflicts such as the Boko Haram crisis in Northeast Nigeria, the banditry in North West and the farmer-herder conflict in North Central Nigeria.

These include rape, FGM, early/marriage, forced marriage and forced divorce, sexual exploitation and abuse. The COVID 19 pandemic led to serious increase in the level of VAWG that it was referred to as the shadow pandemic. The Nigerian police recorded 717 reported cases of rape between January and May 2020.

This does not account for the number of survivors who chose to stay silent, afraid of the perpetrator(s) and even more terrified of a society where rape culture and victim-blaming is rife.

Types of VAWG in Borno State

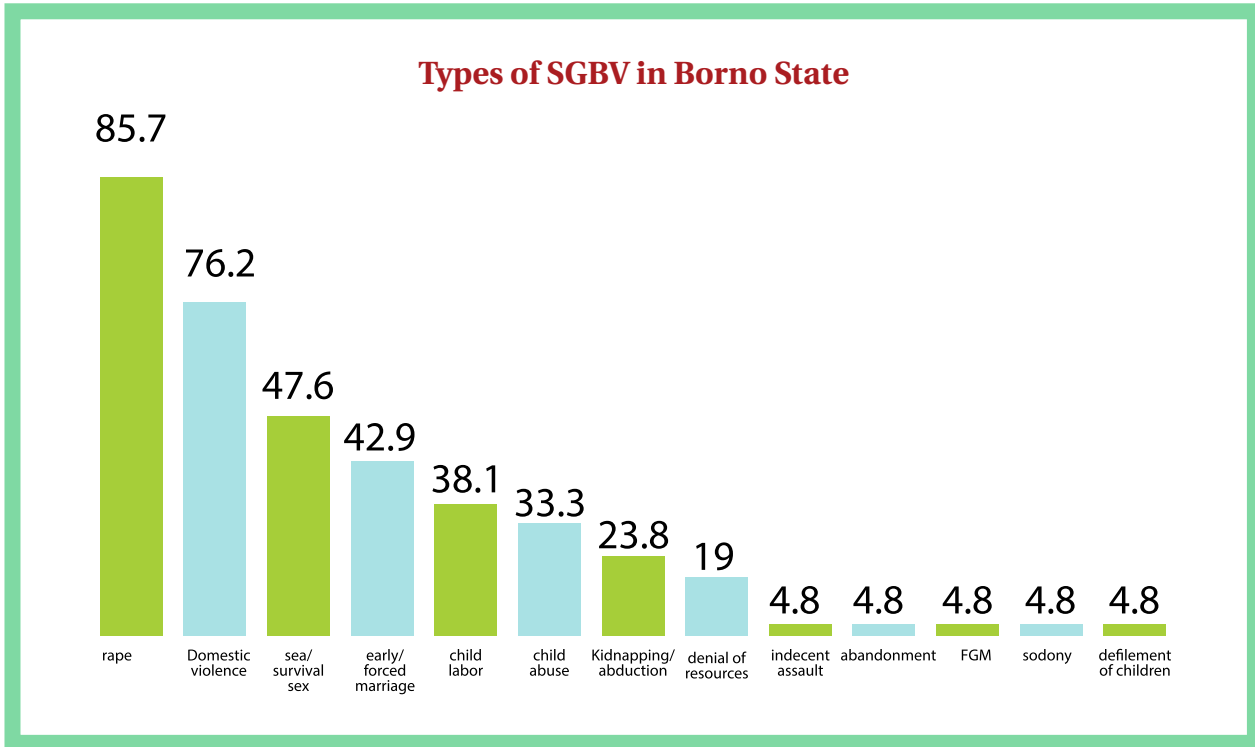
There is very little data on VAWG. NPF was not able to provide any data in time for the publication of this report. But we do have some CSO statements, although these may have limitations.

According to a respondent "there is no any tangible data regarding VAWG in Borno state because some people are still practicing the culture of silence, and it is only just of recent that people started speaking up".

However, the most prevalent VAWG in Borno state is rape according to 85.7% of the KIs; followed by domestic violence/IPV (76.2%);

sexual exploitation and abuse/survival sex (47.6%); early marriage/forced marriage (42.9%); others are child labour (38.1%); Child abuse (33.3%); kidnapping/abduction (23.8%); denial of resources (19%); indecent assault,

abandonment, FGM, sodomy and defilement of children were each cited by 4.8% of the KIs.²⁸ Most of the rapes are perpetrated against children below 18 and some as young as 3 years (see Fig. 4.1).



The location cut across the state especially Maiduguri Metropolitan Council (MMC) where almost all wards were mentioned by the respondents, Jere, Konduga and Mafa LGAs. According to a respondent, it is across the whole state (KI 14).

They are reported from IDP camps, host communities, against women, girls and boys. In terms of the data, different figures were given by different KIs. Many of the respondents from

CSOs confessed that the figures they were giving were estimates as they do not work directly with the police and other law enforcement agencies or people who work directly with them.

For respondents who do know, figures ranged from 12 cases daily – 35 cases daily. One point of agreement, however, is that there is gross under-reporting; cases are quashed at the community level.

²⁸KII with CSOs

Causative and Sustaining Factors

In Borno State, cultural practices such as patriarchy and religion are contributing to VAWG. According to some respondents, “many patriarchal practices where women are being blamed for beating them, like the excuses that they (women) talk too much, or their mouth is too sharp. Superiority of men over women; not providing for wife and if they complain, they can receive beating; Seeking permission from husband before going out, this made women stay at home without working; stigmatization, acceptance of a way of life, threat from perpetrators.

Perpetrators belong to certain class in the society. once the perpetrator offer money to the victims, the cases is then settled outside of court. Currently, in some houses in Borno, there are 'restriction orders' by family heads, which prevents the police from entering where married women are to make any arrests because “the women have not covered their bodies”.

Other cultural practices identified as drivers of VAWG in the state include early and forced marriage, stigmatization, hawking and begging, as well as FGM, child labour and poor parental care and upbringing. A critical analysis of the causes and drivers of VAWG in the state reflect a culture of male supremacy and female subordination.

Gender Based Violence/Violence against women is caused by gender inequality – including unequal power relations between women and men, rigid gender roles, norms and hierarchies, and ascribing women lower status in society (patriarchal norms).

There are two categories of responses from CSOs with regards to how the police and other law enforcement agencies respond to victims of VAWG in the state. In one category are those that think that they do not respond to the survivors in a professional manner or even friendly manner.

The law enforcement agents violate the principles of survivor centred approach, which are confidentiality, safety, respect and non-discriminatory. A survivor recounted:

“They hardly receive us with respect and dignity. They do not give us good service. They know that we are not married so they find ways of spoiling the case for us. They have not received us the way they are supposed to and keep blaming them (victims). They are not treated with respect, or with confidentiality.

No safe spaces and there are discrimination over dressing code according to religious tenets, especially against Christians. They blame survivors for casting aspersions on them as they were the ones that decided to be with the men. They blame the victims and subject them to a lot of derogatory manner of questions such as 'what were you wearing? what took you there? They also make all kinds of demands go and buy files (another way of saying there is no money), no biro to write a statement, and no fuel in the vehicle to go and apprehend the perpetrator.”

On the other hand, is the category of respondents that believe that the police are improving on how they respond to VAWG survivors. According to a CSO respondent:

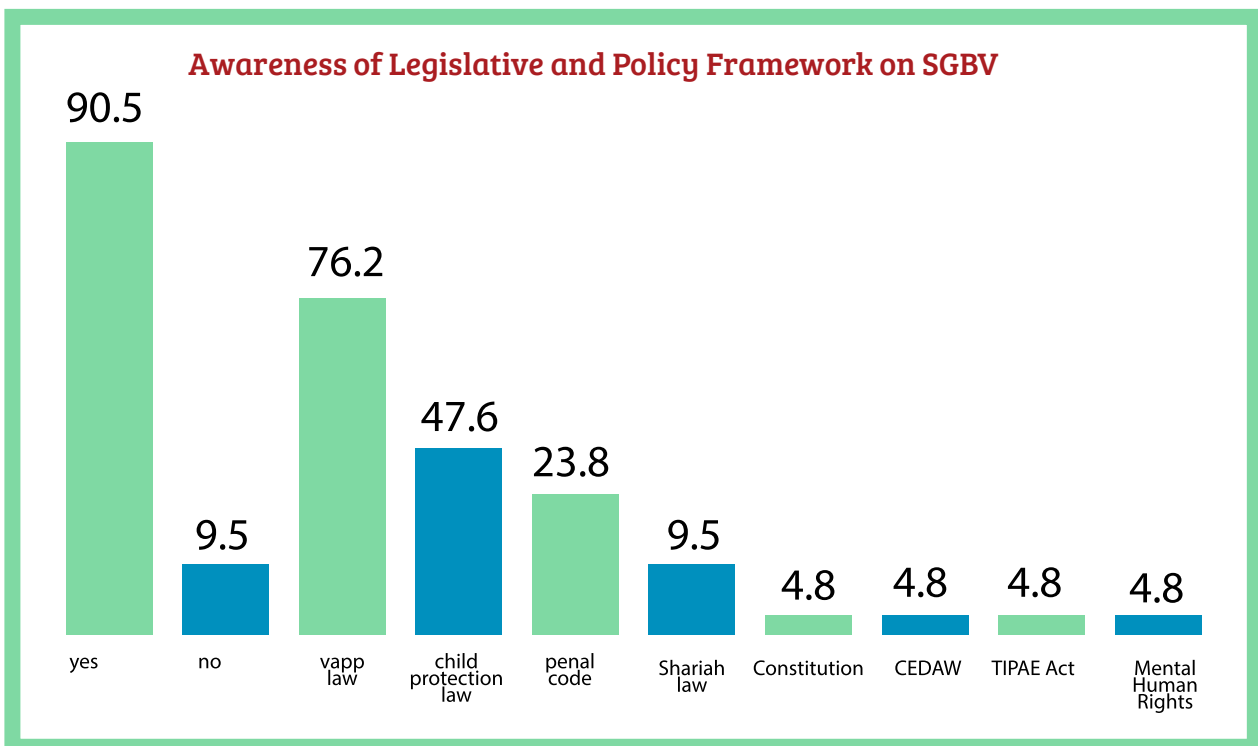
I can see improvement from the police and other law enforcement agencies. Recently there is the gender desk in the Police Headquarters that was facilitated by the British Council who also built the capacity of the Gender Desk Officer on how to receive survivors and gather evidence. Initially before NGOs, the police were reluctant and asked silly questions when victims report VAWG cases to them.

But now, most victims go to the police station with NGOs staff and the police response is better now compared to before; there is great improvement. Now they are welcomed unlike before. With the coming of INGOs to create more awareness and training, the attitude is changing. There is a need to include issues of VAWG in the curriculum of the Police Academy and Staff College – for those being recruited and promotion course respectively.

Discussions and Interpretations of Data on Promoting Survivor-Centred Policing

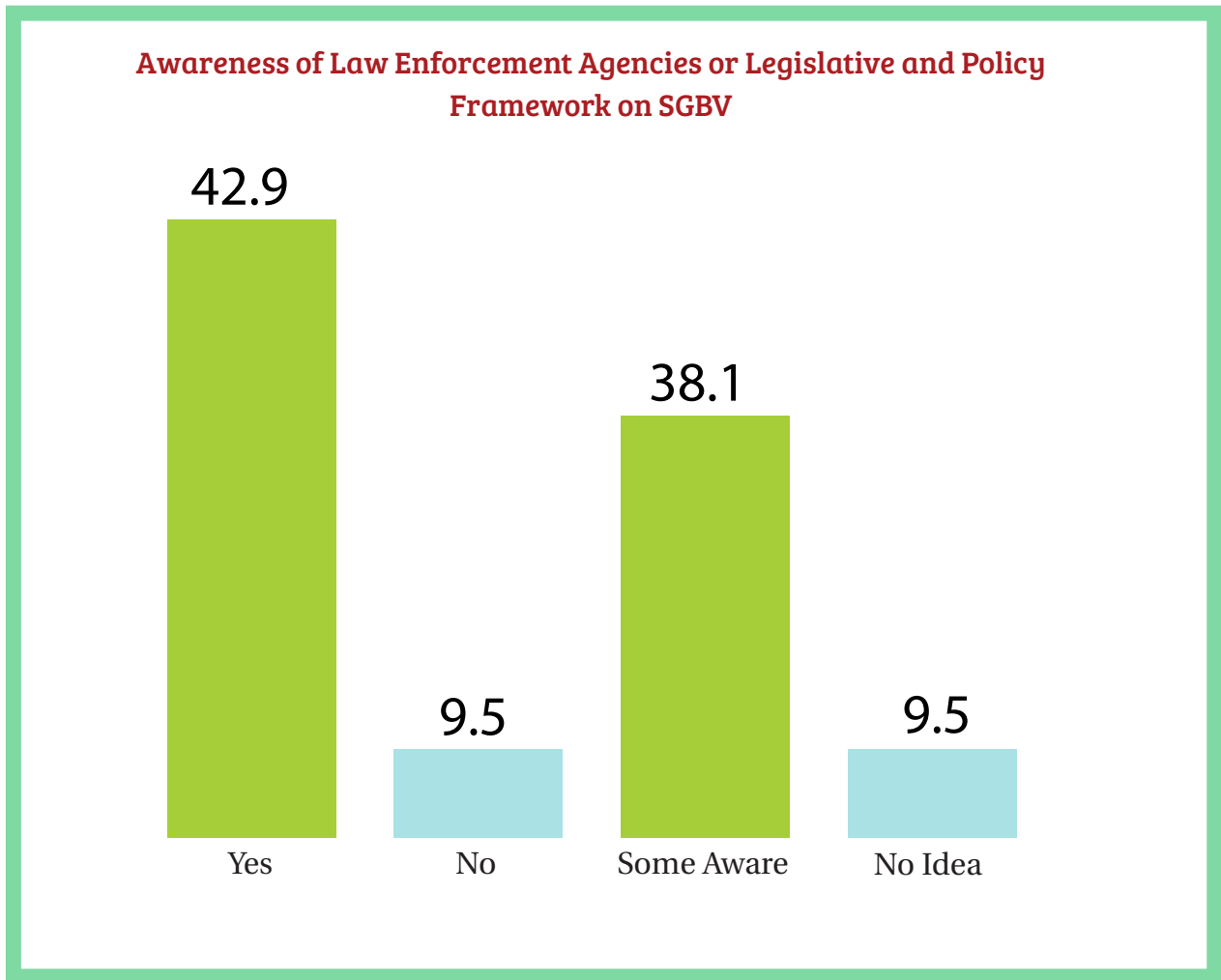
Most of the respondents from CSOs (90.5%) are aware of legislative and policy frameworks on VAWG citing one or more of these frameworks: the most cited is the VAPP Act which was passed into law in January 2022 (76.2%); followed by Child Rights Act (47.6%);

Penal Code (23.8%); Shariah law (9.5%). There were other legislations each cited by 4.8% of the respondents – Constitution, CEDAW, Traffic in Persons' Administration and Enforcement Act 2015 and Fundamental human rights (see Fig. 4.2).



While most of the police respondents are aware of the legislative and policy frameworks for survivor-centred policing of VAWG, the extent of the awareness of the police and other law enforcement agencies of the frameworks are varied. While 42.9% of the respondents were of the view that that they are aware; 38.1% said

some but not all are aware of the legislations. “Yes, but not all the police are aware. I am aware because of all the trainings I have undergone by the INGOs. I was not aware before my appointment as a gender desk officer”. 9.5% were of the view that they are not aware (see Fig. 4.3)



Those who agreed that the law enforcement agencies are aware of the frameworks based their responses on the fact that any law given in the state must be shared with the law enforcement agencies. They also asserted that the law enforcement agencies work together with the State Ministry of Justice and other CSOs who engage in the sensitization of the public on the frameworks.

More importantly, before the passage of every law, it goes through different stages- public hearings; and the police as one of the law enforcement agencies are part of such hearings, making their observations and inputs. Also, they are aware of these frameworks through creation of awareness through jingles supported by both national and international NGOs. There has also been series of trainings and capacity building for the law enforcement agencies in the state on some of these frameworks.

However, there are others who believe that the police and other law enforcement agencies are not aware of the frameworks. Their views were because the source of knowledge and skills were the sensitization and training by international non-governmental organisations (INGOs) and national non-governmental organisations (NNGOs), however, many that have not been exposed to the trainings are not aware.

As one of the respondents, a survivor “they are not aware, because if they know they would not do what they are doing; their attitude would be different”. According to another “Not all. Those that are working in the investigation department are not even aware of the existence of the gender desks unit, talk less of these legislations”.

The extent to which the police and the other law enforcement agencies enforce these frameworks in their response to VAWG cases in the state was a subject of contention among respondents. Majority of the respondents said to a large extent as the police have been working according to the law especially the Penal Code which has been the law that has been in existence for a very long time

in northern Nigeria. According to a respondent:

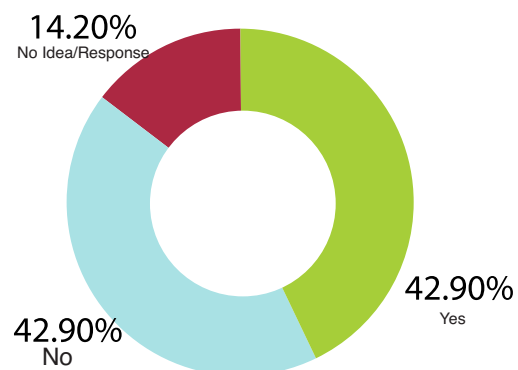
Before the VAPP law, the Penal Code has been there, it's just that there are limitations on VAWG cases. The Penal Code also fuels domestic violence when it says that a husband can beat his wife for the purpose of correcting her and if they are subject to native law or custom but now, we have a new law, the VAPP law which was recently passed in Borno state on the 10th January, 2022. This law is broader as it brought together provisions that were scattered in many legislations and if implemented will go a long way in handling VAWG cases in the state.

However, a key informant from the CSO was of the view that

“though we now have a new law in the state, the challenge is that of implementation. What we need now is fast prosecution, referral to courts so that justice can be obtained for the survivors. Some of the challenges are lack of political will from the government, knowledge and understanding of the law, funding because of the new structures that have to be put in place, lack of capacity and synergy between law enforcement agencies.

On the adequacy or otherwise of the responses by the police and other law enforcement agencies, the responses were split between respondents from the CSOs and survivors who think they are adequate and those that do not (see Fig. 4.4).

Adequacy of Response by the Police and other Law Enforcement Agency



Some of the reasons given for the affirmative response include the following:

1 The police respond promptly and professionally

The police respond promptly and professionally; and especially if the victim is a minor, the police act as parents, not just as police, they feel the pain; “We receive the victims, we interview them, we refer them to the counselling and re-habitation section/department for counselling. After that we reintegrate them back into the society, in some cases we also refer them to other organizations like in services we don't have e.g. medicals and skill acquisitions, though this depends”- respondent from policing agency representative.

This was buttressed by a CSO respondent who had this to say, “the NSCDC provide maximum attention to the survivor but sometimes the victim's family makes the case complicated and the legal system also frustrate one's effort with their lack of cooperation”. The presence of CSOs is changing the attitude of the police and other law enforcement agencies: “When you report rape case to police now, they respond promptly. This may be attributed to presence and follow-up by relevant CSOs that respond to VAWG. But NSCDC lack professionalism on handling VAWG cases because they lack capacities and facilities as well”.

2 Most of NSCDC personnel abuse the victims and blame them for their situation

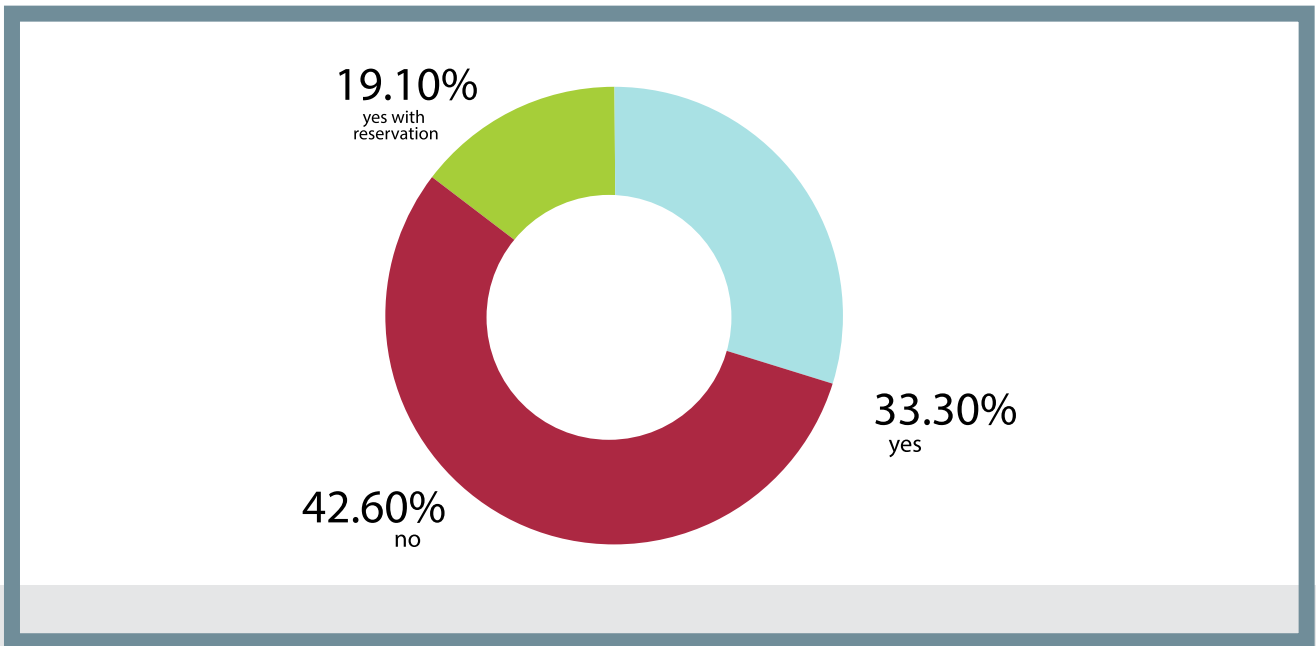
Most of NSCDC personnel abuse the victims and blame them for their situation because they are not familiar with ways of handling such cases; Some believe that it depends on who has the money “inadequate because if a victim has no money, the police will never forward a case that will penalize the perpetrator because they will always collect bribe.

On wife battering the police always advise the wife to go back home and settle because it is a family matter. When it comes to rape especially, the rich ones always go scot free and fault is shifted to the survivors. “The police frighten and abuse them. They shout so that they become frightened and whatever they have (money) they just give the police – they pay for the fuel, paper”- Survivor. “For those that have knowledge they are respectful, but if the IPOs do not have knowledge, they treat the victim anyhow.

Before they were abused, called names but now there is change in attitude, the difference is clear between those who are trained and those who are not trained”. “There is discrimination, lack of respect for safety and discrimination”. “Sometimes the attention given to victim is not sufficient. Sometimes the police are reluctant in the response and they lose vital information that might be used as evidence in the court of law”

Respondents also do not think that responses provided by the police and other law enforcement agencies to victims of VAWG are survivor-centred (Fig. 4.5).

Fig. 5.5: Are Responses provided by Police and other Law Enforcement Agencies Survivor Centred?



Borno government confirms over 4,000 cases of SGBV in seven months

By **Njadvara Musa (Maiduguri)** and **Abdulganiyu Alabi (Kaduna)**

14 December 2021 | 3:05 am



Key Findings and Implications for Policy

1

In Borno State, there several legislative and policy frameworks for survivor-centered policing strategy in dealing with the challenges of VAWG. These include the VAPP Act which was passed into law in January 2022, Child Rights Act, Penal Code, and Sharia law. Others include the Constitution of the Federal Republic of Nigeria, 1999 (as amended), CEDAW, Traffic in Persons' Administration and Enforcement Act 2015 and other laws that enforce fundamental human rights.

2

The responses provided by the police and other law enforcement agencies to victims of VAWG are not all survivor-centered although they may be considered adequate. According to a survivor, “they [police and law enforcement officers] hardly receive us with respect and dignity. They do not give us good service. They know that we are not married so they find ways of spoiling the case for us”. Other respondents accused the police of blaming the victims and subjecting them to a lot of derogatory manner of questions such as “what were you wearing, what took you there?” All these do not in any case help their case. They also argue that “there is lack of professionalism on the handling of VAWG cases presently. There is need for capacity building for them to do better. Much need to be done to strengthen the capacity of the law enforcement agencies on handling issues of VAWG and this department should be headed and handled by a female professional”.

3

Survivors of VWAG are victimized because according to a survivor, “the police need more trainings and seriousness; at times the police are even the perpetrators. They collect money from victims. So they need the necessary equipment and financial support to function.”

4

The capacity of the police and other law enforcement agencies to ensure survivor-centered policing in the state is low. This low capacity is informed by poor level of basic education among police officer and the absence of training and capacity building.

5

The relationship between the police and other law enforcement officers such as NSCDC and NAPTIP, as well as other organisations and local communities that provide support to victims/survivors of VAWG (healthcare, legal advice, trauma counselling) in the state are cordial. For most respondents law enforcement agencies interact with organizations and local communities that provide support to victims/survivors of VAWG, enabling a synergy with Ministries of Justice, Women Affairs and Social Development, Health, Justice, FIDA (working with police and Ministry of Justice providing pro bono legal services), Human Rights Commission, NAPTIP, NSCDC, MCN, IOM (IOM have trained most of our officers in NSCDC, NAPTIP and police on VAWG), UNFPA (provide drugs for clinical management of rapes through the Ministry of Health), GEPaDC, WINN.

6

However, 2 other survivors did not agree that the relationship is not good “because when a person is raped, they don't take them to the hospital for treatment and they don't involve organisations to assist them because they think the organisations will take up the case and they won't be able to get money from the perpetrator. The only legal right they fight for is for the person that is able to tip them”; “the relationship with the healthcare is not that mutual because the police don't regard health care as the first service point.

The relationship should be interlinked between the act and policies that guide both parties. In most of the VAWG cases the police even ask you to withdraw cases and go back to the community to settle them, which makes them deviate from being law enforcers to mediators. They don't provide trauma counseling to survivors”.

7

The public press in Borno State trivializes VAWG. According to respondents, many state and private media outlets “only announce but do not showcase perpetrators because most accused are innocent until proven guilty, until after conviction. They only announce the news without penalizing or bringing the perpetrators to public; no media coverage, publishing, naming and shaming”.



Recommendations

Based on the findings, the following recommendations are proffered:

1 Security and Law Enforcement Agencies

1

To promote and provide Survivor-Centred policing services, the NPF and NSCDC should provide focused trainings for their officers working on VAWG on ways to handle VAWG cases and survivor-centered approach and policing services; gender and gender concepts including VAWG and consequences; human rights.

2

They should also provide adequate facility for work and adequate resources and funding should be allocated to that department for transport and other logistics. Shelter should be provided for survivors in the process of investigation (currently depending on NAPTIP who is the only government agency that have temporary shelter for VAWG victims but can accommodate for only 2 weeks, more shelters are required in the state. Gender Desk Units of the law enforcement agencies should be established in every police division and GDOs (who should be females) should be trained on survivor-centered policing services and also to train other members of staff in their units.

3

Police should motivate their officer by providing regular salaries, allowances and other facilities - photocopying papers, printers, photocopying machines and logistics.

4

Create awareness among citizens of their roles and responsibilities relating to VAWG and seeking to change existing social norms that condone or trivialize violence against women and girls.

2 Communities

1

Given that larger populations are unwilling to address the challenges of VAWG, there is the need for communities to be seen as safe communities for women and children as reporting would make the community lose such reputation. According to respondents, this is the reason for the pervasive nature of the culture of silence. The need to protect family names and stigmatization (which encourages the perpetrators to continue on their evil crime) has led to withdrawal of cases by the victims or their parents.

2

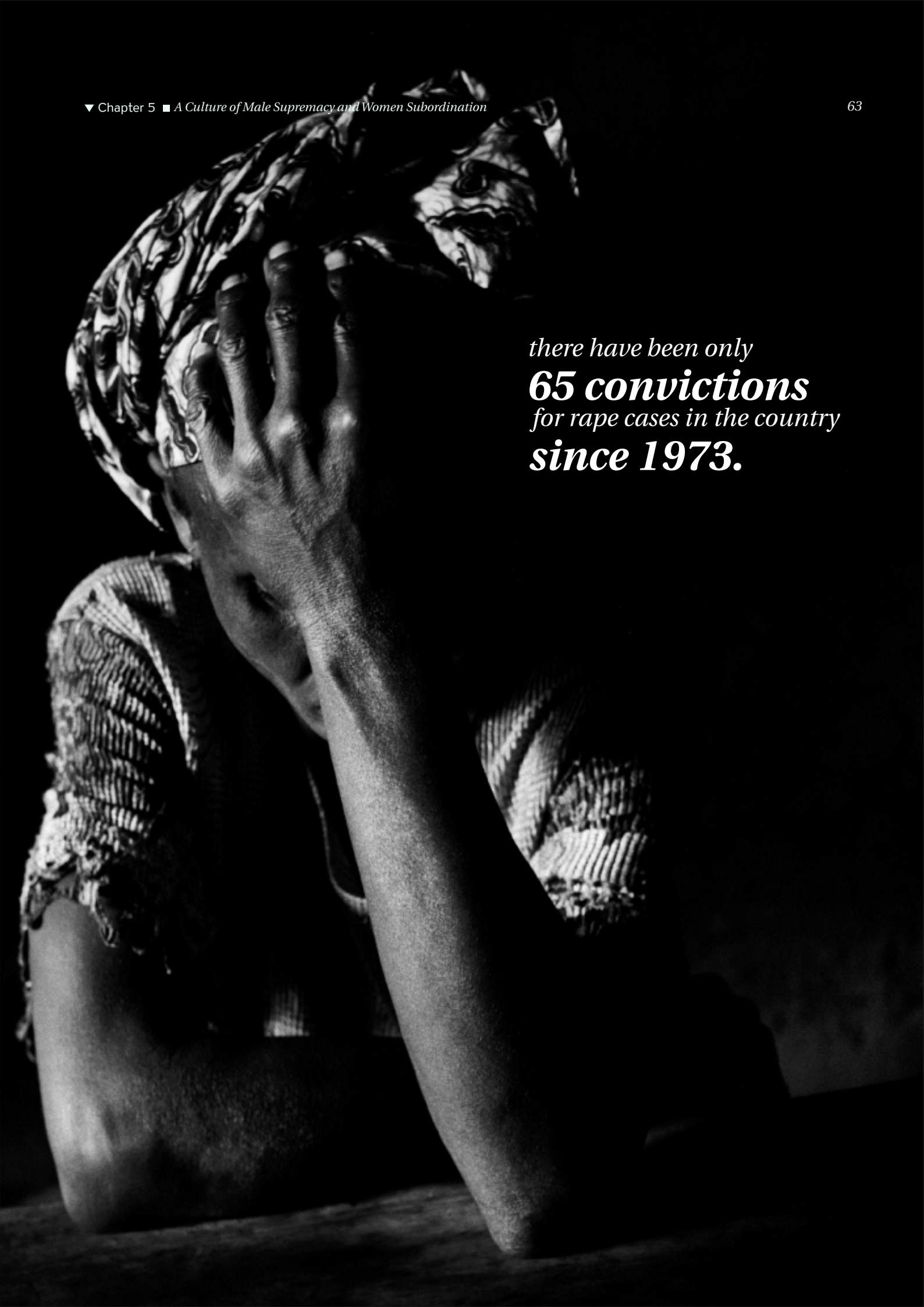
Deal with the threat or financial benefit the victim/family gets from the perpetrator.

3

Conduct campaigns, advocacy and town hall meetings against patriarchy. For instance, the awareness created by NGOs involving the Bulamas/Community leaders who will eventually address the issues of VAWG. should be sustained; and

4

Clergies should warn the society from deviating from the religion and cultures/ norms of the Islam. They should heed to their values, especially Islamic values; sensitization and awareness creation in the community.



there have been only
65 convictions
for rape cases in the country
since 1973.

3 Borno State Government

1

Create awareness on the importance of reporting rape cases; creating multi-level awareness, in schools, out of schools, in the communities, LGAs and multi-stakeholders' awareness; to move from the culture of silence and speak up when such happen; constant awareness on radio on the dangers of VAWG and ending early and forced marriage;

2

Establish community policing and police patrol team and CJTF in the community

3

Amend VAWG-related laws that will ensure that the public press does not trivialize VAWG.



Enugu:

A Commitment to Countering Sexual and Gender-Based Violence

Ndubuisi Isaac

Background and Context

Some of the victims after appearing in court for three to four times will suddenly discontinue from the case. Even when one calls to ask the victim the reason for their absence in court, a common response is “we have handed the matter over to God.”

From the onset, Enugu State has displayed a high intolerance to the issues of abuse of humanity, especially as it regards violence against women and girls. Much earlier after its development, it established the Ministry of Gender Affairs and Social Development to serve as the link between the community and the state in campaigning and addressing the challenges of VAWG.

For instance, in July 2017, the Ministry concluded a six-month training for 55 ad hoc social workers whose mandate was to help emotionally traumatised families regain normalcy in their lives, as well as orphanages and mentally ill persons. The auxiliary social workers were also mandated to help stem the tide of anti-social behaviours including domestic violence such as wife-battery.²⁹

In 2014, Enugu State accepted collaborative partnership with the Department for International Development, which resulted in the creation of Enugu State Tamar Sexual Assault Referral Centre (Tamar SARC). The Tamar SARC was managed by Women's Aid Collective (WACOL), Ministry of Gender Affairs and Social Development and Ministry of Justice for quick stabilization.

The Centre was design to provide medical treatments to survivors of VAWG, specifically to

rape, defilement victims and other forms of domestic violence. It was also meant to provide accommodation to survivors as well as rehabilitate (psychotherapy) and reintegrate of survivors through trauma counselling and legal advice.

Enugu State also adopted the Violence Against Persons (Prohibition) Law in April 2019 to address the pitfalls found in Criminal Codes, which were adjudged not to be comprehensive in addressing VAWG cases. The state has also domesticated the VAPP Act (2015). This has given room to the establishment and operations of institutional frameworks that aim at combating VAWG in the state.

Additionally, the State Police Command has been structured to address cases of VAWG. At the State level, the Gender Desk Unit was created in line with the Federal Government directive and at the Divisional levels, the Juvenile and Welfare Centre (JWC) was created to address gender-based related cases, as well as ensuring the protection of venerable children.

The Divisional Police Offices only incident cases of VAWG and transfer them to the Police State Command for review and eventual prosecution in court.

²⁹This-Day (2017). Social Workers to the Rescue. July 24. Available at <https://www.thisdaylive.com/index.php/2017/07/24/social-workers-to-the-rescue/>

Even with the interventions and state government collaborations with international, national, and local organization, there are still cases of VAWG in Enugu. One of such case was recorded in Guardian Newspaper, the report has it that no fewer than 25 rape cases and 31 cases of attempted sexual assault were recorded in Enugu, between January and March, 2021.³⁰

A similar report also revealed that more 471 cases of raped has been recorded in Enugu with two years and over 200 rape cases was also recorded with one year.³¹ During the COVID-19

era, Enugu recorded 25 rape cases between March and April 2020.³² Even after the pandemic cases of rape and VAWG in general is still on the increase.

From the literature review, we discovered that there is a serious gap between the legal framework and institutional structures in connection to the implementation of the codes of law. This could also explain why the available VAWG policing strategies has not granted the desired hope and justice to the survivors of VAWG in Enugu State in particular.

Causative and Sustaining Factors

The study was able to establish four major factors as causes of VAWG in Enugu State. These factors include but not limited to cultural, economic, political and religious factors. On cultural factors, the respondents listed the followings as indicators – harmful widowhood practices, early marriage (harmful marital practices), female genital mutilation, Patriarchy, preference for male child, land and property disinheritance of girl child.

While discussing the cultural factors after identifying them by the study respondents, one of our participants during the first FGD postulated that “we are all products of a society that is governed by norms and cultural practices, there is always culture at the background”, Some of the respondents stated that female genital mutila-

tion, early marriage (child marriages) and widowhood practices appear to have gone into extinction but there still being practiced by some communities.

A child can be married off to an old man because she is pregnant for somebody who denied her. In other to save the family name, the child will be compelled to marry a man who is even older than her father. Respondents also gave their voice to female genital mutilation and harmful widowhood, they argued that people are quietly practicing such culture despite the campaign against them. A participant during the second FGD linked Patriarchy, preference for male child, land and property disinheritance of girl child to social insecurity. She argued as follows:

Patriarchy is fueling violence against woman. Preference for male child in South East and South South is common. Most culture have preference for male child. This culture of preference for male child has a connection with land and property disinheritance by a girl child which I believe reinforces VAWG in south East. When a girl has no social security from her parents, it is easy for the husband to abuse her and she will have no option if not to stay in the marriage.

If a girl child inherited a land, she can go into agriculture for farming and make a living with it. Most of the survivors are trapped to their abusers given that they depend on their abusers to survive. Women are not allowed to harvest palm fruits, she must depend on a man to harvest it, who ends up abusing her sexually in the guise of helping her in harvesting the palm fruits.³³

³⁰Guardian (2021, May 15). Enugu records 25 rape cases in 3 months. <https://guardian.ng/news/enugu-records-25-rape-cases-in-3-months/>

³¹This Day (2016, April 21). Enugu Records 472 Rape Cases in Two Years as Father Defiles Three Children. <https://www.thisdaylive.com/index.php/2016/04/21/enugu-records-472-rape-cases-in-two-years-as-father-defiles-three-children/>; Daily Post (2015, December 01). Sexual violence: 400 women, girls abused in Enugu. <https://dailypost.ng/2015/12/01/sexual-violence-400-women-girls-abused-in-enugu/>

³²United Nations Nigeria (2020, May 4). Gender-based violence in Nigeria during the Covid-19 crisis: The shadow pandemic. UN Women, UNFPA, UNODC and UNICEF. https://nigeria.un.org/sites/default/files/2020-05/Gender%20Based%20Violence%20in%20Nigeria%20During%20COVID%2019%20Crisis_The%20Shadow%20Pandemic.pdf (accessed 8 June 2022).

³³Second FGD, WACOL participant, April 29, 2022

On economic, political and religious factors, over 87% of the respondents identified poverty as a major contributory factor to SGBV. In most cases, most victims are dependent on their abusers for survival. Women stay in abusive marriage for the welfare of their children. Also, for religious reasons, some are trapped with their abusers.

Majority of the respondents argued that religion does not directly support abusive marriages or relationship, but indirectly, the doctrines do. Some doctrines like – “for better for worse; a wise woman builds her house, while the foolish one destroys hers; what God has joined together...; long sufferings and patience”.

The respondent from the religious based organization saw nothing wrong with the doctrines, he argued that these doctrines are bringing and sustaining sanity in the society today. Other respondents maintained that the doctrines and some biblical quotations are wrongly applying or quoted out of context.

On political factor, the respondents pointed to the fact that women needed to be included in governance, they believe that woman exclusion from political and key offices fuel violence against women because women are not there to contribute to major decisions that affect them.

The followings were also identified as the sustaining factors of VAWG in Enugu state; culture of silence among the community members, Poverty among the victims/survivors, ignorance, stigmatization and family name and value system, and protracted legal proceedings. 86% of the respondents, that is excluding the survivors held that there is a high existence of the culture of silence among the community member of Enugu state.

One of the FGD participants from WACOL added that “most rape cases we receive are usually from men when their sisters are the victims, but when their brother is the perpetrator, they will never report such cases”. Also,

during the first FGD, one of the police officers argued that sometimes, it is considered a taboo for people to report such cases to the police. In fact, some family will rather want to preserve their 'family name' than to report any case of rape or defilement to the appropriate quarters.

When cases go unreported, it also sustains and encourage the repeat of VAWG in Enugu State. Also, poverty among the victims is seen as another factor that is sustaining VAWG in Enugu state. It is one thing to report a case, it is but there are also consequences of reporting cases, especially those who depend on their abusers for sustenance.

Ignorance of law and legal proceedings on VAWG can also sustain the occurrence of VAWG in Enugu state. All the survivors KII respondents and FGD participants are ignorant of the laws and legal policies that forbids VAWG in Enugu state. The survivors are also not aware of any policy and programmes on VAWG being implemented by the police in Enugu state.

Another factor that appeared very central to sustainability of VAWG in Enugu state is fear of stigmatization and protection of family name and integrity. Majority of the respondents revealed that most parents do not like to report any case of rape of their girl child because of the child's marital future, especially when it involves siblings.

They believe that reporting such cases will reduce the girls' chances of marrying a respectable man. When their son is the perpetrator, they quickly rush to make peace with the abused family to protect the family name and integrity. On that ground, cases of VAWG are never reported.

The NPE, NSCDC, TARMAR SARC and WACOL all shared experience of rape and defilement cases that were called of my parents and relatives of the victims before they went to make it an in-house matter. Finally, the case of protracted legal proceedings has been spotted as

one factor that affects and sustains VAWG in Enugu state. The police in particular stated their displeasure on the long court cases on VAWG. They noted that a victim might decide to discontinue with the case if the court decision is not in view. Also, WACOL and Ministry of Gender affairs argued that some of the victims after appearing in court for three to four times will suddenly discontinued from the case. Even when one calls to ask the victim why the absence in court, the usual response is “we have handed the matter over to God”. Where people are not allowed to access the instrument of justice, it will affect and sustain VAWG in Enugu state, even outside the state.

Institutional Capacity and Prevention of Crimes

Security agencies are expected to become increasingly specialized in the functions they perform as the function of any institution was the part it played in the maintenance of the larger structural whole.

To prevent cases of VAWG in Nigeria, gender desk units were created in NPF and NSCDC to combat and prevent VAWG. For the NPF, the Gender Desk is situated at the state command, while JWC are

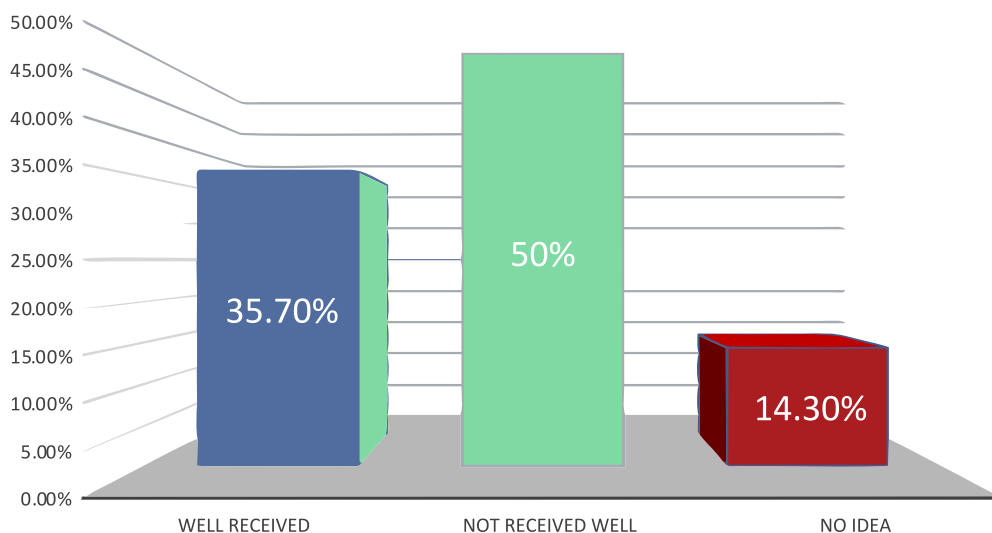
for the divisional headquarters. For NSCDC, the gender desk unit is an integral part of Anti-human trafficking. Enugu state VAPP law section 37 empowered the police to work with the court to address cases of violence against human.

The first respondent from WACOL stressed that section 4 of the Police Act gave NPF power to arrest and to maintain laws and order. In other word, the police as been empowered to fight crimes as most cases of VAWG is categorized as criminal matters.

Similarly, 10 officers we interviewed maintained that the law created the right capacity for them to fight crimes in Nigeria and in Enugu state in particular. The 28 interviewed respondents from across the CSOs and government unanimously stated that the police have the capacity to enforce legislative and policy framework in Enugu. The functional capacity of NPF was sampled during the fieldwork section on how the victims were received by the Police, and the following discoveries were made as represented in Fig.5.1.

Enugu state VAPP law section 37 empowered the police to work with the court to address cases of violence against human. The first respondent from WACOL stressed that section 4 of the Police Act gave NPF power to arrest and to maintain laws and order.

Fig. 6.1: How Victims Are Received by the Police



The figure indicates that the victims of VAWG are not well received by the police, most of the CSOs respondents interviewed revealed that the police are re-victimizing the survivors by their constant demand for money before they embark on arrest and investigation. 3 respondents from Enugu State TAMAR SARC, 2 respondents from WACOL, a respondent from Equity Watch Initiative, 2 from NSCDC and 1 from faith-based organization reported that majority of the victims are saying that Police officers demand money from them. The respondent from TAMAR SARC buttressed thus:

... most clients (victims) we meet are saying that Police frustrate them in their bid to seek redress. The police usually demand money from them from the first table to the last table. Some who come to us first, are normally sent to police to get police medical report form – the usual report is that the police demanded for money. This attitude from the police (request for money) can really discourage survivors from reporting cases to the police.³⁴

On the other hand, the police argued that they receive their complainants well. They are also careful with what they say to the victim in order not to revictimize the victim. The major problem is that individual police officers often ask survivors to pay what seems like an arbitrarily determined fees to record and investigate their cases.

Respondent from Equity Watch Initiative added that it is hard for an indigent to get the desired justice, except where the public raise alarm of such maltreatment. The accounts from the survivors support the view that the police will not grant you the desired redress if one lacks fund to back the complaint up. One of the survivor respondents shared her experience of how the police ask them to provide seven thousand Naira, to fuel their vehicle for arrest. The survivor is also of the opinion that the perpetrator bought her Investigating Police Officer (IPO) over. She argued

³⁴KII with TAMAR SARC. 3rd respondent. April 08, 2022



My case started as a kidnapping and human trafficking, one early morning (around 5am) when I went out to pick local cherry that we normally sell sometimes to support my family financially, I met one Togolese who was working for my uncle popularly known as 'Bishop'. He approached me but I was not afraid knowing the relationship he had with my supposed uncle. ... I eventually was adopted for human trafficking. I was kept in Ejigbo town in Osun State, to prepare my trans-border movement. While I was kept hostage with other children, I was severally raped after being made unconscious.

I planned my escape and eventually succeeded, while on the run, I met a police man who took me to the nearest police station, contact was established with my family and medical examinations were conducted on me. The Osun state police command also established contact with Ozzala Police Station Enugu. I was able to identify two persons who were involves in my adoption and sequential rapes. Meanwhile that Ozzala Police station sent an IPO who came and took me from Osun State.

My shock however, is that the IPO was bought over by my uncle who sponsored my adoption. The reports from Osun State Police command were never given to my parents or to the Enugu State Police Command. My parents decided to conduct medical examinations on me, the results revealed that I was raped severally which almost crippled me. The medical report had it that I lost my virginity at an early age in life. My parents took the matter to Enugu State police command, when they understood that the IPO from Ozzala is no longer interest in getting justice for me.

The State command appointed a woman IPO who investigated the matter, during investigation, my uncle paid an unusual visit to the woman, while I was listening to their conversation, I heard the woman telling my uncle that the case can never be charged to court, that she will decide what happens. The woman later came back to request for 7000 naira to fuel the police car for arrest. It took Gods special intervention to raise the requested 7000 naira. On the said date, they came and ask few questions and followed my uncle to a bar where they had good time – drinking and eating. Eventually, they finally told my mother that they cannot continue with the case. I am still in pursuit of justice that why I came to ENUGU TARMAR SARC. My mother has taken me to DPP and DSS Enugu State³⁵.

Her submission agrees with the postulations of one of the respondents that “when a survivor is not providing the needed fund, when opportunity comes for the perpetrator to provide the fund, the case might lose it first tempo.” Other survivors maintained that it takes determination and personal convictions to pursue redress through the police officers.

Respondent from WACOL argued that the first response from the police is usually not adequate, and it is not survivor centered. He added that sudden withdrawal from a litigation by the survivors can be linked to constant request for

money by the IPOs and other officers. He further argued that state supports NPF financially and their salaries are also paid.

Fig. 5.2 further buttresses the point that majority of the victims contacted the police. Only one of the respondents stated that she did not engage the police in seeking for redress.

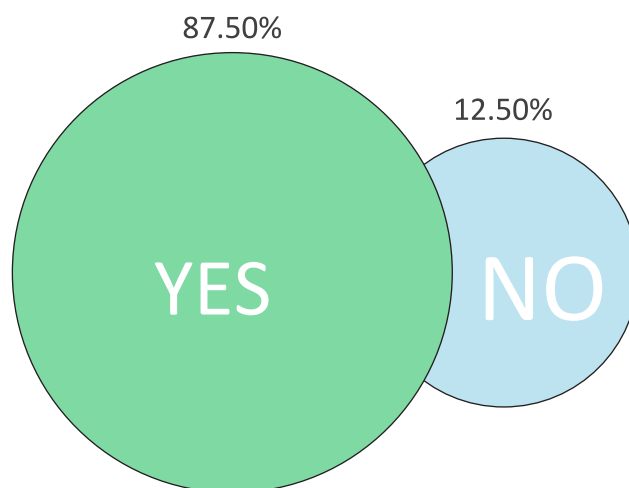
The respondent suffered domestic violence which was characterized as battery and forceful ejection by the husband with her four children. She shared her story as:

I got married to my husband in 2015, I am from Orba Nsukka. I have been physically abused by my husband. On one of the occasions, after a serious beating by my husband, I ran to the police station at Obollo (Obollo Divisional Headquarter) to make entry, hoping that my husband will be arrested by the police and eventually call him to order.

The police officer on duty, advised me to go home and make peace with my husband. I heeded to the advice and went home. On getting home, it eventually turned out that I was the one who apologized to my husband and that gave him the leverage to spell out conditions of our continually existence as husband and wife. I got another beating of my life from my husband, after the beating, he pushed me out of his house and warned me never to return to the house again.

I quickly reported the case to our Igwe who advised me to report the matter to Ministry of Gender affairs, Enugu. The ministry referred the matter to TARMAR SARC Enugu, they have requested the presence of my husband in their office.³⁵

Fig. 6.2: Survivors and CSOs' Engagement with Law Enforcement Officers



Source: PWAN Enugu Fieldwork, 2022

Similarly, Fig. 5.3 shows that the survivors and CSOs' satisfaction on the services they received from the law enforcement officers. 75% of the respondents indicated that the services they received is not satisfactory. Two rape survivors who participated in the third FGD narrated their experiences with the police services. The first person, stated that:

³⁵KII with Survivor. 4th respondent May 11, 2022

I entered Keke (tricycle) around 10am to meet up with my lectures for that day. I was the second and the last passenger to enter the Keke. On my way to the school, we noticed a little traffic in the front, so the Keke man diverted and took another route to the school according to him. When we got to a lonely place, he stopped that Keke and dragged me down the Keke. The Keke man and the other passenger carried me inside the bus and raped me to their satisfaction. At the end, they left me and entered the Keke.

With the help of one woman who saw my condition, because I was stained with blood, I went to Uwani Police station. When I got there, they took my statements, they issued me medical report form and I paid for the medical report. I also paid the investigation money, from my academic allowance. At the end of the investigation, the police found nothing. They advised me to be looking out for them. I later went to TARMAR SARC Enugu for counselling and medical treatments. At another time, I went back to the police station to inquire on how far they have gone with the investigation, one of the officers spoke badly to me. Trying to blame me for the whole thing that happened. I left that station in tears and vowed never to go back to the station again.³⁶

The second survivor who participated in the second FGD stated that:

I was raped by a man I called my uncle. I have been living with them as a house help. One afternoon, the man came back, and ask the only son to get and buy sweet and biscuit. When the boy left, he locked the door and came straight to where I was. He grabbed me, threw me on the floor and raped me. After the incidence, he left the house and never returned. I ran to my biological auntie, who took me to Gariki police station, Awkunanaw.

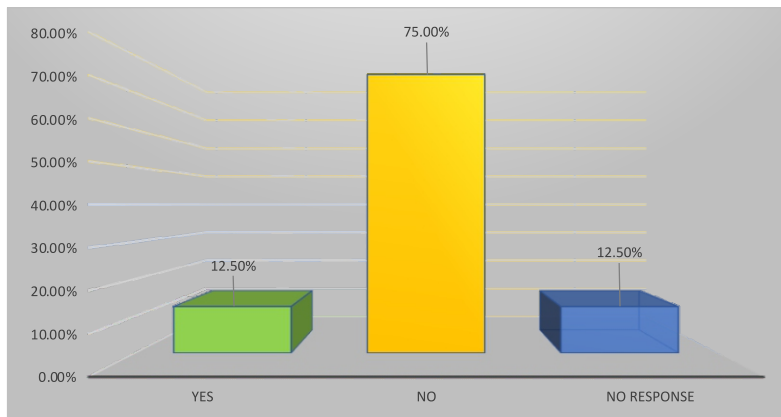
She made entry and I was asked to recount what happened. At the counter, my auntie had to give them money to push my case up to investigation. The police gave me a form and requested that my aunty should take me to the State CID where they will run test on me. My uncle who is a bus driver was still loading his bus every day without being caught by the police. Somebody told us that he has relationship with the police station.

It has been three months since I was raped, my uncle is yet to be found by the police. They asked me to report to the police once he is back home. Since then, he has not returned.³⁷

³⁶Third FGD with survivors. May 03, 2022

³⁷Third FGD with survivors. May 03, 2022

Fig. 6.3: Adequacy and Satisfaction of Services



Source: PWAN Enugu Fieldwork, 2022

Poor funding is also a challenge to security agencies, including the police. The findings from the field support this. A police respondent pointed to the fact that they are poorly funded by the Nigerian government. They also argued that the public is expecting them to carry out their duties with their personal funds. Again, they the first and second focused group discussions buttressed this point.

This might give some clue why they are demanding for money to fuel their vehicle for arrest. From the field work, we also discovered that they have poor office spaces for the gender desk officers both at the state level and divisional headquarters. Section 36(3)(C) of the VAPP law empowered the Police force in Enugu to provide shelter to survivors at the police station with the locality, interaction with the Police officers and NSCDC officers revealed that such facilities are not existing.

Another respondent narrated how the Officer in Charge (OC) Gender Desk took a survivor home and quartered her for several weeks before the real family was discovered. Thus, funding and lack of essential facilities for service deliveries pose challenge for the NPF to promote survivor-centered policing.

Frameworks, Awareness and Capacity

The Constitution of the Federal Republic of Nigeria, Police Act, Criminal Law, VAPP, and the Child Rights Act empowered NPF to arrest, detain, investigate and charge criminal and civil offenses to court. Similarly, NSCDC Act empowers the NSCDC to provide measures against threat and any form of attack or disaster against the nation and its citizenry.

The primary function of the two agencies is to protect lives and property. In Enugu State, the VAPP law empowers the police to arrest, investigate and after ensuring that the procedure for case profiling was duly followed, the matter is later charged to court. The NSCDC on the other hand is not empowered by the Enugu State VAPP law to arrest, investigate and charge VAWG case to court. The VAPP law also made provision for medical examination championed by the Police as court evidence.

On the awareness of the legislative framework, the Enugu State Police Command Headquarters, most of the Officers we interacted with are conversant with regulations and policy frameworks on VAWG.

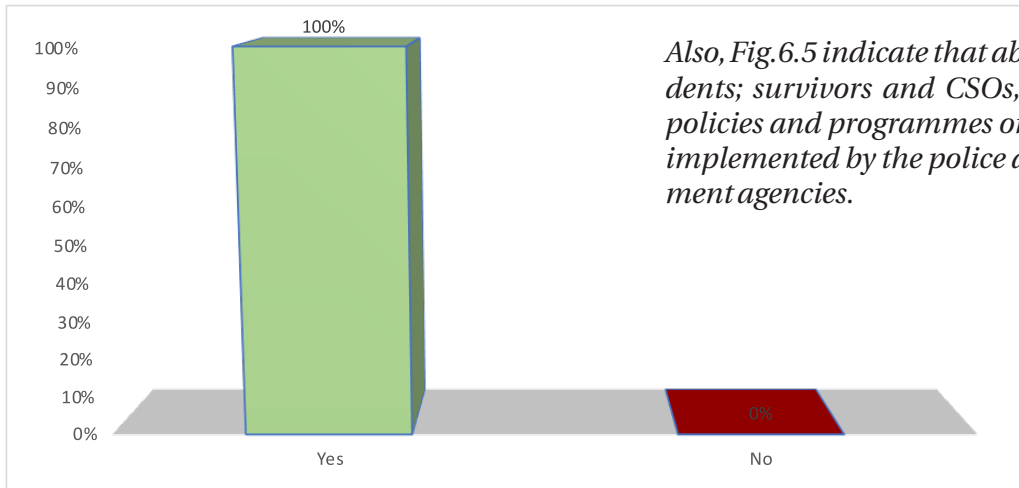
Moreover, the Ministry of Gender Affairs and WACOL clearly stated that they have organized training for officers on the Violence Against Persons (Prohibition) Act and some aspects of Criminal Codes that are related to VAWG. However, this is not the case at Divisional levels, where officers are not conversant with legal frameworks on VAWG.

Similarly, NSCDC's knowledge of the regulations on VAWG can be said to be on the average, given that 3 out of 6 interviewed personnel are aware of the laws and the other three had no or shallow knowledge of the regulations.

The interview sessions with the 2 officers from WACOL and head legal - Gender Affairs, noted that police should be conversant with the VAPP law since they have organized training on the implementation of VAPP law for the police officers and other stakeholders.

A respondent stated that police and other stakeholders were involved during the passage of the VAPP law in Enugu in 2019. Police and other stakeholders were invited to make their contributions and to state their position during the public hearing. Fig. 5.4 further demonstrated that law enforcement agencies are aware the legislative and policy frameworks on VAWG.

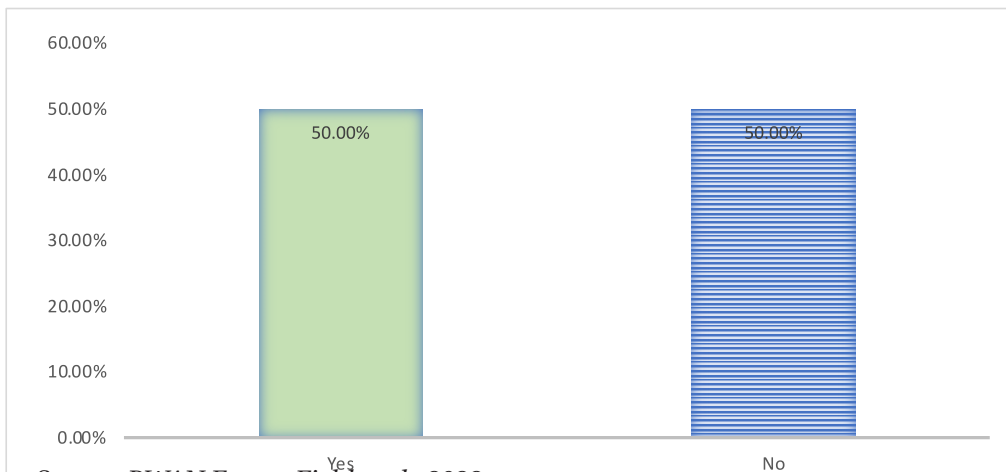
Fig.6.4: Are Law Enforcement Agencies Aware of Frameworks on VAWG?



Also, Fig.6.5 indicate that about half of the respondents; survivors and CSOs, are not aware of the policies and programmes on VAWG that are being implemented by the police and other law enforcement agencies.

Source: PWAN Enugu Fieldwork, 2022

Fig.6.5: Awareness of policies and programmes on VAWG implemented by the police



Source: PWAN Enugu Fieldwork, 2022

Generally, police officers are trained at police college on human right and general legal framework as it concerns the role, duties and codes of conduct of the officers. On the other hand, NSCDC officer receive similar training at the recruitment stage. To ensure continuing training for police officers, the force established Departments of Training and Development, and Human Right Desk in NPF and NSCDC in Enugu State.

The training organized by these departments are generic, they are not VAWG targeted. The training cannot be tagged in house training on VAWG. Most of the trainings on VAWG are organized by external bodies.

These trainings happen occasionally. KII respondent from WACOL revealed that WACOL organized two kind trainings for the Police officers in Enugu on “the effective implementation of VAPP law”, Prosecution of VAWG cases in Enugu State and the Government of Enugu state through the ministry of Gender Affairs organized training on the effective implementation of Child's Right Law for the police and other stakeholders.

The Enugu State Government also organized training for police and legal officer on “enforcement of legal frameworks for security agencies”, which covered aspects of the police response to VAWG.

Another respondent from the police also revealed that there is no in-house training for officers serving in Gender Desk unit and JWCs. NSCDC added that they receive online training via WhatsApp handle where relevant materials are circulated from the national headquarter. Below is the summary of training needs for officer as identified by the respondents:

1 Regular symposium for all stakeholders.

2 Capacity building for the police officers involved in VAWG.

3

Officers that are involved in VAWG should be sent to short courses that are relevant to gender equality and human rights.

4

Training on general investigation process; data management; forensic investigations; anti-torture; and extra judicial killings

The relationship between the law enforcement agencies especially the police and other VAWG service providers were described by some respondents from the CSOs as antagonistic. The police stated that some of the VAWG service providers as confrontational. The police argued that some of the non-governmental organizational are confrontational because they want to utilize the funds they received from their donors. During first focus group discussion with the Police, they narrated their experience with WACOL as

“... WACOL claim the custody of a survivor and refused the police from seeing the victim, when we insisted on seeing the victim, the almost set a rampage”³⁸

The police also expressed dissatisfaction with the judiciary, the dissatisfaction also the feeling of vindictiveness among the police officers. The Police held that it is their duties to tend evidence and even to bear witness in the court. They asserted that sometimes the magistrate court, due to same cultural norms, may not call the police for evidence and the case might die a natural death.

In the same vein, other organizations confirmed that they are currently having a strained relationship with NPF. During FGD, the organizations in attendance stated that before now they had cordial relationship with the police officers especially when WACOL, Ministries of Justice and Gender Affairs, and the NPF formed a “Technical Committee on VAWG”. Similarly, TAMAR SARC that they use to have meetings with the police, the meetings ceased being that the police are not

³⁸First FGD with the Nigerian Police Force, April 14, 2022.

getting any financial gain from the meetings.

In the bid to underscore the importance of the relationship with the police, WACOL stated that they depend on the police for medical report, arrest, investigation, charging VAWG cases to

court, presentation of evidence at the court because they are the only agency that can perform these roles. This implied that if there are other organizations there are empowered to perform similar roles, NPF will lose its relevance.

Key Findings and Implications for Policy

The study made the following findings:

- 1 *Enugu State Government accepted the establishment of Enugu State TAMAR SARC in 2014 by the Department for International Development and empowered the Ministry of Gender Affairs and Social Development to function above the following portfolios: Promoting of Gender Mainstreaming; Child Welfare and Protection as the institutional framework for implementing Survivor-Centred Policing in Enugu State.*
- 2 *There are no enabling facilities in NPF and NSCDC such as accommodation and counselling programmes that support effective service delivery to survivors of VAWG in Enugu State.*
- 3 *The NPF and NSCDC are not adequately funded to build the required capacity for investigating and prosecuting VAWG cases in Enugu State. The police and NSCDC argued that the public is expecting them to continue using their salaries to fund investigations and arrests.*
- 4 *There is no specific, regular, or well-structured training for the security agencies for the management of VAWG cases in Enugu State.*
- 5 *There is also no specific human rights training for law enforcement officers as responders and investigators of VAWG. Although, there are Departments of Training and Development, and Human Right Desk in NPF and NSCDC in Enugu State, the training available is for the general workforce, and none is targeted at developing and training investigators and responders of VAWG.*
- 6 *The three major trainings (effective implementation of VAPP Law Enugu state; VAPP Act - Federal; and prosecution of VAWG cases in Enugu state; and effective implementation of Child's Right Law) received by the Nigerian Police Force and Nigerian Security and Civil Defence Corps are externally sponsored by Enugu State Government and some non-governmental organizations in Enugu State.*
- 7 *Enugu state domesticated the VAPP Act in 2019 and the Child's Rights and Responsibility Law in 2016 as the legal framework for addressing related cases of VAWG.*

8

There is institutional corruption that hinders the NPF and the court from effectively promoting and implementing survivor-centered policing in Enugu State; this is evident in the process of investigation and prosecution of VAWG cases. There are instances of twisted investigations and unnecessary alliance with the perpetrator due to some financial favours received from them. In addition, the Police during KIIs and FGD sections revealed that corruption among the judiciary is affecting the outcomes of most prosecutions, which they considered to be very frustrating and which invariably affects their capacity to prevent VAWG cases.

9

There is evidence of a disconnect between the police and the Judiciary. The relationship that exists between the executive and the judiciary is antagonistic and not cooperation and collaboration. The police in most cases see the legal officers as spoilers, who will not allow them to exercise their full rights during the investigation, and the legal officers, on the other hand, complained that Investigation Police Officers (IPOs) have this penchant of practicing illegality during investigations.

10

On one hand, the NPF asserted that there is an existence of a cordial relationship between the Police and other institutions, including the judiciary, that provide support to victims of VAWG. On the other hand, however, the Ministry of Gender Affairs, WACOL and the Enugu State Tamar SARC unanimously stated that before 2019, they had a cordial and collaborative relationship with the NPF, but the relationship is no longer enjoyable given that the expectation of financial tips by the police which was not met by these institutions strained this existing relationship and collaboration. In addition, NSCDC stated that from its origin, they have never had a collaborative relationship with the NPF, and what is obtainable is an antagonistic relationship. In other words, the relationship between the NPF Enugu State and other institutions that provide support for VAWG survivors is negatively affecting the implementation of Survivors-Centred Policing in Enugu State.

11

At the Enugu State Police Command Headquarters, the majority of Officers we interacted with are conversant with regulations and policy frameworks on VAWG. Moreover, the ministry of Gender Affairs and WACOL clearly stated that they have organized training for officers on the Violence Against Persons (Prohibition) Act and some aspects of Criminal Codes that are related to VAWG. However, this is not the case at Divisional levels, where officers are not conversant with legal frameworks on VAWG. Similarly, NSCDC's knowledge of the regulations on VAWG can be said to be on the average, given that 3 out of 6 interviewed personnel are aware of the laws and the other three had no or shallow knowledge of the regulations.

12

It was discovered that NSCDC officers are not empowered to charge matters of VAWG to court but whatever they are empowered to do mostly are mediation and reconciliation. The VAPP law Enugu State did not vest powers on NSCDC to charge VAWG cases to Court. Note that reconciliation has been identified as a destroying factor to the elimination of the prevalence of VAWG in Nigeria.

Recommendations

Based on the preliminary findings of this study, we make the following recommendations:

1

There is a need to create a special fund for the Gender Desk Offices in Enugu state; to enable them to carry out investigations on Gender-related cases without hindrances.

There is also a need to build physical structures within the state to accommodate the Victims of VAWG who a place might not have to stay during investigation and prosecution periods and also serve as office space for the law enforcement officers (NPF & NSCDC).

2

3

The Gender desk offices in Enugu State need some designated Cars and Ambulances to assist them in quick response to VAWG survivors.

There is a need to set up a department that should focus on training Gender Desk officers on the interpretation and implementation of the legal frameworks in Enugu state.

5

5

There is also a need to review the VAPP law 2019 with the intention of empowering NSCDC officers to investigate cases of VAWG and to charge such matters to court.

The Police needs to restructure her command structure on VAWG and empower Divisional headquarters to investigate and prosecute VAWG-related matters to further guarantee survivor-centred policing within the state.

6

Kano:

High Prevalence Case

Aisha Ali Tijjani

Background and Context

The challenge is the inadequacy of response mechanisms, which deny survivors needed access to services and support. Many VAWG survivors turn first to the police for protection, support and justice.

Sexual and Gender-Based Violence is prevalent in Nigeria and across West Africa. A PWAN study in late 2020 found that COVID-19 lockdown measures in Nigeria exacerbated existing vulnerabilities to VAWG. The challenge is the inadequacy of response mechanisms, which deny survivors needed access to services and support. Many VAWG survivors turn first to the police for protection, support and justice.

Unfortunately, police are ill-equipped to meet this need. PWAN's experience in Nigeria has revealed that the police do not collect adequate evidence in their role as first responders making conviction rate for perpetrators is low. Court records indicate that there have been only 65 convictions for rape in the country since 1973. Despite these challenges, examples of appropriate survivor response have emerged in Nigeria.

The NPF aside its primary duty of entertaining criminal matters has established gender desks dedicated to VAWG in several state commands around the country.

All these crimes are regulated by the criminal procedural code of Nigeria³⁹ which provides a working definition of a crime as “acts or omission s which render the person doing the act or making the omission liable to punishment under this code..... is called an offence.”⁴⁰ There is pressing need to evaluate the effectiveness of these initiatives.

Violence against women is defined as “any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”⁴¹

The UN brief of May 2020 revealed that during this time, the increase in reports of domestic violence cases especially rape was more profound. The number of cases rose from 60 in march to 238 in April, an increase of 127%.⁴²

In the North-western part of Nigeria, particularly Kano State, the prevalence VAWG is so high. For instance, out of every ten cases brought to the Criminal Investigation Department (CID), six are rape charges including those involving minors, especially in the rural and semi-urban areas.

But the police are hindered from successful prosecution of the cases by inadequate services from the SARC which in most of the cases usually to terminate evidence. He said in the metropolitan LGAs, the most common is unnatural offence.

The essence of this study is to equip the police to respond to and prevent VAWG using a survivor-centered approach. This research is expected to produce a comprehensive study that provides

³⁹ T.O.Dada, General principles of law, 3rd revised edition, (2006), p.452

⁴⁰ Laws of the Federation of Nigeria 1958, Cap. 42, Section 2

⁴¹ UN General Assembly, Declaration on the Elimination of Violence Against Women, 20 December 1993, A/RES/48/104, available at: <https://www.refworld.org/docid/3b00f25d2c.html> [accessed 10 February, 2021]

⁴² B.D.Salami and A.A. Tijjani, Policy Brief, Overcoming The Limitations Of The Implementation Of The Bauchi State Violence Against Persons Prohibition Law, 2021... p.4

data driven best practice models (DDBPM) of survivor-centered policy to improve VAWG response and prevention in Nigeria, which will

be used to inform training design and institutional reform within the police forces across West Africa.

Causative and Sustaining Factors

The prevalence VAWG in Kano State is so high. According to DCP Mohammed Umar Abba at the state headquarters, CID, he said that out of every ten cases brought to the CID, six are rape charges; he added that one of their major challenges is the inadequate service by the SARC which in most of the cases use to terminate the evidence.

According to ACP Ado Ibrahim most of the cases of VAWG is rape of minors as young as 2-6 months old. According to the state PPRO, SP Abdullahi Haruna Kiyawa during the introductory visit said, the most commonly practiced VAWG offence in Kano is rape in the rural communities or LGAs outside the metropolitan, He said in the metropolitan LGAs, the most common is unnatural offence. They made this known to us during the introductory visit to the state CID before the commencement of the research. They added that poverty and illiteracy are major causes of the crimes.

Parents especially in the rural communities are not fully aware of these crimes and their happenings and are fond of sending their children out for hawking for survival, in most cases that is how their children are being raped. A six years old boy from Ungogo LGA among the survivors I interviewed was a victim of such rape. In the urban areas rape of minors usually occur on the way to Islamiyah.

According to the state PPRO, he said most of the times parents use their private cars to convey their children to and from school in the morning, however, in the afternoon they allow their kids to go to Islamiyah alone without any form of adult supervision. A recent case happened in march this year along Kabuga area in kano where a girl was defiled by an adult man in an uncompleted building just close to the girls Islamiyah school. Stigma and fear are the major reasons for not reporting the crime, which are other factors that sustains the crime in kano.



Discussion /Analysis

All stakeholders introduced themselves and were able to explain their statutory roles, the NPF arrest, investigate and prosecute crimes, the NSCDC arrest, investigate but do not prosecute directly only through the office of the Attorney general, Hisbah command arrest, investigate and refer case to state CID or police station, MWASD refer cases reported to them to the police and handle the survivor.

The NPF added that they prosecute all offences covered by the penal code, anything outside the penal code we refer it to Hisbah command since their function is to entertain complain from the community directly.

All stakeholders were able to discuss and share information regarding the current situation of VAWG in Kano; types of crimes that were discussed by all the stakeholders include rape of infants in LGAs outside the metropolitan, unnatural offences, and defilement of young girls. The NPF further confirmed that the rampant rape of children happens on the way to or from Islamiyya schools in the evening because parents in Kano don't provide enough security for their kids when going to Islamiyya schools.

It is confirmed that the NPF receive at least 50 cases, NSCDC-8 and Hisbah command -15. NSCDC added that 70% of rape cases occur outside the metropolitan LGAs while sodomy mostly occurs in some areas in the metropolitan like kwalli, Gwale, and Mandawari communities.

The stakeholders stated that they have survivor's data that is segregated by age and sex, which is compiled and pulished by the NPF to give statistics on VAWG. All stakeholders confirmed that the statistics in Kano has changed over a period of time. It used to be very high winter. All stakeholders confirmed that all cases reported to them are duly investigated, prosecuted, accordingly.

Due to the good structures they have down to the grass root, they don't have any challenges when it comes to the geographical distribution of survivors, perpetrators and convicts. The biggest opportunity according to them is a matter of referral from one LGA to another or from one state to another LGA.

The MWASD also confirmed the existence of shelter where survivors are kept pending the conclusion of investigation and further argued that the agencies concerned are not referring survivors to the shelter. All stakeholders involved are of the view that they use their statutory methods when it comes to processing data, maintaining strict confidentiality, and do follow up of cases as regular as possible.

All stakeholders involved confirmed that there is no any legislative/ policy frame work either local or international that guides PSCP response to VAWG, however, the agencies need special training/capacity building on PSCP response, because only gender desk officers have the knowledge of handling their cases effectively. The NSCDC confirmed receiving support for victims ofVAWG from organizations such as The Society for Family Health.

All stakeholders involved confirmed that the citizens of Kano are very much aware of their roles and responsibilities. However, the NSCDC confirmed that not much is known about them in Kano. The NPF and Hisbah command said that they communicate to citizens through their PROs in both radio and TV programmes. All stakeholders involved confirm that they use to give warm reception to and entertained victims very well.

According to them, the response is adequate since people do appreciate them very well. The NPF said “we give them warm reception; we buy biscuits and juice for the young survivors to feel home and opened up”. However, the agencies

complained that they don't have a friendly environment for the young survivors. A corps from the NSCDC added that “we don't have any room painted with cartoon that will carry the survivor along”. According to them women are not re-victimized at all by the security agencies.

All stakeholders introduced themselves and the function of their organizations. The participants discussed generally the different trends of VAWG Kano. Most of the participants confirmed their engagements with the security agencies especially the NPF for addressing incidents of VAWG and testified their lack of satisfaction with regard to how the cases were treated by the security agents.

According to FIDA: we take responsibility of everything in the police station, and transportation from the station to SARC center and pay for the test and other health investigation charges, but at the end of the day the police will terminate the evidence this happen on several instance. The police also collect money to divert or reframe charges.

According to gender and social including (GSI); the Police are found to misuse evidence, where they initially give free services, they charge a fee for everything now and in most cases the survivors cannot afford to pay. this further leads them to loosing their case as all evidence has been lost. o pay, they have no option than to lose their cases. Government do not have budget on that.

He added that one thing to note is that SARC centre does not work on weekends, so any rape case reported during the weekends is already a loosed case because evidence cannot be sustained to the working days. According to WOWICAN, “I see no reason why police should advice complainants to go on alternative dispute resolution (ADR) when a case is reported. According to Sayyidatu wal adfal foundation (SWAF) (women and children foundation) “it is just looking like the police are recruited without merit because most of them don't know their work properly. Others emphasized that even when cases are prosecuted, there is always delay in delivering justice. Justice delayed is justice denied.

Most of participants explained why cases are not reported. According to WOMICAN: “women don't want to report VAWG cases especially when their spouses are involved because they don't want to lose their marriage and family relationships. They added stigma is another thing that prevents reporting of cases, this is supported by a traditional leader of Dawakin-tofa LGA and Muslim copper's association of Nigeria (MCAN). According to MCAN other factors that don't encourage reporting is the lack of publicity of punishment. This eventually leads to reoccurrence of the crime.

The NPF further confirmed that the rampant rape of children happens on our children's way to or from Islamiyya schools in the evening because parents in Kano don't provide enough security for their kids when going to Islamiyya schools.



Key Findings and Implications for Policy

The research made the following findings;

There is high incidence of VAWG cases in Kano State. Incidences of rape, especially of minors, are higher outside the metropolitan LGAs, while rates of unnatural offence incidences are higher within the metropolitan LGAs, especially at Gwale, Ungogo and Kumbotso LGAs.

Poverty, hawking, lack of education, forced marriage, parent shunning away from responsibilities as major causes and drivers of VAWG.

Despite collaborations between the police and other law enforcement agencies the communities and non-state actors, referral of services to appropriate department within each agency are inappropriate.

There is the existence of structures such as gender offices and criminal investigating department in all the security and law enforcement agencies across the 44 LGAs in Kano State. There is evidence that personnel of the security and law enforcement agencies the agencies are very much familiar with their statutory roles and responsibilities.

There are no legislative or policy frameworks on survivor-centered policing in Kano State.

Recommendations

From the findings of the study, the following recommendations are made:

Kano State government should build more centers for SARC given that existing ones cannot cater for the high population in state and high crime rate that is confirmed by this research.

Collective community contribution should be encouraged because it will go a long way in helping poor victim secure justice.

Police and other agencies need forensic training, public enlightenment training, investigation training owing to the dynamic nature of the crime, and counselling training.

Ogun:

A Trend of Institutional Trivialization of VAWG

Adewoye Ejitayo & Olaonipekun Bisi

Background and Context

A common stereotype discovered is the saying that “a woman should accept all suffering for the sake of the child” and that “a woman should not pack out of the husband's house no matter the level of violence except the husband says so”.

In Ogun State the trend of VAWG statistics is on the increase. Not less than five cases are reported to the authorities on weekly basis. The challenges to understand the geographical distribution of survivors, perpetrators and convicts are cultural norms, family influence, community interference, logistics and bureaucracy at their place of work.

Violence against women is a technical term used to collectively refer to violent acts that are primarily or exclusively committed against women. Similar to a hate crime, this type of violence targets a specific group with the victim's gender as the primary motive.

The United Nations General Assembly defines violence against women as any act of gender-based violence that results in or is likely to result in physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

In the broadest sense, violence against women is any violation of a woman's personhood, mental or physical integrity, or freedom of movement through individual acts and societal oppression. It includes all the ways our society objectifies and oppresses women.

Violence against women ranges from sterilization abuse to prescription – drug abuse, pornog-

raphy, stalking, battering, and rape. It includes the sexual and physical abuse of young girls and the abuse of elders. Every form of violence threatens all women and limits our ability to make choices about our lives.

Women are more likely to be victimized by someone that they are intimate with, commonly called Intimate Partner Violence (IPV). The impact of domestic violence in the sphere of total violence against women can be understood through the example that 40-70% murders of women are committed by their husbands or boyfriends (World Health Organization, 2002).

Studies have shown that violence is not always perpetrated as a form of physical violence but can also be psychological and verbal (Pourreza, Batebi and Moussavi, 2004). Instances of Intimate Partner Violence tend not to be reported to police and thus many experts believe that the true magnitude of the problem is hard to estimate (Centers of Disease Control and Prevention, 2011).

Physical violence can include slaps, shoves, hits, punches, pushes, being thrown down stairs or across the room, kicking, twisting of arms, choking, and being burnt or stabbed. Psychological and emotional abuse can include a range of controlling behaviours such as control of finances, isolation from family and friends, continual humiliation, threats against children

or being threatened with injury or death. Financial or economic abuse includes forcibly controlling another person's money or other assets. It can also involve stealing cash, not allowing a victim to take part in any financial decisions or preventing a victim from having a job.

Family violence is a broader term that refers to violence between family members, as well as violence between intimate partners. It involves the same sorts of behaviours as described for domestic violence. As with domestic violence, the National Plan recognises that although only some aspects of family violence are criminal offences, any behaviour that causes the victim to live in fear is unacceptable.

The term 'family violence' is the most widely used term to identify the experiences of indigenous people, because it includes the broad range of marital and kinship relationships in which violence may occur (Adebayo, 2003). Sexual assault or Sexual violence can include rape, sexual assault with implements, being forced to watch or engage in pornography, enforced prostitution, and being made to have sex with friends of the perpetrator.

The 1993 Declaration on the Elimination of Violence Against Women noted that this violence could be perpetrated by assailants of either gender, family members or even the 'State' itself (United Nations, 1993). Worldwide governments and organisations actively work to combat violence against women through a variety of programmes. A UN resolution designated November 25 as International Day for the Elimination of Violence Against Women

This project aimed at improving the capacity of the police to prevent and respond to VAWG to drastically reduce incidences of VAWG is currently implemented by the Rule of Law and Empowerment Initiative in six states across Nigeria.

The Ogun state component of this 'Promoting Survivor-Centred policing in West Africa' research sampled the opinions of state and non-state actors across the three senatorial districts in the state. Respondents were drawn from Ogun Central, Ogun East and Ogun West locations in Abeokuta North/South, Odeda, Yewa south, Ewekoro, Ifo, Sagamu and Obafemi Owode local governments.

The type of crime prevalent in the localities of study include physical, emotional/psychological abuse as well as financial/economic abuse. Physical abuse: this includes Sexual Assault, wife battery, stabbing, injuries (loss of hearing or temporary visual impairment), Incest, defilement, rape, physical assault, marital rape, destruction of property, widowrape, drug abuse.

During the course of the research, the most common of these forms of abuse is wife battering. Emotional/Psychological abuse: verbal abuse, isolation, stalking, abandonment. The most common of them is verbal abuse. Financial abuse: neglect, deprivation, forbidden women from working by their partners, domestic servitude (unpaid agricultural wages).

Combining the problem of gender-based violence is the issue of women's perception and level of awareness of what constitutes gender-based violence in the society. Often women are socialized into accepting some form of domestic violence as normal by culture and family members. Such women believe that they are the problem and not their abusive partners.

So, women have come to accept beating by their partners or husbands as normal (Nigeria Population Commission and International Coaching Federation, 2014).

In Ogun State, it is disclosed that the Police in most of the reported cases, tend to trivialize VAWG reports by regarding them as mere 'family issues' that should be 'settled' at home, only few

Police officers are reported to ensure that cases are properly charged to court for victims to get justice and aggressors are properly punished. It can also be gathered that some cases are avoided by the police on the grounds of jurisdiction even when the places of incident are in close proximity with the Police station. Women with no legal

representative tend to suffer this violence in vain and female officers tend to empathize with victims/survivors but later change when there is an interference by their male colleagues. According to a survivor, “the police were the ones asking me to drop the case and apologize to my husband; I was dazed when I heard this.”

Causative and Sustaining Factors

According to respondents from KII and FGD, it was indicated that culture of silence, family interference, community interference, stigmatization amongst others contributes to Sexual Gender Based Violence in our society. In recent times cultural factors, religion is major part of people which indicates that people still live by culture (knowingly or unknowingly) and this plays a major role in their willingness to address VAWG.

Religious debates about the role of women in society impact VAWG as women and girls are viewed inferior than men and boys. Religion doctrines are quite related to cultural norms and have impact on VAWG in the society.

Press does not trivialize the VAWG, they report SGBV/VAWG issue, but there are concerns that their report is not survivor-centered because they are not discreet about the survivor, they reveal a lot of information about the victim.

The major role community leaders, women, religious actors and the press can play a role to encourage survivor-centered approaches to

VAWG is to organize adequate sensitization in their place of worship and communities, address the issues of VAWG, religion leaders should stop trivializing issues related to VAWG and address VAWG related issues extensively.

VAWG is reported to have significantly increased since the lockdown; Ogun State was among the state that has the highest reported cases in Nigeria. The pandemic has a lot of consequence it forces the survivors of abuse to find themselves confined in their homes with abusers.

Most of the respondents explained that victims are being clerked (registered) when cases are reported, the victim details are recorded in the case register files while the victim is allowed to give details explanation of the incidents that happened, if it involves making an arrest, it is done with immediate effect. The perpetrator is equally invited for proper investigation. They (Police and NSCDC) further explained that they make referrals to ministry of women Affairs when necessary because the ministry has a shelter to accommodate Survivors of VAWG.

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Discussions and Interpretations of Data on Promoting Survivor-Centered Policing

For the purpose of this research, both state and non-state actors were contacted and engaged to get information on the trends in VAWG. The state actors engaged in this research includes Police, NSCDC, Women affairs, Social Development Centre, Sexual assault Referral Centre (SARC).

Level of Policy Awareness

the Laws are not totally adequate because there is leniency in some of the punishment for the gravity of the crimes and that the laws should be reviewed.

Majority of the respondent are aware of the policy at national and regional level while they are not familiar with the international laws like, VAPP law, Human right law and Child Right Law. However, they explained that the police have the capacity to enforce these frameworks while some explained that they do not enforce these frameworks as they have limited power to address some of these VAWG issues, but the police have the autonomy to prosecute and enforce these frameworks.

They also indicated that logistics and bureaucracy are major reason that is limiting enforcement of these laws. They further indicated that the Laws are not totally adequate because there is leniency in some of the punishment for the gravity of the crimes and that the laws should be reviewed. During the FGD, a respondent noted that “there was a case in court where the couple was assaulting a five-year-old girl staying with them when the case got to the court, the only punishment was that they should sign undertaken of taking care of the child, and this particular case requires adequate punishment, hence, the laws needs to be reviewed.”

Citizens Awareness of the Role of Law Policing Agencies

when cases (rape) are reported the victim are taken to hospital for medical check-up, the victims is withdrawn from the home to a shelter (SARC) if the victims lives with the perpetrator, the perpetrator

The role of the police and other law enforcement agency is to maintain law and order in local areas by protecting members of the public and their property, preventing crime, reducing the fear of crime and improving the quality of life for all citizens. Most of these roles are communicated to the citizen through radio programs, sensitization.

Therefore, citizens are aware of their role. According to NSCDC personnel, “when cases (rape) are reported the victim are taken to hospital for medical check-up, the victims is withdrawn from the home to a shelter (SARC) if the victims lives with the perpetrator, the perpetrator is equally arrested, then the case then arranged for court where the legal team will be represented. All these will not be easy to achieve within limited time without having good relationship with relevant agencies.”

Giving relevant examples on how cases are being treated, most of the respondents mentioned that they have cordial relationship with Non-Governmental Organization, health care, legal organization etc.

40-70%

40-70% murders of women are committed by their husbands or boyfriends

-World Health Organization, 2002



Institutional Capacity to Respond and Prevent VAWG

the respondents mentioned that people has low attention span when it comes to cases they are only active when at the initial stage and some end up withdrawing cases, hence the differences in the number of reported cases and the number of cases prosecuted.

The methods the police and other law enforcement agencies apply in investigating VAWG case identified by the respondents are home tracing and alternative dispute resolution and the challenges these methods pose are the logistics to conduct proper home tracing and family interference, family intimidates the survivors to the point that the survivors withdraw the cases.

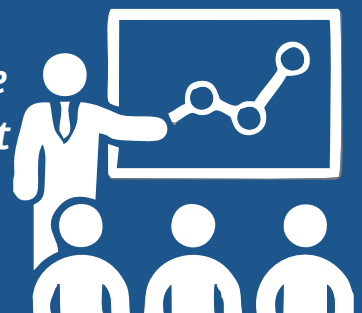
According to a respondent from Ogun State Ministry of Women Affairs, “most of the family says things like do you want to imprison your father, do you want to imprison your brother, do you want your stepdad to leave your mother; these question makes survivors of VAWG to abscond cases or withdraw case.”

Follow up is done but it depends on the willingness of the survivors, the respondents mentioned that people has low attention span when it comes to cases they are only active when at the initial stage and some end up withdrawing cases, hence the differences in the number of reported cases and the number of cases prosecuted.

A police respondent stated that “follow up is a big part of our job but the survivors and the family/community are big issues in cases of follow up, citizens seems not to understand that giving relevant information about a particular case help in seeing the truth of the matter, but because of the stigmatization and other factors they citizens do not release useful information.”

Although, Ogun State Ministry of Women Affairs organizes quarterly training and meeting with state actors and non-state actors, there is need to conduct adequate training, Human rights training, policy frameworks training, survivor-centered approach training, any training that addresses VAWG.

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Knowledge on Survivor Centered Policing

the respondents mentioned that people has low attention span when it comes to cases they are only active when at the initial stage and some end up withdrawing cases, hence the differences in the number of reported cases and the number of cases prosecuted.

Most of the respondents explained that they understand survivor-centered policing but there are limitations to this approach. The first response victims received are adequate but might not be survivor-centered. Some respondents claimed that police response are not survival-centered they sometimes ask unnecessary question and speak derogatory words to survivors, thereby re-victimizing the survivors, but for NSCDC and women affairs the first response are adequate and are survivor-centered. A respondent noted that “I remember taking a case the stations and the police was asking what was she wearing? Is she a virgin? Didn't she enjoy it” However, when minors are involved in cases they are treated differently, minors are not detained in stations, Stations are not designed to accommodate victims of VAWG they make referrals to SARC, minors are mostly withdrawn and kept in a shelter (SARC) when it involves cases of sexual violence, and their identity is mostly concealed. Regardless of the age of the survivor psychosocial support are given to survivors of VAWG.

Majority of the respondents agreed to the involvement of Police and other security agents or state actors such as the Ministry of Women Affairs and Social Development, NSCDC, Social development center on cases of VAWG at certain periods.

Majority of the respondent complained about the change in attitude or case treatment by the police, respondents who agreed that Police has been helpful all stated that this is a rare case as they mostly trivialize or turn the case around.

Few people attested to settling VAWG cases at the community, family, or religious levels while others attested to the effectiveness of the NSCDC in tracking, arresting, and investigating cases and without consideration for Human Rights and fair treatment. Victim-shaming, culture of silence and re-victimization in the quest for justice have been identified as factors that

contribute to victims' reluctance to cooperate with security operatives to fast-track information.

Although there is a specialized unit for the treatment of VAWG cases in the state which include the Anti-Human Trafficking Unit, family and gender desks/units whose officials have undergone some degree of training by NGOs and the government, most regular officers have no knowledge on the treatment of these cases especially those involving minors but may be willing to offer support.

In an interview at one of the Divisional Headquarters, a Police Officer, on constitutional provision on VAWG, ignorantly stated that “we operate by the Police service constitution, there is no other law that is greater than this and that is how we handle these cases”.

These two examples further expose the knowledge gap that exists within the security agencies and how this has contributed to the inefficiency in the handling of VAWG cases. All respondents agreed to being victims at one point or the other or knowing a victim of VAWG. At the FGD with survivors/victim it was however discovered that some of the participants are currently undergoing a form of VAWG.

Rare dissolution of marriages by the magistrate Court in respect of spousal violence, dispute resolution and the preference for Alternative Dispute resolution by the Police, CSOs/NGOs mostly resolve to the settlement of disputes after the signing of a Memorandum of Understanding by the two parties especially for domestic violence cases (mostly after both parties have agreed), counselling.

Family and other community- domiciled actors all resolve to amicable settlement of disputes while the most common item across all these actors is that they all set out to provide some degree of psychosocial support to victims although some of these are clouded by cultural biases and stereotypes.

A common stereotype discovered is the saying that “a woman should accept all suffering for the sake of the child” and that “a woman should not pack out of the husband's house no matter the level of violence except the husband says so”. Half of the respondents whose opinions were sampled find the services provided by these actors satisfactory while the others do not.

On improvement of the services provided by the responders of VAWG, victims suggested the review of the law to provide a basis for detaining aggressors until cases are charged to court or for one month to serve as deterrent to others and the prompt charging of cases to court.

Other respondents submitted that all agreements made at the dispute resolution by community actors are put into writing by signing MOUs, government should provide logistics

support to police and other state level responders and efforts should be made to improve sensitization of the general public on parenting, sex education and VAWG.

Policies and programmes on VAWG implemented by the Police: few respondents admitted that they are not conversant with any programmes implemented by the Police and other law enforcement agencies on VAWG. Some of the programmes stated by other respondents include:

1

Dedicated special units for these cases at the Police such as the JWC (Juvenile Welfare Center), family and gender desk offices of the NSCDC

2

Radio and Television sensitization activities where contact numbers are rolled out to the audience and various legal provision guiding VAWG, VAPP are discussed and explained

An obvious distrust exists in the effectiveness of these special provisions and programmes aimed at tackling VAWG by security operatives due to the claim that Police often times pay lip service to the kind of response provided and are in the habit of dismissing cases after money has exchanged hands (bribe).

Key/Major Findings

The findings from this research revealed that physical, sexual, emotional, financial, verbal, psychological, cultural violence and neglect are the types of violence that dominates the communities under review although drug-abuse and cultism have been identified as some of the factors contributing to the increase in VAWG.

Most of these cases are not reported until there is physical violence, hence emotional, psychological, verbal and other types of violence are not reported to security operatives. 90% of reported cases are those relating to physical abuse, other abuses are seen as normal, even sexual violence (rape) is trivialized according to an NGO respondent by the Police because of the victim's 'sexual activeness'.

In the response to victims by the Police, female officers and few of the trained gender officers have the prerequisite skills and empathy required to properly handle VAWG cases. This set of responders are also marred by their request for stationery cost, cultural forces which in many cases compels them to suggest the 'settlement at home' thereby exposing women to continued violence and shaming by family members. While the NSCDC has been described as 'friendlier' in their response to VAWG, other also believe them to be weaker compared to Police. Though there is still a lot to be done in informing community and other actors about the NSCDC's capability in handling VAWG cases, officials disclosed that the agency has staged various awareness campaigns in collaboration with the National Orientation Agency and that the mild approach is adopted to gain easy penetration into communities without suspicion while still maintaining confidentiality on investigations.

The level of awareness on the legislative and policy frameworks is extremely low across junior officers of the Police, high in the NSCDC, CSO and low at the grass root or local level. The capacity to enforce these frameworks is relatively low due to the level of ignorance, unavailable

logistic and training.

The influence of cultural factors in the response and prevention of VAWG is felt across all levels of stakeholders, this further exposes the extent of stereotypes and patriarchy in the Nigerian society. "Aaki n tikootubowas'ore"- we do not return from the court and continue friendship is one of the common phrases that are used from the state and non-state actors to convince victims to settle cases of violence as a family matter while also guilt-tripping them with consideration of their children's feelings (ijiyatori omo-suffering for children) or other ties and affiliations. Women are forced to accept this violence as norms. The religious narrative stressing the need for submission to men as the 'head' was revealed as the greatest force empowering financial violence.

The COVID-19 pandemic and the lockdown was disclosed to strengthen some family ties while it increased VAWG in other cases. Respondents admitted the effort of the state Ministry of Women Affairs in communicating helplines to communities for the reportage of VAWG cases. Nearly all respondents agreed that the socio-economic impact of the lockdown was tough on most survivors and the general population.

Police and other law enforcement agencies do not address issues using survival-centered policing and the environment in their offices do not in most cases give room for confidentiality, minors are also treated openly based on the personal biases of the police officer in charge.

Survivors are re-victimized in their quest for justice and sometimes exploited (payment for stationery or sometimes asked to pay bail for the aggressor).

People living with disabilities have been identified to have been seen as both victims and aggressors of VAWG. Findings revealed that female PLWD are mostly victims of rape, domestic violence, neglect and are sometimes abused

by other PLWD. Security operatives disclosed that PLWD are treated according to the degree of offence committed with no consideration for their condition. The government's social welfare department of the Ogun State Ministry of Women Affairs provided for inclusion by employing PLWD as responders to others since they are sometimes preferred. Bureaucracy and logistics is a major problem to the state actors in addressing VAWG.

Police, NSCDC, CSOs, Community actors and the general public needs to be trained on the legal provisions guiding violence and sensitization should be increased on other forms of violence besides the physical.

Police and other responders should be trained on responding to non-physical violence and how to provide first-hand psychosocial support to victims without trivializing cases or shaming victims. NSCDC, Police, Ministry of Women Affairs, Social welfare should imbibe the actions of CSO/NGOs by improving follow-up on cases since this has been identified as a gap and these actors claim to wait for new developments or complaints to revisit cases.

Recommendations

From the findings of the study, the following recommendations are made:

Non-physical violence resonates within the responses from this research as the most common type of VAWG. These kinds of violence are sadly under reported due to the fear or presumption that these cases may be trivialized by responders. According to a survivor, "an NGO told me that I should stay if the violence is not so much.....if there is no physical violence.... although the verbal assault makes me feel less human and I already have high blood pressure I still believe in the words of my mother that packing my things out myself will make the family to switch sides and stop supporting me" (translated from Yoruba).

Officers designated to be in charge of VAWG (Juvenile Welfare Centre/Gender Desk/Crime officers) should undergo trainings on survivor-centered approach, human rights training, community sensitization training, legal and policy frameworks, empathic communication, counselling, prompt judicial processes, data driving investigation process and emotional intelligence.

There is need for reinforced synergy and relationship resuscitation between the CSOs and the state Anti-Human Trafficking Unit. This is necessary to correct the negative impression and the claims by some sources who claimed anonymous that the officers sometimes support aggressors for financial gains (bribery).

Regular police officers should be trained on best practices including the indicators that depict cases of VAWG so they can offer prompt referral to the appropriate unit saddled with the responsibility of attending to such cases.

Awareness campaigns should be organised at grassroots levels targeting the Community Development Associations and religious leaders with emphasis on non-physical violence, and, victim-centered support. this is because of the level of influence they have in their communities.

Peer-to-peer education should be conducted in secondary schools targeting both boys and girls to get them informed on forms of violence and how to report and get justice.

The media should be sensitized in reporting cases of VAWG and desist from disclosing the image of survivors especially minors.

The government should improve logistic and material support to security operatives and provide an enabling environment that will strengthen trust and confidentiality.

Conclusion

Maurice Ogbonnaya

Sexual and Gender Based Violence and Violence Against Women and Girls in general has been identified as a scourge in most societies and Nigeria is not an exemption with a sizeable percentage of the population suffering from it even though most cases are underreported. One in every three women in Nigeria suffers from one form of VAWG or another.

The quest to end the violence has been the bane of most non-profits' activities with a shifting focus from just awareness to system strengthening. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Nigerian Constitution, Violence Against Person Prohibition (VAPP) law and some other legal frameworks all provide legal premise for the handling of VAWG cases and security operatives are to be equipped with sound understanding of legal provision and taken through some forms of attitudinal change sessions to promote survivor-centered approaches to policing.

Many survivors/victims of VAWG have in the past been neglected or re-victimized, cultural factors have also imposed silence on these victims leading to self-blame, low self-esteem or even health threats.

According to the United Nations Population Fund 2012, the survivor-centered approach to violence against women and girls seeks to

empower the survivor by prioritizing their right, needs and wishes.

It is essential that competent service delivery actors have the appropriate attitudes, knowledge and skills to prioritize the survivor's own experiences and input. By using this approach, professionals can create a supportive environment in which a survivor's rights are respected and in which they are treated with dignity and respect. This helps to promote a survivor's recovery and to reinforce their capacity to make decisions about possible interventions.

As part of the best practices obtained, the police and other agencies use their personal resources in assisting the survivors. Some of the major findings of this research include lack of resources allocated by the state government to cater for the survivors, inter-agency referrals, proper use of media by the NPF specially to create awareness of their roles and responsibilities to the citizens, lack of existing legal framework that regulate PSCP across the country.

This raises the need for all actors; policing agencies, government, CSO, and survivors to work together closely to enable a more survivor-centered police response and ensure a reduction of violence against women and girls in the long term.

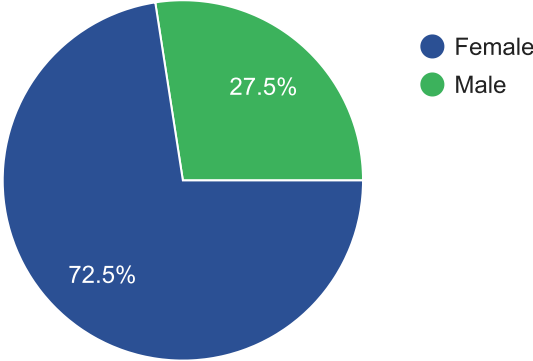
The quest to end the violence has been the bane of most non-profits' activities with a shifting focus from just awareness to system strengthening



Online Data

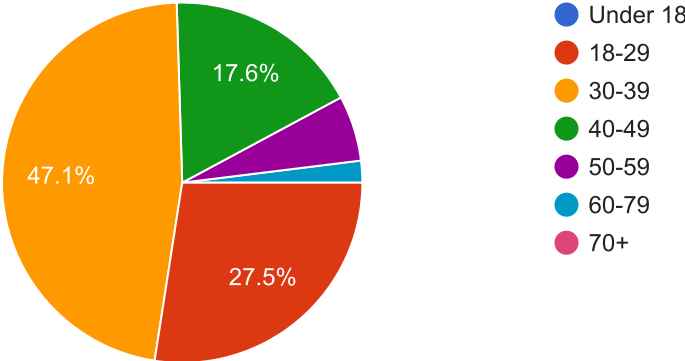
1. Gender

51 responses



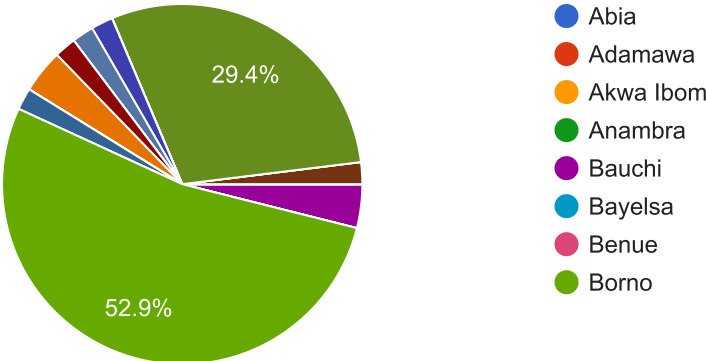
2. Age

51 responses

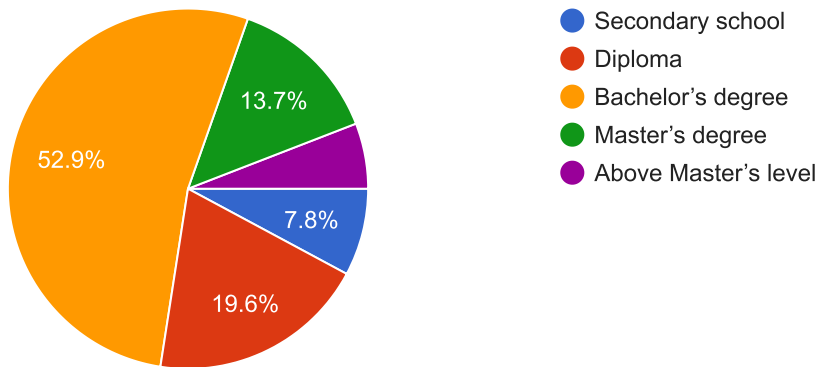


3. Location

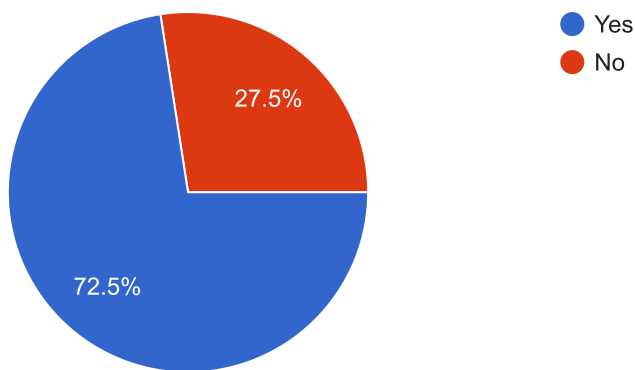
51 responses



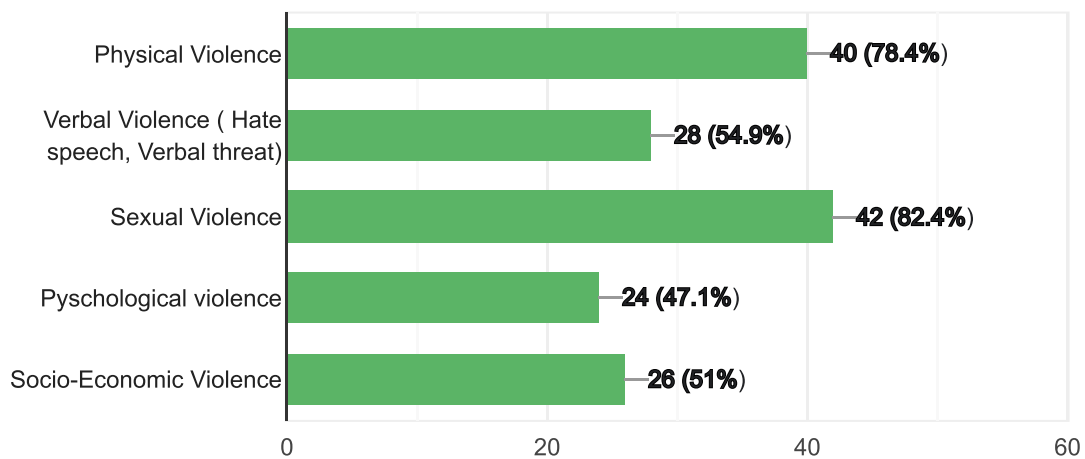
4. Highest level of education completed.



5. Can you provide some information on the current situation of SGBV in your location?

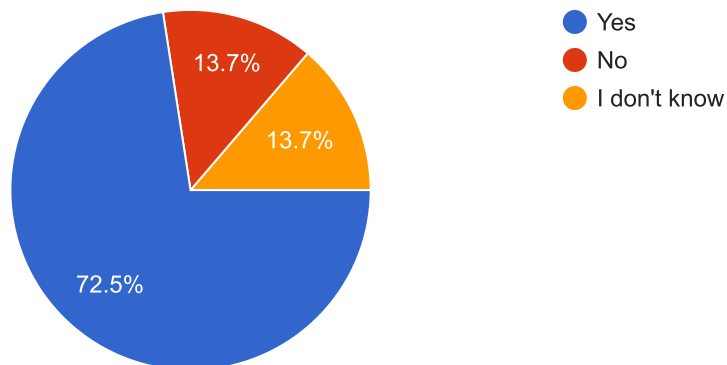


6. What are the common types of crime



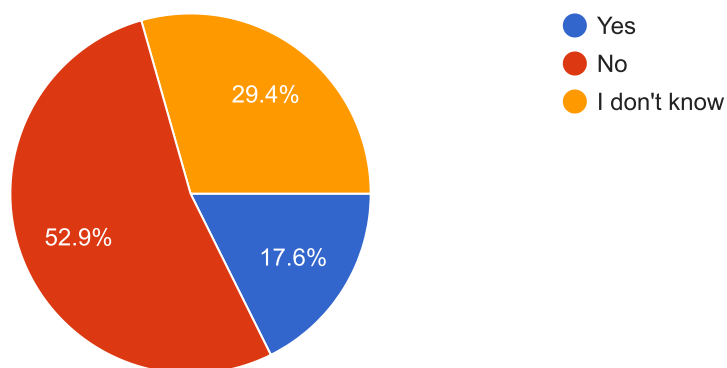
7. Is there an established mechanism for reporting violence

51 responses



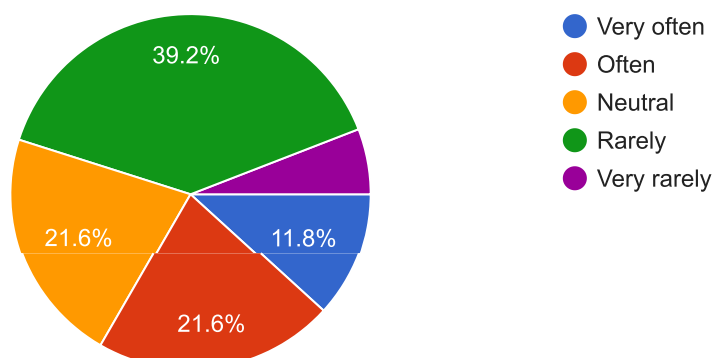
8. Do the police and other law enforcement agencies compile and publish statistics on SGBV complaints made by the public?

51 responses



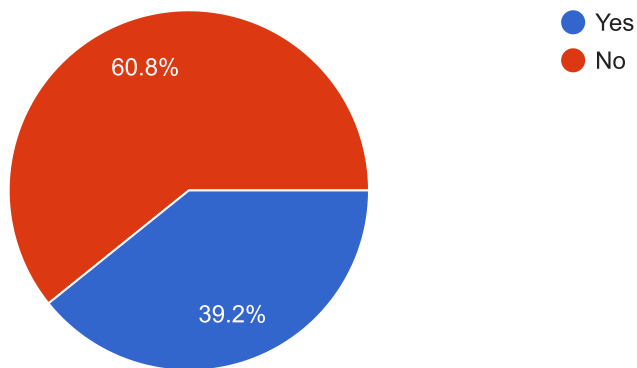
9. How often do the police and other law enforcement agencies follow up on reported cases of SGBV

51 responses



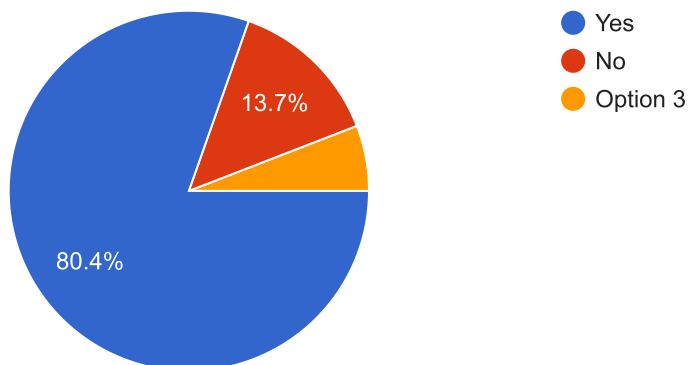
10. Do you think that citizens are aware of the roles of law enforcement agencies in the prevention of SGBV?

51 responses



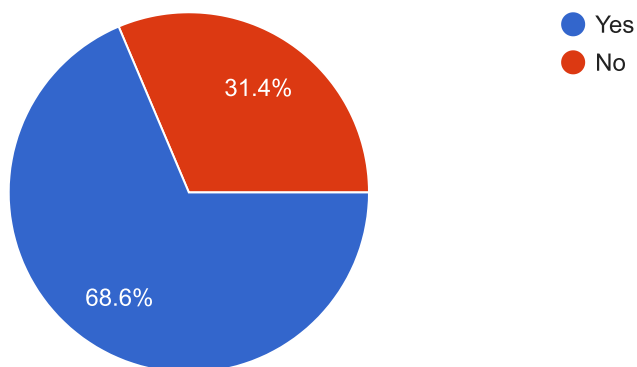
12. Is there a tendency to protect minors or adults?

51 responses



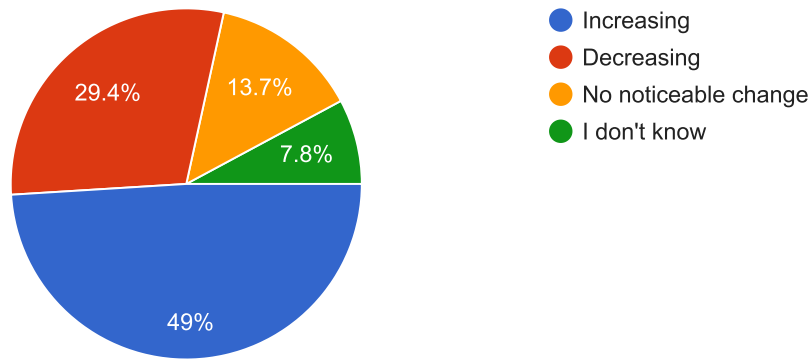
13. Do crime statistics record the sex and age of the victim and aggressor?

51 responses



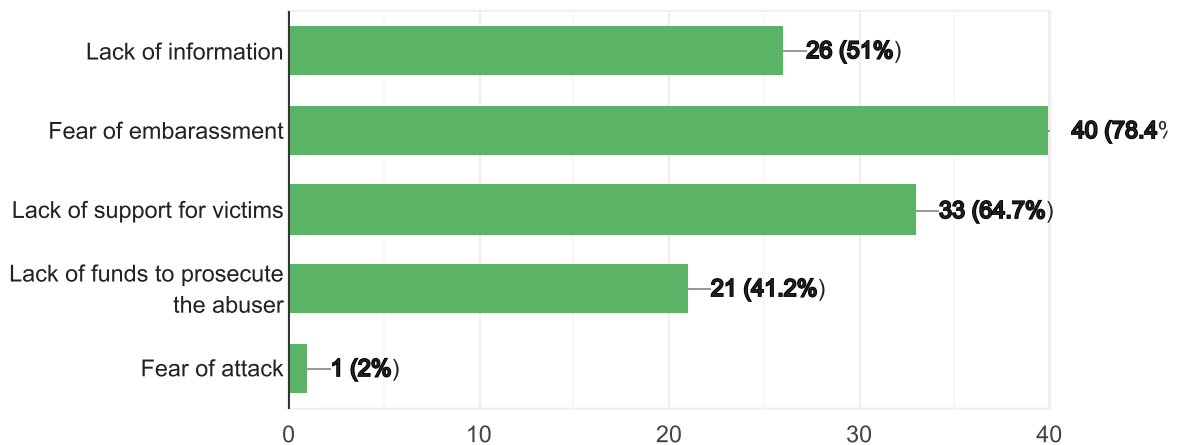
14. How have SGBV statistics changed over time (trend) in your locality?

51 responses



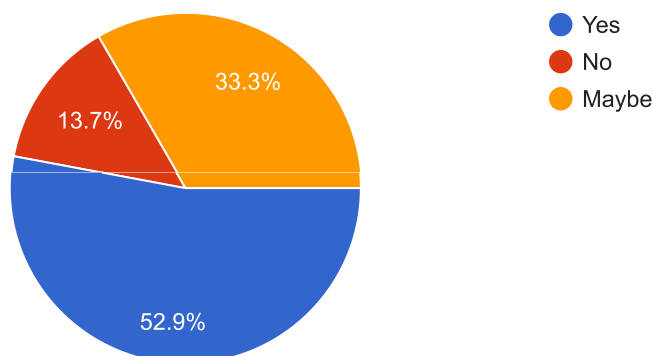
15. What are the challenges and opportunities to understand the geographical distribution of survivors, perpetrators, and convicts?

51 responses



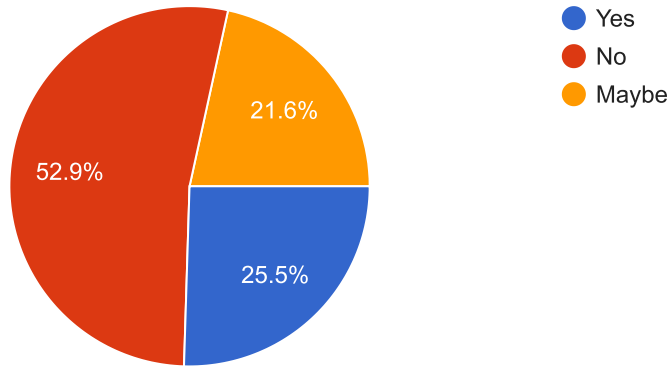
16. Do you think women are re-victimized by the police and other law enforcement institutions in their quest for justice as survivors of SGBV?

51 responses



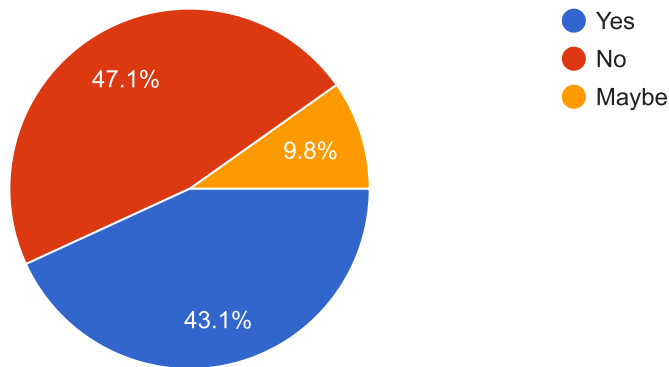
17. Do you think that the “first response” the police and other law enforcement agencies provide to victims of SGBV is adequate

51 responses



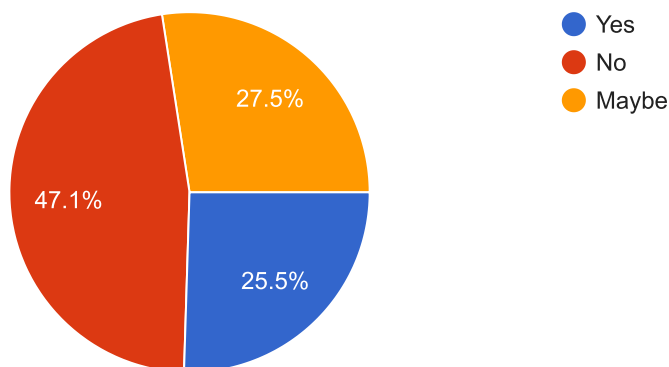
18. Are police and NSCDC stations designed to accommodate victims of SGBV?

51 responses



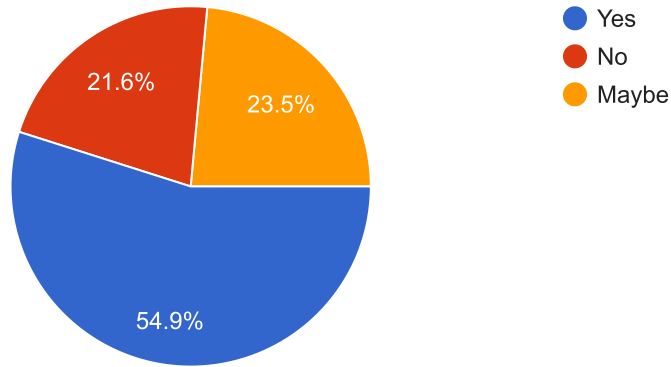
19. Are there facilities that provide support to victims of SGBV in the NPF and NSCDC)

51 responses



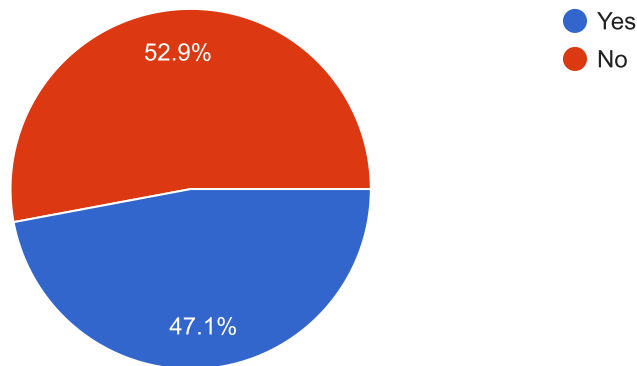
20. Are there preventive measures and responses to SGBV can be adapted to different contexts and intervention spaces?

51 responses



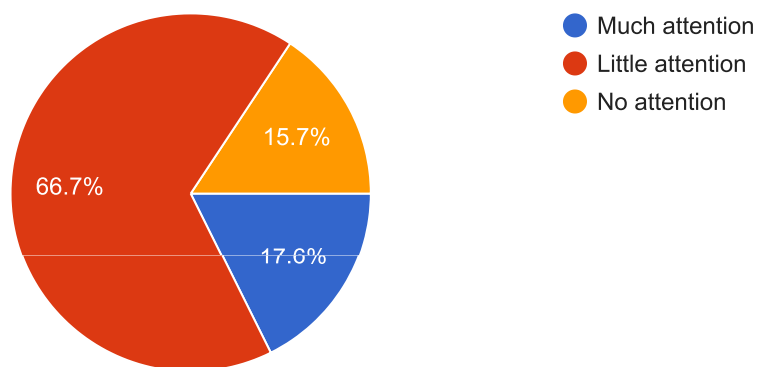
22. Have you been a victim/ know a victim of SGBV?

51 responses



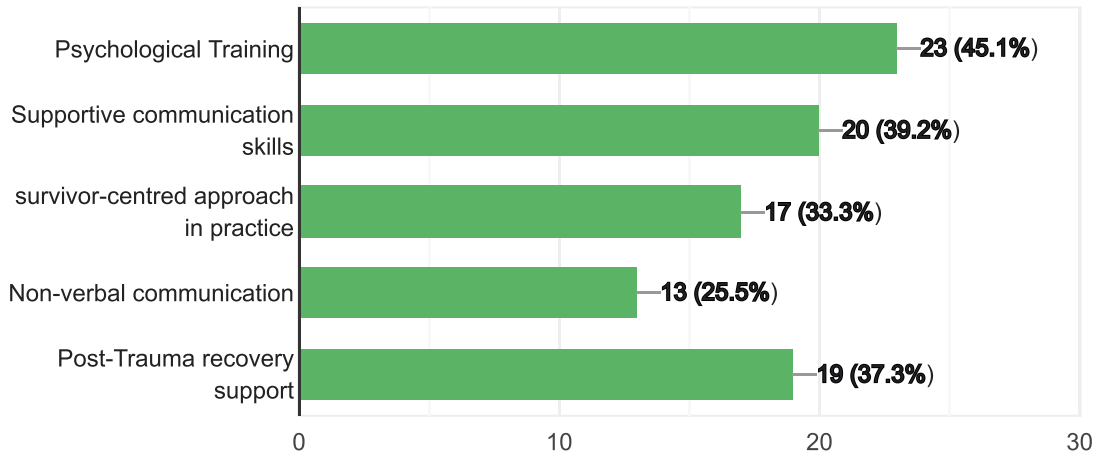
23. What attention do the police and other law enforcement agencies give to the emotional stress that SGBV survivors experience?

51 responses



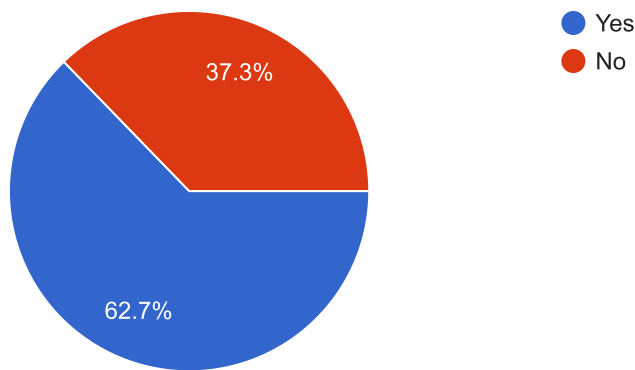
24. What human rights training do the law enforcement agencies receive as responders and investigators of SGBV?

51 responses



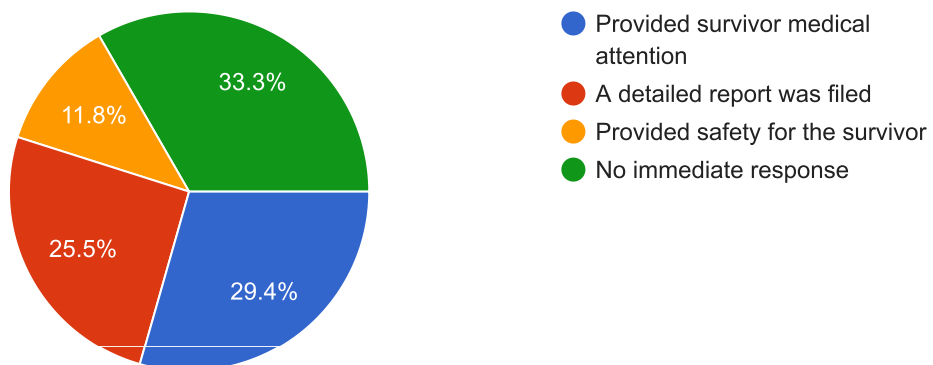
25. Do you engage with law enforcement agencies (NPF and NSCDC) for addressing incidents of SGBV?

51 responses



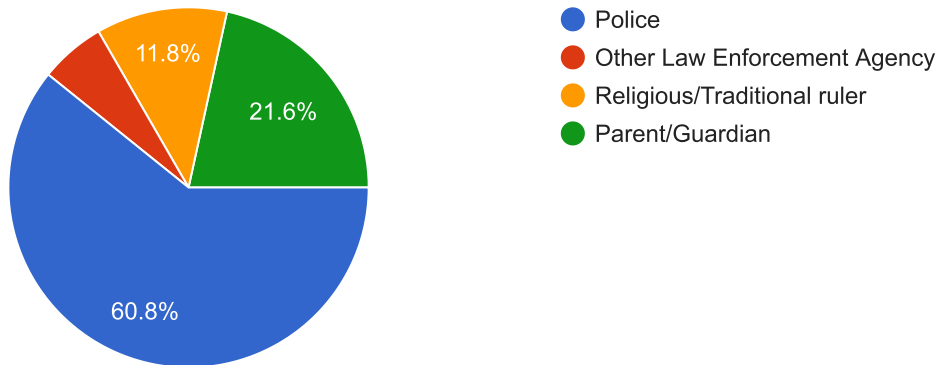
26. How was the case treated by the agencies?

51 responses



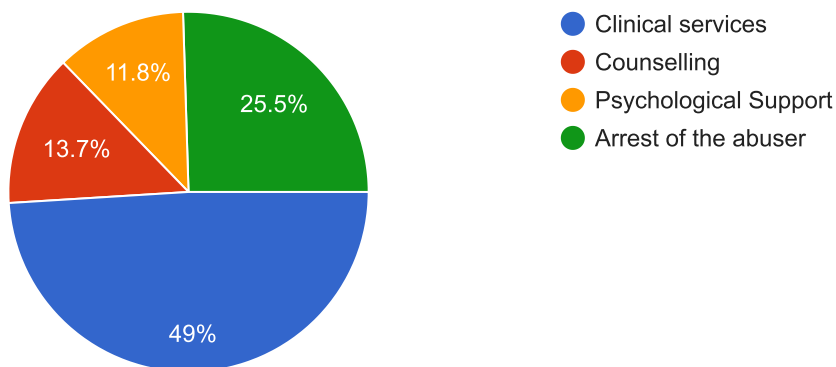
28. Who was the case reported to?

51 responses



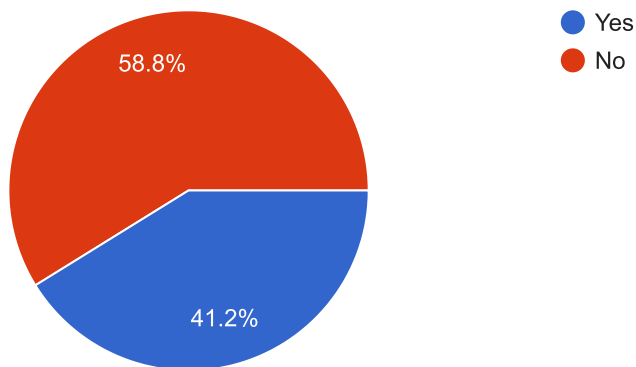
29. What services did the victim receive?

51 responses



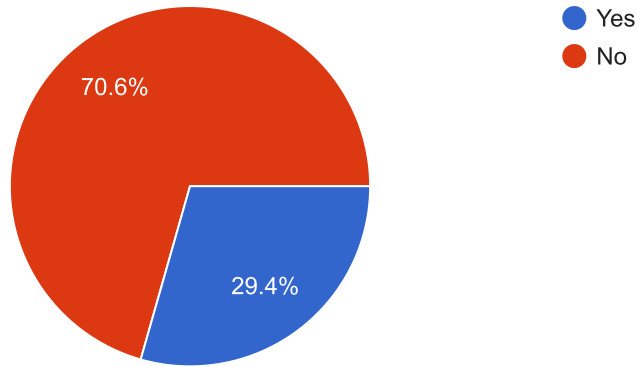
30. Are you aware of any policies and programmes on SGBV being implemented by the police and other law enforcement agencies?

51 responses



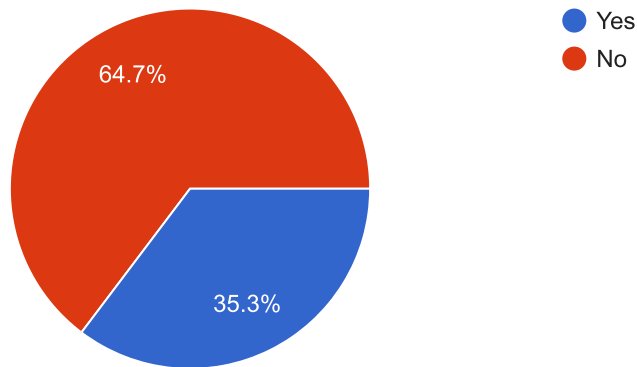
31. If you are aware, do you think the policies and programmes are being effectively implemented?

51 responses



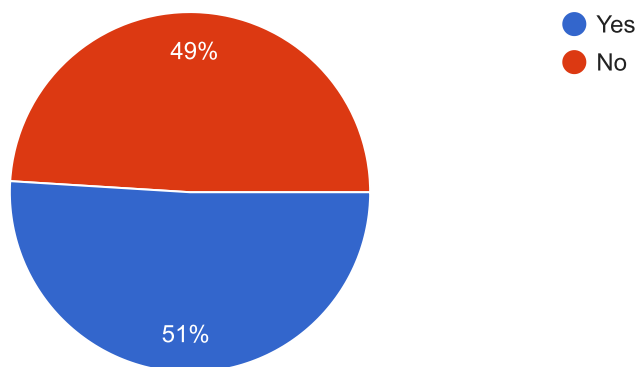
32. Do you know if the police and other law enforcement agencies have formal and informal mechanisms for engaging victims of SGBV?

51 responses



33. Do you think that the law enforcement agencies also seek to address the root causes of SGBV?

51 responses



Acknowledgment

PWAN appreciates the support of the institutions (Nigeria Police Force and Nigeria Security and Civil Defence Corps (NSCDC) and other agencies like the ministry of women affairs whose support contributed to the success of the research study.

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Promoting Survivor-Centered Policing In Nigeria

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FORD Foundation in February 2022*