

CENTRE FOR SOCIO-LEGAL STUDIES
STRATEGY/NEEDS ASSESSMENT FOR THE EFFECTIVE IMPLEMENTATION
OF THE ADMINISTRATION OF CRIMINAL JUSTICE ACT (ACJA), 2015

1. THE NIGERIAN POLICE FORCE

S/N	CHALLENGES	RECOMMENDED STRATEG(Y)(IES)	RESOURCES REQUIRED	TIMELINE
1.	Establishment of the Central Criminal Records (CCR) Registry under Section 16	<p>1.1 The definition of the CCR Registry as a depository of all information pertaining to the criminal justice system- from investigations, arrest to conviction, sentencing and releases.</p> <p>1.2 The Inspector General of Police (IGP) should immediately set up a unit within his office for the purpose of establishing the CCR Registry.</p> <p>1.3 The membership of this unit shall consist of at least a representative from all other arresting and detaining agencies.</p> <p>1.4 The IGP shall write to the heads of all such agencies above, requiring that their nominated representative be sent to his office immediately.</p> <p>1.5 That unit should immediately identify the sources of the information that forms the content of the CCR in line with Section 15.</p> <p>1.6 The IGP on the recommendation of the unit set up shall engage software engineers to advise on the type of secure software to use and build</p>	<p>1.1 At least 10 set computers and accessories for the Police Headquarter. At least 5 set computers and accessories for the 36 State Commands. At least 2 set of computers and accessories for each Divisional Stations.</p> <p>1.2 At least 10 set of 3 in 1 colored printers (that can both scanner and photocopy) for the Police Headquarter. At least 5 set of 3 in 1 colored printers (that can both scanner and photocopy) for the 36 State Commands. At least 2 set of 3 in 1 colored</p>	<p>1.1 Short term</p> <p>1.2 Short term</p> <p>1.3 Short term</p> <p>1.4 Short term</p> <p>1.5 Short term</p> <p>1.6 Medium term</p> <p>1.7 Long term</p>

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

		<p>one.</p> <p>1.7 The software to use for the CCR must at least have a 4Tier back up database.</p> <p>1.8 The unit set up by the IGP must make necessary arrangement for a manual back up of all information that is being entered to the CCR.</p> <p>1.9 Manual records that already exist should be scanned by that unit and made ready to be entered to the CCR.</p> <p>1.10 The CCR should be categorized into three major segments – the pre trial and conviction records, trial and conviction records, post trial and conviction records and special records.</p> <p>1.11 Access to the CCR should be categorize in such a manner that the number of administrators with the access to view and edit the information on the database be very limited compared to those with access to view and upload and to those who just view information on the database.</p> <p>1.12 Only 5 or less officers within the unit set up by the IGP should have the access to edit information on the database with a corresponding 3 or less officers in each State Command of the Nigerian Police Force.</p> <p>1.13 Only 3 or less officers in every Police Division Stations should have access to upload information to but not edit information on the</p>	<p>printers (that can both scanner and photocopy) for each Divisional Stations.</p> <p>1.3 Engagement of a software developing company to build the type of database envisaged for the CCR Registry.</p> <p>1.4 Engagement of consultants to train and consistently re train the officers and personnel involve.</p> <p>1.5 Stable supply of power from the national grid to Stations where these systems will be installed and administered. Or</p> <p>1.6 Provision of Generators that can power the department where the CCR is administered within each Divisional Station of the Police Force. Or</p> <p>1.7 Installing inverters or solar panels in each</p>	<p>1.8 Medium term</p> <p>1.9 Medium term</p> <p>1.10 Long term</p> <p>1.11 Long term</p> <p>1.12 Long term</p> <p>1.13 Long term</p>
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Timeline Range Table

- 0 - 2years.....Short term
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		<p>CCR database throughout the Country. Also, 3 or less number of personnel in each of the head office and other zonal offices of the other arresting and detaining agencies shall have the access to upload information to but not edit the information on the CCR.</p> <p>1.14 Every police officer who operates as a detective or its equivalent in other arresting and detaining agencies shall have access to view all categories of information contained on the CCR database with exceptions to classified information.</p> <p>1.15 Police officers other than those operating as detectives at the rank of Inspector to the rank of DPO (Divisional Police Officer) or the equivalent of the range of these ranks in other arresting and detaining agencies should have access only to the pre trial and conviction records category of the CCR to view only.</p> <p>1.16 Police Officers with ranks above the DPO should have access to view all categories of information on the CCR, except where such information is classified to the rank of such an officer.</p> <p>1.17 Personnel of other arresting and detaining agencies with equivalent rank to the police officers in 1.16 above should have similar access.</p> <p>1.18 Every lawyer called to the Nigerian Bar in</p>	<p>Divisional Stations of the Nigerian Police nationwide.</p>	<p>1.14 Long term</p> <p>1.15 Long term</p> <p>1.16 Long term</p> <p>1.17 Long term</p> <p>1.18 Long term</p> <p>1.19 Medium term</p>
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Timeline Range Table

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		<p>the legal department of the Nigerian Police Force or of any of the other arresting and detaining agencies, should have access to all categories of information on the CCR.</p> <p>1.19 The IGP should use the PRAWA (Prisoner’s Rehabilitation and Welfare Action) platform which has in attendance other arresting and detaining agencies in conjunction with the unit set up within his office to develop a template of how the structure and form the information to be uploaded on the CCR will take. How editing should be done. What can be viewed and what form of information could be printed after it has been viewed.</p> <p>1.20 The unit to be appointed by the IGP should recommend a template for determining what makes an information classified to the IGP.</p> <p>1.21 Information received by the police or other arresting and detaining agencies should also be entered into the special records category of the CCR.</p> <p>1.22 All other forms of information not specified should be entered into the special records category of the CCR.</p> <p>1.23 Training of the officers and personnel to be appointed by the IGP to the unit within his office. Likewise the training of all personnel that will be involved in the day to day running</p>		<p>1.20 Medium term</p> <p>1.21 Long term</p> <p>1.22 Long term</p> <p>1.23 Medium term</p> <p>1.24 Medium</p>
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		<p>of the CCR database in the State Commands and Divisional Offices as well as Zonal Offices of other arresting and detaining agencies.</p> <p>1.24 All police colleges are to review their courses to include practical lessons relating to the data collection, storage, and technical ability to handle the type of software that makes up the CCR.</p> <p>1.25 In the future bright and intelligent officers that should be posted to handle the administration of the CCR database in whatever capacity should be employed directly from the police college and their identities also made very discreet.</p> <p>1.26 The need to establish the CCR should designated as a National Critical Infrastructure by the IGP to the President through a letter, highlighting the benefits of a functional CCR Registry. This way the funds for establishing the CCR can be sourced from the National Security Fund.</p> <p>1.27 The IGP must include the cost required for building the CCR in the budget and highlight the benefits of the existence of the CCR Registry during defence of such the budget.</p>		<p>term</p> <p>1.25 Long term</p> <p>1.26 Short term</p> <p>1.27 Short term</p>
2.	The practical need to overcome the delay in criminal trial caused by	1.1 The Nigerian Police must begin to conduct investigation in teams as against single investigating officers.	1.1 Engagement of specialist consultants on criminal justice	1.1 Short term

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	<p>the absence of the Investigating Police Officers (IPO) owing to transfer, ill health amongst others.</p>	<p>1.2 Unnecessary transfer of investigating officers and department swap must be reduced within the police.</p> <p>1.3 The ACJMC (Administration of Criminal Justice Monitoring Committee) should immediately write a letter to the IGP to issue “Operational Guidelines for Investigation” to enforce the suggestions above.</p> <p>1.4 Internal seminars, sensitization and awareness meeting is to be organized by the CPs (Commissioners of Police) in each Divisional Stations of the Nigerian Police Force nationwide for all officers of the Nigerian Police in line with the Order of the IGP. The seminars and meetings should center on the needs and benefit of teams investigation.</p> <p>1.5 The IGP is to make provision for funds to accommodate employment of more officers in the budget, where personnel are lacking to achieve this suggestion.</p>	<p>administration by the various CPs for a comprehensive sensitization of officers of the force on the need for team of investigators.</p>	<p>1.2 Short term</p> <p>1.3 Short term</p> <p>1.4 Short term</p> <p>1.5 Medium term</p>
3.	<p>The need to submit case files of suspects that the Magistrate Court has no jurisdiction to try the offence the suspect is charged with to the Attorney General of the Federation under Section</p>	<p>1.1 The Director of Legal in the Headquarters should assign an officer lawyer within the department who is responsible for compiling and dispatching these case files to the Attorney General’s (AG’s) office.</p> <p>1.2 Likewise the Officer in Charge of Legal in the FCT State Command Station should assign an officer lawyer within the department whose</p>		<p>1.1 Short term</p> <p>1.2 Short term</p>

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	376 (1).	responsibility will be compile such cases and their case file and dispatch same to the AG's office.		
4.	The challenge of Police Officers adhering to the provisions of Sections 3 – 8.	<p>1.1 The IGP should in collaboration with Civil Societies or Development Partners organize vigorous training, awareness seminars and sensitization exercises for all officers of the Nigerian Police in all states of the Federation, especially the officers who interact day to day with citizens. The IGP should write to State Governments for support.</p> <p>1.2 Alternatively the ACJMC can collaborate with Civil Societies or Development Partners to organize vigorous training, awareness seminars and sensitization exercises for all officers of the Nigerian Police. The IGP should be in the know of all arrangement and progress.</p> <p>1.3 The training and re training of officers should be standardized in line with best international practices.</p> <p>1.4 The IGP should write to the CRU (Complaints Response Unit) of the police to be strict on any valid and genuine complaint against any police officer, irrespective of the rank of such officer.</p> <p>1.5 The ACJMC should advertise the availability of the CRU and its benefits at keeping the police on its absolute best to the public. They</p>	<p>1.1 Engagement of Consultants who major in the development, promotion and advancement of human rights generally.</p>	<p>1.1 Medium term</p> <p>1.2 Medium term</p> <p>1.3 Medium term</p> <p>1.4 Short term</p> <p>1.5 Short term</p>

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		<p>can write to partnering media houses or collaborate with Civil Societies and Funding Partners to carry out this campaign.</p> <p>1.6 Future applicants to the police who are experienced or majored in specialize human relations fields such as psychology, public relations, criminology, sociology and the likes, should be considered as preferred applicants to be employed.</p> <p>1.7 The IGP must compute as part of the budget of the Police funds dedicated to the training and re training of fields officers of the Force on respect for human rights and maintaining humane and dignify treatment of suspects, witnesses,, etc.</p>		<p>1.6 Medium term</p> <p>1.7 Medium term</p>
5.	The practical challenge of authenticating the records that will be entered into the CCR, especially as it relates to personal identity information of persons.	<p>1.1 The IGP to visit the Director General of NIMC (National Identity Management Commission) and discuss the possibility of the department of each Station of the Force where the CCR is administered be allowed access NIMC's database for confirmation of only personal identity details of any person whose personal details is to be entered into the CCR. [NIMC has the mandate to collate all identity information on citizens].</p> <p>1.2 The ACJMC is to write to the DG, NIMC to emphasize the importance of acceding to the request of the IGP. This will show utmost good faith.</p>		<p>1.1 Short term</p> <p>1.2 Short term</p>

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6.	Recording of Confessional Statement in an authenticated manner to prevent the constant challenge of its voluntariness which delays criminal trials. Section 17.	<p>1.1 The Police must allow suspect's who lawyers are within reach to be available before obtaining their confessional statement.</p> <p>1.2 The police should have concluded investigation before the invite or arrest a suspect that way the friction between lawyers and police during interrogation will disappear.</p> <p>1.3 Every police Division should have the list and numbers of Legal Aid lawyers, so they can be reached where private lawyers are not available for suspects.</p> <p>1.4 Every DPO should assign an on duty officer the task of getting in touch with the available Legal Aid lawyer.</p> <p>1.5 The CPs of each State Command (including the FCT) should write to the state heads of Legal Aid requesting this list and explaining the essence why the list is being required. Request should also be made for regular update of the list by Legal Aid heads.</p> <p>1.6 The CPs should issue as Directives to the DPOs to make sure a Legal Aid lawyer is present during the recording of confessional statement, where private lawyers are not readily available to the suspect.</p> <p>1.7 Where video facilities are available, recording of confessional statements must be done in the designated room and captured by the video camera.</p>	<p>1.1 One mobile smart phone, with a memory card not less than 4gigs, not less 5mega pixels camera and accessories for each Divisional Stations nationwide.</p> <p>1.2 One record file or book where the list or names and numbers of Legal Aid lawyers will be entered.</p> <p>1.3 A simple mobile phone for contacting Legal Aid lawyers when the need arises.</p> <p>1.4 Retrievable video compact disc for electronic recording of suspect's confession in police stations nationwide.</p>	<p>1.1 Short term</p> <p>1.2 Short term</p> <p>1.3 Short term</p> <p>1.4 Short term</p> <p>1.5 Short term</p> <p>1.6 Short term</p> <p>1.7 Medium term</p>
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		<p>1.8 Where there are no video recording facilities, the DPOs should provide for a smart phone that can easily record with clarity and not less than 5mega pixels, which would be use to record the confessional statement of the suspect.</p> <p>1.9 In cases where making a video might cause the suspect to withhold truth, the police can without informing the suspect, use a voice recorder, either with a tape or using a phone to obtain the confessional statement of the suspect.</p> <p>1.10 The IGP is to compute the cost of purchasing and maintaining all electronic gadgets required to achieve the objectives of the ACJA with regards for recording of confessional statements.</p>		<p>1.8 Short term</p> <p>1.9 Short term</p> <p>1.10 Short term</p>
7.	<p>1. Register of arrests kept in prescribed form in all police stations under Section 29(4).</p> <p>2. Submit monthly reports of all suspect arrested without warrants whether on bail or not to the nearest Magistrate under Section 33(1).</p>	<p>1.1 The Director of Legal is to prepare a template form for recording arrest to be circulated to all Police Stations in Nigeria.</p> <p>1.2 The DPO should assign a unit in every Police Station under his control to keep records of all arrest in the prescribe form prepared above. Whether with warrant or without warrant.</p> <p>1.3 That unit should also be responsible to transmit records of arrest without warrant to the nearest Magistrate. The officer on duty in that unit on the last day of the 3rd week should</p>	<p>1.1 One cabinet where this file keeping the records for all arrest will be kept for all Police Stations nationwide.</p>	<p>1.1 Short term</p> <p>1.2 Short term</p> <p>1.3 Short term</p>

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		be personally liable to transmit same to the registrar of the nearest Magistrate Court around the Police Station.		
8.	Remit quarterly record of all arrests made with or without warrant in relation to Federal offences under Section 29(1) to the AGF (Attorney General of the Federation) and State offences under Section 29(1) to the AGS (Attorney General of the State).	<p>1.1 The DPO should assign a unit in every Police Station under his control to keep records of all arrest in the prescribe form prepared in 1.1 of number 7 above. Whether with warrant or without warrant.</p> <p>1.2 The unit so assign by the DPO should, on the third week of every quarter give a copy of the record of arrest it has kept to the DPO whose supervision the Police Station is under.</p> <p>1.3 The DPO should on the last week of the every quarter convey such record of arrest to the office of the CP in the State.</p> <p>1.4 The CP should assign an officer from the legal department in his command who shall be the depository of all records submitted by the DPOs.</p> <p>1.5 The lawyer officer should be responsible for sorting the arrest records. Separating those made on federal offences from those made on state offences. All these must be done within the first week of every following quarter.</p> <p>1.6 The lawyer officer should be empowered by the CP to make demand or send reminders to the DPOs in the State as the case may be.</p> <p>1.7 The CP should cause the sorted records, on the federal offences, to be sent to the IGP's</p>	1.1 One Cabinet in every Police Station nationwide and at each State Command of the Police.	<p>1.1 Short term</p> <p>1.2 Short term</p> <p>1.3 Short term</p> <p>1.4 Short term</p> <p>1.5 Short term</p> <p>1.6 Short term</p> <p>1.7 Short term</p>

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		<p>office, who shall cause same to the transmitted to the AGF's office.</p> <p>1.8 The CP should cause the sorted records, on the state offences, to be sent to the AGS's office.</p>		1.8 Short term
9.	Remitting court decisions in all criminal trials to the CCR Registry under Section 16(3).	<p>1.1 The IGP to write to the Heads of Court in the FCT and Federal Courts, while in the case of State Courts, the respective CPs to write to the Heads of all such State Courts, intimating them of the requirement of this Section and soliciting their support through the registrars of court. The letter should also highlight the benefits of such records.</p> <p>1.2 The various Heads of Court should issue a directive to all registrars of courts with criminal jurisdiction to intimate the nearest Police Station when final decision in a criminal trial has been delivered by text.</p> <p>1.3 The phone number of the nearest Divisional Police Station to a Court should be pasted on the wall of the registrar's office.</p> <p>1.4 The officer's in the Divisional Stations of the Police or personnel in other Zonal Offices of the other arresting and detaining, charged with the task of uploading information on the CCR should be responsible for following up the judgment or gist of it from the court's registrar after notice of judgment has been made to them.</p>	<p>1.1 A smart mobile phone with a connecting line for each of the CCR unit in all the Divisional Stations nationwide. This phone should be able to take clear pictures.</p> <p>1.2 A USB Flash Drive for each CCR unit in all the Divisional Station of the Police, so that soft copies can also be secure from court.</p>	<p>1.1 Short term</p> <p>1.2 Short term</p> <p>1.3 Short term</p> <p>1.4 Short term</p> <p>1.5 Short term</p>

Timeline Range Table

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		<p>1.5 Where it is feasible to enter such a judgment within the timeline specified in the ACJA, the officer or personnel in charge should secure a gist of the judgment from the registrar.</p> <p>1.6 A fund must be made available by the IGP to finance the movement of such officers, calls they would make and pay for the airtime utilized by the court registrars to send such text.</p> <p>1.7 The fund required under this Section must be computed in the budget of the Nigerian Police Force by the IGP.</p>		<p>1.6 Short term</p> <p>1.7 Short term</p>
10.	Post one or more armed policemen to provide security during criminal trials under Section 93(3).	<p>1.1 The ACJMC should write the IGP urging him to give effect to this Section by issuing a Directive to the effect that, armed police officers should now be posted to courtrooms as Court Duty Officers.</p> <p>1.2 The IGP should issue Directives that at least one police officer be posted to all courtrooms for securing its premises and another officer who should be armed as Court Duty Officer to be responsible for keeping all defendants, remanded, convicted or those who couldn't meet their bail conditions.</p> <p>1.3 The IGP should be compute the cost that will be incurred by the Police to efficiently guarantee adherence to this Section of ACJA and include same in the budget of the Nigerian Police Force.</p>		<p>1.1 Short term</p> <p>1.2 Medium term</p> <p>1.3 Short term</p>

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

11.	The challenge to establish a productive relationship between the Investigating Police Officers (IPOs), the legal department of the Police and the Federal Ministry of Justice (FMOJ).	<p>1.1 Need for the CP Legal and DPP to directly establish a liaison committee to consider the difficulties encounter and suggest ways of greasing the friction.</p> <p>1.2 The DPP’s (Director of Public Prosecution’s) office should take into consideration a readily available and accessible fund that caters for the traveling expenses of IPOs.</p> <p>1.3 CSLS (Center for Socio-legal Studies) should write the Heads of Courts in the FCT to issue a directive to all court to mandate their registry to give advance notice via text where the court will not be sitting.</p> <p>1.4 All courts should make available a phone number that parties can send a simple text of inquiring whether or not the court will sit, for example “Is The Court Sitting” and should be able to receive a prompt reply of ‘Yes” or “No”.</p> <p>1.5 Also where hearing in a particular case will not proceed, Judges should make sure parties involved are informed, so that where witnesses are to be brought from outside jurisdiction, such resources can be saved.</p> <p>1.6 The Heads of Court are to compute the cost that this practice will consume and include same in the budget of the courts under the Judiciary.</p>	<p>1.1 A smart mobile phone for the registry of each court to serve the purpose of receiving and replying notices.</p>	<p>1.1 Short term</p> <p>1.2 Medium term</p> <p>1.3 Short term</p> <p>1.4 Short term</p> <p>1.5 Medium term</p> <p>1.6 Medium term</p>
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Timeline Range Table

0 - 2years.....Short term
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2. ATTORNEY-GENERAL OF THE FEDERATION (LAW OFFICERS)

S/N	CHALLENGES	RECOMMENDED STRATEGY	RESOURCES REQUIRED	TIMELINE
1.	Inspector General of Police and heads of every agency authorised by law to make arrest to remit quarterly to the Attorney-General of Federation record of arrests made in relation to federal offences. S 29(1).	<p>1.1. There is need to highlight the importance of having a record which is to:</p> <ul style="list-style-type: none"> (a) help police investigation; (b) understand trends of criminality, and (c) assist in developing appropriate responses by policy makers. <p>1.2. There is need to understand that all arresting agency having come under the definition of police are obliged to supply to the Central Criminal Record Registry information prescribed in section 15 (3).</p> <p>1.3. Two categorises of information required: pre-trial information as contained in section 15 and after trial information (judgment whether favourable or not) the two data should be uploaded to the</p>	1.2.1 There is need for sensitisation for all arresting agency as to their roles under the Act.	Short term within one year.

Timeline Range Table

0 - 2years.....Short term
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		electronic database contained in the Central Criminal Record Registry		
2.	Attorney-General of Federation to establish electronic and manual database of records of arrests at the federal and state level. S. 29(5)	<p>2.1. Attorney-General to write letters requesting the Inspector-General of Police and heads of every agency to remit the statutory quarterly records of arrests.</p> <p>2.2.1 Attorney-General to set-up a special unit in the Federal Ministry of Justice to receive and protect the data.</p> <p>2.2. Attorney-General to convene a meeting with the relevant agencies on the importance of partnership between stakeholders. In addition, he needs to pay courtesy visits to some of the agencies.</p> <p>2.3. There is need to update AG's the record to include judgments where the case progress to trial.</p> <p>2.4. Attorney-General to obtain from the Police previous data it had before the enactment of</p>	<p>2.2.2 Adequate budgetary.</p> <p>2.2.3 There is need to have a servers and acquire computers, internet facility, and other ICT gadgets.</p> <p>2.2.4 There is need to engage reputable Software engineer or ICT expert to develop a software and adequate backup system for hosting the database.</p> <p>2.2.5 Technical capacity building for the personnel in the new unit to be created by the Attorney-General.</p>	Short term.

Timeline Range Table

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		<p>ACJA which will be uploaded to the database.</p> <p>2.5. There is need for the Attorney-General to have a manual record to serve as a backup.</p> <p>2.6. Uniform template to be developed and adopted by all relevant agencies.</p>		
3.	<p>Monthly report to a Supervising Magistrate of all suspects arrested with or without warrant within the limit of their respective stations or agency whether the suspect has been admitted to bail or not. S. 33 (1). Where the officer does not comply, the Supervising Magistrate is required to report it to the Chief Judge and the Attorney-General of the Federation for appropriate remedial action.</p>	<p>3.1 Chief Judge of the FCT to appoint Supervising Magistrates.</p> <p>3.2 Supervising Magistrates to write letters to officers in charge of police stations and agencies for the statutory report.</p> <p>3.3 The Chief Judge of the FCT and the Attorney-General to recommend the defaulting officer to be queried as a disciplinary measure for non-compliance with the provisions of section 33(1).</p>	3.3.1	Short term.
4.	<p>Attorney-General upon request to</p>	<p>4.1 There is need for officers in</p>	4.1.1 There is need for	Short term.

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	make available the monthly police report to the National Human Rights Commission, Legal Aid Council of Nigeria or a Non-Governmental Organisation. S. 33 (4).	charge of station or agency to forward monthly police report to the Attorney-General. 4.2 Attorney-General of Federation to designate the personnel in the new unit setup in 2.2. above to forward the Police monthly report to the relevant institutions.	sensitization for law enforcement officer as regards their roles under the ACJA.	
5.	Chief Magistrate to visit police stations every month. S. 34.	5.1 Chief Magistrate to visit police stations and other detention impromptu (i.e. without prior notice to the police/agency.) 5.2 There is need for lawyers from the Legal Aid Council and other NGOs involved in pro bono services to accompany the Chief Magistrate for his visits to police stations and other detention centres.		Short term.
6.	Attorney-General may prefer information in any court in respect of an offence created by an Act of the National Assembly S. 104.	6.1 Police to hand over case files to Department of Public Prosecution where there is no available police prosecutor (legal practitioner). 6.2 Director of Public Prosecution	6.6.1 There is need for employment of prosecutors into the ministry of justice. 6.6.2 Uniform salary scale for lawyers in the Ministry of Justice with their	Short term.

Timeline Range Table

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		<p>to assign files to law officers in the department and attach them to a specific court.</p> <p>6.3 There is need to institutionalise, assignment and pairing of investigators with prosecutors for early engagement in order to create synergy between the police and prosecutors from the Ministry of Justice.</p> <p>6.4 Director of Public Prosecution to monitor cases that are being assigned.</p>	<p>counterpart in other agencies such as EFCC, ICPC, NAPTIP, etc.</p> <p>6.6.3 Sensitization, training and retraining of prosecutors to keep them abreast with the provisions of the ACJ Act.</p> <p>6.6.4 More prosecutors should be posted to the DPP.</p> <p>6.6.5 Special funds to the office the DPP.</p>	
7.	Attorney-General may issue legal advice or such other directive to the Police or any other law enforcement agency in respect of an offence created by an Act of the National Assembly. S. 105.	<p>7.1 Attorney-General to forward the police case file to the DPP for legal advice and DPP to designate law officers to perform this specific task in the DPP.</p> <p>7.2 There is need for the Director Public Prosecution to stipulate a timeline of 3 to 4 days within which the officer must deliver on the task.</p>		Within one month.
8.	Prosecution of all offences in any	8.1 Same as in row 6.		Short term.

Timeline Range Table

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 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

	<p>court shall be undertaken by the:</p> <p>(a) Attorney-General of the Federation or a Law Officer in his Ministry or Department;</p> <p>(b) a legal practitioner authorised by the Attorney-General of the Federation; or</p> <p>(c) a legal practitioner authorised to prosecute by this Act or any other Act of the National Assembly. S. 106.</p>			
9.	<p>The charge sheet filed by the prosecution shall be served on the defendant within seven days of its being filed or such time as the court may allow. S. 110(2)</p>	<p>9.1 Prosecutors to collaborate with court bailiffs to ensure that court processes are served within the timeline.</p>	<p>9.9.1 Provision of fund for logistics.</p>	<p>Short term</p>
10.	<p>Comptroller-General of Prisons to make returns every ninety days of all persons awaiting trial held in custody for a period beyond 90 days from the date of arraignment to the Attorney-General.</p> <p>Upon the receipt of such returns, the Attorney-General is required take such steps as are necessary to address the issues raised in the returns in furtherance of the objectives of the Act. S. 111</p>	<p>10.1 Attorney-General to write and make a demand on the Comptroller-General to forward the statutory report.</p> <p>10.2 Attorney-General to designate the personnel in the new unit setup in 2.2. above to receive the returns for proper documentation and upload to the database.</p> <p>10.3 There is need for Attorney-</p>	<p>10.10.1 There is need for sensitisation for the personnel in the prisons on the provision of the Act.</p>	<p>Short term.</p>

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		<p>General to obtain from the Prisons previous data it had before the enactment of ACJA which will be uploaded to the database records of convicts.</p> <p>10.4 Attorney-General to maintain both manual and electronic database for this purpose.</p> <p>10.5 There is need for synergy between the Prisons and Ministry of Justice particularly the personnel working in the new unit.</p>		
11.	Attorney-General may in appropriate circumstances may request a court to cancel a defendant's bail or increase the bail sum. S. 169.	11.1 There is need for the Attorney-General to monitor the progress report of cases especially cases involving politically exposed persons and high profile cases in order for him to know when to apply the provision of section 169.	NIL	Short term.
12.	The court may, on an application of the prosecution or the defence, issue a summon or writ of subpoena on a witness requiring him to attend court to give evidence	12.1 There is need for the Chief Judge (FHC and FCT) to include in its budgets estimation for witness expenses.	12.12.1 Adequate budgetary allocation for the judiciary to include witness expenses.	Short term

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

	<p>in respect of the case, and to bring with him any specified documents or things and any other document or thing relating to them which may be in his possession or power or under his control. S.241.</p>	<p>12.2 Chief Registrars of Court (FHC&FCT) to prepared a template for the payment of witness expenses.</p> <p>12.3 There is need for the Chief Registrar to insert in the Witness Summon or Subpoena such clause that “witness will be entitled to payment of reasonable expense as may be prescribed.”</p> <p>12.4 Registrars of courts to ensure that witnesses are paid their entitlement in court.</p>	<p>12.12.2 There is need to create awareness amongst the public of their responsibility to attend court as witness when called upon.</p>	
13.	<p>Where a private legal practitioner prosecutes on behalf of the Attorney-General or a public officer prosecuting in his official capacity in any criminal proceeding, the private legal practitioner or public officer shall prosecute subject to such direction as may be given by the Attorney-General of the Federation. S. 268(1)</p>	<p>13.1 Private legal practitioners prosecuting on behalf of the AG to constantly submit progress report in order to update the office of the Attorney especially cases relating to terrorism, economic crimes or cases involving politically exposed persons and other related high profile cases.</p>	NIL	Short term.

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

14.	The Attorney-General of the Federation may delegate to the Attorney-General of a State the powers conferred on him by this section either generally or with respect to any offence or class of offences and such offence shall be prosecuted in the name of the Federal Republic of Nigeria. S. 268(2).	<p>14.1 There is need for the Attorney-General of the Federation to delegate to the Attorney-General of states cases especially where the alleged offence was committed in the state e.g. vandalism cases.</p> <p>14.2 Where such power is delegated there is need for the Attorney-General of the Federation to monitor the progress report of such cases.</p>	NIL	Short term.
15.	Plea bargain guideline. S. 270.	15.1 There is need for the Attorney-General to develop a plea bargain manual which will serve as a term of reference to guide prosecutors in addition to the guidelines provided in the ACJA.	15.15.1 Sensitisation, training and retraining of prosecutors to keep them abreast with the provisions of the Act	Short term.
16.	Where the fact of a previous conviction of a defendant is a fact in issue, the prosecution shall prove the same in accordance with the provisions of the Evidence Act. S.	16.1 There is need for the electronic database established by the Attorney-General to include conviction data.	16.16.1 Ditto.	Short term.

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

	272.	16.2 The Attorney-General needs to give law officers access to the database.		
17.	Attorney-General of the Federation may be required at any stage of the trial apply to the court for an order for a defendant who is suspected to be of unsound mind to be sent to an asylum or other suitable place for observation. S. 278(6).	17.1 There is need for the Attorney-General to be aware of this responsibility. 17.2 The Attorney-General needs to ensure that the facility to be used in this case exist which should be different from the regular prison facility.	17.17.1 Adequate budgetary provision for the maintenance of such mental facility. 17.17.2 Sensitisation and capability building for the personnel in the facility.	Short term.
18.	The Attorney-General of the Federation may at his discretion order the defendant to be confined pursuant to section 285 in a mental health asylum, prison or other suitable place of safe custody. S. 286 (1). In exercising this discretion, the Attorney-General of the Federation shall ensure that the defendant is placed in such facility as to afford him adequate care at the expense of the State. S. 286 (2).	18.1 Ditto.	18.18.1 Ditto.	Ditto.
19.	A law officer for the prosecution shall in all cases have the right of		19.19.1 The Police and other prosecuting agencies	Short term.

Timeline Range Table

0 - 2years.....Short term
Above 2years - Below 5years...Medium term
Above 5years.....Long term

	reply. S. 258		<p>must equip its library with legal materials.</p> <p>19.19.2 There is need for sensitisation</p>	
20.	After a plea of not guilty has been taken or no plea has been made, the prosecutor may open the case against the defendant stating shortly by what evidence he expects to prove the guilt of the defendant. S. 300.	<p>20.1 There is need to institutionalise the relationship between the office of the Commissioner of Police Legal and Director of Public Prosecution in the Ministry of Justice.</p> <p>20.2 Prosecutors need to collaboration with IPOs and budgetary provision should be available in the Ministry of Justice to assist IPOs who will travel from far locations to testify in court with traveling allowances. The money should be easily accessible. This is to tackle the problem non availability of IPO witness as result of transfer.</p> <p>20.3 Where courts will not sit on a scheduled day, advance notice should be given to all parties.</p>	<p>20.20.1 Well-equipped library facility and availability of access to e-library.</p> <p>20.20.2 Provision of internet facility.</p> <p>20.20.3 Provision of tablets and other smart phone devices.</p> <p>20.20.4 There is need for sensitisation.</p>	Short term.

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		20.4 There is need for prosecutors to be diligent and take advantage of the provisions of the Act.		
21.	Where a defendant is found guilty of an offence, the court may, in passing sentence, take into consideration any other charge pending against him, where the defendant admits the other charge and desires that it be taken into consideration and if the prosecutor of the other charge consents. S.313.	<p>21.1 Attorney-General to bring the entire prosecuting agency under one umbrella in order to create a harmonious working relationship between prosecutors.</p> <p>21.2 Attorney-General to establish a data-base for all on-going criminal matters in order to track cases. This duty should be assigned to the new unit setup by the Attorney-General.</p> <p>21.3 Prosecutor to update the Attorney-General on the status and progress of each case they are assigned in the Ministry of Justice which will be uploaded in the database for ease of reference and tracking.</p>	NIL	Short and long terms.
22.	A person detained in a safe custody	22.1 There is need for the	NIL	short term

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

	<p>or suitable place other than prison or mental health asylum may at any time be discharged by the Attorney-General on licence. S. 438(2).</p> <p>Attorney-General may at any time revoke or vary a licence and where is done, the person to whom the licence relates shall proceed to such place as the Attorney-General may direct and if he fails to do so may be arrested without warrant and taken to the place. S. 438.</p>	<p>Attorney-General to ensure that the facility for the reception of the persons exists.</p> <p>22.2 Adequate security personnel for the protection of the persons detained in such facility.</p>		
23.	<p>Attorney-General to prepare and submit the record of cases for recommendation of mercy to the Council of State. S. 410.</p>	<p>23.1 There is need for the Attorney-General to liaise with the prisons authority in order to perform the tasked provided in section 410.</p> <p>23.2 The Attorney-General to develop a guideline for convicted person on the procedure involved on application for mercy or pardon.</p>	23.23.1 NIL	Short term within one year.
24.	<p>The Secretariat of the ACJMC shall be headed by a Secretary who shall be appointed by the Attorney-</p>	<p>24.1 Attorney-General to appoint a substantive Secretary for the Administration of Criminal</p>	24.24.1 Provision of a temporary physical structure to serve as the Secretariat of the	Short term and long term.

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

<p>General of the Federation. S. 471(2)</p> <p>The Secretary of the ACJMC to submit to the Attorney-General not later than 30th September in each financial year, an estimate of its expenditure and income during the next financial year. S. 473.</p>	<p>Justice Monitoring Committee.</p> <p>24.2 Attorney-General to propose a supplementary budget to the Federal Executive Council that will take care of the expenditure of the Secretariat.</p> <p>24.3 Attorney-General to write letter to the Secretary of the Administration of Criminal Justice Monitoring Committee to submit its expenditure at least by August of every year.</p> <p>24.4 Hosting of the meetings of the Administration of Criminal Justice Monitoring Committee should rotate among the agencies represented.</p>	<p>Administration of Criminal Justice Monitoring Committee.</p> <p>24.24.2 Recruitment of personnel for the Secretariat.</p> <p>24.24.3 Training and capacity building workshop/seminar for personnel of ACJMC.</p>	
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Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

3.0 THE JUDICIARY

3.1 CHIEF JUDGE

S/N	1. CHALLENGE	2. STRATEGY	3. RESOURCES REQUIRED	4. TIMELINE
	THE CHIEF JUDGE.			
1.	Sec 34 – Designate Magistrates and Judges for monthly Visitation of Police Stations and other Detention Centres for inspection.	<p>1.2.1 Ascertain and compile a list of police stations and NSCDC stations in the FCT with addresses and phone numbers with the aid of Commissioner of Police (Legal).</p> <p>1.2.2 Preparation of a Memo by the Chief Justice of the FCT designating supervising magistrates to all Police stations and NSCDC Stations¹ (this is because of the nature of operation of this agency. NSCDC operates like the police as they now also have detention places) within the FCT.</p> <p>1.2.3 The Chief Judge of the FCT is also to notify the Inspector General of Police of these designations and request that the I.G communicate same to all Police Divisions for their maximum co-operation</p> <p>1.2.4 The CJ FCT is also to issue a memo designating specific Judges to visit</p>	<p>1.3.1 Budgetary Allocation: Specific funds should be earmarked for this periodic inspection</p> <p>1.3.2 Official cars and fuelling of these cars for the magistrates.</p>	<p>Short term</p> <p>Short term</p> <p>Short term</p> <p>Short term</p>

¹ NSCDC are contemplated under Section 34 of ACJA 2015

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

	particulars of a charge where it has been preferred and trial has not commenced for 30 days, or Where trial has commenced but has not be concluded within 180 days.	with this provision. 3.2.2 CJ to develop a standard template for this reporting. 3.2.3 Train staff with the technical know-how for managing this information. 3.2.4 The Chief Judge should build a data system for storing these information. 3.2.5 Make necessary budgetary allocations for setting up the data system. 3.2.6 ACJMC should mount pressure on the CJ to make this provision operative.	a viable software, and Data storage facilities	Short term Short term Short term Short term Short term
4.	SEC 110(5) Chief Judge to receive Quarterly Reports from Courts of Particulars of all Criminal Cases.	As in 3 above	As in 3 above	
5.	SEC 187 – the Chief Judge is to make regulations for licensing Corporate bodies to act as bondspersons.	5.2.1 Issue guidelines for operations of bondspersons. 5.2.2 Direct a unit in the Sheriff Section to be in charge of administering bondspersons. 5.2.3 Make necessary publication requesting interested persons to register as bondsperson.	5.3.1 Funding for publication.	Short term Short term Short term
6.	SEC. 242 – Authorise and Assign process servers including courier companies to Courts to effect efficient service of court processes.	6.2.1 Issue guidelines for operations of proves servers. 6.2.2 Direct a unit in the Bailiff Section to be in charge of administering process servers.	6.3.1 Funding of the department	Short term Short term

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

		6.2.3 Make necessary publication requesting interested persons to register as process servers.		Short term
7.	SEC 382(1) – to assign cases to trial Judge within 15 working days after filing.	7.2.1 The Chief Judge should decentralise the filing and assignment of information 7.2.2 Acquire and deploy E-assignment facility for assigning criminal cases	7.3.1 Funding	Short term Medium term
8.	SEC 232 – Witness Protection	8.2.1 The CJ should make guidelines for witness protection. 8.2.2 Designate one or two rooms as video link centres in any of the courts for the purpose of taking evidence. 8.2.3 Equip each of the Courts with video-link facilities 8.2.4 Budgetary Allocation 8.2.5 Training of Staff to man the video-link technology 8.2.6 Acquire screens or blinds and masks for hiding witnesses.	8.3.1 Funding	Short terms Medium term Short term Short term Medium term Short term

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

9.	Section 111 (1) to receive returns from the Comptroller-General of prisons every 90 days of ATIs	<p>9.2.1 CJ to develop templates for these returns</p> <p>9.2.2 Set up of a data collation centre as (as suggested in 3 above)</p> <p>9.2.3 The Comptroller-General of Prisons and controllers in the states need to be sensitized on the existence of this legal duty. This sensitization should be through letters and seminars</p> <p>9.2.4 The CJ should write the Comptroller-General to demand for the returns where need be.</p> <p>9.2.5 The Comptroller General may delegate this duly and impose sanction for default.</p> <p>9.2.6 Funds could be raised from Development Partners for this purpose.</p>	<p>9.3.1 Funding of the centre.</p> <p>9.3.2 Training of staff</p>	<p>Short term</p> <p>Short term</p> <p>Short term</p> <p>Short term</p> <p>Short term</p>
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Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

10.	Section 396 – Practicability of day to day trial.	<p>10.2.1 Some courts in the FCT should be designated as Criminal Divisions which are subdivided into Specialist courts, for Homicide cases Anti-corruption Cases, Terrorism cases etc.</p> <p>10.2.2 There should also be appointment of more Judges.</p> <p>10.2.3 The prisons officials should be better equipped with good vehicles to convey defendants to courts regularly.</p> <p>10.2.4 Courts should avoid granting long adjournments.</p> <p>10.2.5 Prosecutors should get their witnesses ready before commencement of trial</p> <p>10.2.6 Hearing should go on as scheduled. Where scheduled hearing is not going on, notice should be given to parties in earnest to avoid expenses of bringing witnesses.</p> <p>10.2.7 Funds should be sourced from International Organisations to equip the court with electronic recording tool.</p> <p>10.2.8 Some mini detention places should be built in the Court complex.</p> <p>10.2.9 Court Duty Officers from both the Nigeria Police and Nigeria Prison should be stationed in all courts.</p> <p>10.2.10 Locate some Criminal Division</p>	<p>10.3.1 Purchase of Electronic recording gadgets for courts</p> <p>10.3.2 At least 10 Vehicles for the Prisons</p> <p>10.3.3 Detention places built around courts.</p>	<p>Medium term</p> <p>Medium term</p> <p>Medium term</p> <p>Short term</p> <p>Short term</p> <p>Long term</p> <p>Short term</p>
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Timeline Range Table

- 0 - 2years.....Short term**
- Above 2years - Below 5years...Medium term**
- Above 5years.....Long term**

		Courts close to the Prisons especially for capital offences.		
	3.2 MAGISTRATES			
11.	SEC 34 – Inspect Police Stations or detention centres every month.	11.2.1 Mark specific days on his calendar for this visitations. 11.2.2 Some of the visitations should be impromptu 11.2.3 A Magistrate should endeavour to have Legal Aid, NGOs and the National Human Rights Commission in his team during visitation		Short term
12.	SEC 33(1)(3) – Receive and forward reports on Arrest from Police to the Criminal Justice Monitoring Committee	12.2.1 The CJ should designate visiting magistrates and issue directives to these Magistrates to comply with this provision.		Short term
13.	SEC 110(5) Submit quarterly returns of all cases, remands and other criminal proceedings to the Chief Judge	13.2.1 Assign one of his clerks to compile records of all remand orders, and documentations to be transmitted.		Short term
	3.3 CHIEF REGISTRAR			
14.	Section 251-254 Witness Expenses.	14.2.1 The CJ should instruct the Chief Registrar to produce a Witness	Money has to be allocated for witness	Medium term

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

		Expenses Payment Scale based on kilometres and accommodation needs	expenses.	
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4. NIGERIAN PRISONS SERVICE

S/N	Challenges/Statutory responsibility	Recommendation/strategy	Resources needed	Timeline
1.	Section 111 of ACJA: Duty of the Comptroller-General of Prisons to make returns on the data of ATIs to the AGF and other specified authorities.	<p>1.1 Computerisation of the database of prison inmates to facilitate easy collation, circulation and transmission of electronic data.</p> <p>1.2 Pending the installation of the database, a summarized data of ATIs could be culled from the manual records stored in a compact disc and forwarded to the CG's</p>	<p>1.1 At least 10 computers at the Prison Headquarters, internet servers, biometric data capturing devices and software engineers to design and install the system.</p> <p>1.2 Computers sets, computer operators, Compact Discs (CDs), compilation unit.</p>	<p>Long term</p> <p>Short term</p>

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		office from the state commands.		
2.	Section 396 of ACJA: Day to Day Trial. Lack of adequate logistics for transportation of prison inmates to courts. There are only 268 vehicles traversing 5.022 courts in 774 local governments all over the federation..	2.1 Provision of adequate number of operational vehicles to ease transportation of inmates to court for trial as at when due. (CSLS to partner with NPS to present a powerful position to the Minister of Interior on this.)	2.1 At least one (1) operational vehicle to convey inmates around courts in each of the 774 local government areas. 2.2 A minimum of 10 vehicles for the FCT command of the Nigerian Prisons Service.	Medium term
3.	Section 461 (1): Appointment of Judiciary Registrars to head Community Service Centers.	3.1 The Chief Judge of the FCT to exercise his power to appoint a Registrar to head the Community Service Centers in collaboration		As soon as the CSCs becomes operational

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		with the NPS Community Service Centers for FCT.		
4.	Section 468(2) of ACJA: Implementation of an effective parole regime under the Act.	4.1 The Centre to collaborate with the NPS to ensure creation of more half way homes. 4.2 The Chief Judge in collaboration with the NPS to create a unit or department for skill acquisition in the Community Service Centers. Engage the Nigerian Artisan Registration Council to supervise the unit and report to the Registrar.	4.2 Workshop spaces, Skilled artisans, Tripartite Memorandum of Understanding between the Judiciary, NPS and the National Artisan Registration Council.	Long term Medium Term
5	Section 416 (2) (e) of the	5.1 The Chief Judge to issue	5.1 Practice Direction by	Short term.

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

	<p>Act regarding the consideration of the period already spent by a convict in prison in computing his sentence</p>	<p>a Practice Direction mandating all prosecutors to, on the day of judgment, inform the court about the period already spent by a defendant in prison so as to enable the court exercise its power and discretion under the section.</p> <p>5.2 Constant enlightenment of prison officials on this new innovation of the Act</p>	<p>the Chief Judge, Synergy between prosecutors and prisons.</p> <p>5.2 Workshops, hand manuals and big posters illustrating this point could be printed and pasted at the prisons</p>	
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Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

5. THE LEGAL AID COUNCIL:

S/N	Challenges	Recommended Strategy	Resources Needed	Timeline
1.	<p>Section 6(2) (c) on right of a suspect to free legal representation.</p> <p>(a) <u>Lack of information from the police</u></p> <p>The challenge here is that the Police neither inform suspects of this right nor contact the Legal Aid Council when the need arises to provide a suspect with free legal representation.</p>	<p>1.1 <u>On lack of information from the police</u></p> <p>The Inspector General of Police (IGP) should issue a directive to all Commissioners of Police directing them to contact Legal Aid Officers when there is need to do so.</p>	<p>1.1 Phones and recharge cards for the police rank and file to contact legal aid officers.</p>	Short Term
	<p>(b) <u>dearth of manpower</u></p> <p>Lack of enough lawyers in the employment of the Legal Aid Council. Lawyers in the employment of the Council are too few compared to the volume of cases requiring attention.</p>	<p>1.2 <u>On dearth of manpower</u></p> <p>The Legal Aid Council to collaborate with the NBA President and NBA Section on Legal Practice (SLP) to incorporate more lawyers into the Pro-Bono Services scheme. This scheme is to be so much institutionalized that with time,</p>	<p>1.2 A proposal on the new NBA/Legal Aid Council Pro-Bono Partnership to be presented by the DG at the NBA Conference in Port-Harcourt in August 2016 or at any other suitable time.</p>	Short term

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		lawyers will required to show evidence of participation in it to renew their license.		
2.	<p>Section 17(2) on recording of statement of suspects in the presence of an officer of the Legal Aid Council.</p> <p>(a) Legal Aid Officers, most times, are not opportune to witness the recording of a witness' statement at the Police Station because police officers who interview these suspects do not contact legal aid officers even when there is an obvious need for such when the suspect has no legal representation.</p>	<p>1.1 <u>Directives</u> Commissioners of Police should issue a directive to all DPOs in their respective states to assign an officer in their stations to contact the nearest office of the Legal Aid Council for legal representation before the statement of the suspect is taken.</p> <p>1.2 <u>Synergy</u> ACJMC should facilitate Synergy between the Police and the Legal Aid Council since the IGP and DG Legal Aid Council are members</p>	<p>1.1 Phones and recharge cards for the rank and file in the police stations to contact the legal aid officers.</p> <p>1.2 Memorandum of Understanding Between the NPF and LAC to further strengthen the police-solicitor duty scheme (To be facilitated by ACJMC)</p>	<p>short Term</p> <p>Short Term</p>
3.	Section 33 (2) on the entitlement of the Legal Aid Council to the report of record of arrests.	1.1 The Legal Aid Council should be represented on the team of the Magistrate that will visit the police		Short Term.

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

		station so that the Council can have proper information on arrests within the jurisdiction concerned.		
4.	Lack of operational vehicles for Legal Aid Officers	<ol style="list-style-type: none"> 1. Increment of the budgetary allocation of the Council to accommodate purchase of operational vehicles. 2. Car Loans for Legal Aid Officers 		<p>1.1 Short Term</p> <p>1.2 Medium Term.</p>
5.	Capacity Building of Legal Aid Officers	1.1 Organise In-House training and workshops for Legal Aid Officers on current trends in the criminal justice system.	Trainings and workshops.	Short term

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

6. ADMINISTRATION OF CRIMINAL JUSTICE MONITORING COMMITTEE

S/N	CHALLENGES	STRATEGY	RESOURCE REQUIRED	TIMELINE
1.	The need for a functioning office at an accessible location in the FCT. sect 471	<p>1.The secretary of the committee should write to the attorney general of the federation for the urgent need of the a property to be used as a secretariat by the committee</p> <p>2.The A .G.F is to forward same to the senate ,office of the president and vice president so that allocation would be made for the construction or allocation of a building to be used as secretariat</p> <p>3. The federal government should employ more lawyers so that the judiciary can post some lawyers on secondment to the secretariat as staffs.</p>	Budgetary allocation should be made for the funding and management of the committee through the office of the Attorney general of the federation.	Short term
2.	<p>1. The need for the sound knowledge of ACJA and the importance of implementing it successfully by the members of the ACJMC.</p> <p>2. Good public awareness to the citizens of Nigeria on the importance of the ACJA</p>	<p>1. The chairman and the secretary of the monitoring committee should organise a seminar/lecture on the importance and relevance of the ACJA to the various agencies that are represented as members, the relationship between the agencies and why they must work hand in hand as a committee to see that the implementation of the ACJA is a success.</p> <p>2. There should be good awareness to the populace on the implementation of the ACJA. This can be done through the media houses such as the Radio and Television stations.</p>	<p>1. A resource person vast with the knowledge of the ACJA.</p> <p>2. Monetary allocation to the committee.</p>	Short term Medium term.

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

3.	<p>Section 470 (1) (a-d) The committee shall ensure that</p> <ul style="list-style-type: none"> a. Criminal matters are speedily dealt with b. Congestion of criminal cases in court is drastically reduced c. Congestion in prisons is reduced to the barest minimum d. Persons awaiting trial are, as far as possible not detained in prison custody. 	<p>The ACJMC should look into the challenges working against the possibilities of A-D in their various agencies, the suggested way out of it and then begin to work on the implementation by writing letters, sourcing for funds and implementing all the strategies that has been suggested in the papers of the agencies.</p>		<p>Short term Medium term Long term</p>
4.	<p>Section 470 (1) (e) Existence of cordial and maximum co-operation amongst the organ of the ACJA.</p>	<p>1. This can be done by the ACJMC rotating the meeting amongst its member making each of the members saddled with the responsibility of hosting all other members.</p>		<p>Short term Medium term Long term</p>

Timeline Range Table

- 0 - 2years.....Short term
- Above 2years - Below 5years...Medium term
- Above 5years.....Long term

5.	<p>Section 470 (e-f)</p> <p>e. Collate, analyse and publish information in relation to the ACJA in Nigeria.</p> <p>f. Submission of quarterly report to the chief justice of Nigeria</p>	<p>All members of the committee should give a report on the implementation of the ACJA in there agency and also report the challenges working against the implementation of the ACJA at the last week of every month to the ACJMC.</p> <p>This would enable the ACJMC give a quarterly report on the implementation of ACJA to the chief justice of Nigeria.</p>	<p>Intelligent and working staffs</p> <p>hard</p>	<p>Short term</p> <p>Medium term</p> <p>Long term</p>
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Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

7. PUBLIC PROSECUTION UNDER ACJA 2015; NEEDS ASSESSMENT

S/N	CHALLENGE:	RECOMMENDATION/STRATEGY	RESOURCES REQUIRED	TIMELINE
1	<p>Section 106 Prosecution of offences: Subject to the provisions of the Constitution, relating to the powers of prosecution by the Attorney-General of the Federation, prosecution of all offences in any court shall be undertaken by:</p> <p>(a) the Attorney-General of the Federation or a Law Officer in his Ministry or Department;</p> <p>(b) a legal practitioner authorised by the Attorney-General of the Federation; or</p> <p>(c) a legal practitioner authorized to prosecute by this Act or any other Act of the National Assembly.</p>	<p>Despite seeming rather basic, State Counsel are currently prevented from effectively prosecuting offences largely due to funding challenges. With monthly allowance for prosecution drastically cut from N70,000 to N20,000 without warning or explanation, basic expenses like issuance of bench warrant, compilation of record of appeal etc. are unaccounted for and thus stall/bring some cases to a halt for want of diligent prosecution.</p> <p>1.1 Carry out a realistic assessment of costs expended in the process of diligent prosecution through an anonymous survey among State Counsel</p> <p>1.2 Liaise with the Courts on the possibility which services can be provided free for State Counsel upon the presentation of valid Identification</p> <p>1.3 Furthermore, prosecutors do not feel adequately protected against possible hazards of their job. They sometimes receive phone calls from strangers threatening them on cases they are working on. It is recommended that prosecutors involved in dangerous cases be taught self-defence courses and basic intelligence tips or provided security for the duration of the case.</p>	<p>1.1 A comprehensive questionnaire touching on all costs involved in prosecution of criminal cases</p> <p>1.2 Correspondence between the AGF and Heads of Courts on services that can be provided freely to State Counsel</p> <p>1.3 Ministry of Justice to set aside some of its budgetary allocation for Prosecution Expenses to be monitored by DPP’s office.</p> <p>1.4 Funding for self-defence courses and/or police protection for prosecutors</p>	<p>Short Term</p> <p>Short Term</p> <p>Medium Term</p> <p>Short term</p>

Timeline Range Table

- 0 - 2years.....Short term
- Above 2years - Below 5years...Medium term
- Above 5years.....Long term

2	<p>Section 110 (3): Deadline for trial of a charge preferred under S110 (1) (a) and (b) The trial of a charge preferred under subsection (1)(a) and (b) of this section shall commence not later than 30 days from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable time.</p> <p>Section 110 (4): Trial should commence within 30 days of bringing the charge and should be completed 180 days after arraignment failure of which to do so means the Court shall forward to the Chief Judge the particulars of the charge and reasons</p>	<p>Meeting up with the 180 days deadline is challenging because:</p> <ol style="list-style-type: none"> 1. Prosecutors have a hard time bringing Police witnesses to Court. The Police are generally not forthcoming making it difficult for trial to commence on time. 2. The Police continuously fail to remit the original case file to the FMOJ on time. Thus, after arraignment/taking of FIR, prosecution is unable to continue in the absence of the original case file. <p>Currently, prosecutors have to write to the State Command as telephoning the officers directly does not produce much result. The officers insist that the request be made in writing to the Command which leads to the problem of bureaucracy, hence, the delay.</p> <ol style="list-style-type: none"> 1.1 Establish a simplified, direct means of correspondence between the FMOJ and the Police specifically for the release of original case files and for Police witness attendance in Court. 1.2 Increase Liaison Officer from 1 to 3 as 1 officer is inadequate. Station a Liaison Officer <u>from</u> FMOJ to the Legal Department of the Police Command for Magistrate Court Cases alone and one for High Court cases. He/She will serve as a link between Police and Prosecutors. Prosecutors can telephone their liaison officer at the Command to mount direct pressure on officers and to 	<ol style="list-style-type: none"> 1.1 Two State Counsel to be stationed/relocated to State Police Command as Liaison Officers between the FMOJ and the Command. 1.2 Token Contributions from both FMOJ and State Command towards a small end of year meet and greet for prosecutors and officers to foster relationship building and networking 	<p>Short term</p> <p>Short term</p>
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Timeline Range Table

- 0 - 2years.....Short term
- Above 2years - Below 5years...Medium term
- Above 5years.....Long term

	<p>for failure to commence the trial or to complete the trial</p>	<p>directly forward files with approval of superior</p> <p>1.3 Bridge the gap between State Counsel and Officers by encouraging after-hours engagement e.g. End of Year Party</p>		
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Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

3	<p>Section 251: Expenses of witnesses for the prosecution Where a person attends court as a state witness, the witness shall be entitled to payment of such reasonable expenses as may be prescribed.</p>	<p>Status quo is that prosecutor’s pay from their own pockets for witness expenses as no budgetary provision is available. Up till 2015, prosecutors were able to apply for witness expenses and funds were released to them. Since the coming into force of the ACJA we applied for witness expenses. Since the coming of ACJA, it has stopped. “As may be prescribed” does not place the responsibility on either the Court or the Ministry. Unlike the provision for defendant witnesses in Section 252 which expressly places the duty on the Court to order payment by the Registrar.</p> <p>1.1 FMoJ should continue to assume responsibility of paying witness expenses as it did up until 2015.</p> <p>1.2 FMoJ should organise an Annual Fundraising Event encouraging NGOs, Civil Society Organisations, private individuals, senior lawyers, religious institutions and other stakeholders in the justice sector. The fund will be managed externally to prevent diversion and accounts will be given annually of how the funds were expended. Funds generated will be utilised for the organisation of the fundraiser event and for funding witness expenses to encourage the development of administration of justice. Charity organisations and Secondary Schools are also encouraged to sell handmade arts and crafts of school students where a portion of the proceeds will be donated towards witness expenses.</p>	<p>1.1 Continued funding for FMoJ to resume payment of witness expenses when prosecutors apply [Temporarily pending success of 1.3]</p> <p>1.2 Volunteer law students from State and Federal Universities to assist in planning Annual Fundraising Event</p> <p>1.3 Funding for 1st Annual Fundraising event in the budget. Funding for 2nd Annual event would also be raised at the 1st event.</p> <p>1.4 Assign State Counsel to champion the organisation of the event and supervise volunteers</p>	<p>Short Term</p> <p>Short Term</p> <p>Short Term</p> <p>Short Term</p>
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Timeline Range Table

- 0 - 2years.....Short term
- Above 2years - Below 5years...Medium term
- Above 5years.....Long term

4	<p>Section 270 (1) - (17) Plea Bargain & Guidelines</p>	<p>PB is currently being applied to high profile cases but is yet to be used in regular cases. The reason is because when cases are received, counsel usually write a legal opinion on whether to prosecute or not. From the legal opinion, they decide on whether or not there is sufficient evidence to prosecute the matter. If the evidence is insufficient, the MoJ does not prosecute the matter. Thus, a key ingredient for PB which is lack of sufficient evidence to go to trial is unmet where the prosecution does not decide to prosecute the matter for the same reason.</p>	—	—
5	<p>Section 275 Duty to amend charge where defendant pleads guilty to an offence not charged: Without prejudice to other provisions of this Act, where the defendant pleads guilty to an offence not contained in the charge or information on which he was arraigned, the Court shall direct the prosecution to amend the charge or information accordingly to include the admitted</p>	<p>Defendants who have been denied bail on the earlier charge(s) tend to apply for bail again on the new charge after taking a fresh plea which is an abuse of legal process by defence counsel and a tactic to delay the trial.</p> <p>1.1 Subsequent amendments should expressly prohibit fresh application for bail if based simply on fresh plea taken and if the defendant was already refused bail on the previous charge(s). This directive should be circulated from the Heads of Court to the Judges and Magistrates</p> <p>1.2 Inclusion of directive in Practice Direction</p>	<p>1.1 Written directive from Heads of Court to Judges and Magistrates</p> <p>1.2 Amendment/Update of Practice Direction</p>	<p>Short Term</p> <p>Short Term</p>

Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

	<p>offence, in which case, a fresh plea of the defendant shall be taken on the amended charge or information.</p>			
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Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term

6	<p>Section 310 (2) Duty to provide evidence of previous conviction on finding of guilty: After the defendant has made his statement, if any, in mitigation of punishment the prosecution shall, unless such evidence has already been given, produce evidence of any previous conviction of the defendant.</p>	<p>1.1 Absence of Central Criminal Records Registry implies that Prosecutors do not have information on convict's criminal records thereby rendering this provision generally impracticable. Development of CCRR is of immediate urgency</p> <p>1.2 Where application for allocutus is made by defence counsel for mitigation of sentence, the address is usually a whitewash speech presenting unfounded claims of the convict's previous good character. However, counsel's address is not evidence and Courts must demand that evidence of good character must be provided to warrant court to mitigate sentence. Mere address from the bar should not suffice. This will also assist prosecution on non-availability of sufficient data on criminal history pending compilation of Central Criminal Records Registry</p>	<p>1.1 Creation of CCRR and granting of viewing access to DPP to assist state Counsel in fulfilment of Section 310(2) duty</p> <p>1.2 Written directive from Heads of Court to Judges and Magistrates on entertaining allocutus address without supporting evidence</p> <p>1.3 Amendment/Update of Practice Direction on entertaining allocutus address without supporting evidence</p>	<p>Medium - Long Term</p> <p>Short Term</p> <p>Short Term</p>
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Timeline Range Table

0 - 2years.....Short term
 Above 2years - Below 5years...Medium term
 Above 5years.....Long term

7	<p>Section 468 (1) Duty of prosecution where Comptroller-General of Prisons makes a good report of a prisoner: ... the court may, after hearing the prosecution and the prisoner or his legal representative, order that the remaining term of his imprisonment be suspended, with or without conditions, as the court considers fit, and the prisoner shall be released from prison on the order.</p>	<p>1.1 This provision relates to parole for prisoners of good behaviour but necessary facilities for parole are yet to be put in place therefore rendering this provision largely ineffective. Parole facilities need to be created to give this provision effect. AGF should write the ACJMC every quarter to mount pressure on ACJMC to fast track the establishment of parole facilities.</p>	<p>1.1 Continued communication between AGF and ACJMC. DPP can encourage/remind AGF to write often. To make this practicable, a particular counsel can be put in charge of letter-writing to be signed by AGF.</p>	<p>Short Term (Continuous)</p>
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Timeline Range Table

0 - 2years.....Short term
Above 2years - Below 5years...Medium term
Above 5years.....Long term

8	<p>Section 376 (2) Issuance of legal advice within 14 days</p>	<p>1.1 To avoid delay in the issuance of legal advice, the case file should be sent to the designated law officer in the Department of Public Prosecution for prompt attention and there must be a timeline of 3-4 days of the receipt of the file within which the officer must deliver whatever duty was assigned.</p> <p>1.2 Counsel usually face the challenge of meeting up within 14 days because the Department is understaffed and overworked. Only counsel in DPP can write advice. Creation of a separate unit within DPP for writing of legal advice. Unit to be headed deputy DPP as main DPP is overburdened.</p> <p>1.3 Current uneven distribution of duties among counsel in FMOJ. A monthly meeting should be held in the department to familiarise senior officer who delegate duties with junior officers. Currently, some staff have too much work while others have too little or nothing at all because the senior officers who delegate duties are not familiar with some staff/do not know they exist.</p> <p>1.4 Electronic/Automated Task Management System</p>	<p>1.1 Overall Supervision by DPP</p> <p>1.2 Deployment of Task Management Application for the Department of Public Prosecution to assist in electronic task assignment. This requires funding.</p> <p>—</p> <p>—</p>	<p>Short Term/Continuous</p> <p>Short Term/Continuous</p> <p>Short Term/Continuous</p>
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Timeline Range Table

- 0 - 2years.....Short term*
- Above 2years - Below 5years...Medium term*
- Above 5years.....Long term*

TIMELINE KEY:

0-2 YEARS — SHORT TERM

2-5 YEARS — MEDIUM TERM

ABOVE 5 YEARS — LONG TERM

Timeline Range Table

0 - 2years.....Short term

Above 2years - Below 5years...Medium term

Above 5years.....Long term