

# A report of three conferences on Juvenile Justice Administration in Nigeria:

National Conference on Juvenile Justice  
Administration in Nigeria  
*Abuja, 2-3 July 2002*

Northern Zonal Consultative Conference on Juvenile  
Justice Administration in Nigeria, Kano  
*16-17 September 2002*

Southern Zonal Consultative Conference on Juvenile  
Justice Administration in Nigeria, Ibadan  
*16-17 October 2002*

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# **Table of Contents**



# Introduction

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# Report on the National Conference on Juvenile Justice Administration in Nigeria

Sheraton Hotel, Abuja

July 2002



# Report on the National Conference on Juvenile Justice Administration in Nigeria. Abuja, 2-3 July 2002

## Introduction

The second national Conference on Juvenile Justice Administration in Nigeria was borne out of a partnership between the National Human Rights Commission, the Constitutional Rights Project, Penal Reform International (PRI) and UNICEF, with sponsorship from the European Union. The conference brought together over 135 high-ranking government officials, representatives of professionals working with juveniles namely magistrates, personnel from prison and Borstal institutions, children as well as national and international non governmental organizations.

The opening ceremony was attended and addressed by Mr. Justice Uche Omo, Chairman of the National Human Rights Commission; Mr. Clement Nwankwo, Executive Director of Constitutional Rights Projects (CRP); Mr. Ahmed Othmani Chairperson of PRI; Dr Barbara Reynolds, UNICEF Deputy Representative (Field Operations), Mr. Kanu Agabi, Attorney-General and Minister of Justice and Mr. Justice Mohammed Uwais, Chief Justice of Nigeria.

The main objective of the conference was to bring together representatives of stakeholders involved in the area of administration of juvenile justice in Nigeria for paving the way forward to place the course of juvenile justice on an acceptable path, using equity and human rights standards as bench marks. More specifically, the conference considered the following:

- Review of the findings from the recently concluded research on juvenile justice administration;
- Sharing experiences on current juvenile justice standards from an international perspective;

- Review of best practices at local and international levels;
- Adoption of a draft concept paper for Juvenile Justice Administration in Nigeria.

## **Background on Juvenile Justice administration in Nigeria**

Altogether, the messages and remarks at the opening ceremony pointed to the fact that the Juvenile Justice System in Nigeria is weak and has been given very little priority, despite the fact that the country is signatory to the major international instruments relevant to the administration of juvenile justice. As agreed by the participants, the reason for this is largely due to the history of the penal system of Nigeria.

### **History of Penal Systems Affecting Children**

The current system of juvenile justice cannot be understood without reference to Nigeria's colonial past. Most of the laws guiding juvenile justice administration in Nigeria were entrenched by the British, Nigeria's colonial master "whose philosophy on justice required a repressive legal system with oppressive penal institutions whose aim was to deter and punish offenders, as their disobedience to law was deemed detrimental to colonial interests." Reformation of such offenders, even if they were juveniles, was the least of the colonial master's worries. At the moment, after many years of political independence and with a new democracy anchored on freedom and human rights in place, the need has arisen, perhaps more than ever before, for Nigeria to "radically review its entire juvenile system of administration". The concept of juvenile justice is being "anchored on the recognition of the rights of the child to survival, growth, protection and effective participation in the society". Its guiding philosophy in both the traditional and modern societies has been corrective, preventive and advocacy-oriented. However, the advent of colonialism and the growth of urbanization created new social problems such as over population resulting from rural-urban drift. This in turn led to an unconscious creation of an urban under class populace that increasingly began to neglect the welfare of their offspring, owing to

growing poverty in their midst. Consequently, many of these urban poor children resorted to violence, crime and other youthful misdeeds.

In response, the colonial government and Christian Missionary organizations set up "approved schools" and remand homes to cater for delinquent juveniles. But the growth in the number of youth persons getting involved in crimes continued unabated, to the extent that the corrective institutions set up to reform these young offenders are now over-stretched with only minimal care available. Which is why a critical examination of the existing framework with a view to addressing areas of shortcoming in it as well as embarking on a pragmatic programme of action to achieve desired changes has become imperative.

### The Nigerian Experience

The first technical session of the Conference focussed on juvenile justice issues in Nigeria. It was strongly noted that since the ratification of the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and the Welfare of the Child in Nigeria, domestication of these international treaties has not been completed. For over a decade, the Children's Bill has passed through several political huddles and it is yet to see the light of the day.

The main law, the Nigeria's Children and Young Persons Act (CYPL) adopted in 1943, states as its purpose "to make provision for the welfare of the young and the treatment of young offenders and for the establishment of juvenile courts". It deals with children in conflict with the law, children in need of care and protection and children considered beyond parental control.

According to this law, Nigeria does not have a jointly nationally defined age of criminal responsibility but has adopted age demarcations under which responsibility may or may not be assigned depending on the offence and the circumstances. A child below the age of 7 years is not criminally responsible for any act or omission. A child between the ages of 7 and 12 will not normally be held responsible for his or her actions unless it can be proved that at the time of committing the offence the child had the capacity to know he or she ought not to do so. A child below the age of

12 years is incapable of committing an offence involving carnal knowledge. However, a child above 12 years is fully responsible for his or her actions but must be tried in a juvenile court until the age of 18. Therefore, incarceration is not an option available to the juvenile court in sentencing a child offender below the age of 13yrs.

However, the reality offers a different picture: children are detained in prison and police detention centres often with adults for minor offences that include being beyond parental control; most of the juveniles courts use existing courts structures for their trials; many options of the diversionary measures enshrined in the law are not utilised; conditions of detention including institution fail short to be in conformity with the principles enshrined in the law.

## **Overview of the Juvenile Justice administration research report**

The findings of the juvenile justice administration research undertaken by the Constitutional Rights Project were complemented by the attestation made by an ex young inmate. In his remarks, there was clear evidence that major gaps exist in Nigeria between acceptance of standards and their implementation, enforcement and respect of laws.

The main problems highlighted in the research report are:

- an inappropriate legal framework, that does not meet the standards of international law;
- non-implementation of legislation that is appropriate and beneficial;
- over reliance on deprivation of liberty/ institutionalisation with little regard to the seriousness of the offence, including for the children who have not committed an offence;
- children locked up in adult prisons and/or with adults in police cells;
- poor standards in custodial centres;
- children subjected to violence and abuse while being detained;
- inappropriate use of custody and abuse by some parents of the correctional facilities to avoid their responsibilities towards children;

- long delays between arrest, remand and trial leading to long pre-trial detention in remand homes or other form of custody;
- insufficient use of alternatives to custody/ to institutionalisation (foster care for example);
- severed contacts with parents and relatives while in detention;
- no resettlement/after care programmes to secure the reintegration of the children released from prisons or correctional facilities.

Against this background, the research report recommended amongst others that:

1. The age of criminal responsibility should be raised from the current seven years, while the police, parents and or relatives should be discouraged from falsifying the ages of children;
2. Prevention measures both at the national and community levels should be emphasized as a preventive way of getting young people out of crime. One way to do this is to get young persons actively engaged in sporting activities and other recreational activities;
3. Pre-trial diversion programmes, such as pre-trial community service, vocational or life skills training programmes, victim-offender mediation or family group conferences should be encouraged. Nigerian juvenile justice system should de-emphasise the use of police and prison custody while detention should be as a last resort and must not exceed 48 hours;
4. All children, particularly those who committed criminal offences, should benefit from legal representation so that their rights can be well-protected;
5. The police must always inform parents or guardians whenever their wards are arrested;
6. Juvenile offenders should be detained separately from adult criminals;
7. Groups should be set up to monitor juvenile justice administration and agencies;
8. Institutionalisation and detention should be used less systematically and a measure of last resort;

9. An urgent effort must be made to prevent remanding of juveniles in prisons which is more a punitive than a reformatory or rehabilitative measure;
10. There is also need for more juvenile centres to be built to decongest existing ones. Where possible, existing institutions should be renovated and their facilities upgraded to make them more habitable;
11. With regard to capacity building, it was found that there is an overwhelming need for training of handlers of juvenile offenders on the rights of the child and in the treatment of juvenile cases from arrest to discharge;
12. While the committal of children should be discouraged, more personnel should be recruited especially in vocational and skills-acquisition programmes in order to achieve the objective of reformation and rehabilitation of juvenile offenders;
13. In as much as the research report also indicated the need for institutional reforms, accordingly, NGO's, community-based organizations (CBOs), religious organizations and philanthropists should be:
  - a) involved in funding institutional efforts to meet international standards and protect the rights of children; and
  - b) They should also be involved in the provision of educational and vocational programmes, as well as in the advocacy for non-custodial programmes for the treatment of juvenile offenders.

Similarly, the public should be enlightened, educated and reoriented on the need to avoid stigmatisation and alienation of juvenile offenders.

## **Juvenile experiences: Role of community and family**

During the conference, children were invited to present papers and interestingly, their presentations and papers highlighted that the family and community have crucial roles to play in the administration of juvenile



justice. The present state in which adults fail to live up to their responsibilities calls into sharp focus the need to re-examine the real parameters of juvenile justice in Nigeria.

In line with the children's appeal, the Minister of Justice and Attorney General of the Federation, Mr. Kanu Agabi agreed that parent should also be made to face the law for neglecting their children and should be penalized for playing down their parental roles and responsibilities. He passionately stressed that the decision to have children should go hand in hand with the ability to care for them.

*This is a moral duty required of all who desire to bring a child into the world. It is no longer a question of juvenile justice but a question of what standards adults are setting for children to follow. Official corruption, armed robbery and violence at all levels have negative influence on children and undermine the work on combating juvenile delinquency.*

The active participation of children in all aspects of the conference was an eye opener to participants on the importance of allowing young ones to freely contribute their views on issues that concern them.

## **The International Framework**

The Convention on the Rights of the Child (CRC), to which 191 States have become parties, remains the principal binding treaty that sets out all the rights to which governments have agreed that children are entitled. In addition, the papers presented emphasised three additional sets of rules adopted by the global community, which provide greater detail on the operation of juvenile justice:

- The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
- The United Nations Rules for the Protection of Juveniles Deprived of their Liberty
- The United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines).

## 1. The Convention on the Rights of the Child

Most provisions in the Convention on the Rights of the Child are very relevant to juvenile justice, in the sense that respect for rights such as the right to education, to protection against abuse and exploitation, the right to freedom, adequate information, adequate standard of living and appropriate moral guidance helps keep children from becoming involved in crime. It leads to the conclusion that any meaningful attempt to prevent juvenile crime must involve promoting and protecting all rights for children. The main thrust of the Convention is to support the role of the parents or the family as the primary caregivers and to prevent institutionalisation whenever possible.

The most relevant provisions of the CRC on the administration of juvenile justice are included in articles 37, 39 and 40.

Article 37 specifically protects children deprived of their liberty. No child shall be deprived of liberty unlawfully or arbitrarily, according to this article that adds that arrest, detention or imprisonment " shall be used only as a measure of last resort and for the shortest appropriate period of time ". This right applies regardless of the reason for the deprivation, that is, whether the child is detained for investigation, awaiting trial, convicted or placed for purposed of care and protection. In addition article 37 prohibits the torture or other cruel treatment or punishment of any child, the capital punishment or life imprisonment without possibility of release of persons below eighteen years of age.

Article 40 lists rights, which belong to children " alleged as, accused of, or recognized as having infringed the penal law ". It applies to all phases of the juvenile justice process from the suspect who is being questioned to the child who has been sentenced, including children waiting for trial and those who are on trial. It relates to matters such as the minimum procedural safeguards to be guaranteed at all stages of penal proceedings (due process rights); the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, including a minimum age for criminal responsibility, diversion and the availability of alternatives

to institutional care (superior orders, counseling, probation, foster care, education for example).

The third article closely related to juvenile justice is article 39, which recognizes the right to rehabilitation and social reintegration of children victims of neglect, exploitation and abuse.

## 2. The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

The Beijing Rules was the first international comprehensive statement to focus specifically on juvenile justice administration. It aimed at developing a juvenile justice system that should be fair and humane, emphasising the well-being and rehabilitation of the juveniles. Ensure that the reaction of the authorities is proportionate to the circumstances of the offender as well as the offence. Although it is not a treaty per se, many of its provisions have become binding on States by virtue of their incorporation in the Convention on the Rights of the Child. The rules encourage:

- The use of diversion from formal hearings to appropriate community programmes;
- Proceedings to be conducted in the best interests of the juvenile by respecting the right to due process and the requested procedural safeguards;
- Careful consideration before depriving a juvenile of liberty;
- Specialised training for all personnel dealing with juvenile cases;
- The consideration of release both on apprehension and at the earliest possible occasion thereafter.

## 3. United Nations Guidelines for the prevention of juvenile delinquency (Riyadh Guidelines)

The Guidelines stress the importance to pursue a child-centred orientation in any preventive programme. A successful prevention of juvenile delinquency requires efforts on the part of the society to ensure the well-being and harmonious development of adolescents, with respect for and promotion of their personality from early childhood. Young persons

should have active role and partnership within society and should not be considered as mere objects of control. Designed policies should consider that youthful behaviour or conduct that does not conform to overall norms and values is often part of the maturation and growth process and tends to disappear spontaneously with transition to adulthood.

However, labelling a young person as 'deviant', 'delinquent' or 'pro-delinquent' often contributes to the development of a consistent pattern of undesirable behaviour by young persons. Thus, community-based services and programmes should be developed for the prevention of juvenile delinquency, particularly where no agencies have yet been established. Formal agencies of social control should only be utilised as a means of last resort.

In between are the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, whose provisions cover everything from the moment of arrest to sentencing by the court (including alternatives to the court procedure), and the Tokyo Rules dealing with alternatives to custodial sentences. All these aspects, from prevention to disposal and social reintegration, are integral components of a juvenile justice policy.

At the regional level, the African Charter on the Rights and Welfare of the Child that entered into force in 1999 contains in its article 17 detailed provisions applicable to juvenile justice.

This regional instrument, which places the child at the centre of the family and community, includes similar provisions to the CRC. Together with the CRC, these rules provide a comprehensive framework of juvenile justice. At one end of the spectrum are the United Nations Guidelines for the Prevention of Juvenile Delinquency (known as the "Riyadh Guidelines") covering all levels and forms of prevention of juvenile delinquency, including social reintegration. At the other end are the Rules on Protection of Juveniles Deprived of their Liberty, which sets out standards applicable when a juvenile is confined to any facility. The rules apply whether penal, correctional, educational or protective, and whether on the grounds of conviction or suspicion of having committed an offence, or simply being deemed " at risk " .

## International perspectives and other countries' experiences

Country papers from South Africa, Namibia, Iran along with PRI and UNICEF global experience provided a very good base for exchange of ideas on international perspectives.

### UNICEF's perspective

Addressing the problems of residential care and deprivation of liberty for children in conflict with the law, UNICEF highlighted the over-reliance world wide on deprivation of liberty as a punishment and as educational or "welfare/protection measure " of children who come into conflict with the law.

Wherever possible, children should be kept out of the justice system and that custody or institutionalisation should be used as a last resort and for the shortest possible time in the line with the international applicable standards. UNICEF is committed, in the framework of its protection mandate, to develop a three-pronged basic approach by:

- Advocating for, and facilitating, less recourse to deprivation of liberty / less use of custodial sentences by notably promoting alternatives to deprivation of liberty, whether pending trial or as a penal or educational response to juvenile offenders;
- Promoting the development of appropriate "diversion" schemes that enable juveniles to be dealt with by bodies other than the formal court system, whenever possible, and that do not involve custodial outcomes;
- Promoting responses to offenders based on restorative justice, both through diversion schemes and through the courts.

### South Africa

Facts were presented from the United Nations Child Justice Project, a technical project to the government of South Africa for the implementation of a new child justice system. This project seeks to assist the Government and the non-governmental sector in the development of adequate responses to young offenders by notably enhancing capacity and use of

programmes for diversion and appropriate sentencing, increasing protections of young people deprived of their liberty; increasing capacity with respect to probation services. The government is also assisted in establishing a monitoring structure and procedure for the child justice system.

The Child Justice Bill, still under approval, specifically takes into account these approaches and has been developed within the realities of the national contexts, building on existing strengths and processes that worked. This Bill provides a new system which places a great deal of emphasis on protecting children from detention by handling cases within the first 48hrs after the child is apprehended, and encouraging alternatives to arrest and imprisonment, assessment and preliminary inquiry, diversion options and a child justice court.

## Namibia

A Children's Act Workshop in 1994 first highlighted the absence of an appropriate juvenile justice system in Namibia. As a result, the Juvenile Justice Forum was established to investigate alternatives to the retributive justice model in terms of which children (people under 18) were tried and sentenced to imprisonment, usually for petty crimes. The recommendations emphasised the necessity of a juvenile program that should be based on a Restorative Justice approach.

The Legal Assistance Centre, a non-governmental organisation launched the Juvenile Justice Project (JJP) as a pilot project in 1995. Its first activity was to carry out pre-trial screening of juveniles at the Windhoek Magistrate's Court with a view to finding alternatives to incarceration. The pilot project successfully elicited change to the system, and the permanent project was launched in 1996 with such activities as screening of juvenile offenders, implementation of diversion option and life skills programmes, monitoring human rights abuses during pre-trial, especially in police cells.

In addition, Juvenile justice fora were further established in other regions of the country, Inter-ministerial Committee on Juvenile Justice (IMC), involving all the professionals and other role players involved in the field, was also established.

## Iran

The experience from Iran was very welcomed at the conference as it focussed on Juvenile Justice within the provisions of the Sharia penal law. Examples of verdicts on juveniles being promoted as alternative sentences to custody were presented such as community service order, part time prison (night-time prison for example) with obligation to go to school or to follow a vocational training, suspended sentences, execution of the sentence at home under the supervision of a parent without the authorization to leave, suspended sentence with probation. Most of the sentences pronounced so far concern juveniles who were not dangerous to the society and had no previous criminal files. Most of the sentences were pronounced with the consent of the victims.

Some judges use the *ta'zirât*<sup>1</sup> laws, which include all the crimes not classified under the other three branches of *Shi'i* penal law (*hodud* laws, *quesâs* laws, *diyât* laws) and under which punishments are not defined, to pronounce alternative sentences.

In each case, the idea is to avoid imprisonment for the juvenile. For, apart from the fact that *Sharia* does not recognise imprisonment as proper punishment for offences, cases involving juveniles must be handled so carefully that at no point should society take recourse to imprisonment as a mitigation for the offence that the juvenile may have committed.

## General Recommendations

Participants were divided into five groups, namely:

- (1) Rights of Children in Conflict with the Law and Minimum Standards,
- (2) Formal Judicial Proceedings in Juvenile Justice Administration,
- (3) Restorative Justice and Traditional Child Conflict Resolution Practice,
- (4) Stigmatisation and Re-integration of Children in Conflict with the Law. The children also formed a small group to develop an appeal.

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1. *Shi'i penal law is divided in four branches. Hodud laws concern crimes of sexual nature, certain acts of theft, false accusation of adultery, consumption of alcohol, apostasy, and rebellion against the Islamic State and banditry. The quesâs laws (lex talionis) and the diyât laws apply to homicide and voluntary and involuntary assault and battery. The ta'zirât laws include all those crimes not mentioned in the previous three branches.*

Following the meeting of the working groups, recommendations have been submitted in plenary for further inclusion in the concept paper. This report summarizes key recommendations that will be further developed and detailed in the concept paper.

#### Public Education:

1. The rights of children should be made known to children, parents and all other actors through the media and other accepted methods of communication.

#### Adherence to Juvenile Justice Standards:

2. The inherent right of the child as a human being should be recognised throughout all juvenile justice processes;
3. The option of diversion should be promoted as a preferred method in juvenile justice administration;
4. At no point in time should children be detained with adults;
5. Parents should be held responsible for neglect of their children leading to juvenile delinquency;
6. Stigmatisation associated with being in a remand home should be minimised;
7. Corporal punishment should be eliminated and expunged from legislative instruments;
8. Death sentences and life imprisonment should not be imposed on juveniles;
9. All government at both Federal and State levels should ensure that the standards and norms in Juvenile Justice Administration are faithfully implemented;
10. The domestication of the CRC and legislative implementation of its principles should be speedily effected;
11. The relevant Juvenile Justice Agencies should pay unannounced visits to prisons and Police cells to monitor their compliance with Juvenile Justice standards and norms.



### Legal Reform:

12. The implementation of the CRC in the domestic order should be speeded up;
13. At the State level, stakeholders should pay unannounced visits to prisons and cells to ascertain the presence of children.

### Capacity Building of Actors:

14. Capacity building is required for stakeholders, particularly the police, judiciary and prisons to ensure their effective adherence to local and international standards on juvenile justice administration.

### Child Participation:

15. Youth/juvenile juries to be managed by children should be established;
16. Child participation in planning and implementation of all juvenile justice interventions should be ensured;
17. Complaint mechanisms should be instituted for juveniles who are physically, sexually or psychologically abused and for those who stand at such risk.

### Prevention:

18. Education should be brought as a transforming agent of the child;
19. Poverty eradication programmes should be implemented.

### Improved Efficiency and Management:

20. Privatisation of juvenile institutions should be considered as a way of improving efficiency and management of juvenile detention;
21. Specialised courts should be established for the trial of juvenile cases and where possible these should be located separately from the regular court system;
22. Judges/Magistrates who handle matters involving juveniles should be given specialised training and continuous education;

23. Law enforcement officials should preferably not wear uniforms when dealing with juveniles;
24. Multi-sectoral approaches should be standardised through the establishment of an interagency both national and state;
25. Civil remedies should be available to juvenile whose rights are infringed;
26. Political will should be exerted for the effective implementation of a juvenile justice policy;
27. Youth friendly facilities should be established to serve as an outlet for information and counselling for children and the youth;
28. Logistics and funding should be made available by the state and other donor agencies to place juvenile justice on the path to easy administration.

#### Strengthening family responsibility:

29. Families should be supported to meet the special needs of their children, but in all cases must be made ultimately responsible for the well being of their children.

#### Advocacy

30. There should be effective partnership with the media to ensure that serious violations of child rights are brought to the public domain and to the attention of state and private officials;
31. Human rights groups such the Nigerian Bar Association should begin to advocate more vociferously for children and in that context treat children's rights and human rights and expose any violations against their rights;
32. Action can be taken pending adoption of the law;
33. It is possible to adopt positive aspects of religion into juvenile justice admin. Sharia law for instance could be used to promote the well being of juveniles.

## Promotion of Psycho-Socio Treatment of Juveniles

34. Psycho-socio treatment of juveniles should be considered seriously. Incentive packages should be developed to encourage people to enter into the field of child psychology in view of the shortage of such expertise.



# Draft Concept Paper for Juvenile Justice Administration in Nigeria

Original Version (July 2002)



# Draft Concept Paper for Juvenile Justice Administration in Nigeria

## Introduction

This concept paper emanated from the National Conference on Juvenile Justice Administration held on 2-3 July 2002 in Abuja, organised by the National Human Rights Commission (NHRC) and the Constitutional Rights Project (CRP) with the support of Penal Reform International (PRI) and UNICEF, under the sponsorship of the European Union. It is part of a comprehensive project for the review of juvenile justice administration in Nigeria, which consists of five phases:

1. Research in juvenile justice administration in Nigeria
2. Awareness-creation through national and zonal conferences
3. Adoption of a concept paper
4. Establishment of a national working group for the review of juvenile justice administration in Nigeria.
5. Adoption of a Juvenile Justice National Policy.

The concept paper additionally reflects the key recommendations, which flow from the discussions that took place during the national conference.

## Statement of Commitment

Nigeria, as a member of the international community and having ratified the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and the Welfare of the Child, (CRWC), is committed to building a fair and humane juvenile justice system that shall ensure the well-being, rehabilitation and reintegration of the juvenile whilst at the same time ensuring the protection of his/her rights. In addition, crime prevention strategies must be emphasized rather than interventionist strategies as the former are not only more cost effective but also more efficacious and enduring for the containment of delinquency in juveniles.

## Objective

This concept paper is meant to contribute to the overall objective of the Government of Nigeria in establishing an effective system of justice for children in conflict with the law, which applies the provisions of the following international instruments:

- United Nations Convention on the Rights of the Child
- African Charter on the Rights and Welfare of the Child
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty
- United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and other relevant international standards.

To achieve this objective, urgent action is required to ensure that the principles relating to juvenile justice as enshrined in the relevant international standards and norms are respected. The basic principles that need to be considered in the light of the general principles of the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, namely non-discrimination, best interest of the child, participation are:

1. The child should be treated humanely in a manner that takes into account the special needs of persons of that age:
  - a. Deprivation of liberty should be used as a measure of last resort and for the shortest possible period of time;
  - b. Deprivation of liberty should never be unlawful or arbitrary.
2. The child should be treated with dignity at all stages of the proceedings;
3. The child requires support from his/her family;
4. The privacy of the child should to be safeguarded at all stages of the proceedings;
5. The child should be accorded the right to due process (presumption of innocence, right to a prompt and fair trial, right to appeal).



## **Scope of the administration of Juvenile Justice**

Juvenile Justice Administration is the system of justice world over which is applicable to juveniles and which is different from the justice system applicable to adults.

However, this concept paper acknowledges the complexity of juvenile justice administration, which cannot be limited to situations, where conflict with the criminal law has arisen. It covers many spheres including delinquency prevention, law enforcement, adjudication and rehabilitation. Children can come into contact with the juvenile justice system for many different reasons, including those requiring the pronouncement of protection/welfare measures in respect of juveniles who commit such status offences such as truancy, vagrancy or being beyond parental control.

Therefore, some situations faced by children placed in residential facilities occur because (a) they are physically, mentally or emotionally ill or handicapped, (b) they have no family or have been separated from their family (c) they are abused, neglected, exploited or abandoned. They should not be covered by the same standards applicable in case where the juvenile is in conflict with the law. To avoid further confusion, a differentiated procedure from the judicial system or response in place for children in conflict with the law as well as access to different residential facilities should apply to protect them from arbitrary treatment and placement.

## **Recommendations**

The national Conference made recommendations with the view to facilitate reform and changes in the administration of juvenile justice in Nigeria. These recommendations have covered the following areas:

- I. Prevention
  1. The rights of children should be made known to children, parents and all other actors through the media and other accepted methods of communication;

2. Education should be brought into effect as a transforming agent for the child;
3. Poverty eradication programmes should be implemented effectively;
4. Civic education should be introduced and or developed in the school curriculum;
5. Participation of juveniles in planning and in the implementation of interventions related to juvenile justice should be encouraged, in particular through peer education;
6. Preventive family counselling should be made available to families and children;
7. Family support services should be encouraged in order to strengthen responsibilities of the parents;
8. Training of social workers on counselling techniques should be enhanced;
9. Youth friendly facilities should be established to serve as an outlet for information and counselling for children and youth;
10. Complaint mechanisms should be established for juvenile who are physically, sexually or psychologically abused and for those who are at such risks and civil remedies should be provided.

## II. Arrest/Pre-trial Detention

1. Arrest and pre-trial detention should be used as a measure of last resort;
2. Juveniles should be separated from adults;
3. Juveniles should not be remanded in custody for longer than 48 hours, unless accused of homicide.

## III. Diversion

1. Diversion programmes should be offered by social workers, child psychologists or other suitable professionals;
2. The relevant section of the draft Children's Bill should be reviewed

in order to spell out the principles, objectives, processes, procedures and structures of the available diversion options;

3. Traditional methods of handling juveniles cases by community leaders should be documented, recognized by law and further developed, if found suitable;
4. Database on respective activities and network should be built by NGOs;
5. Awareness raising campaigns should be organised, including through the media, to change public perception of diversion as a part of a juvenile justice process;
6. Diversion options should take into account the needs of the victim and the cost of his/ her prejudice and facilitate mediation between the parties interested where the victim's request appears not to be proportionate with his/her injury, loss or damage;
7. Training and guidelines package for diversion schemes should be developed;
8. Stakeholders should receive training and enjoy the assistance of referring to written guidelines on diversion schemes;
9. Available structures for supervising diversion programmes should be adequately resourced.

#### IV. Juvenile Court

1. Court procedures should be less formal when dealing with juveniles;
2. Juveniles courts should be established in separate building if possible;
3. Where there is no separated building, magistrates should conduct the proceedings in camera;
4. Magistrates selected to with cases involving juveniles should be trained and retained;
5. Juveniles and their parents should be supported throughout the proceedings by social workers and psychologists etc;
6. Legal aid should be provided to juveniles;

7. Courts should consider in a more systematic manner the right to bail in juveniles cases;
8. Peer juries or youth courts should be established as appropriate;
9. Death sentence and life imprisonment should not be imposed on juvenile offenders;
10. Corporal punishment should be eliminated and expunged from our legislative instruments.

#### V. Alternative Sentencing

1. Non-custodial sentencing should be used in cases, except where it is not suitable;
2. Alternatives, in particular community services, life skills programmes, victim-offender mediation and family group conferences should be developed;
3. Appropriate alternatives should be developed for girls.

#### VI. Institutions

1. Children should not be held in prison for minor offences, except for serious cases;
2. The relevant juvenile justice agencies should pay unannounced visits to prisons and cells to monitor their compliance with international standards and norms;
3. Adequate resources for the approved schools (including vocational education and training) should be provided;
4. Privatisation of juvenile institutions should be considered as a way of improving efficiency and management of juvenile detention;
5. Law enforcement agents should not always wear uniforms when dealing with juveniles;
6. All personnel concerned with juveniles should receive specialised training.

## VII. Reintegration

1. Media should be sensitised and trained on the rights of the child and on the applicable standards and laws related to cases involving children in conflict with law such as prohibition of the release of the name, of the identity and the picture of the child;
2. Names of the institutions or facilities for juveniles should be more child friendly;
3. Resettlement programmes (such as material or start-up packages) should be provided available to juveniles upon their release;
4. Psychosocial treatment and counselling should be made available to juveniles.

## The Way Forward

As a follow up to the national Conference on juvenile justice administration in Nigeria, a National Working Group should be set up and take immediate effect. Representatives of the following institutions should be included in the Working Group:

1. Federal Ministry of Justice
2. Federal Ministry of Women Affairs and Social Welfare
3. Federal Ministry of Sports and Social welfare
4. Federal Ministry of Education
5. Judiciary
6. National Human Rights Commission
7. The Nigerian Police Commission
8. Nigerian Prisons Service
9. Chairman House of Representatives of the Committee on Human Rights
10. Youth Representatives
11. Legal Aid Council

12. Nigerian Bar Association
13. Centre for Human Rights, University of Lagos
14. Constitutional Rights Project
15. Prisoners Rehabilitation and Welfare Action

As observers: UNICEF, Penal Reform International and other development partners.

The mandate of the Working Group on the Administration of Juvenile Justice in Nigeria should be to co-ordinate the effective implementation of the recommendations above.

# Proceedings of The Northern Zonal Consultative Conference on Juvenile Justice Administration in Nigeria

Nassarawa Guest House, Kano

16<sup>th</sup> - 17<sup>th</sup> September 2002





# Proceedings of the Northern Zonal Consultative Conference on Juvenile Justice Administration in Nigeria

## Introduction

The Northern Zonal Consultative Meeting on Juvenile Justice Administration in Nigeria, supported by UNICEF Bauchi and Kaduna Field Offices, was organised as a follow-up to the National Conference on Juvenile Justice Administration in Nigeria held in Abuja from 2-3 July 2002. A total of 60 participants drawn from the 19 Northern States with representatives from the Police, Prison, Judiciary, NDLEA (National Drugs and Law Enforcement Agency), State Ministries of Justice, Women Affairs and Social Development, NGOs and UNICEF attended the two-day Zonal Consultative Meeting.

The main objectives of the consultative meeting were:

- To present the draft report on the National Conference and to share experiences on Juvenile Justice Administration in Nigeria.
- To present and review the concept paper findings of research on Juvenile Justice Administration in Nigeria, ensuring that it adequately reflects the socio-cultural diversities of the country.
- To make recommendations for revision/improvement in the existing laws, policies and practices on Juvenile Justice Administration in Nigeria so as to bring them in line with acceptable international standards.
- To identify actions and steps to be taken at the zonal level to improve juvenile justice administration.

Goodwill messages were received, including those from Mr. Vinod Alkari, Chief of Field Office, UNICEF Bauchi, who declared that he hoped the consultative meeting would critically review the report of the July 2002 national conference and the concept paper on Juvenile Justice

national conference and the concept paper on Juvenile Justice Administration in Nigeria and make appropriate recommendations, ensuring that the Zonal perspective is adequately captured in the national concept paper.

Following the announcements and goodwill messages, papers were presented including:

- a) Overview of Juvenile Justice Administration in Nigeria.
- b) Juvenile Justice Administration in Nigeria, a case study in Northern Nigeria.
- c) Report of the National Conference on Juvenile Justice Administration in Nigeria.
- d) Juvenile Justice Research Report.
- e) UNICEF's Approach to Juvenile Justice.
- f) International Standards relating to Juvenile Justice Administration.
- g) Draft Concept Paper for Juvenile Justice Administration in Nigeria.

## **Overview of Juvenile Justice Administration in Nigeria**

Highlights from the papers presented strongly addressed the major areas of juvenile justice administration in Nigeria, from the historical colonial linkage to the British legal system through to the current political dispensation. From the Nigerian context, a juvenile was defined as a child or young person under 17 or 18yrs depending on the State where the offence is committed. The concept of the age of criminal responsibility should be abandoned with a view to adopting a single age of less than 18 years. Juvenile Justice was recognised as including not only those in conflict with the law, but also juveniles who require care and protection. Despite Nigeria being a signatory to the principle international instruments relating to Juvenile Justice Administration, the juvenile justice sector remains a weak area with little or no priority from within the judicial system.

Furthermore, the dearth of juvenile courts and often poor legal representation during prosecution results in many children being kept in custody with adults. Participants noted that in the Nigerian Justice system, the definition of the age of criminal responsibility contained in section 50 of the Penal Code of Northern States of Nigeria Cap. 89 have been rendered ineffectual because of the operation of the various children and young persons legislation. A strong emphasis was placed on the significant input required by probation/social welfare services by legislation with regards to the best interest of the child. To date, there are very limited Juvenile Custodial Institutions and several juvenile offenders are confined in remand homes, approved institutions, borstal or in prison. However, under the Sharia Penal Code and Criminal procedure Code operative in some Northern States, especially Zamfara, juvenile offenders still enjoy some protection under the law.

Generally at the State levels, most residential correctional youth institutions serve as punitive labour camps where children become hardened when they come out. Other issues raised by the participants included:

- Government to provide adequate funds for young offenders to have improved access to skill acquisition and recreational facilities.
- Sensitisation and appeals to public and stakeholders to help in creating more youth friendly programmes to reduce the number of juvenile cases for the courts.
- The issue of incompatibility between age of taklif or puberty under the Sharia penal code and the provision of eighteen years of age under the CRC was resolved. Taklif under the Sharia is flexible and its interpretation is expected to take into consideration a number of factors, such as scientific, environmental and nutritional factors.
- This flexibility should be an advantage, but becomes problematic where judges are conservative in interpretation. It was noted that the Sharia system is elastic and dynamic but unfortunately judges could be conservative or restrictive in their interpretation and application of the law for the purpose of justice.

- Need for continuing judicial education for Sharia Court Judges and their personnel to update them on the challenges in juvenile justice administration.

## **Juvenile Justice Research Report**

The Juvenile Justice Research Report highlighted the following findings:

- The philosophy of Juvenile Justice Administration is that young offenders should be subjected to reformation and rehabilitation programmes within correctional institutions as they are considered immature.
- The Children and Young Person's Law (CYPL) of some states in Nigeria is the major legislation on the Administration of Juvenile Justice in the country.
- High-level violations and abuse of children's rights to care and protection.
- The custodial institutions were more punitive than reformatory and rehabilitative in their operations.
- Juvenile justice institutions are characterized by a dearth of professional personnel, inadequate funding, educational and vocational facilities and inadequate facilities.

The research report recommended the following:

- Legislative and legal reform of offensive provisions of the CYPL which violate Articles 37 and 40 of the UNCRC.
- A national crime prevention plan should be designed to prevent crime among young people.
- There should be separation of children in need of care and protection from those in conflict with the law.
- Community based preventive programmes should be emphasized (vocational training, family group conferences, pre-trial community service etc).
- Nigerian Juvenile Justice System should de-emphasise institutionalisation.

- Juvenile offenders should be separated from adult criminals.
- Children who commit criminal offences should have access to legal aid representation.
- Facilities in existing juvenile centres should be improved upon to the standard of human habitation.
- More juvenile centres should be established to decongest existing ones.
- All personnel handling treatment of juveniles should be trained on the rights of the child.
- Government, NGOs, CBOs and other organizations should be encouraged to fund institutions as well as provide educational/vocational programmes.
- Care institutions should recruit more professionals to achieve the objective of reformation and rehabilitation of juvenile offenders.

Advocacy programmes should be intensified in the community, so as to enhance re-integration of discharged juvenile offenders in the society.

Participants deliberated on the findings from the juvenile justice research report, and agreed on promoting the recommendations of the survey.

## **Report of the National Conference on JJA in Nigeria**

The outcome of the Abuja National Conference on JJA focussed on the following:

- i. Findings from research work on Juvenile Justice Administration.
- ii. Experience sharing on current Juvenile Justice Standards.
- iii. Best practices reported at local and international levels.
- iv. Development of a draft concept paper for Juvenile Justice Administration in Nigeria.
- v. Formation of a National Working Group to sustain and co-ordinate the ongoing efforts in the Juvenile Justice Administration Project.

The reports of the July 2002 national conference, the draft concept paper and the first National Working Group meeting in Jos were presented. It was emphasised that the Juvenile Justice system should be interdependent, interrelated and interconnected as what one agency does affects the other. The role of police in arrest and arraignment affects the courts, which in turn affects the prisons, etc. Following this, participants working in the field of juvenile justice administration, police, prisons, social welfare and the judiciary made inputs.

Recommendations included the following:

- Need to have family desk in every police station for abused children.
- Improved condition of service for the police, prisons and judicial officers.
- Specialized training of personnel in Juvenile Justice System.
- Juveniles should not be kept in prisons.
- Adequate facilities for training and rehabilitation should be provided for juvenile institutions.
- Government should put in place programmes that would uphold sound moral standards of juveniles (in schools, etc).
- Provision of separate courtrooms for the sitting of juvenile court.
- Provision of youth centre and camps.
- NHRC should make publication on rights and duties of the juvenile, and translated into major languages for distribution to schools and libraries.

## **UNICEF's Approach to Juvenile Justice & International Standards**

UNICEF presented a paper that related the international instruments on JJA, followed by an outline of UNICEF's approach and objectives in this field.

International standards identified included:

- UN Convention on the Rights of the Child (UNC) 1989.

- UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) 1985.
- UN Rules for the Protection of Juveniles Deprived of their Liberty 1990.
- UN guidelines for the Prevention of Juvenile Delinquency (Riyadh guidelines) 1990.

UNICEF approach and objectives in JJA:

- Promoting child-oriented and rights based Juvenile Justice system as a means of de-emphasizing institutionalisation and custody.
- Promoting of community based programme (Community services, attendance at learning schemes etc.
- Promotion of constructive, educational activities that are in conformity with international standards.
- Promoting a restorative justice approach (restitution and reconciliation, rather than retribution of punishment.
- In conclusion, UNICEF would continue to support protection responses to children in conflict with the law.

## **Draft Concept Paper for Juvenile Justice Administration in Nigeria**

The Juvenile Justice Administration in Nigeria Draft Concept Paper was then presented.

The concept paper reflects key recommendations emanating from the discussions that took place during the National Conference, as per the following: Prevention, Arrest/Pre Trial Detention, Diversion, Juvenile Court, Alternative Sentencing, Institutions and Reintegration.

The conference was hosted by the National Human Rights Commission (NHRC) and Constitutional Rights Project (CRP) with support from Penal Reform International (PRI) and UNICEF, with funding provided by the European Union.

It is part of a comprehensive project for the review of juvenile justice administration in Nigeria that consists of the following activities

- Research in juvenile justice administration in Nigeria.
- Awareness-creation through national and zonal conferences.
- Adoption of a concept paper.
- Establishment of a national working group for the review of juvenile justice administration in Nigeria.
- Implementation of a national plan of action.
- Adoption of a juvenile justice national policy.

As a follow-up of the National Conference, a National Working Group was established, made up of members from the key stakeholders, with a mandate to co-ordinate the effective implementation of the recommendations.

## **Group Work and Recommendations on the Draft Concept Paper for Juvenile Justice Administration in Nigeria**

Following the presentation of the draft concept paper, four groups were constituted to review the various aspects of the juvenile justice system in Nigeria and to make recommendations for inclusion in the final concept paper. The guidelines for group work emphasised that the recommendations should apply 'SMART' (specific, measurable, achievable, realistic and time-bound) principles.

Four groups were constituted to review the various aspects of the concept paper as follows:

- Group A: Scope of juvenile justice administration and prevention of juvenile delinquency.
- Group B: Arrest and pre-trial detention.
- Group C: Juvenile courts and alternative sentencing.
- Group D: Institutions, re-integration and the way forward.



While most points of the draft concept paper met with general agreement, some of the recommendations of the group work are as follows:

1. That child-friendly measures in terms of language, venues and terminology should replace the existing ones in Juvenile justice system, e.g. juvenile court should be called juvenile "panel" or "committee" while juvenile desks could be termed family desk. Separate rooms should be provided for trial of juveniles and the language should be familiar to the juvenile.
2. That composition of the panel or committee should include a qualified magistrate, an educationist, welfare/probation officer, religious leader, retired senior police officer, community/opinion leader (co-opted where necessary).
3. That the Government should ensure the following:
  - a. Adequate funding of Juvenile Justice institutions including provisions for their material and infrastructural needs.
  - b. Training and re-training of officers involved in Juvenile Justice system.
  - c. Adequate political will to push through the relevant changes needed in the Juvenile Justice sector by making a law requiring political parties to promise adequate funding of Juvenile Justice sector in their manifestoes.
  - d. Well-articulated poverty alleviation and family support programmes to reduce juvenile delinquency.
  - e. Domestication of all international instruments relating to juveniles.
  - f. Enlightenment of children, Juvenile Justice Administration personnel and the public on Juvenile Justice Administration matters.
  - g. Immediate creation of child-friendly social welfare centres where these were not in existence.
  - h. Privatisation of juvenile institutions to improve efficiency in their management.
  - i. Enlargement of police public relations committee to include Local Government councillors, district heads, and children as members.

- j. That policy is made to encourage diversions and alternative sentencing, and to emphasize the role of the community in this respect.
- 4. That Civil Society, NGOs and the public in general should ensure:
  - a. that children are allowed to participate actively in issues and processes concerning them.
  - b. that remand homes, borstals, and approved schools be redesigned to make provision for female juveniles.
  - c. That stigmatisation of children should be discouraged.
- 5. That the respective House of Legislature should amend present legislations on JJA to involve State and Local Governments in the handling of JJA matters.

# Proceedings of The Southern Zonal Consultative Conference on Juvenile Justice Administration in Nigeria

D'Rovans Hotel, Ibadan

16<sup>th</sup> - 17<sup>th</sup> October 2002



# Proceedings of the Southern Zonal Consultative Conference on Juvenile Justice Administration in Nigeria

## Introduction

The Southern Zonal Consultative meeting on Juvenile Justice Administration in Nigeria, supported by UNICEF Lagos and Enugu Field Offices, was organised as a further follow-up to the National Conference on Juvenile Justice Administration in Nigeria held in Abuja from 2-3 July 2002, mirroring the Northern Zonal Consultative conference held in Kano from 16-17 September, 2002. A total of 110 participants attended the meeting with representation from 17 Southern States, the participants drawn as in Kano from the Police, Prison, Judiciary, NDLEA, State Ministries of Justice, Women Affairs and Social Development, NGOs and UNICEF.

The principle objectives of the conference, again replicating the themes of the Northern Zonal meeting, were:

- To present the draft report on the National Conference and to share experiences on Juvenile Justice Administration in Nigeria.
- To present and review the concept paper findings of research on Juvenile Justice Administration in Nigeria, ensuring that it adequately reflects the socio-cultural diversities of the country.
- To make recommendations for revision/improvement in the existing laws, policies and practices on Juvenile Justice Administration in Nigeria so as to bring them in line with acceptable international standards.
- To identify actions and steps to be taken at the zonal level to improve juvenile justice administration.

The opening ceremony was attended by the Director of Public Prosecution, Oyo State, and the Honourable Commissioner, Ministry of

Women Affairs, Oyo State, along with the Chief of Field Operations for UNICEF Nigeria, who stated her hope that a justice system could be fashioned for children which sought to be corrective rather than punitive.

The conference then commenced and various papers were presented, including:

- a) The draft Concept Paper on Juvenile Justice Administration in Nigeria.
- b) Overview of Juvenile Justice Administration in Nigeria.
- c) Juvenile Justice Administration in Nigeria, a case study in Southern Nigeria.
- d) Report of the National Conference on Juvenile Justice Administration in Nigeria.
- e) Juvenile Justice Research Report.
- f) Penal Reform International experiences in Juvenile Justice projects.
- g) Lessons learnt by Children in Conflict with the Law - Voices of Children.
- h) International Conventions relating to Juvenile Justice Administration.

## **Overview of Juvenile Justice Administration in Nigeria**

The state of juvenile justice administration in Nigeria was presented from the colonial period to the present. Under the Children and Young Person's Law (CYPL) of Lagos State, a person under the age of 14 years is classed a child, a person aged 14 but under the age of 17 years is a young person, while a juvenile offender is a person under the age of 17 years who commits an offence.

It was observed that the three types of juvenile custodial institutions in Nigeria, namely, remand homes, approved institutions or schools and borstal institutions were in short supply in southern Nigeria and where they existed were characterized by understaffing and a lack of infrastructure.

## **Lessons learnt by Children in Conflict with the Law - Voices of Children**

A highly visible children's participation was a prominent feature of the conference, and they shared a number of thought provoking testimonies, experiences and encounters with law enforcement agencies.

The adult participants affirmed the need for children's participation on issues that concern them, and emphasised that all outcomes and activities should be tailored towards the best interest of the child. In concluding the children's presentation, the following points were clearly highlighted:

- Children are vulnerable and therefore need protection from anti social activities.
- Children should be given due attention.
- Children are intelligent, know their responsibilities and should be given opportunities.
- Nations should think first and foremost of children
- God takes care of those who take care of children.

The children were however reminded that along with rights come duties and responsibilities.

## **Juvenile Justice Research Report, National Conference on Juvenile Justice in July 2002 and the Draft Concept Paper**

The findings of the Juvenile Justice Research Report and recommendations were presented at the Ibadan conference much as they were in Kano. (see list of JJA research report findings and recommendations in Kano Northern Zonal Consultative Meeting report).

The conference delegates, having considered the main conclusions from the Juvenile Justice Research Report, confirmed their agreement with the recommendations.

The meeting followed a similar outline to the Northern Zonal Conference, and the research report was followed by a presentation of the outcomes

of the July 2002 National Conference on Juvenile Justice and the draft concept paper.

The second day of the conference commenced with a presentation of the work of Penal Reform International in the field of juvenile justice, followed with a talk by UNICEF on the international conventions and juvenile justice administration. (see UNICEF paper from Northern Zonal Conference, Kano).

## **Group Work and Recommendations on the Draft Concept Paper for Juvenile Justice Administration in Nigeria**

The delegates were then divided into six groups to critically review the outcomes of the draft concept paper. The emphasis was again on recommendations that included 'SMART' (specific, measurable, achievable, realistic and time-bound) principles.

Six groups were formed, with briefs to consider the following aspects of the concept paper:

- Group 1: Scope of Juvenile Justice Administration
- Group 2: Prevention
- Group 3: Arrest/Pre-Trial Detention
- Group 4: Diversion/Alternative Sentences
- Group 5: Juvenile Court
- Group 6: Institutions

Whilst approving the majority of the draft concept paper, some of the key comments and recommendations emanating from the group feedback included:

- Establishment of JJA Working Groups at all levels including local government and community level.
- Increased funding for JJA in Nigeria, with timely release of funds by government.
- Capacity Building for JJA personnel.



- Promote alternatives to institutionalisation of juveniles in conflict with the law.
- Need for the establishment of Special Children Homes for the custody of children in need of care. (Delinquents and children with special needs).
- Establishment of Children's Commission to cater for children's matters.
- Establishment of pilot juvenile courts.
- Establishment of juvenile-friendly centres in rural/urban areas.
- Creation of social welfare committees at the National Assembly and State Houses of Assembly.
- Ensuring adequate budget lines for JJA by government.
- Formulation of a national family policy and implementation of existing child and youth policies.
- Development assistance for youth-led and youth-oriented organizations.
- Establishment of peer education on JJ for in-school and out-of-school juveniles.
- Establishment of accessible juvenile centres.
- It was proposed that the term 'Court' within the JJA system could be replaced with either 'Panel' or 'Committee'.
- Adequate funding of law enforcement agencies within the JJA system.
- Establishment of database on activities of stakeholders in JJA for purposes of networking.
- Establishment of police juvenile service arm comprising specially trained officers who can work with social services department amongst others.
- Mandatory training for all law enforcement agencies and social workers on the issues, policies and practices relating to JJA.
- Total separation of juveniles from adults and between sexes in all aspects of the justice system.

- Encouragement and development of mediation and reconciliation processes.
- Enlightenment and sensitisation campaign on JJA through media participation.
- Provision of mandatory legal aid for juvenile offenders by Government, NGOs and Civil Society Organizations.
- The establishment of peer juries and youth courts was questioned, with reservations expressed about the maturity within the socio-cultural environment to accommodate the idea.
- Adequate funding of the judiciary for a functional, independent juvenile court system presided over by specialised, trained magistrates.
- The elimination of corporal punishment was not universally condemned, with some arguing for the retention of reasonable corporal punishment as a corrective measure for an overindulgent child.
- Need for constant monitoring of JJA custodial establishments by stakeholders.
- The privatisation of juvenile institutions was challenged by some as a means of improving efficiency, with government (supported by NGOs) urged to make an effort to improve existing facilities and provide for new ones where there are none.
- Juveniles in custodial institutions should be assisted to attend public schools as a means to reintegrate.
- Vocational equipment should be adequately provided for custodial institutions.
- A comprehensive review of the children and young person's legislation, across all states and in line with the UNCRC and the African Union Charter on the Rights and Welfare of the African Child.

# Draft Concept Paper for Juvenile Justice Administration in Nigeria

Revised version (December 2002)



# Draft Concept Paper for Juvenile Justice Administration in Nigeria

## Introduction

This concept paper emanated from the National and Zonal Conferences on Juvenile Justice Administration held between July - October 2002 in Abuja, Kano and Ibadan respectively. The National Conference was organized by the National Human Rights Commission (NHRC) and Constitutional Rights Project (CRP) with the support of Penal Reform International (PRI) and UNICEF, under the sponsorship of the European Union. The four Unicef Field Offices, NGOs and government partners subsequently organized the zonal conferences. These conferences were part of a comprehensive project for the review of juvenile justice administration in Nigeria, which consists of five phases.

1. Research on juvenile justice administration in Nigeria.
2. Awareness-creation through national and zonal conferences.
3. Development and adoption of a concept paper.
4. Establishment of a National Working Group (NWG) for programming, implementation and monitoring of juvenile justice administration in Nigeria.
5. Adoption of a National Policy on juvenile justice.

The concept paper reflects the key recommendations, which emanated from the discussions, during the national and sub-national conferences.

## Statement of Commitment

Nigeria, as a member of the international community, having ratified the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (CRWC) is committed to building a fair and humane juvenile justice system, that shall ensure the well-

being, rehabilitation and reintegration of the juvenile, while ensuring the protection of his/her rights and emphasizing crime prevention and interventionist strategies.

## Objective

The concept paper is meant to contribute to the overall objective of the Government of Nigeria in establishing an effective system of justice for children in conflict with the law, which applies the provisions of the United Nations Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Children (CRWC), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Rules for the Protection of Juvenile Delinquency (The Riyadh Guidelines) and other relevant international standards.

To achieve this objective, urgent action is required to ensure that the principles relating to juvenile justice as enshrined in the relevant international standards and norms are respected. The basic principles that need to be considered in the light of the general principles of the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (CRWC) namely non-discrimination, best interest of the child, participation are:

1. The child should be treated humanely in a manner that takes into account the special needs of persons of that age;
  - a. Deprivations of liberty should be used as a measure of last resort and for the shortest possible period of time;
  - b. Deprivation of liberty should never be unlawful or arbitrary;
2. The child should be treated with dignity at all stages of the proceedings;
3. The child requires support from his/her family;
4. The privacy of the child should be safeguarded at all stages of the proceedings;
5. The child should be accorded the right to due process (presumption of innocence, right to a prompt and fair trial, right to appeal) etc.

## **Scope of the Administration of Juvenile Justice**

Juvenile Justice Administration is the system of justice world over which is applicable to juveniles and which is different from the justice system applicable to adults. However, this concept paper acknowledges the complexity of juvenile justice administration, which cannot be limited to situations, where conflict with the criminal law has arisen. It covers many spheres including delinquency prevention, law enforcement, adjudication and rehabilitation. Children can come into contact with the juvenile justice system for many different reasons, including those requiring the pronouncement of protection/welfare measures in respect of juveniles who commit such status offences as truancy, vagrancy or being beyond parental control.

Situations faced by different categories of children placed in residential facilities call for special attention as some are physically, mentally or emotionally challenged. Often times, they have no family or have been separated from their family because of abuse, neglect, exploitation or abandonment. This group of children should not be covered by the same standards applied in cases where the juvenile is in conflict with the law. To avoid further confusion, a differentiated procedure from the judicial system or response in place for children in conflict with the law as well as access to different residential facilities should apply to protect them from arbitrary treatment and placement.

## **Recommendations**

The national and sub-national conferences made recommendations with a view to facilitating reforms and changes in the administration of juvenile justice in Nigeria. These recommendations cover the following areas:

1. Prevention
  1. The rights and responsibilities of children and parents should be made known to all concerned through the media and other accepted methods of communication;
  2. Assess to quality and affordable education should be provided as a transforming tool for the child;

3. Prevention strategies like the Poverty Eradication programmes (etc) should be effectively implemented and encouraged by providing and mobilizing adequate funds;
4. Civic and moral education should be introduced and/or developed in the school curriculum;
5. Participation of juveniles in planning and implementation of programmes related to juvenile justice should be encouraged, in particular through peer education for juveniles in and out of school;
6. Community and family counselling services should be encouraged and made available to parents and children;
7. Family support policies should be developed and adopted to strengthen responsibilities of parents towards their children;
8. Training of social workers on counselling techniques should be enhanced;
9. Youth-friendly facilities should be established in the rural and urban areas to serve as outlets for information and counselling for children and youths;
10. Access to complaint mechanisms and civil remedies should be provided for juveniles who are physically, sexually or psychologically abused and for those who are at such risks.

## II. ARREST/PRE-TRIAL DETENTION

1. Able, intelligent and qualified personnel to enhance effective, proper and accelerated investigations of matters should man police investigation department for juveniles;
2. Arrest and pre-trial detention should be used as a measure of last resort;
3. Juveniles in custody should be separated from adults;
4. Juveniles should not be remanded in custody for longer than 48 hours unless accused of homicide.



### III. Diversion

1. Diversion programmes designed to direct juveniles away from judicial proceeding and towards community support should be adopted by social workers, child psychologists or other relevant professionals;
2. Regular training and guideline packages for diversion schemes should be developed as a reference material for stakeholders;
3. Available structures for supervising diversion programmes should be adequately resources;
4. The relevant section of the draft Child Rights Bill should be reviewed in order to spell out the principles, objectives, process, procedures and structures of available diversion options;
5. Humane and un-harmful traditional methods of handling juvenile cases by community leaders should be harmonized, documented and recognized by law;
6. Database on juvenile justice should be built and updated regularly by all stakeholders;
7. Diversion options should take into account the needs of the victim and the cost of his/her injury, loss or damage and facilitate mediation between the parties interested, where victim's request appears not to be proportionate with his/her injury, loss or damage.

### IV. Juvenile Court

1. Court procedures should be less formal when dealing with juveniles;
2. Where possible Juvenile courts should be established in separate buildings to create a less intimidating atmosphere and provide confidentiality for the juveniles;
3. Where there is no separate building for Juvenile courts, magistrates should conduct the proceedings in camera to save juveniles from stigmatisation and undue trauma;
4. Selected magistrates should be trained to deal specifically with matters involving juveniles, additionally all personnel involved in the dispensation of juvenile justice administration should be given regular

and specialized training. (e.g.- Police, Social workers, Probation officers);

5. Juveniles should be supported throughout the proceedings by parents, extended family members, schools, peers, religious organizations, social workers and psychologists;
6. Legal aid and pro bono services should be provided to juveniles;
7. For bail-able matters, courts should automatically grant bail whether applied for or not, while in non-bail-able offences, the condition should be relaxed in comparison with the conditions for adults;
8. When and where possible, to promote the participation of children in all matters that affects them, peer observers, youth panels, peer juries or youth courts should be established;
9. In all cases, death sentence should not be imposed on a juvenile;
10. Institutional corporal punishment should be eliminated and expunged from juvenile legislative instruments in Nigeria.

#### V. Alternative Sentencing

1. Non-custodial sentencing should be used in all cases except where it is not suitable;
2. Alternatives, in particular community service, life skills programmes, victim-offender mediation and family group conferences should be developed;
3. Appropriate alternatives should be specially developed for girls.

#### VI. Institutions

1. Children for minor offences should not be held in prison, but treated to diversionary methods such as sending them home for family amicable reconciliation;
2. Children for serious offences, should not be held in prison or with adults but in separate buildings;
3. Stakeholders should pay regular and unannounced visits to prisons

and cells to ascertain the presence of children, while all regulations to the contrary should be amended;

4. Names of institutions or facilities there in for juveniles should be made more child friendly;
5. Adequate resources and facilities for the approved schools (including skills development) should be provided;
6. Involvement of NGOs in the management of prison and juvenile institutions should be considered as a way of improving their efficiency;
7. Law enforcement agents should avoid wearing of uniforms when dealing with juveniles;
8. All personnel working in all juvenile institutions should receive training.

## VII. Reintegration

1. Media should be sensitised and trained on the rights and responsibilities of the child and on the applicable standards and laws relating to matters involving children in conflict with law (prohibition of the release of the name, identity and picture of the child);
2. Resettlement programmes, (such as material or start-up packages) should be made available to juveniles upon their release;
3. After-care psychological and counselling services should be made available to juveniles;
4. To reduce the rate of recidivism after discharge of the juveniles, 5 years monitoring mechanism should be established.

## The Way Forward

Immediate setting up of a National Working Group with representatives of the following institutions, namely:

1. Chairman, Senate Committee on Human Rights
2. Chairman House of Representatives of the Committee on Human Rights

3. Representative of the Judiciary
4. Federal Ministry of Justice
5. Federal Ministry of Sports and Social Welfare
6. Federal Ministry of Education
7. Federal Ministry of Women Affairs and Social Welfare
8. National Human Rights Commission
9. Nigeria Police Force
10. Nigeria Prisons Service
11. Legal Aid Council
12. Children representatives
13. Nigeria Bar Association
14. Constitutional Rights Project
15. Prisoners Rehabilitation and Welfare Action
16. Centre for Human Rights, University of Lagos
17. Observers: Penal Reform International, UNICEF and other development partners.

The mandate of the Working Group is to co-ordinate the effective programming, implementation and monitoring of recommendations on the administration of the juvenile justice system in Nigeria.

# Annexes



## Annex 1:

# Programme Schedule National Conference on Juvenile Justice Administration in Nigeria

Ladi Kwali Conference Centre, Sheraton  
Hotel, Abuja, 2<sup>nd</sup> - 3<sup>rd</sup> July 2002

### Day 1: 2 July

9.00 am - 10.00 am Registration of participants / Arrival of guests

#### Opening Ceremony:

10.00 am - 10.05 am Introduction of special guests and members of the High Table

10.05 am - 10.10am Welcome Remarks by Justice Uche Omo, Chairman, National Human Rights Commission, NHRC

10.10 am - 10.15 am Welcome Remarks by Clement Nwankwo, Executive Director, CRP

10.15 am - 10.20 am Welcome Address by Ahmed Othmani, Chairperson, Penal Reform International

10.20 am - 10.25 am Welcome Remarks by Christian Voumard, Resident Representative, UNICEF

10.25 am - 10.30 am Good Will Message by N. Costello, Officer-In-Charge, European Union

10.30 am - 10.35 am Good Will Message by Hajia Aisha Ismail, Hon. Minister for Women Affairs & Youth Development

- 10.35 am - 10.40 am Good Will Message by Steven Ibn Akiga, Hon. Minister of Sports and Social Development
- 10.40 am - 10.45 am Good will Message by Mr. Kanu Agabi (SAN), Attorney General of the Federation and Hon. Minister of Justice
- 10.45 am - 10.55am Opening Address by the Chairman, Hon. Justice Muhammad Lawal Uwais, Chief Justice of Nigeria
- 10.55 am - 11.00 am Vote of Thanks by Bukhari Bello, Executive Secretary, NHRC
- 11.00 am - 11.30 am *Coffee Break*

**First Working Session: Juvenile Justice Issues in Nigeria.**

- (11.30 am- 1.00 pm) Chair: Alh. Musa Elayo Abdulahi, Hon Minister of State, Federal Ministry of Justice
- 11.30 am - 12.00 pm Experiences in Juvenile Justice Administration in Nigeria - Controller-General, Nigeria Prison Services, Alhaji Ibrahim Jarma
- 12.00 pm - 12.30 pm Juvenile experiences within the Justice System By Children from Borstal Institution
- 12.30 pm - 1.00 pm Panel Discussion & Questions/Feedback
- 1.00 pm - 2.30 pm *Lunch*

**Second Working Session: International Perspectives on Juvenile Justice.**

- (2.30 pm - 6.30 pm) Chair: Mr A.A. Kayode, SAN, First Vice-President NBA, Chairman Human rights Committee, NBA
- 2.30 pm - 3.00 pm South Africa: Ms Buyi Mbambo, Assistant



Project Co-ordinator - The Child Justice Project-  
Child Justice Transformation in South Africa.

- 3.00 pm - 3.30 pm Namibia: Ms Celeste Zaahl, Co-ordinator on  
Juvenile Justice, Legal Assistance Centre
- 3.30 pm - 4.15 pm Discussion & Questions/Feedback
- 4.15 pm - 4.45 pm *Coffee Break*
- 4.45 pm - 5.15 pm Iran: Judge Ahmed Mozzafari - Juvenile System  
& Sharia Law (Paper delivered by Mr Merat,  
PRI, Paris)
- 5.15 pm - 5.45 pm UNICEF: Ms. Guillemette Meunier - Problems  
of Residential Care and Deprivation of Liberties  
for Children in Conflicts With the Law
- 5.45 pm - 6.30 pm Discussion & Questions/Feedback & Wrap-Up
- 7.00 pm - 9.00 pm Cocktail Reception

## **Day 2: 3 July**

Third Working Session: Juvenile Justice Research Report and Legal  
Framework.

- (9.00 am - 11.00 am) Chair: Mrs Uju Aisha Hassan Baba, Director-  
General, Legal Aid Council
- 9.00 am - 9.30 am Rights of Children in Conflict with the Law -  
Ms. Maryam Uwais, Special Rapporteur for  
Children, NHRC
- 9.30 am - 10.00 am Discussion & Questions/Feedback
- 10.00 am - 10.30 am Overview of Juvenile Justice Research Report  
Clement Nwankwo, Executive Director, CRP
- 10.30 am - 11.00 am Discussion

11.00 am - 11.30 am *Coffee Break*

Fourth Working Session: Juvenile Justice Concept Report Working Groups.

(11.30 am - 2.00 pm) Chair: Prof. A.A. Adeyemi, Dean, Faculty of Law, University of Lagos

11.30 am - 12.00 pm Guidelines for Working Group Sessions

12.00 pm - 2.00 pm Theme Groups

GP. 1 - Rights of Children in Conflict with the Law and Minimum Standards

GP. 2 - Formal Judicial proceedings in Juvenile Justice Administration

GP. 3 - Diversion and Non Judicial bodies in Juvenile Justice Administration

GP. 4 - Restorative Justice and Traditional Child Conflict Resolution Practices

GP. 5 - Stigmatisation and Re-integration of Children In Conflict with the Law

2.00 pm - 3.30 pm *Lunch*

Fifth Working Session: Juvenile Justice Report Feedback and Conclusions.

(3.30 pm- 6.00 pm) Chair: Ahmed Othmani, Chairperson PRI

3.30 pm - 4.45 pm Feedback/Presentations of Working Groups

4.45 pm - 5.15 pm Discussion & Questions

5.15 pm - 5.45 pm *Coffee Break*

5.45 pm - 6.15pm Presentation and adoption of Concept Paper for

Juvenile Justice Administration in Nigeria, Prof.  
A.A. Adeyemi, Dean, Faculty of Law,  
University of Lagos

6.15 pm - 6.30 pm

Closing Remarks by Bukhari Bello, Executive  
Secretary, NHRC



## ANNEX 2:

# List of Participants - National Conference on Juvenile Justice Administration in Nigeria

Ladi Kwali Conference Centre, Sheraton Hotel - Abuja, 2<sup>nd</sup> - 3<sup>rd</sup> July 2002

	<b>Name</b>	<b>Organisation</b>
1	Y. S. Abdul-Hadi	Jigawa State Judiciary, Jigawa State
2	Fatai Abidemi	LTV- Lagos Television
3	A. Ahmed Abubakar	Yobe State Judiciary, Yobe State
4	Felix Abugu	The Guardian, Lagos
5	Uba Achonwa	Constitutional Rights Project (CRP), Abuja
6	ACP Aliyu Achor	Nigeria Prisons Service, Borstal, Kaduna
7	Sunday Adah	Tell Magazine
8	Adeleye Adeoti	The Comet Newspapers
9	Jimoh Aderinke	National Human Rights Commission, Abuja
10	Kayode Adetokunbo	N.B.A., Human Rights Comp
11	Prof. A. A. Adeyemi	Faculty of Law, UNILAG, Lagos
12	David Dem Adzenda	National Human Rights Commission, Abuja
13	Idowu Afolayan	National Human Rights Commission, Abuja
14	Chuks Ray Afyiu	Nigerian Prisons Service, Headquarters, Abuja
15	Mba Agbai	National Ambassador Newspapers, Abuja
16	O. Agbakoba	HURI-LAWS, Lagos
17	J. O. Ajayi	Justice
18	Charles Ajunwa	The Country Newspapers
19	Elisha O. Akaleme	Africa Refugee Foundation (AREF), Surulere, Lagos
20	Gbemi Akinboyo	Unicef, Abuja
21	Olamide Akinkungbe	Lagos State Judiciary
22	Naomi Akpan	Constitutional Rights Project (CRP), Lagos

23	E. Amobi	Human Rights Watch and Adv.
24	Disin Amosun	OGBC
25	Maureen Anaekwe	Radio Nigeria (Prof)
26	Sunday Ani	Guardian Newspapers
27	Uche Anunne	New Nigerian Newspapers
28	Mike Aruleba	Daar Communications Ltd, Lagos
29	Adiya Atuluku	Parakou Cresc., Wuse II, Abuja
30	Hon. Justice A. Augie	High Court, Sokoto, Sokoto State
31	A'Rahman A. Ayuba	N.I.A., Abuja
32	Uju Hassan Baba	Legal Aid Council, Abuja
33	Alex D. Baba	National Human Rights Commission, Abuja
34	Idris Bawa	National Human Rights Commission, Abuja
35	Garba A. Bello	Min. of Women Affairs & Social Dev., Sokoto State
36	Bukhari Bello	National Human Rights Commission, Abuja
37	David Brown	Penal Reform International (PRI), London, UK
38	Cyrilla Bwakira	Unicef, Abuja
39	L. Chinade	National Human Rights Commission, Abuja
40	Lanre Dada	Unicef - Nigeria
41	Kaneng Dalyop	Young People's Home, Jos
42	Rev. Victor O. David	Victory Faith Power Church, Surulere, Lagos
43	Beatrice Duncan	Unicef - Ghana
44	J. N. Duru	FMWAYD
45	E. A. Obaba	Ministry of Women Affairs, Kogi State
46	Adoba Echono	Voice of Nigeria (VON)
47	Chiwonyerem O. Egbinine	Imo State Judiciary, Owerri, Imo State
48	A. S. Ekijere	Nigerian Prisons Service, Headquarters, Abuja
49	Stella-Maris Ekpere	Radio Nigeria (Prof)
50	Yakubu Ellams	AIT/Ray Power
51	R. S. El-USman	International Law Dept., Ministry of Justice
52	Gowon Emakpe	The Anchor Newspaper
53	Imelda B. Etape	Cross River State Judiciary, Calabar, Cross River State
54	Chika Eze	Voice of Nigeria
55	Dr. Bello Fadile	Arewa Chambers, Metro Plaza, Abuja
56	Nguyan S. Feese	National Human Rights Commission, Abuja
57	Akinboyo Foluke	Nairobi St., Wuse 2, Amal Court, Abuja
58	Gbolahan A. Gbadamosi	The Guardian, Lagos

59	Stephen D. Hoke	Ministry of Women Affairs, B/Kebbi, Kebbi State
60	Sunday Ayo Ibazebo	From Little Voices in the Dark
61	Titilayo F. Ibe	Nigerian Prisons Service, Headquarters, Abuja
62	Okey Ibeamu	MacArthur Foundation, Abuja
63	M. Ibrahim	Radio Nigeria, Kaduna
64	Rita Ifeme	Nigerian Prisons Service, Headquarters, Abuja
65	Hogan U. Inyang	Min. of Women Affairs, Social Welfare Dept, Akwa Ibom State
66	Olewele Ipohle	Legal Resources Consortium
67	Mariya Ismaila M.	Niger State Judiciary, Niger State
68	Dayo Israel	GAAVOHER, Lagos
69	Mary Jatau	Ministry of Women Affairs, Plateau State
70	Julius	National Human Rights Commission, Abuja
71	Umar Kalze	National Human Rights Commission, Abuja
72	Hadiza Sani Kangiwa	National Human Rights Commission, Abuja
73	Iorhen Kwange	NTA News
74	Yinka Lawal	Constitutional Rights Project, Abuja
75	A. Sarki Lawan	Kano Foundation
76	Grace C. Leleh	Fed. Min. of Women Affairs & Youth Dev., Fed. Secretariat, Abuja
77	M. I. Mangga	National Human Rights Commission, Abuja
78	Azeez Mayowa	The Post Express
79	S. C. Mbaegbu	Justice
80	Buyi Mbambo	UN Child Justice Project, Joburg, South Africa
81	Yakubu I. Mbaye	Ministry of Women Affairs, Borno State
82	Zarir Merat	Penal Reform International (PRI), Paris, France
83	Guillemite Meunier	Consultant, Unicef
84	Abdullahi Mijinyawa	CAPP, Plot 556A Borono St., Area 10
85	Tabechukwu Mofunanya	Wuse 5, Abuja
86	Abubakar Muhammad	Life-camp, Abuja
87	Sa'adatu Muhammad	Life-camp, Abuja
88	Yusuf Alh. Muhammad	Ministry of Womans Affairs, Kano State
89	Clement Nwankwo	Constitutional Rights Project (CRP), Lagos
90	Joseph Nwankwo	Daily Times Nigeria Plc
91	Chinwe Nwanna	Dept. of Sociology, UNILAG, Lagos
92	Chief Joe E. Nweywu	ANPPCAN NIG., Enugu
93	Tina Nwodo	National Human Rights Commission, Abuja
94	Ngozi Obiandu	Child Health Care Borstal Inst., Aba, Abia State

95	O. W. P. Obiandu	Borstal Institution, Abeokuta
96	Kenneth Obot	Constitutional Rights Project (CRP), Lagos
97	Ozigbo Ogo	Civil Resource Dev. Documentation Centre, Enugu
98	Joyo Ogo	New Star Finances
99	Ndali Ogudebo	Plot 906 Rarakou Crecent, Wuse II, Abuja
100	Chizoba Oji	Judiciary, Abuja, FCT
101	Tony Ojukwu	National Human Rights Commission, Abuja
102	Hon. Chief Bo. O. Okafor	1 Lasbry Lane Asate, Enugu
103	Mrs. G. Okechukwu	GNO, Enugu
104	Lillian Okenwa	ThisDay newspapers, Abuja
105	Njoku A. Okey	Service Newspaper, Port Harcourt
106	A. Okon	Blemtyre St., Abuja
107	M. O. Okosun	CLO, Ikeja, Lagos
108	Joy Okoye	Constitutional Rights Project
109	Scholastica Okwuezi	Nigerian Newsday
110	R. O. Olaniyi	Min. of Women Affairs, Dev. & Social Welfare, Oyo State
111	Segun Olatunji	Rhythm 94.7 FM, Abuja
112	Bankole Olubamise	LRRDC, Yaba, Lagos
113	Pat Omene	Nigerian Prisons Service, Female Prison, Kirikiri, Lagos
114	Modupe Omopintemi	Save the Children, UK, Ikoyi, Lagos
115	Uchenna Onwugbenu	No. 11 Panama St., Maitama, Abuja
116	Nkem Oselloka-Orakwue	African Children Broadcasting Network (ACBN)
117	Ho. Justice Liro Osho	National Human Rights Commission, Abuja
118	Ahmed Othmani	Penal Reform International (PRI), Paris, France
119	Oti Ovrawah	National Human Rights Commission, Abuja
120	Oyatolu Oyebisi	General Action Against the Violation of Human/Child Rights
121	Liz Pycroft	National Human Rights Commission, Abuja
122	Dr. Barbara Reynolds	Unicef, Abuja
123	Saleh Samanja	Ministry of Justice, Damaturu, Yobe State
124	Danlami Z. Sanchi	High Court of Justice, B/Kebbi, Kebbi State
125	Julcit Sanda	This-Day
126	Yusuf Shu'Aibu	Triumph
127	Tobi Soniyi	The Punch
128	Roselyn S-Onyegbula	Constitutional Rights Project (CRP), Lagos
129	Bashari Subairu	Ministry of Women Affairs, Kano State
130	Suleiman Tauko	Radio Nigeria Abuja, G/Lada



131	Michael G. Toby	Social Welfare Dept. P/H, Rivers State
132	Lemmy Ughegbe	Vanguard newspapers
133	Ijeoma Ukaji	Nigerian Newspapers
134	Okwunna Ukatu	National Light Newspapers
135	Mrs. N. C. Ukelonu	Federal Ministry of Justice, Federal Secretariat, Abuja
136	Mrs. N. C. Ukelonu	Federal Ministry of Justice, Federal Secretariat, Abuja
137	Obinnaya C. Urukpa	Master of Ceremonies
138	Maryam Uwais	National Human Rights Commission, Abuja
139	Justice Lawal Uwais	Supreme Court of Nigeria, Abuja
140	Ighorodji Viki	PRAWA, Lagos
141	Baraka I. Wali	High Court of Justice, Katsina State
142	Asubiaro 'wumi	Legal Resources Consortium
143	Celeste Zaahl	Legal Assistance Centre, Windhoek, Namibia



## Annex 3:

# Programme Schedule Northern Zonal Consultative Conference on Juvenile Justice Administration in Nigeria

Nassarawa Guest House, Kano 16<sup>nd</sup> - 17<sup>rd</sup> September 2003

### Day 1: 15 September

Arrival of participants

### Day 2: 16 Sept

08.30 am - 09.00 am Registration of participants (FIDA Kaduna)

#### Opening Ceremony:

09.00 am - 09.15 am Introductory remarks/ administrative announcements by FIDA Faduna

09.15 am - 09.30 am Self introduction by participants

09.30 am - 09.40 am Goodwill Message by Vinod Alkari, Chief of Field Office, Unicef, Bauchi

09.40 am - 10.00 am Workshop Expectation/Objectives by Raymond Akor, UNICEF Kaduna

10.00 am - 10.30 am Overview of the Juvenile Justice system in Nigeria by Oti Anukpe Ovrawah, NHRC

10.30 am - 11.00 am Juvenile Justice in Northern Nigeria by Dr. T. Ladan, Head of Department, Public Law, ABU, Zaria

11.00 am - 11.30 am	<i>Coffee break</i>
11.30 am - 12.00 pm	Discussion/Questions/Feedback
12.00 pm - 12.45 pm	Report of the JJA National Conference and Jos Working Group Meeting by Tony Ojukwu, NHRC
12.45 pm - 13.30 pm	Discussion/Questions/Feedback
13.30 pm - 14.30 pm	<i>Lunch Break</i>
14.30 pm - 15.00 pm	Juvenile Justice Research Report by Ms Naomi Akpan, CRP
15.00 pm - 15.30 pm	UNICEF's Approach to Juvenile Justice by Ms G. Akinboyo, UNICEF Abuja
15.30 pm - 16.30 pm	Discussion/Questions/Feedback
16.30 pm - 17.00 pm	<i>Coffee Break</i>
17.00 pm - 18.00 pm	Plenary Discussion on Juvenile Justice: Issues and Problems in Nigeria

### **Day 3: 17 Sept**

08.00 am - 08.30 am	Registration
08.30 am - 09.00 am	Rapporteur's Report/Announcements
09.00 am - 10.00 am	Concept Paper on JJ Administration in Nigeria by Prof. A.A. Adeyemi, Faculty of Law, UNILAG
10.00 am - 10.45 am	Discussion/Questions
10.45 am - 11.00 am	Guidelines on Group work
11.00 am - 11.30 am	<i>Tea/Coffee break</i>

11.30 am - 13.30 pm	Group work
13.30 pm - 14.30 pm	<i>Lunch break/Prayers</i>
14.30 pm - 16.00 pm	Presentation of Group work/Plenary discussions
16.00 pm - 16.30 pm	<i>Tea/Coffee break</i>
16.30 pm - 17.30 pm	Plenary discussion/Agreed points
17.00 pm - 18.00 pm	Closing

#### **Day 4: - 18 Sept**

07.00 am - 11.00 am	Breakfast/Departure
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## Annex 4:

# Programme Schedule Southern Zonal Consultative Conference on Juvenile Justice Administration in Nigeria

DíRovans, Hotel 16<sup>nd</sup> - 17<sup>rd</sup> October 2002

### Day 1: 15 October

Arrival of participants

### Day 2: 16 October

08.30 am - 09.00 am Registration of participants (SMWA/Unicef)

#### **Opening Ceremony:**

09.00 am - 09.15 am Introductory remarks & administrative announcements

09.45 am - 10.10 am Opening Address by Mrs O. Oyesina, Director of Public Prosecutions, Oyo State, on behalf of the Attorney General & Honourable Commissioner for Justice, Oyo State

10.10 am - 10.30 am Welcome Address by Princess M. Kelani, Honourable Commissioner, Ministry of Women Affairs, Oyo State

10.30 am - 10.50am Brief Remarks by Dr. Barbara Reynolds, Chief of Field Operations, UNICEF Nigeria

10.50 am - 11.00am Vote of thanks - Miss Adeyemi, Ministry of Women Affairs, Oyo State

11.00 am - 11.30 am	<i>Coffee break</i>
11.30 am - 11.45 pm	Presentation of objectives and expectations of workshop by Dr Godwin Nwabunka
11.45 am - 12.45 am	Concept Paper on JJ Administration in Nigeria by Prof. A.A. Adeyemi, Faculty of Law, UNILAG
12.45 am - 13.30 pm	Discussion/Questions/Feedback
13.30 pm - 14.10 pm	Juvenile Justice in the South of Nigeria, paper presented by Ariyo Okunsanya, Human Development Initiative, for Prof. B. Owasanoye
14.10 pm - 14.50 pm	Discussion/Questions/Feedback
14.50 pm - 16.00 pm	<i>Lunch Break</i>
16.00 pm - 17.30 pm	Voices of Children - Lessons learned by children in conflict with the law, assisted by Mrs N Orakwe
17.30 pm - 18.15 pm	Juvenile Justice Research Report by Ms Naomi Akpan, CRP
18.15 pm - 18.45 pm	Report of the JJA National Conference, Jos Working Group and Northern Zonal Meeting by Tony Ojukwu, NHRC

### **Day 3: 17 Oct**

09.00 am - 09.15 am	Rapporteur's Report/Announcements
09.15 am - 09.45 am	Penal Reform International experiences in Juvenile Justice Administration Programmes by David Brown, PRI, London, UK
09.45 am - 10.00 pm	Discussion/Questions/Feedback



10.00 am - 10.30 am	International Conventions and Juvenile Justice Administration: Problems of Residential Care and Deprivation of Liberty for Children in Conflict with the Law by Gbemi Akinboyo, Unicef, Abuja
10.30 am - 10.45 pm	Discussion/Questions/Feedback
10.45 am - 11.00 am	<i>Coffee break</i>
11.00 am - 11.30 am	Guidelines on Group Work
11.30 am - 13.30 pm	Group work
13.30 pm - 14.30 pm	<i>Lunch Break</i>
14.30 pm - 16.30 pm	Presentation of Group Work and Plenary discussion
16.30 pm - 17.00 pm	Agreed points and next steps
17.00 pm - 17.30 pm	Wrap-up/Closing Remarks by Noel Ihebuzor, Unicef, Southern Zone
17.30 pm - 18.00 pm	<i>Closing &amp; Tea Break</i>



