



AGENTS FOR
CITIZEN-DRIVEN
TRANSFORMATION



RIVERS STATE VIOLENCE AGAINST PERSONS (PROHIBITIONS) (VAPP) ACT, 2021

MANUAL FOR CIVIL SOCIETY ORGANIZATIONS (CSOS)

**COMMUNITY BASE ORGANIZATION (CBOs)
& LOCAL COMMUNITY IN RIVERS STATE**

DISCLAIMER

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ACKNOWLEDGMENT

FORWARD

In 2015, the Nigeria's National Assembly passed the Violence Against Persons Prohibition (VAPP) Bill into law. The law is very important piece of legislation as it surpasses other extant laws in addressing violence against persons. The law was only applicable in the Federal Capital Territory (FCT), Abuja. It requires domestication in each state. The Rivers State Governor assented the Rivers State VAPP Bill into Law in December 2020, making Rivers State the 19th State in Nigeria to domesticate the VAPP Law in Nigeria.

The VAPP Bill was passed into law in a bid to eliminate violence in private and public life; prohibit all forms of violence, including physical, sexual, psychological, domestic, harmful traditional practices; discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders. The content of the Act is rich in its provisions as it covers most of the prevalent forms of violence in Nigeria ranging from physical violence, psychological violence, sexual violence, harmful traditional practices, to socio-economic violence.

Under the VAPP Act, rape, spousal battery, forceful ejection from home, forced financial dependence or economic abuse, harmful widowhood practices, female circumcision or genital mutilation, abandonment of children, harmful traditional practices, harmful substance attacks such as acid baths, political violence, forced isolation and separation from family and friends, depriving persons of their liberty, incest, indecent exposure and violence by state actors (especially government security forces) among others are punishable offences.

The Centre for Environment, Human Rights and Development (CEHRD), other Civil Society organizations and stakeholders



worked tirelessly with the State Assembly to ensure the smooth passage of the Rivers State VAPP Bill, now law.

However, achieving holistic implementation of the VAPP Law is challenging. The Ministry of Social Welfare and Rehabilitation is the coordinating ministry of the VAPP law. Yet, the ministry has not been mandated to carry out any task with regards to the VAPP law. It is also obvious that stakeholders, especially the VAPP implementing institutions in Rivers State lack the basic knowledge of the VAPP law and how to implement it. The citizens on the other hand lack the awareness of the VAPP law, even in the face of gross violations and abuses against them. This training manual aims at equipping CBOs and CSOs, community chieftains, survivors, religious leaders, women, men, persons with disability, inadequately served population in Eleme, Tai and Phalga LGAs in Rivers State and the general public on the content of the Rivers State VAPP law.

CEHRD is grateful to the European Union for funding the project and the supporting partners- Agents for Citizen-Driven Transformation and the British Council.

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Coordinator, CEHRD.

1. INTRODUCTION

1.1 BACKGROUND

The Rivers State Violence Against Persons Law 2020 (VAPP Law) is quite robust and addresses wide range of violence against persons in Rivers State. The law is a big relief to CBOs that are working on GBV issues as it a very progressive approach to addressing Gender Based Violence (GBV) in Rivers State. CEHRD being in the forefront of championing gender equality and socio-economic rights of women led the CSO advocacy for the passage of the VAPP Law in Rivers State. This Law was passed on January 2020 and assented on December 4, 2020 by the Rivers State House of Assembly and the Governor, respectively. Community Based Organisations (CBOs) have a huge role to play in the implementation of the Law. The task ahead is the challenge of translating this VAPP Law into concrete GBV mitigation results via effective implementation, especially to address the issues of acute ignorance around this law and to task the VAPP implementation institutions for the implementation of the VAPP law. To contribute to reducing GVB, CEHRD set up a GBV Toll Free number to receive prompt reports of GBV in 2021 and had recorded more than 300 GBV incidences. When surveyed and analysed the complaints of survivors who responded, they were ignorant of the VAPP Act. Recent needs assessment conducted by CEHRD also highlights grave ignorance of the VAPP law among community members, survivors and even some of the VAPP implementing institutions. This confirms the urgent need to initiate advocacies for sensitization and implementation of the law. CBOs should be at the Centre of sensitization and advocacies to ensure implementation and that residents maximize the provisions of this law but are yet to commence sensitization on it. Also, the Coordinating ministry, the Ministry of Social Welfare and Rehabilitation as prescribed by the VAPP Law is yet to take up

that role. It is also not surprising that most CBOs and the VAPP implementing institutions are not even conversant with the VAPP Law.

CEHRD is implementing a project entitled: Enhancing Prevention and Response to Gender Based Violence in Rivers State. The project is funded by the European Union with support from Agent for Citizen-Driven Transformation and the British Council. The project seeks to initiate advocacies and sensitization to VAPP implementing institutions and the local communities of Tai, Eleme and Port Harcourt City Local Government Areas in Rivers State about the VAPP Law. A baseline on GBV in the Niger Delta reveals that 35% of women in the Niger Delta have experienced either physical or sexual intimate partner violence or non-partner sexual violence (World Health Organization, WHO Report on GBV in Africa, <https://www.who.int/reproductivehealth/topics/violence/en/>). Gender-based violence (GBV) remains one of the most prevalent and persistent issues facing women and girls globally. The World Health Organization (WHO) estimates that 35% of women experience some kind of physical and/or sexual violence at some point in their lives.

1.2 TRAINING AIMS AND OBJECTIVES

- a. Sensitization and awareness creation and capacity building initiatives for CBOs and other implementation agencies for effective implementation.
- b. Ensure that survivors of GBV access timely, adequate and appropriate support services, which include medical, psychosocial and security support.
- c. Break the culture of silence around GBV and increase reporting.
- d. Change values, belief systems, attitudes, behaviours and practices of individuals, communities and institutions to see GBV as a crime and unacceptable.

- e. And ultimately drive implementation of VAPP Law towards eliminating violence against women and girls

1.3 EXPECTED OUTCOME/TAKE HOME FROM THE TRAINING

- a. Increased reporting of GBV
- b. Institutions working on GBV have the capacity to organize, facilitate social change and respond to issues of GBV.
- c. Change behaviour, attitudes and practices with regard to women's and girls' legal/human rights
- d. Synergy in response to reported incidences of GBV Victims to help access quicker response and remedies
- e. Legal information, effective and confidential counselling, support services and representation provided for women, men, girls and boys who need them
- f. Survivors are expected to share their experiences to promote breaking of silence against GBV
- g. Healing for survivors and De-Stigmatization

1.4 TRAINING BENEFICIARIES

Beneficiaries of this project are:

- a. CBOs in Port Harcourt, Tai and Eleme Local Government Areas (LGAs)
- b. Lawyers in Port Harcourt, Tai and Eleme Local Government Areas (LGAs)
- c. Women, men, boys and girls in the three listed LGAs
- d. Survivors in the listed LGAs
- e. Persons with disability, and
- f. Inadequately Served Population and survivors of GBV in Port Harcourt, Tai and Eleme Local Government Areas (LGAs)

1.5 COURSE LANGUAGE

Training will be conducted in English Language but Pigin will be used when needed to ensure effective communication.

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3. TRAINING METHODOLOGY:

- i. Audience specificity
- ii. A practical approach
- iii. Sharing of experiences
- iv. Peer learning
- v. Training to be divided into Modules
- vi. Power Point Presentations
- vii. Professional facilitation
- viii. Flexibility
- ix. Training the trainer
- x. Evaluation during the design phase- formative evaluation
- xi. Evaluation during delivery
- xii. Evaluation post delivery

4. ACTIVITIES DESIGN

- i. Town hall meetings
- ii. Interactive sessions
- iii. Module presentations
- iv. Question and answers sessions to evaluate feedbacks
- v. Working group sessions and presentations
- vi. Energizers
- vii. End of course assessment

5. TOOLS FOR TRAINING

- i. Training needs assessment form
- ii. Course agenda
- iii. Training materials
- iv. VAAP Law 2020
- v. Evaluation forms
- vi. Attendance sheet
- vii. Equipment such as Flip charts, projectors and computer
- viii. End of course evaluation form
- ix. Follow up survey form template
- x. Protective Order forms

6. VAPP LAW TRAINING DELIVERY:

Module one: Understanding the basics of violence against persons

- a. Evaluation forms to assess the degree of participant's understanding of the topic
- b. What are the prevailing GBV? Sharing personal or witness experiences
- c. Comparing prevalence of violence between genders
- d. Assessing knowledge of applicable laws and steps to take when GBV occurs
- e. Why do we think victims/survivors fail to take actions?
- f. Rate responses to GBV in Rivers State

7. MODULE 2: UNDERSTANDING VAPP LAW 2020

a. VAPP Law defined

The preamble (Opening statement) to the law describes Violence Against Persons Prohibition Law as 'A law to prohibit and eliminate all forms of violence against persons in private or public life, provide maximum protection and effective remedies for victims of violence, to provide for punishment of offenders and for other related matters.

b. Scope of the Law

- i. Violence occurring in private or public
- ii. Domestic violence and spousal abuse
- iii. Sexual violence, economic violence
- iv. Violence by state actors
- v. Political violence
- vi. Physical violence
- vii. Psychological violence
- viii. Administering of harmful substances to stupefy or overpower to aid sexual abuse such as drugs and alcohols, abuse with harmful liquid such as acid, aiding and abetting crimes and accessory after the act.

c. Types of violence

- i. Rape Section 1 (Sec 1)
- ii. inflicting physical injury on a person Sec 2
- iii. coercion Sec 3
- iv. wilfully placing a person in fear of physical injury sec 4
- v. offensive conduct sec 5
- vi. frustrating investigation sec 6
- vii. wilfully making false statement sec 7
- viii. forceful ejection from home sec 8
- ix. depriving a person of his liberty sec 9
- x. damage to property with intent to cause distress sec 10
- xi. forced financial dependence or economic abuse sec 11
- xii. forced isolation or separation from family or friends sec 12
- xiii. emotional, verbal and psychological abuse sec 13
- xiv. abandonment of spouse, children and other dependents without means of sustenance sec 14
- xv. stalking sec 15
- xvi. intimidation sec 16
- xvii. spousal battery sec 17
- xviii. harmful traditional practices sec 18
- xix. attack with harmful substances sec 19
- xx. administering a substance with intent to stupefying or overpowering sec 20
- xxi. political violence sec 21
- xxii. violence by state actors sec 22
- xxiii. incest sec 23
- xxiv. indecent exposure sec 24

8. DEFINITION OF TERMS

- i. Consent: When someone agrees to do something or accepts to be treated in a certain manner
- ii. Rape (sec 1): to have sex with someone without his or her consent; when an adult has sex with a girl below 18 years old whether she agrees to the act or not
- iii. sexual abuse: when sexual relations is done in manner that totally disgraces and humiliates a person, it does not

- matter that the person agreed to have sex with the abuser
- iv. sexual harassment: continuous, annoying and unwanted direct or indirect actions that have sexual connotations
 - v. sexual exploitation: when sex is used bargaining chip to extend favour or any form of advantage by a person in authority or by a person that possesses economic advantage over victim
 - vi. sexual assault: touching someone in a sexual manner without consent
 - vii. coercion (Sec 3): Manipulating or forcing someone to make someone fearfully do what is no good for the person physically or emotionally
 - viii. Aiding and abetting: to help someone to successfully carry out an unlawful act
 - ix. accessory after the fact: Intentionally hiding or assisting a person who commits an unlawful act
 - x. Attempt to Commit any Offence under the law: when a person plans to commit an offence and actually begins to take active steps towards carrying out the unlawful act
 - xi. stalking (Sec 15): hanging around a person in a manner that harasses or threatens the person's safety
 - xii. intimidation (Sec 16): verbal threats or physical acts that induce fear, it also means deprivations to induce someone to succumb to the abuser's demands
 - xiii. Harmful traditional practices (sec 18): traditions that are not good for the physical and psychological well being of a person. such as harmful and humiliating widowhood rites, female genital mutilations, child marriage etc
 - xiv. administering a substance with intent to stupefying and overpowering (sec 20): To put drugs that weakens or induces sleep in order to easily sex with someone without any resistance
 - xv. State violence: unlawful acts by persons and agencies working on behalf of government
 - xvi. incest (sec 23): when people who know that they are related

by blood have sex or behave in indecent manners towards each other

- xvii. indecent exposure (Sec 24): unsolicited exposure of genitals to another for sexual purposes or in other to annoy the person
- xviii. Offensive Conduct: sec 5 using force or threat to make a person participate in a sexual act or to make someone do something bad against the person's will
- xix. protection officers: sec 40 A person appointed by the Ministry of social welfare and rehab to assist the court in actions brought under this law, in coordinating the activities of police and service providers and ensure that victim have access to all assistance and remedies available under this law
- xx. Substance attack: throwing harmful chemical or liquid at a person with the intention to cause bodily harm
- xxi. dangerous sexual offender: sec 41 A person who the court has convicted of sexual offence more than once; or have been convicted for sexual offence against a child
- xxii. accredited service providers sec 44 Government, religious organisation, NGO registered with government that provide shelter, legal assistance and other forms of assistance to victims of domestic violence.

9. PUNISHMENTS

i. Rape: sec 1

Punishment for rape is life imprisonment except where he or she is a minor. Victims may be awarded any other compensation as the Court may order. Victims name shall be entered in the State's Sex Offenders Register

ii. Inflicting physical violence: sec 2

- A Person who commits the acts: 5 years imprisonment or option to pay N500, 000 fine

- Attempts to commit this offence: 3 years imprisonment or option to pay of N200, 000 fine
- A Person who encourages another to commit this offence, a person who helps another to commit this offence and a person who advises another to commit the offence: 3 years imprisonment or option of N200, 000 fine
- A person who knowingly hides or assists the offender: 3 years imprisonment or a fine that will not be more than N200, 000

iii. Coercion Sec 3: A person who commits this act is liable to 3 years imprisonment without any options

iv. Wilfully placing a person in fear of physical injury: Sec 4

- A Person who commits the offence: 2 years imprisonment or option of N200, 000 fine
- Attempt to commit this offence: 1 years imprisonment or option of N100, 000 fine
- A person who helps or advises another to commit this offence: 1 year imprisonment or option of N200, 000 fine
- A person who knowingly hides or assists the offender: 1years imprisonment or a fine of N200, 000

v. Offensive conduct: Sec 5

- A person who commits the offence: 5 years imprisonment or option of N500, 000 fine
- The person who attempts to commit this offence: 2 years imprisonment or option of N200
- person who makes, helps or counsels another to commit the offence: 2 years imprisonment or option of N300, 000 fine
- A person who knowingly hides or assists the offender: fact 3 years imprisonment or a fine of N300,000

vi. Frustrating investigation: Perpetrator faces 3 years imprisonment or option of N500, 000 fine

vii. Wilfully making false statement (oral or documentary) in judicial proceeding or in a bid to initiate investigation or criminal proceeding sec 7: A Person who commits the offence: 2 years imprisonment or option of N200,000 fine.

viii. Forceful ejection from home (applies to spouse only)
sec 8

- Person who commits the offence: 2 years imprisonment or option of N300, 000 fine
- Attempt to commit this offence: 1 year imprisonment or option of N200. 000 fine
- Motivating, helping and advising another to commit the offence: 1 year imprisonment or option of N200, 000 fine
- A person who knowingly hides or assists the offender: 3 years imprisonment or a fine not exceeding N200, 000

ix. Depriving a person of his liberty: sec 9

- Person who commits: 2 years imprisonment or option of N500,000 fine
- Attempt to commit this offence: 1 year imprisonment or option of N200 000
- Motivating, helping or advising another to commit the offence: 2 years imprisonment or option of N300, 000 fine
- A person who knowingly hides or assists the offender: 1 years imprisonment or a fine not more than N100, 000

x. Damage to property with intent to cause distress: sec 10.

- Person who commits this offence: 2 years imprisonment or option of N300, 000 fine
- Attempt to commit this offence: 1 year imprisonment or option of N200
- Motivating, helping and advising another to commit the offence: 1 year imprisonment or option of N200,000 fine

- A person who knowingly hides or assists the offender: 1 year imprisonment or a fine not exceeding N200,000
- xi. Forced financial dependence or economic abuse:** sec 11
- Person who commits the offence: 2 years imprisonment or option of N500, 000
 - Attempt to commit this offence: 1 year imprisonment or option of N200. 000 fine
 - Urging, helping and advising another to commit the offence: 1 year imprisonment or option of N200, 000 fine
 - A person who knowingly hides or assists the offender: 6 months imprisonment or a fine not more than N100,000
- xii. Forced isolation or separation from family or friends:** sec 12
- Person who commits this offence: 6 months imprisonment or option of N100, 000 fine
 - Attempt to commit this offence: 3 months imprisonment or option of N100. 000 fine
 - Urging, helping or advising another to commit the offence: 3 months imprisonment or option of N100, 000 fine
 - A person who knowingly hides or assists the offender: 3 months imprisonment or a fine of N100, 000
- xiii. Emotional, verbal and psychological abuse:** sec 13.
- Person who commits the offence: 1year imprisonment or option of N200,000
 - Attempt to commit this offence: 6 months imprisonment or option of N100. 000 fine
 - Urging, helping or advising another to commit the offence: 6 months imprisonment or option of N100,000 fine
 - A person who knowingly hides or assists the offender: 6 months imprisonment or a fine of N100,000

xiv. Abandonment of spouse, children and other dependents without means of sustenance: sec 14

- A Person who commits the offence: N500, 000 fine
- Attempt to commit this offence: N200. 000 fine
- urging, helping or advising another to commit the offence: 2 years imprisonment or option of N200,000 fine
- A person who knowingly hides or assists the offender: 1 year imprisonment or a fine not exceeding N100,000

xv. Stalking: sec 15

- Person who commits the offence: 3 years imprisonment or option of N500,000 fine
- Attempt to commit this offence: 2 years imprisonment or option of N200
- urging, helping or advising another to commit the offence: 1 year imprisonment or option of N200,000 fine
- A person who knowingly hides or assists the offender: 1 year imprisonment or a fine not exceeding N100,000

xvi. Intimidation sec 16:

- A person who commits the offence: 1 year imprisonment or option of N200,000 fine
- Attempt to commit this offence: 6 months imprisonment or option of N100.000 fine
- Urging, assisting or advising another to commit the offence is liable upon conviction to 6 months imprisonment or option of N100,000 fine
- A person who knowingly hides or assists the offender: 3 years imprisonment or N100, 000 fine

xvii. Spousal battery: sec 17

- Person who commits his offence: 3 years imprisonment or option of N300,000 fine
- Attempt to commit this offence: 1 year imprisonment or option of N100.000 fine

- Urging, helping or advising another to commit the offence: 1 year imprisonment or option of N200,000 fine
- A person who knowingly hides or helps the offender: 1 year imprisonment or a fine not exceeding N200,000

xviii. Harmful traditional practices sec 18:

- Person who commits this offence: 4 years imprisonment or option of N500, 000 fine.
- Attempt to commit this offence: 2 years imprisonment or option of N300. 000 fine
- A person who motivates, helps and or counsels another to commit the offence: 2 years imprisonment or option of N300, 000 fine
- A person who knowingly hides or assists the offender: 2 years imprisonment or a fine not exceeding N200, 000

xix. Attack with harmful substances: sec 19:

- Person who commits the offence: life imprisonment without an option of fine
- Attempt to commit this offence: 25 years imprisonment without an option of fine
- Urging, helping or advising another to commit the offence: 25 years imprisonment without an option of fine
- A person who knowingly hides or assists the offender: 25 years imprisonment without an option of fine.

xx. Administering a substance with intent to stupefying or overpowering Sec 20: Perpetrator faces 10 years imprisonment or option of N500,000 fine

xxi. Political violence: sec 21

- Person who commits the act: 4 years imprisonment or option of N500,000 fine
- Attempt to commit this offence: 2 years imprisonment or option of N300.000 fine

- Urging, helping or advising another to commit the offence: 2 years imprisonment or option of N300,000 fine
- Helping or assisting the offender: 2 years imprisonment or a fine not exceeding N200,000

xxii. Violence by state actors: sec 22.

- Person who commits this act: 4 years imprisonment or option of N1,000, 000 fine
- Attempt to commit this offence: 3 years imprisonment or option of N700. 000 fine
- Urging, helping or advising another to commit the offence: 2 years imprisonment or option of N500, 000 fine
- Hiding or assisting the offender: 1 year imprisonment or a fine not exceeding N300, 000

xxiii. Incest: sec 23

- Person who commits the act: Minimum 10 years without an option of fine if there was no consent. If there is consent then both parties will face jail term of not less than 10 years without an option of fine

xxiv. Indecent exposure: sec 2: Person who commits this act is liable to 1 year imprisonment or option of N500, 000 fine

xxv. Violating Protection Order sec 34: anyone who disobeys an interim protection order of the court or a protection is liable to 6 months imprisonment or N300, 000 fine.

10. MODULE 3: VICTIMS RIGHT UNDER VAPP

a. Rights of Victims under VAPP Law (Section 36)

A victim is entitled to:

- His or her fundamental rights under 1999 Constitution Sec 36 and other human rights recognised and applicable to residents in Rivers State
- Medical care Sec 36(a)

- iii. Psychological support in form of assurances of safety, counselling or therapy Sec 36(a)
- iv. Social support such as a safe shelter Sec 36(a)
- v. Legal assistance such as pro bono legal services to ensure that the matter is brought to court Sec 36(a)
- vi. Right to information especially regarding the steps to take for reporting, protection and redress for offences under this law Sec 36 (b)
- vii. Alternative accommodation in cases of domestic violence Sec 29(2)©
- viii. Temporary relocation to a safe place Sec 29(2)(d)
- ix. Emergency monetary relief Sec 29(4) such as feeding and child supports
- x. Child custody Sec 29((7)
- xi. State Rehabilitation and re-integration programme (With skills, formal education or micro credit facility Sec 36(1)©
- xii. Protection from double victimization at work place or school for reporting abuse Sec 36(3))
- xiii. compensation Sec 1(3)) for injuries or losses suffered as a result of the violence/abuse
- xiv. attachment of wages or savings Sec 39(3) Service provider may ask the offender's employer to pay part of his salary to the victim or approach his bank to pay the victim from the offender's savings with their bank
- xv. interim protection Order Sec 27(2): where court is convinced that an offence has been committed or very imminently likely to be committed, the court can make an order to restrain the person without service of notice for Proceedings for a protection Order
- xvi. protection order Sec 29: Order of the court restraining the offender from continuing the offence, committing domestic violence, to vacate a shared residence or not come to the shared residence, or not use a shared property or any further order the court may deem fit under the circumstances

- xvii. right to private trials Sec 36(5) and non publication of any information relating to the trial
- xviii. right to initiate criminal complaint in addition to any remedy provided under the VAPP Law Sec 30 (1)(e)

11. PROTECTION ORDER SEC 27(3)

- i. What is protection order?** Sec 29: It is an Order of the court restraining the offender from continuing the offence, committing domestic violence, to vacate a shared residence or not come to the shared residence, or not use a shared property or any further order the court may deem fit under the circumstances
- ii. Court with jurisdiction** to entertain this application is High Court (sec 26)
- iii. Who makes the application** sec 26(5): Police, Accredited Service provider, Teacher, Protection officer, Social worker, Health service provider, Counsellor
- iv. Discharge of protective order** Sec 33: application for discharge of protection order may be made by the Commissioner, the person who brought the complaint, the respondent,
 - i. Violation of protective order** Sec 34 attracts summary conviction of 300k fine and other punishments by court for contempt of court Attachment of wages and properties. Violation can also be treated as contempt of court and attracts additional punishments Sec 34(2). Making a false statement while filing for protection order is an offence with six months jail term or option of N200, 000 fine. Application may be made to the respondent employee for attachment of salaries, or his debtors or his bank accounts sec 39(3)

- v. **Application for variation or setting aside of protection order** Sec 32 can be made by the complainant or respondent

12. MODULE 4: IMPLEMENTATION ACTORS

- a. **Implementation Authority/Regulatory body: The Ministry of Social Welfare and Rehabilitation** The ministry is in charge of the implementation of the VAPP Law Section 38 and sec 42. The Role of the Ministry of Social Welfare and Rehabilitation include:
- i. To keep register of accredited service providers sec 38(2)(a)
 - ii. To circulate the service providers register to police station
 - iii. To collaborate with relevant stakeholders and faith based organisations to achieve the objectives of the law
 - iv. To draw a guide for operation of registered service providers 38(2)(b)
 - v. To appoint any number of protection officers in each local government Area sec 39
 - vi. To appoint a **Coordinator for prevention of domestic violence** Sec 40(1))
 - vii. Create and maintain sex offenders register accessible to the public sec 1(2)

b. Service providers Sec 38

Who are the service providers under VAPP law? sec 38(1) They are voluntary organisations that registered under CAMA or any other law with the objective of protecting the rights and interests of victims of violence by any lawful means including provision of legal aid, medical assistance, and financial assistance. To become recognised they must be registered with the Ministry. These are all the implementation and response team to all forms of violence against persons under VAPP Law. The law did not specifically spell out the service providers but a careful reading of law gives an insight as to who the service providers are. These include the Police, accredited Service provider, Protection officers, Social

workers, lawyers, faith based organisations, Health service providers, and NGOs/CBOs.

Duties of service providers Sec 38 includes protection of victims rights as discussed under paragraph 8 dealing with the rights of victims under VAPP Law. This would include duty to counsel, guide and assist victims on the step to take to obtain justice, legal protection, compensation and redress; duty to help the victim to file the matter in court; duty to file for interim protection order; duty to offer temporary safe space/shelter to victims; and duty to file for protection order; duty to take record of incidences of violations. Their duties also include offering all forms of supports to victims such as Social, psychological, legal, and health related supports. Duty not to disclose or publish victim's identity or details (violation of this provision attracts one year jail term or option of N200, 000 fine) sec 37. There is also the additional duty of NGOs, CBOs and FBOs who are already registered under the Company and Allied Matters Act to apply to the Ministry to be registered as an Accredited Service Provider Sec 38(1). Sec 38(3) specifically listed their duties to include taking records of incidences of violence in the prescribed form, forwarding same to magistrate and protection officer in the LGA; get the victim medically examined and forward the report to protection officer and police within the locality/ ensure the victim is provided shelter and forward a report of the lodging to the police within the locality. Service Providers are protected from legal proceedings so long as they acted in good faith and followed the due process of law.

Duties of Protection officers as service provider include:

- ii. To assist the court Sec 39
- iii. To coordinate activities of the police and service providers
- iv. To help victims have easy access to assistance, interim protection and justice
- v. To make application for protection order at the high court on behalf of and with written consent of the complainant.

(written consent can be waived if the complainant is a minor or lacks mental capacity)

- vi. Duty to make application for attachment of salaries and debts and bank accounts of the respondent sec 39(3)

Duties of State Coordinator for prevention of domestic violence Sec 40(1): The coordinator shall submit annual report on implementation of the law to the ministry of social welfare and then forward a copy to the Attorney General

Duties and responsibilities of the police Sec 30

- i. Duty to Arrest with or without protective order or warrant of arrest sec 30 and sec 31(5)
- ii. Duty to assist victims to file complaints,
- iii. Duty to convey victims to hospital for medical care
- iv. Duty to inform the victims on remedies available under the law
- v. Duty to investigate
- vi. Duty to prosecute

Duty of Healthcare providers:

To administer necessary medical attention and documentation

Duty of Lawyers

Facilitate investigation and assist with prosecution

Duties of CSOs/CBOs:

- i. Duty to apply to the Min of Social Welfare and Rehab as Service Provider Sec 38 and 39.
- ii. Create awareness on VAPP Law 2020
- iii. Sensitization of the public on GBV
- iv. Document cases of Violence against persons
- v. File reports with the police and the ministry
- vi. Initiate actions in court
- vii. Support the police with investigation
- viii. File for protection order
- ix. Duty to offer social, medical and psychological supports
- x. Follow up with survivors

13. MODULE 5: POWERS OF THE COURT

Which courts have jurisdiction under this law? Sec 25 and Sec 44 listed magistrate court, family court and high court as courts with jurisdiction, however only High court has the power to make Protection Orders.

Powers of the Court includes:

- i. Power to entertain matters resulting to violations of the provision of the law
- ii. Power to make Protection Order
- iii. Power to issue warrant of arrest sec 31(1)
- iv. Power to make orders regarding a case such as an order not to publish identity of victim and court proceedings 37 (2)
- v. Power to make order for victims compensation
- vi. Power to award appropriate compensation commensurate with the extent and amount of damage against the state

14. MODULE 6: IMPORTANT POINTS TO NOTE

- i. Sex offenders registrar sec 1(4)(5). This register should be made available and accessible to the public
- ii. Application for protective order should follow the specimen as attached in the VAPP Law, the application form should be accompanied by an affidavit in support of the application
- iii. Juvenile offenders for rape cannot be given a life sentence sec 1(2)
- iv. Frustrating investigation applies to this law but also extends to prosecution of offences under any other law
- v. The State is liable for violence by state actor sec 22(5)
- vi. Sec 38(4) offers service providers protection from legal actions so long as they acted within the law and in good faith to prevent or contain violence

15. REFERENCE LAWS

- i. 1999 Constitution Sec36(1) see Chapter IV of the 1999 Constitution

- ii. Rivers State Dehumanizing And Harmful Traditional Practices Law
- iii. Criminal Code Laws of Rivers State sec 43
- iv. INEC Act Sec 21
- v. Matrimonial causes Act
- vi. Interpretation Laws of Rivers State Sec 44. see sec 40 of Interpretation Laws of Rivers State

16. WHAT TO DO WHEN A CASE IS BROUGHT TO YOU

- a. Before a case is brought to you, you should have a directory of service providers and protection officers for expedited actions.
- b. Take the victim away from the environment of violence immediately
- c. Go to the nearest police station and make a report
- d. Ensure that you also refer the matter to other relevant service providers for effective follow up
- e. Ensure that the victim receives the right counsel that either you or a better positioned service provider can give, if possible report to multiple service providers for necessary actions
- f. If sexual violence such as rape occurs, you should guide the victim not to take a bath before reporting to the police to preserve DNA.
- g. If the offense is sexual in nature ensure you assist the victim with timely medical attention especially post HIV exposure medication which must be taken within 72 hours to prevent HIV infection
- h. If the victim's safety or life is still under threat please seek temporary shelter for her from the Ministry of Social Welfare or other service provider
- i. Ensure you inform the protection officer about the case as soon as possible
- j. Seek the help of the Protection officer to relocate the victim temporarily
- k. Ask the police or the protection officer to apply for protection order if the abuse is continuing or likely to continue, if they do not please go ahead and apply for the order

- l. Seek information about all the remedies available to you and seek redress in court
- m. Ensure that the victim's rights to redress is upheld, do not encourage or accept settlement out of court especially for sexual offenses such as rape, incest, sexual abuse and exploitation
- n. Seek professional counselling to mitigate trauma
- o. Encourage the victim to be honest and open to you about their experiences
- p. Let the victim know that she or he is a victim, has nothing to ashamed of and must avoid self blame
- q. Do not keep silent, abuse will go on endlessly until you speak up and seek help
- r. Ensure you obtain victim's consent before you take major steps such as filing for protection order, consent can be waived if the victims lacks mental capacity or is a minor
- s. File your report with the Ministry and with the police where the victim is relocated to a safe shelter sec 38(3)©
- t. Embrace healing of your mind/emotion and get all available assistance from the state and service providers

17. TRAINING FOLLOW-UP

- A. The training report
- B. Follow-up activities
- C. Transfer and impact evaluation
- D. Follow-up activities: with the ministries and interested NGOs to apply as service providers, supervise sex offenders register, ensure that the training is reproduced in for participants/beneficiaries.