AGENTS FOR CITIZEN-DRIVEN TRANSFORMATION

BRITISH COUNCIL

CEHRD

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

MANUAL FOR SECONDARY SCHOOLS 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 sensitizing students (boys and girls) in Secondary Schools in Rivers State and the general public on the content of the Rivers State VAPP law. We hope that the capacity building initiative will equip citizens to take steps to eliminating violence in and out of school.

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1. INTRODUCTION

1.1 Background

Gender Based Violence (GBV) is one of the greatest problems faced by youths at home, school and society and large. Sexual violence is quite endemic in secondary schools in Rivers State; students have perpetuated, participated or witnessed sexual offences such as sexual harassment, rape, sexual abuse, sexual exploitation and sexual assault and sodomization of school boys. The rate of physical violence going on in secondary school is high, bullying and cultism has bedevilled secondary schools. Sadly, secondary schools have become grooming ground for political thuggery, homosexuality, cultism, rapists, etc. There have been several cases of teachers sexually exploiting, raping and physically assaulting students. At home cases of incest and other forms of domestic violence continue to rise. Most victims hardly know what to do or were to go to get help and those who know are mostly concerned about stigmatization, discrimination and double stigmatization. Women and girls are affected disproportionately by GBV thus 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. A baseline study on GBV in the Niger Delta has found that women and girls have experienced GBV incidents 10 times more than males (Ibid). Between February 2021 and July 2021, following the passage of the VAPP Act in Rivers State, the Centre for Environment and Human Rights Development (CEHRD) set up a GBV Toll Free number to receive reports of GBV. More than 300 GBV incidences were reported. Rape, emotional abuse, denied access to resources and domestic violence constitute the vast majority of the reported GBV incidents.

To promote girl's rights and invariably the rights of boys require decisive actions against sexual violence, domestic violence and patriarchy inspired harmful traditional practices (especially those that violate the rights of women and girls). As a human rights NGO, CEHRD passionately advocates for the rights and safety of all and led the CSO advocacy for the passage of the VAPP Act 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. The VAPP Law is a very comprehensive law that deals with the offenses of GBV and remedies for victims of GBV. An outstanding strength of the VAPP law is its in-depth definition of offenses, implementation procedures for redresses and service coordination between the police, the court and other service providers. This law is a huge legislative statute to reduce gender-based violence (GBV). Creating greater awareness on GBV using the VAPP law in Rivers State will generate greater impact in the fight to reduce incidences of gender-based violence (GBV) in the State. It is anticipated that students will learn that GBV of any sort cannot be tolerated; that they have the right to protection and redress; and that perpetrators GBV will no longer hide under any excuse, be it patriarchy, culture or generational ignorance to continue to abuse boy and girls, women and men in the society. Arming students with the right information will assist them to challenge societal norms that promote GBV, especially against the female gender. Hence, students will be empowered to render the right assistance and advice to those who is going through abuse.

This training manual will also serve as a guide to students who are largely ignorant that certain acts are unlawful and should be avoided. Many students are not also aware that aiding and abetting an offender or helping an offender to hide from the law or to escape justice is a crime. Many also do not know that indecent exposure is an unlawful act under the law and sending unsolicited nudes or pornographic materials to fellow students are punishable offences. Sensitization and awareness creation on VAPP law will ultimately serve as deterrence to prevent commission of unlawful acts, ensure victims seek redress and promote accountability for gender-based violence. It will also serve as a step-to-step guide of what to be done when sexual violence and other violence against persons occur.

1.2 TRAINING AIMS AND OBJECTIVES

a. Sensitization and awareness creation on GBV and the VAPP Law among secondary school students

b. Empower school boys and girls to know their rights and to become champion of ending GBV by ending the culture of silence around GBV
c. To promote ending the culture of GBV especially sexual violence and ensure accountability and victims justice
d. To drive positive change values, belief systems, attitudes, behaviours and practices that makes GBV unacceptable
e. To train students as trainers on steps to take to protect victim's health and access to justice and to ensure that perpetrator is held accountable
f. Ensure that survivors of GBV safely access timely, adequate and appropriate support services, which include medical, psychosocial and security support

1.3 EXPECTED OUTCOME/TAKE HOME FROM THE TRAINING

a. Breaking the culture of silence around GBV by increased reporting of incidences of GBV to drive social change
b. Change behaviour, attitudes and practices that sustain GBV among boys and girls and the society at large
c. Confidential counselling and support services and legal representation for victims
d. Women and girls know their rights and are empowered, supported and have the needed resources to demand for their right
e. De-Stigmatization of victims

1.4 TRAINING BENEFICIARIES

Beneficiaries of this project are:
a. Boys and girls
b. Persons with disability, and
c. 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 Nigerian Pidgin 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. DESIGN OF ACTIVITIES

i. Module presentations
ii. Interactive sessions
iii. Question and answers sessions to evaluate feedbacks
iv. Working group sessions and presentations
v. Energizers
vi. Take home assignments for first day of training to be submitted and marked.
vii. Assessment/tests

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. TRAINING OUTLINE: VAPP LAW TRAINING DELIVERY

Training is to be delivered in 6 Modules

MODULE ONE: UNDERSTANDING THE BASICS OF VIOLENCE AGAINST PERSONS

a. Evaluation forms to assess the degree of participant's understanding of the topic
b. A highly interactive session to get general views and opinions
c. What are the prevailing GBV? sharing personal or witness experiences
d. Comparing prevalence of violence between genders
e. Assessing knowledge of applicable laws and steps to take when GBV occurs
f. Why do we think victims fail to take actions?
g. Breaking the silence: What is culture of silence around GBV and why, de-stigmatization agenda

8. MODULE 2: UNDERSTANDING VAPP LAW 2020

A. What is violence? Violence is intentionally inflicting physical injury on a person or treating someone in a manner that makes him afraid that he is likely to be harmed. Violence also means treating someone in such a way that destroys the persons mind and self confidence. Violence also means attacking someone with substances that can damage is body or mind. Violence also means forcefully having sex with someone without his consent or inflicting pains on a willing partner. Violence also means any forms of abuses against a person.

B. What is gender-based violence? It is violence that is directed at a person because he is a boy or a girl; man or woman. It can also mean violence that affects a particular gender more.

C. What is VAPP Law? 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'. Simply



put VAAP Law is a law that helps to define violence and punishes those that commit violence against anybody, it also protects victims by telling them about their rights and what to do and where to go to for help if they are abused.

D. What is the scope of violence covered by VAPP Law

i. Violence occurring in private life or public life: This includes violence happening at home, within intimate relationships, a school, office, street etc.
ii. Domestic violence: violence that occurs at home or within the victim's family or intimate relationship circle such as family members, family friends and sexual partner
iii. Spousal abuse: when either the husband or the wife is abusing the other
iv. Sexual violence: when violence bothers on any form of sexual abuse
V. Economic violence: when the abuse affects the victim's ability to work or engage in business so as o make money to take care of their needs
Vi. Violence by state actors: when the abuse is committed by police or law enforcement officers or by any other person who is working for government. Examples as contained in section 44: unlawful arrests, unlawful use of force, unlawful entry of a person's house, unlawful demolition of a person's property
Vii. Political violence: when someone hires or agrees to be hired to cause problems because of elections. Example are thugs that harass voters, people that shoot opposition supporters, political enemies, snatch ballot boxes etc.
Vii. Physical violence: when someone intentionally kills, beats, burns or inflicts bodily injury on another using guns, knives, pours harmful substance on another
Viii. Psychological violence: when the violence is not physical but threatens and intimidates another in such way that his mind is affected badly, depression, perpetually living in fear or develops low self esteem. Examples are neglecting the

needs of your spouse or child, keep someone away from family, verbal abuse, stalking, disgracing someone in public or private, spreading false information to humiliate another

ix. Administering of harmful substances to stupefy or overpower to aid sexual abuse such as drugs and alcohols, abuse with harmful liquid such as acid

E. Types of violence under VAPP Law

i. Rape 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 1o
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 sec15
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 states: 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 advices 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: I 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
- Atempt 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:

i. His or her fundamental rights under 1999 Constitution Sec 36 and other human rights recognised and applicable to residents in Rivers State
ii. 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 Sec29((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,
v. Violation of protective order attracts summary conviction of 300k fine and other punishments by court for contempt of court Sec 34

12. MODULE 4: IMPLEMENTATION ACTORS

a. **Implementation Authority:** The Ministry of Social Welfare and Rehabilitation The ministry is in charge of the implementation of the VAPP Law Section 38. 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 draw a guide for operation of registered service providers 38(2)(b)
iv. To appoint any number of protection officers in each local government Area sec 39
v. To appoint a Coordinator for prevention of domestic violence Sec 40(1))
vi. Create and maintain sex offenders register accessible to the public

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 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. Their duties also include offering all forms of supports to victims such as Social, psychological, legal, and health related supports. There is also the additional duty of NGOs, CBOs and FBOs who are already registered under the Company and Allied Maters Act to apply to the Ministry to be registered as an Accredited Service Provider.

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

Specific Duties of Protection officers include:

i. To assist the court Sec 39(2)
ii. To coordinate activities of the police and service providers
iii. To help victims have easy access to assistance, interim protection and justice
iv. To make application for protection order at the high court on behalf of and with written consent of the complainant (a written consent can be waived if the complainant is a minor or lacks mental capacity)

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

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 (Abolition) Law sec 18
iii. Criminal Code Laws of Rivers State sec 43(1)
iv. INEC Act Sec 21
v. Matrimonial causes Act sec 29(9)
vi. Interpretation Laws of Rivers State Sec 44. see sec 40 of Interpretation Laws of Rivers State

16. WHAT TO DO TAKE WHEN YOU ENCOUNTER VIOLENCE

a. Ensure you make efforts to escape from the environment of violence as soon as you can
b. Report to any of the police or to service providers listed above, if possible report to multiple service providers if the first seems not to taking necessary actions
c. If sexual violence such as rape occurs do not take your birth before reporting to the police to preserve DNA.
d. Get medical attention especially post HIV exposure medication which must be taken within 72 hours to prevent hiv infection
e. If your safety or life is still under threat please seek temporary shelter you should approach the Ministry of Social Welfare or get your service provider or protection officer to relocate you temporarily
f. Ask the police, service provider or the protection officer to apply for protection order if the abuse is continuing or likely to continue
g. Seek information about all the remedies available to you and seek redress in court

h. Assert your rights under this Law and do not accept settlement out of court especially for sexual offenses such as rape, incest, sexual abuse and exploitation
i. Avail yourself of necessary counselling to mitigate trauma
j. Be honest and open about your experiences
k. know that you are a victim and avoid self blame
l. Do not keep silent, abuse will go on endlessly until you speak up and seek help
m. Embrace healing of your mind/emotion and get all available assistance from the state and service providers

17. TRAINING FOLLOW-UP

i. The training report
ii. Follow-up activities
iii. Transfer and impact evaluation
iv. 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 schools by student participants/beneficiaries.