

ABSENCE OF REQUISITE INSTITUTIONS: THE BANE OF CHILD JUSTICE ADMINISTRATION IN KOGI STATE- NIGERIA

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ABSTRACT

There is no doubt that there are available numerous laws for the protection, promotion and enforcement of the right of the child in Kogi State, Nigeria as provided under various laws especially the Child Rights Law (CRL) Kogi State. However, the adequacy or otherwise of the available laws may be a different issue for consideration, this article utilizes doctrinal method of research, to interrogate the existence and the availability or otherwise of functional institutions and mechanisms put in place by the various laws for the protection of the rights of the child to enhance effective enforcement of child's rights in Kogi State. This research discovered that although, there is established in Kogi State the Family Court, it is found that the court has not properly taken off as a full division of the court system in the administration of justice mechanism; there inadequate personnel and physical structures required to be put in place to ensure the day-to-day administration of the court, the existence of Family Court system is yet unpopular in Kogi State. This research equally discovered that the Specialized Children Police Unit of the Nigerian Police Force designed to take up the responsibility of Child Justice Administration whenever the child run-counter of criminal law, is yet to be in operation. Importantly too, the various Correctional Homes provided for by the Child Rights Law (CRL) for the rehabilitation, training and education of the child at different levels of the child's delinquency and negative behaviours as provided under the CRL is yet to be established in Kogi State too in order to ensure the enforcement of the rights of the child. This research

recommends the immediate establishment of various Correctional Homes and the Specialized Children Police Unit of the Nigerian Police Force provided for by the Child Rights Law (CRL), it is also recommended that the frontiers of the operation of the Family Court should be extended to make its establishment worthwhile.

Keywords: **Child, Justice, Administration of Justice, Institutions**

INTRODUCTION

It is one thing to make elaborate provisions in the various rules guiding principles and legal regimes on a given state of affairs, in this case, the enforcement of the right of the child: however, it is a different thing to see to the realization or the practical implementation of the those elaborate provisions of the law on the other hand. The Child Rights Law (CRL)ⁱ Kogi State is not insusceptible from this bottleneck. The CRL is the most current extant law on the protection and enforcement of the rights of the child in Kogi State and it has so declared itself as the supreme law in that regard to the extent that any other law which is found in conflict with the provision of the CRL will to the extent of its inconsistent be declared null and void.ⁱⁱ The question calling for determination is whether the elaborate provisions of the CRL has been harnessed and utilized in favour of the child in Kogi State. This present article attempt to answer the question in relation to the availability of the various institutions provided for in the CRL, such as the Family Court system, Correctional Homes and the Specialized Children Police Unit of the Nigerian Police Force all designed to take up the responsibility of Child Justice Administration in Kogi State. There is no doubt that there are many factors militating against the enforcement of the rights of the child in Kogi State, some of which equally hinders the proper and effective function of Child Justice Administration in Kogi State, such as, lack of political will, corruption, paucity of experts/personnel in child rights law/administration and legal bottlenecks which limit the power to establishing Correctional Homes to the President of the Federal Republic of Nigeria or any Minister so designated by him alone. It is observed that where the components of child justice administration under the CRL are effectively established and administered effectively, the practical enforcement of the rights of the child will be better served for the benefit of the child in Kogi State.

CLARIFICATION OF KEY TERMS

Child Defined

The word ‘child’ is defined as an un-emancipated person who is less than the age of majority.ⁱⁱⁱ The age of majority is the status of one who has attained the age (usually 18) at which one is entitled to full civic rights and considered legally capable of handling one’s own affairs.^{iv} At common law, a person who has not attained 14 years is said to be a child.^v A child is a young human being or person who is not yet an adult for the purpose of taking responsibility. Children are distinguishable from adults who are fully grown persons, and legally responsible for their actions.^{vi}

CRL^{vii} defines the word child to mean ‘a person under the age of eighteen years.’ Many states of the Federation of Nigeria in their own Child’s Right Laws,^{viii} also state the age limit of eighteen years as provided by the CRL. However, on the contrary, *Akwa-Ibom State Child’s Rights Law* defines a child to be a person below the age of sixteen.^{ix} Also, the Convention on the Rights of the Child, defines a child to mean... ‘every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.’^x It is observed that the qualification in this definition, by giving allowance to state parties to adopt or determine the age of majority of the child suitable to the laws applicable in each state or region is not in the best interest of promoting the rights of the child globally. This is because it allows State Parties to adopt any age limit which may be lower than 18 years to be applicable in their domestic laws.

Justice

Justice is the quality of being fair, it is the fair treatment of people, it is laws based on the principles of justice. Justice is akin to the legal system used to punish people who have committed crimes.^{xi} It is the fair and proper administration of laws.^{xii} The court defined justice as the cynosure or fulcrum of the administration of justice because it is the aim of the administration of justice to obtain it. In other words, justice means the quality of being just, fair play and fairness, possessing an element of egalitarianism in its functional content.^{xiii}

Administration of Justice

Administration includes the activities done in order to plan, organize and run a business or other institution very well, it is the process or act of organizing the way something is done.^{xiv}

An administration of justice is the proper functioning and integrity of a court or other tribunal and the proceedings before it in accordance with the rights guaranteed to the parties. As such bias and sentiments has no place in the administration of justice, it must be justice according to law no matter whom or what is involved. That is why the court held in *Nwosu v. Min. Housing*:^{xv}

Sentiment has no place in the administration of justice. Rather, justice is administered in accordance with the law. In the instant case, even though the Court of Appeal shared the applicants' grief, it refused the application, because justice is one in accordance with the law.

Whatever are the grief, sentiments and favours, the administration of justices focuses on what the law says and nothing more.

SOME SPECIFIC RIGHTS OF THE CHILD UNDER THE CRL

Apart from the general application of the rights articulated in chapter IV of the Constitution, the CRL articulates some special rights for the benefit of the child as follows: the right of the child to survival and development,^{xvi} right to dignity of the child,^{xvii} right to health and health services,^{xviii} right to parental care, protection and maintenance,^{xix} right to education^{xx} and the right of a child in need of special protection measure,^{xxi} right against child-betrothal/marriage,^{xxii} right against tribal mark tattooing,^{xxiii} and sexual exploitation of the child^{xxiv} and so on.

Although, the discussion of these specific rights of the child listed above is not the concern of this present article, however, it is worthy to note that the whole essence of the various correctional institutions is to ensure that the rights of the child are protected, promoted and enforced one way or the other, for example, the rights such as right to *survival and*

development, right to protection and maintenance, right to education, and right of a child in need of special protection measure etc. are directly linked to objectives of the family court and the various child correction/rehabilitation centres.

CHILD JUSTICE ADMINISTRATION MECHANISMS

The Child Justice Administration mechanism is provided under the CRL to regulate both the criminal and civil aspects of the rights of the child as a single unified law on the rights of the child.^{xxv} In order to achieve a better Child Justice Administration, the CRL made provision for some institutions saddled with the responsibilities of seeing the effective enforcement of the rights of the child, some of these are: the Family Court, Specialized Children Police Units and Borstal/Correction Centres. These and other institutions like the National Agency for the Prohibition of Trafficking in Persons provided under the Trafficking Act^{xxvi} and National Human Rights Commission^{xxvii} etc. are saddled with the responsibilities of seeing to the enforcement of the rights of the child as a member of the comity of human.

Family Court

The Constitution of the Federal Republic of Nigeria vests all judicial powers in the courts both at the Federal and States levels.^{xxviii} The National Assembly and the State Houses of Assembly have inherent powers to create special courts or to confer special jurisdiction on a particular court in Nigeria in order to exercise jurisdiction.^{xxix} The court has inherent powers in relation to exercise of jurisdiction on matters with respects to which the National Assembly or the State Houses of Assembly may make laws, even where such courts are not expressly named in the Constitution.

With respect to the child, the CRL provides for the establishment of the ‘Family Court’^{xxx} specifically assigned the duties and responsibilities of ensuring the enforcement of the rights of the child in line with the provisions of the CRL. The court shall operate at two levels: (a) the Family Court as a Division of the High Court, at the High Court level; and (b) the Family Court at the Magistrates’ Court level.^{xxxi} In the exercise of its jurisdiction, subject to the provisions of the CRL and in addition to such other jurisdiction as may be conferred on it by any other law, the Family Court shall have unlimited jurisdiction to hear and determine, any civil

proceeding in which the existence or extent of a legal right, power, duty, liability, privilege, interest, obligation or claim in respect of a child is in issue; and any criminal proceedings involving or relating to any penalty forfeiture, punishment or other liability with respect to an offence committed by a child, against a child or against the interest of a child.^{xxxii}

The composition of the family court at the high court level shall be duly constituted where it consists of a judge of the High Court and two Assessors, who shall be officers not below the rank of Chief Child Development Officers, as shall enable the court to effectively perform its functions under the CRL.^{xxxiii} The Family Court at the High Court level shall have powers to deal with all matters relating to the enforcement of the rights of the child as set out in the CRL upon an application for redress by a child who alleges that his right has been, is being, or is likely to be infringed. It has powers to deal with all offences punishable with death or a term of imprisonment (up to ten years and above), claim of an amount of N50, 000 and above, divorce and custody of the child and to hear appeals from the Family Court at the Magistrates' Court level.^{xxxiv}

On the other hand, the Family Court at the Magistrates' Court level shall be duly constituted if it consists of a Magistrate and two Assessors, one of whom shall be a woman and the other person shall be a person who has attribute in dealings with the child, preferably in the area of child psychology education.^{xxxv} The Family Court at the Magistrate's Court level has power to try offences and deal with all matters not specifically assigned to the court High Court Level of the family court under section 152 of the CRL. Appeal lie from the Magistrates' Court level to the High Court level of the Family Court.^{xxxvi}

In Kogi State Nigeria, the CRL provides for the establishment of the Family Court, and pursuant to that, the Chief Judge of the State in 2013 practically took steps to establish the 'Family Court' at the Magistrates Court level, one each spread across the zones and geopolitical districts of Kogi State, by designating specific Magistrates to oversee and to sit in those courts to hear and determine cases relating to the rights of the child where the need arises; the family court at the High court level only sits in Lokoja, as a division of the High Court at the state capital by a designated High court judge to discharge the duties of that court.^{xxxvii}

Specialized Children Police Unit

The police force is the government department charged with the responsibility of the preservation of public order, the promotion of public safety, the prevention and detection of crime.^{xxxviii} It is also described as a body of civil officers, especially in a city, organized under authority to maintain order and enforce law, to prevent, detect or deal with crime.^{xxxix} In Nigeria, the police is statutorily created and empowered by the Police Act, it states:

- (1) There is established for Nigeria the Nigeria Police Force (in this Act referred to as “the Police Force”) which shall, subject to the provisions of the Constitution of the Federal Republic of Nigeria:
 - (a) be organized and administered in accordance with the provisions of this Act; and
 - (b) have such powers and duties and carry out such responsibilities as are conferred on it under this Act or any other law.^{xl}

The police shall:

- (a) prevent and detect crimes and protect the rights and freedom of every person in Nigeria as provided in the Constitution, the African Charter on Human and Peoples Rights and any other law;
- (b) maintain public safety, law and order;
- (c) protect the lives and property of all persons in Nigeria;
- (d) enforce all laws and regulations without prejudice to the enabling Acts of other security agencies;
- (e) discharge such duties within and outside Nigeria as may be required of it under any other law;
- (f) collaborate with other agencies to take any necessary action and provide the required assistance or support to persons in

distress, including victims of road accidents, fire, earthquakes and floods;

- (g) facilitate the free passage and movement on highways, roads and floods;
- (h) adopts community partnership in the discharge of its responsibilities under this Act or under any other law; and
- (i) vet and approve the registration of private detectives schools and private investigative outfits.^{xli}

Apart from the primary functions of prevention, detection and preservation of law and order, the police may perform other function as may be permissible by any other law in Nigeria.^{xlii}

Subject to the powers of the Attorney-General of the Federation or the Attorneys-General of the state, a police officer who is a legal practitioner may conduct in person all prosecutions before any court whether or not the information or complaint is laid in his name.^{xliii} Generally, the police is the main institution that provides contact with the public in relation to crime, an attribute that makes it unique among the other components of the criminal justice system.

The power of the police to arrest, investigate and prosecute as it relates to children is circumscribed by the CRL. The CRL creates a distinct child justice system and procedure for the child, to the effect that the child shall not be subjected to the criminal justice process or to criminal sanction, but that a child who is alleged to have committed an act which would have constituted a criminal offence if he were an adult shall be subjected only to the child justice system and procedures set out under the CRL.^{xliv} In order to achieve a special child justice system for the child, the CRL equally provides for the establishment in the Nigeria Police Force, a specialized unit of the Force, to be known as the ‘Specialized Children Police Unit.’^{xlv} The Specialized Children Police Unit is charged with the responsibility of preventing and controlling child offences; apprehending child offender, investigating child offences and such other functions as may be referred to the unit under the CRL or any other law.^{xlvi}

The police prosecutor or any other person dealing with any case involving a child shall have the power to dispose of the case without resorting to formal trial, by using other available means

of settlement, including supervision, guidance, restitution and compensation of victims.^{xlvi} The police shall encourage settlement of cases involving the child where necessary, so that the investigation and adjudication before the court shall be used only as measures of last resort.^{xlvi} It should be noted that the provision of the child justice administration under CRL is more relaxed and lenient towards child offenders as a result of the enormous discretion permitted to be exercised by the Specialized Children Police Unit of the Police Force.

Generally, in carrying out his functions, the policeman exercises tremendous amount of discretion.^{xli} Discretion refers to the exercise of choice by those charged with the responsibility and authority to carry out various tasks assigned to them. It is, according to Lord Scarman, the art of suiting action to particular circumstances and it is the policeman's daily task.¹ Justifying the above, the CRL provides that in view of the varying and special needs of children and the variety of measures available, a person who takes decisions on child offenders shall exercise such discretion as he deems most appropriate in each case at all stages of the proceedings and at different levels of child justice administration including investigation, prosecution, adjudication and the follow-up of dispositions.^{li}

Child Rehabilitation and Correction Centres/Services

The prison is 'a building or a complex where people are kept in long-term confinement as punishment for a crime, or in short-term detention while awaiting to go to court as criminal defendants; specifically, a state or federal facility of confinement for convicted criminals.'^{lii} Correctional centres are places of punishment and treatment of criminal offender through a program of imprisonment, parole and probation.^{liii} With respect to children and young persons in relation to correction centre, the Borstal Institutions and Remand Centre's Act (BIRCA) provides for Remand Centre and Borstal Training Centre.^{liv}

By the Prison Audit Report 2012,^{lv} children are incarcerated in regular prisons with adults, the resultant effect of this is that the child or minors may be influenced by adult criminals and consequently, they become hardened criminals.^{lvi} The Prison's Report found 3 minors in prisons in the North-East zones, 12 in the South-East, while in the South-West, there were 12 children or minors in prisons. Similarly, there were 12 children in prison in the South-South zone. In the North-West, there were 7 children in prison. In all these prisons, there were no

nursery facilities to hold the minors; some of them were in prisons with their mothers.^{lvii} The state of the Borstal Training Institute in Abeokuta is a sorry state and specifically of serious concern because the facilities in the training institute are overstretched due to congestion; the sanitation is very deplorable.^{lviii}

Furthermore, the regular courts do not help matters, as a result of the inadequacy or unavailability of borstal institutions or correctional centres, children and young persons are usually detained in police cells or held in custody alongside adult inmates. In most cases, the judge/magistrate who while sentencing young persons supposed to take cognizance of the special status of the young person brought before him and to adopt a lenient procedure to arrive at a reformatory and rehabilitative end as required by law, often pass or met out harsh and difficult sentences on children. In *Oyeneye v Commissioner of Police*,^{lix} the appellant was charged with stealing a vehicle valued at ten thousand naira (N10, 000). Although, before sentencing the accused, the court was told that the accused is a young person and also a first-offender. But taking into account the prevalence of vehicle theft, the Chief Magistrate sentenced him to four years imprisonment. While reducing the sentence to two years on appeal, Kunfoji J. (as he then was) held as follows:

This court is of the view that the Chief Magistrate did not give this matter due consideration as required by the relevant authorities and that a four year jail sentence for a young offender is more likely to harden than reform indeed, it will make reform and rehabilitation difficult, if not impossible and it is therefore against public interest. Thus, short term while enabling the appellant to realize the gravity of the offence and the reaction of the society to this serious and prevalent crime will also help to reform him.

Having regard to the inadequacies of the hitherto existing laws and the procedures on the child justice administration with respect to custodial orders, the CRL attempts to find solutions to the problem of custody of child offender by establishing various correction and rehabilitation centres to cater for child justice administration, these rehabilitation centres are discussed below:

- (i) **Children's Attendance Centre:**^{lx} shall be a non-residential place at which children shall attend on a daily basis or such days as may be ordered by the court, at the Children's Attendance Centre, the child may be given such training and instruction as may lead to the reformation and re-socialization of the child, it is thereby curative of the tendency to further commit anti-social behaviour or run fowl of the law of the society.
- (ii) **Children's Centre:**^{lxi} this is the place where children who are ordered to be remanded pending their trial are kept. In the words of Tarhule,^{lxii} it is to be used exclusively for the remand or detention of children awaiting trials.
- (iii) **Children's Residential Centre:**^{lxiii} it is a place designed for child offenders who are detained for the purpose of giving them regular school education and other training for the purpose of reformation, rehabilitation and re-socialization. It should be noted that in 'Children's Residential Centre,' children who are already tried and found guilty are kept for the purpose of their regular education and other training.
- (iv) **Children's Correctional Centre:**^{lxiv} This is a place where child offenders may be detained and given such training or instruction as will be conducive for their reformation and re-socialization. The difference between the 'Children Correctional Centre' and the 'Children Residential Centre' lies in the fact that in the former, there is no provision for regular school education, while in the later the child offenders are provided with both regular school education as well as such other training or instruction conducive for their reformation.
- (v) **Emergency Protection Centre:**^{lxv} Under CRL, the Family Court has powers to make order upon an application to it for the removal of any child who is likely to suffer significant harm, from anyone having custody of the child and to be housed in the Emergency Protection Centre or any other approved suitable accommodation for the safety of the child.^{lxvi} The child so removed from lawful custody and ordered to be kept in Emergency Protection Centre ordinarily may not have committed or been accused of any crime, but for his/her own protection (protective custody) against any likely harm to his/her person.
- (vi) **Special Children's Correctional Centre:**^{lxvii} This is a place where children who are incorrigible and found to be exercising bad influence on other inmates already detained in the *Children's Correctional Centre* are kept. It is not uncommon to see

some children exhibiting incurable bad influence which if not curtailed, would corrupt other children.^{lxviii} As a result of this and with a view to stop inculcating bad character by other children, the CRL designed the Special Children's Correctional Centre for the custody of children who tend to be incorrigible.

(vii) **Special Mothers Centre:**^{lxix} This shall be a place in which expectant and nursing mothers are held for the purposes of remand, re-socialization and rehabilitation in the society in an atmosphere devoid of the regime of institutional confinement which may be damaging to the proper development of their children.

It follows that as the name implies, the Special Mothers Centre is to cater for the needs of expectant or nursing mothers who might have infringed the law or who are convicted. It may also house special mothers like the girl-child or child-mothers who are victims of trafficking found to be pregnant as well as girls who are held captives in baby factories for the purpose of giving birth to babies for sale as the finished products of baby factories in Nigeria.^{lxx} As discussed above are the various institutions provided under the CRL to ensure the effective enforcement of the rights of the child in Kogi State.

CHALLENGES TO THE EFFECTIVE ENFORCEMENT OF THE RIGHTS OF THE CHILD BY CHILD RIGHTS INSTITUTIONS IN KOGI STATE NIGERIA

There are many daunting challenges militating against child justice administration and institutions in Kogi State, few of which are briefly discussed below;

Corruption and Lack of Political Will

The challenge of lack of implementation of the rights of the child is rooted in the scourge of corruption. Corruption is so institutionalized to such a degree that no matter how laudable a government project/policy and statutory provision may be, it would not be allowed to function.^{lxxi} Many of the policies of government aimed at improving the welfare of various sectors for the benefit and welfare of the child, such as compulsory, free primary education, free primary healthcare, electrification, water projects, and housing projects, and so on, are often poorly implemented or not implemented at all because of corruption.

There is no doubt that corruption constitutes a serious challenge against various efforts at ensuring the enforcement of the rights of the child. It is discovered that the enforcement of the rights of the child has not been effective because of corruption among the personnel and the institutions saddled with the responsibility of ensuring the enforcement of the rights. It was reported in the case of child trafficking and the operation of baby factories in Nigeria that, ‘... In Nigeria, the traffickers are seldom caught and even when they are, *they easily buy their way out*. It is rampant in Nigeria but prevalent in the eastern part of the country....’^{lxxii}

Lack of Personnel

Most times, it seems that the institutions or agencies saddled with the responsibility of ensuring the enforcement of the rights of the child fails or turn around to be the same responsible for the violation of the rights of the child, while giving excuses such as lack of man-power and lack of funds. Most times, the personnel and institutions in-charge of the enforcement of the rights of the child are inefficient, as they lack adequate skills and expertise in the field of child’s rights law and enforcement.

Centralization of Powers to Establish Correction and Rehabilitation Centres in the President

A careful perusal of BIRCA and its objectives reveals that its operation and implementation is too centralized and remote from the intended beneficiaries. All the powers under the Act are vested in the President of Nigeria exercisable through any minister of the Federation who may be charged with the responsibility of matters relating to borstal institutions and remand centres.^{lxxiii} It provides that ‘the minister may by order declare any building or place situate on land which has been set aside or acquired for public purpose to be: (a) a remand centre...; or (b) a borstal institution....’^{lxxiv} The implication of the above is that, even in deserving circumstances, the state governors/governments cannot establish borstal institutions and remand centres because BIRCA vests such powers solely in the office of the President exercisable through any of his cabinet ministers; this no doubt, contributes to the unwillingness and lack of political will of most state Governors not to act at all.

It is observed that the above suggests the reason for the existence of only three borstal institutions in the whole of Nigeria (Abeokuta, Kaduna and Ilorin), with limited capacities^{lxxv} and the consequent overcrowding and congestion. The major consequence of the above is that children or young persons are found in adult prisons all over Nigeria.^{lxxvi} This is because taking into consideration the population of children in Nigeria, the establishment of only three borstal institutions in the country is grossly insignificant.

Child Rights Legal Framework is Arguably Alien

Another factor responsible for the lack of enforcement of the rights of the child in Nigeria is the argument against the application of child rights law as being un-African, to the effect that the legal framework for the protection of the child is alien and too technical; it is not easily adaptable to the traditional rules regarding the upbringing of the child, as such, it is not easily understood either by the child and those in position to protect and enforce the rights articulated in it.^{lxxvii} The complexities arising from the above constitutes a clog in the general acceptance of the CRL culminating in the lack of political will to enforce same and consequently, the difficulty in the enforcement of the rights of the child in Kogi State and Nigeria.

CONCLUSION AND RECOMMENDATIONS

It is found that child justice administration is a very vital tool in the enforcement of the rights of the child and that where the above correction and rehabilitation institutions/services discussed in this article are properly and efficiently operated, the problems associated with child justice administration in Kogi and Nigeria at large will be greatly bettered. However, it is observed that for over twelve years after the enactment of the CRL, these correctional institutions discussed above are yet to be in full operation as required by the law let alone their efficiency.

One of the major banes of the establishment of correctional institutions is the menace of corruption fuelled by the absence of requisite political-will to ensure the practical implementation of the laws for the good and enjoyment of the rights of the child. Corruption

as a plague cannot be cured with just one stroke; it is therefore recommended that government agencies saddled with the responsibility of watching over and monitoring corrupt practices must up their game against corruption in order to uproot same from the fabric of Kogi State and Nigeria in general, in order to have a robust child justice administration.

It is recommended that the Family Courts, the Specialized Children Police Unit of the Police Force in Kogi State and the various Child's Rights Rehabilitation Homes/Centres provided under the CRL should be put in place in Kogi States in order to ensure the enforcement of the rights of the child. More importantly, where necessary in order to achieve these without delay, both legislative and administrative machineries should be put in place to ensure that even state governments are empowered to establish or build their own correctional homes and borstal institutions without waiting for the President in that regard.

There is need to employ qualified persons to do the job required of experts; it means that those personnel that should be saddled with child justice administration must be those trained and are experts in the field of child rights administration. Importantly, there is need for constant training and retraining of court personnel and judges, especially in connection with the dictates of their work which require special procedure in the handling of child justice administration.

It is equally recommended that there is need to educate the society about the gains of embracing the regime of child rights and the child as subject of rights who is entitled to the protection of his rights as a member of human community; also, there is need to educate the people too about the evil of not accepting the regime of child rights law, with the emphasis that it is not alien and that same is suited for every child wherever they are found, whether the African or Western society child.

ENDNOTES

ⁱ Child Rights Law, Kogi State 2009 (hereinafter CRL).

ⁱⁱ *Ibid* CRL s 274(1)(2)

ⁱⁱⁱ BA Garner, (ed) *Black's Law Dictionary* (10th edn Thomson Reuters; 2014) 290.

^{iv} *Ibid* p. 1098. Child's Rights Act Cap C50 LFN 2004 s 277.

^v BA Garner, (n3)

^{vi} Sally Wehmeier, (ed) *Oxford Advanced Learner's Dictionary* (Special Price edn Oxford University Press, 2001) 16

^{vii} CRL (n1) s 277

^{viii} Child's Rights Act Cap C50 LFN 2004 s 277, Benue State Child Rights' Law 2008, s 2

^{ix} Akwa-Ibom Child's Rights Law, 2008 s277

^x Convention was adopted by the General Assembly Resolution 44/25 Annex to the Resolution UN Doc A/44/ (1989). The Convention was adopted on 21st Nov.1989 and came into force on 2nd Sept. 1990, one month after the twentieth state ratified it, in accordance with article 49(1). (hereinafter CRC) Art 1.

^{xi} AS Hornby, *Oxford Advanced Learner's Dictionary of Current English* (9th edn Oxford University Press, 2015)851.

^{xii} BA Garner (n3) 995

^{xiii} *Jos Mot Dev. Board v Moulds (NIG) LTD* [2020] 5 NWLR (Pt. 1717) 2019 P. 267, paras. A-C Court: C.A. : *Pam v Mohammed* [2008] 16 [NWLR \(Pt. 1112\) 1](#)

^{xiv} AS Hornby, (n11) 19.

^{xv} (2005) 11 NWLR (Pt. 937) 441 P. 459, paras. F-G (Court of Appeal): *Moses v. Ogunlabi* (1975) 4 SC 81.

^{xvi} CRL (n1) s 4.

^{xvii} *Ibid* s11.

^{xviii} *Ibid* s 13.

^{xix} *Ibid* s14.

^{xx} *Ibid* s15

^{xxi} *Ibid* s 16.

^{xxii} *Ibid* ss 21 and 22

^{xxiii} *Ibid* s 24 (1) and (2)

^{xxiv} *Ibid* ss 31 and 32

^{xxv} *Ibid* Part XX, (n1) ss 204-238

^{xxvi} Trafficking in Persons (Prohibition) Enforcement and Administration Act, No. 4 2015 (Hereinafter Trafficking Act). Note that the present 2015 Act, by Section 80(1) repealed the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2003 (as amended 2005). However by Section 81(1)-(6) of the Trafficking in Persons Act 2015, all acts, proceedings pending, rights, powers, and liability and so on, under the repealed Act shall remain valid and be carried on as if same were done under the new Act 2015.

^{xxvii} Established in September 1995 by the National Human Rights Commission Act Cap N46 LFN 2004.

^{xxviii} . Constitution of the Federal Republic of Nigeria, 1999 (as amended) s6 (hereinafter CFRN)

^{xxix} . *Ibid* CFRN s 6 (5) (j) and (k).

^{xxx} . CRL (n1) s149.

^{xxxi} . *Ibid* s150

xxxii. *Ibid* s151

xxxiii. CRL (n1) s 152(3).

xxxiv. *Ibid* s152(4).

xxxv. *Ibid* s153(3)

xxxvi. *Ibid* s153 (4) and (5).

xxxvii. A fact-finding visit to the Registry of the family court at the High Court level in Lokoja sometimes in the month of August, 2021, upon interaction with the Registrar of the court and records, it is revealed that the court has pending and decided cases above fifty at the time of the visit.

xxxviii. Police Act, 2020 the Act was enacted and passed into law by the Senate of the National Assembly on the 22nd July/2020, same assented to by the executive President of Nigeria on the 15th/Sept./2020. The Police Act, 2020 by its section 139(1) repealed the Police Act, Cap 19 2004.

xxxix. *Webster's Comprehensive Dictionary* (Deluxe Encyclopedic edn, Tyhoon Media Corporation 2010) p 977.

xl. Police Act, 2020 (n38) s3(1)

xli. *Ibid* s4.

xlii. *Fawehinmi v IGP* [2002] NWLR (pt 767) 606 at 673 para B-D.

xliii. Police Act (n38) s 66.

xliv. CRL (n1) s204.

xliv. *Ibid* s207.

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xlvi. CRL (n1) s209(1).

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lii. BA Garner, (n3) 1387

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- lxii. VV Tarhule, *Corrections Under Nigerian Law* (Innovative Communications, 2014) 234
- lxiii. CRL (n1) s250 (3)
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- lxv. *Ibid* s250 (5)
- lxvi. *Ibid* s44
- lxvii. *Ibid* s 250 (6)
- lxviii. VV Tarhule, (n62) p 236.
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