



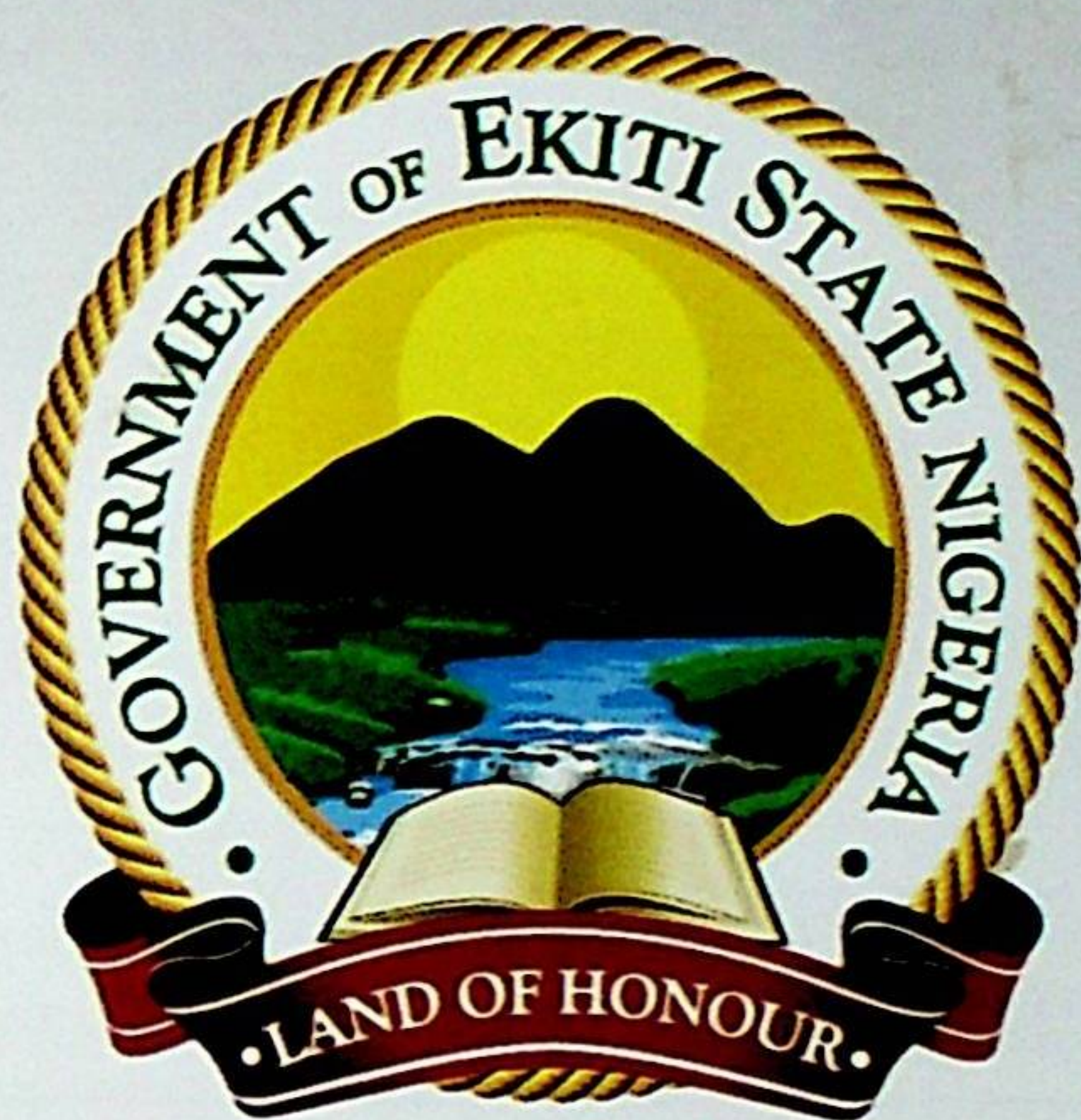
MINISTRY OF  

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JUSTICE

**ATTORNEY-GENERAL'S  
ADVISORIES ON  
GENDER EQUALITY  
AND PROTECTION  
FROM SEXUAL AND  
GENDER-BASED  
VIOLENCE**





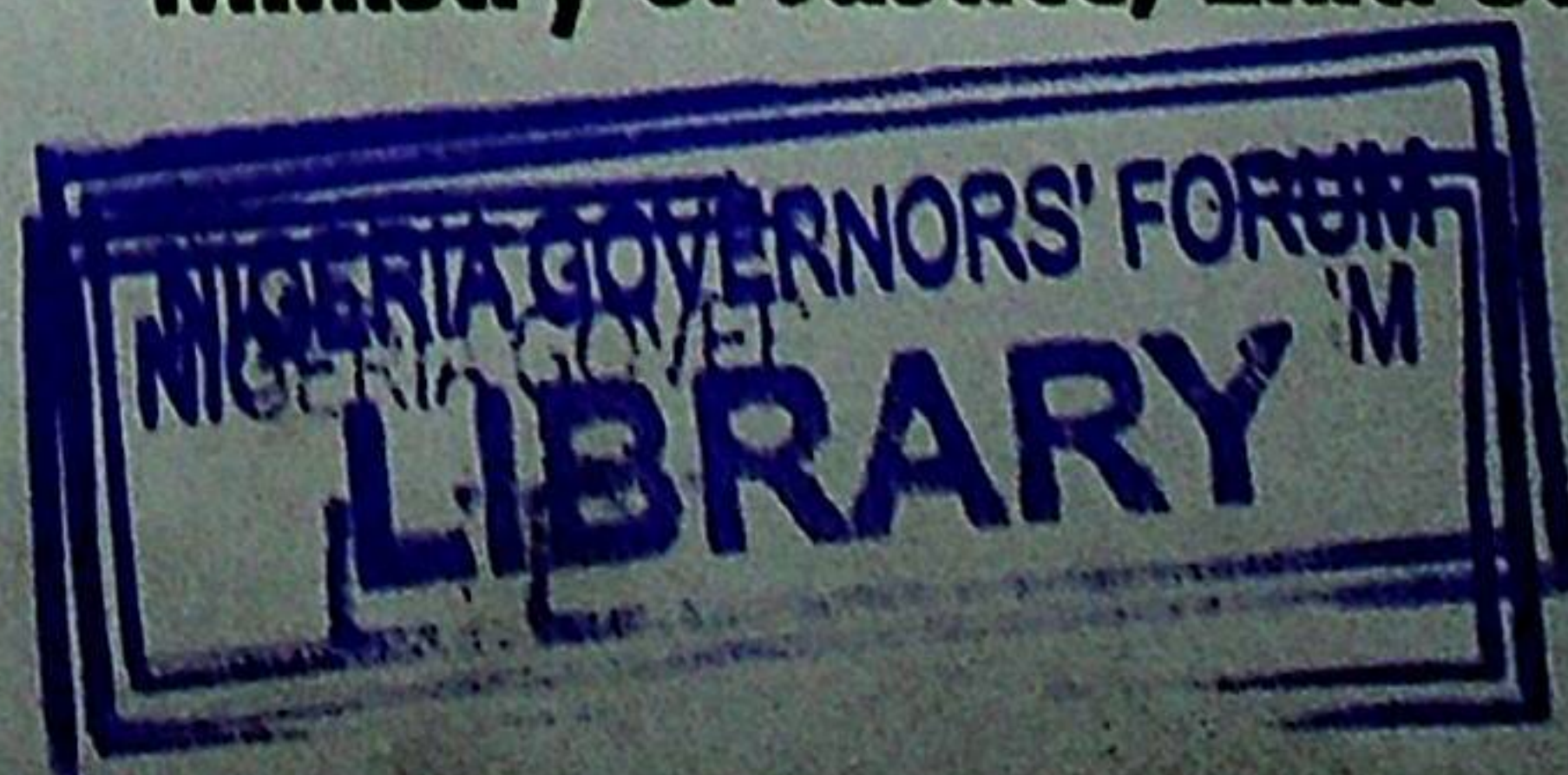
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**Honourable Attorney-General  
& Commissioner for Justice**  
Ministry of Justice, Ekiti State





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## TABLE OF CONTENTS

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ATTORNEY-GENERAL'S DIRECTIVE ON APPLICATIONS FOR DISCONTINUANCE OF PROSECUTION	3
PUBLIC ADVISORY: EKITI STATE REGISTER FOR SEX OFFENDERS	4
ATTORNEY-GENERAL'S ADVISORY ON NEW MEASURES AIMED AT CURBING SEXUAL VIOLENCE IN EKITI STATE	6
ATTORNEY-GENERAL'S DIRECTIVE TO HOTEL OWNERS ON THE PREVENTION OF SEXUAL ABUSE AND EXPLOITATION OF YOUNG GIRLS IN HOTELS IN EKITI STATE.	8
PUBLIC ADVISORY: COVID-19: PREVENTING AND COMBATING DOMESTIC VIOLENCE IN EKITI STATE.	10
LEGAL ADVICE TO CHAIRMAN, EKITI STATE SECURITY NETWORK AGENCY (AMOTEKUN CORPS)	12
LEGAL ADVICE TO ACCOUNTANT-GENERAL, EKITI STATE	14


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**ATTORNEY-GENERAL'S DIRECTIVE ON APPLICATIONS FOR  
DISCONTINUANCE OF PROSECUTION.**

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1. I have observed in recent times the increase in Applications by victims of crime, their relations and interested persons, requesting for the exercise of the Attorney-General's Constitutional powers to discontinue prosecution.
2. The subject matter of such Applications are often serious crimes including Murder, Armed Robbery, Kidnapping, Cultism, Rape and Child Defilement. These are offences in respect of which the exercise of the Attorney-General's discretionary power to discontinue prosecution must necessarily be exercised cautiously, judiciously and in the public interest.
3. The discontinuance of criminal prosecution shall not be automatic. All Applications shall be subject to a merit review and determined on a case by case basis.
4. Applications, which upon review are found unmeritorious, unjust, and abusive of the Court process and against Government's policy on crime prevention shall be denied.
5. Applicants (victims of crime, their relations and interested persons) applying for discontinuance of prosecution, shall upon notification of the refusal of the Application, be obliged to co-operate with the State as witnesses or in any other capacity as may be required or risk indictment for compounding felony.
6. Applications for discontinuance of prosecution, which upon review are found meritorious may be granted unconditionally or conditionally, upon such terms in furtherance of the State's policy on restitution, compensation and plea-bargain in criminal matters.

GIVEN UNDER MY HAND AND SEAL THIS  
31ST DAY OF JANUARY, 2019.

  
Olawale Fapohunda  
Honourable Attorney-General  
& Commissioner for Justice, Ekiti State.





## **PUBLIC ADVISORY: EKITI STATE REGISTER FOR SEX OFFENDERS**

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1. The Government of Ekiti State has adopted a zero tolerance policy for sexual violence against women and children. The State government has enacted a number of laws and policies and enabled public education, and action programs as part of measures aimed at curbing the prevalence of sexual offences in Ekiti State.
2. The Ministry of Justice has, in terms of the zero tolerance policy for sexual violence against women and children, implemented the Ekiti State Register for Sex Offenders.
3. In 2013, Ekiti State became the first State in Nigeria to open a register for sex offenders. This register is an unprecedented public safety resource that provides the public with access to data of convicted sex offenders. The register is used to record the details of all offenders who have been convicted of sexual offences against women and children.
4. The Honourable Attorney-General & Commissioner for Justice maintains the Register through the office of the Director, Public Prosecutions. The Nigeria Police and the Nigeria Correctional Services, submit the relevant information for the registration of offenders.
5. The Ekiti State Register of Sex Offenders contains the following information:
  - a. Personal details: offender's title, full names and surname, including any known alias or nickname where applicable, the profession or trade;
  - b. Contact details: the last known physical address, any contact details, including a postal address where applicable;
  - c. The identity number, passport number and driver's license number where applicable;
  - d. The type of sexual offence for which the offender has been convicted and whether or not it was committed against a woman or a child, the sentence, as well as the relevant prisoner identification number where applicable;
  - e. The court in which the trial took place and the case number;

f. Any other particulars as may be prescribed by Honourable Attorney-General & Commissioner for Justice.

6. The following are the Sexual Offences that may be committed against women and children:


- Rape
- Compelled rape
- Sexual assault
- Compelled sexual assault;
- Compelled self-sexual assault
- Acts of consensual sexual penetration with certain children (statutory rape)
- Acts of consensual sexual violation with certain children (statutory sexual assault)
- Compelling or causing children to witness sexual offences, sexual acts or self masturbation
- Exposure or display or causing of exposure or display of genital organs, anus or female breasts to children
- Exposure or display of or causing exposure or display of child pornography or pornography to children
- Using children for pornographic purposes or benefiting there from.

7. The contents of the State Register are available to the public. Members of the public may enquire about the details of entries (e.g. type of offence, date committed, sentences, etc.)

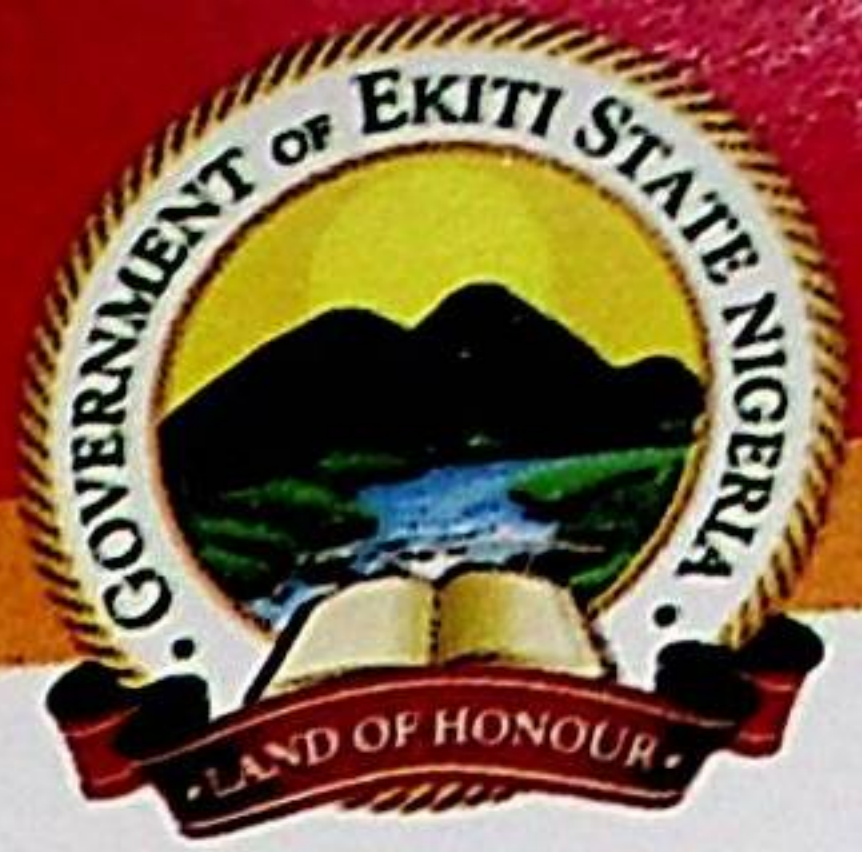
8. Once a person's details are in the Register they can only be removed by the order of a competent court where on appeal the conviction of the offender is set aside.

### Questions and Comments

We welcome your questions and comments. For more information about the Ekiti State Register for Sex Offenders, Please Contact: The Director, Public Prosecutions, Ministry of Justice, Phase III, New Secretariat Complex, Ado-Ekiti. Domestic Violence Helpline: 0806 757 7657. Email: [mojekiti@gmail.com](mailto:mojekiti@gmail.com)

  
Olawale Fapohunda  
Honourable Attorney-General  
& Commissioner for Justice, Ekiti State.  
6th February, 2019





## ATTORNEY-GENERAL'S ADVISORY ON NEW MEASURES AIMED AT CURBING SEXUAL VIOLENCE IN EKITI STATE.

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1. The Government of Ekiti State is concerned about the frequency of reported cases of sexual offences. It has therefore become necessary to put in place proactive measures to halt this trend.
2. There currently exists a number of measures including: the aggressive prosecution of sex offenders and the disqualification of offenders from benefiting from Mr. Governor's power of prerogative of mercy.
3. All these measures have been implemented within the framework of the Fayemi administration's zero tolerance policy for all forms of violence against women and children.
4. However, it would appear that these measures are not enough to curb this scourge.
5. The additional measures that we now put in place are the following:
  - i. Pasting the photographs of convicted sex offenders in prominent public spaces in their communities and their Local Government Headquarters;
  - ii. Issuing an advisory to the traditional ruler of the sex offender's community on the status of the offender;
  - iii. Uploading the Sex Offenders photograph on the website of the Ministry of Justice and other State Government's platforms;
  - iv. Showing photographs of Sex offenders on Ekiti State Broadcasting Services and announcing their names on Radio Stations in the State;
  - v. Compulsory psychiatric tests for all Persons of whom the Director of Public Prosecution (D.P.P) has issued "a case to answer" Legal Advice for the offence of Child defilement. This also includes Persons currently standing trial for the offence of Child defilement.
6. I am aware that prosecution alone will not solve this problem. Therefore the Ministry of Justice will embark on public education and awareness including consultations with key persons and institutions in the State.

7. The measures that are subject to this advisory refer specifically to the offences of rape and child defilement.

8. These measures take effect immediately.

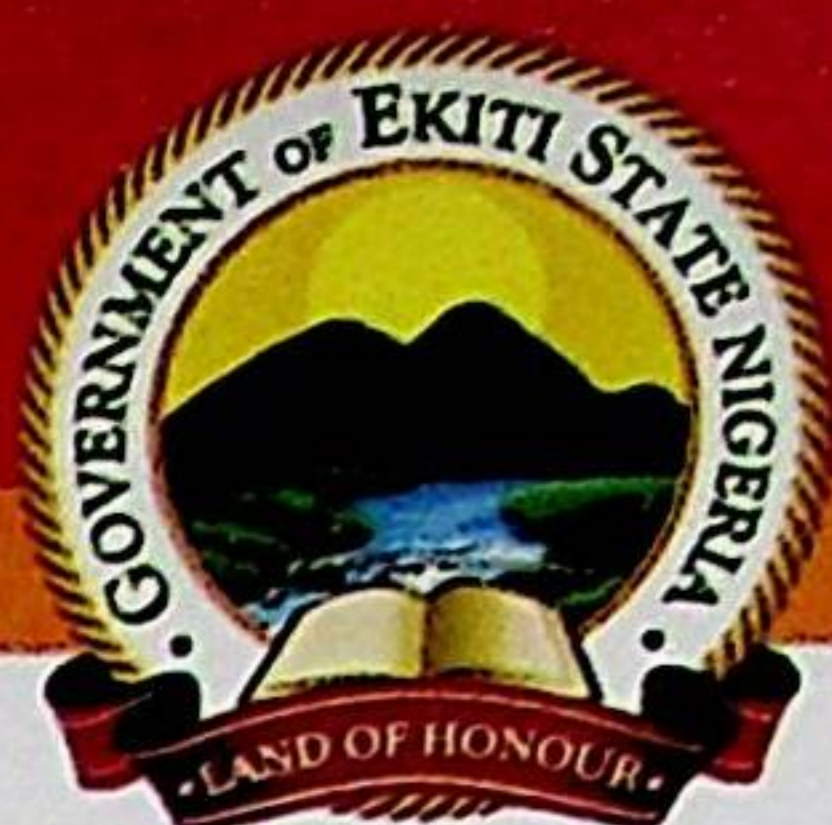
GIVEN UNDER MY HAND AND SEAL THIS  
15TH DAY OF MARCH, 2019.



Olawale Fapohunda  
Honourable Attorney-General  
& Commissioner for Justice, Ekiti State







## **ATTORNEY-GENERAL'S DIRECTIVE TO HOTEL OWNERS ON THE PREVENTION OF SEXUAL ABUSE AND EXPLOITATION OF YOUNG GIRLS IN HOTELS IN EKITI STATE.**

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1. The Government of Ekiti State is concerned about verified cases of the use of Hotels for sexual abuse and exploitation of young girls. Recent investigations by security agencies reveal that young girls including students of Secondary Schools are being sexually exploited in some Hotels across the State.
2. Hotel Owners are hereby advised that it is every hotel's legal responsibility to ensure that their premises are not used for the sexual exploitation of minors. Failure to carry out this duty of care can result in criminal liability.
3. Section 219 of the Criminal Code Law, CAP C16, Laws of Ekiti State, 2012 specifically criminalizes sexual abuse and exploitation of young girls in Hotels and similar premises. The Ekiti State Child's Rights Law, 2012 and the Ekiti State Gender-Based Violation (Prohibition) Law, 2019, also criminalize sexual abuse and exploitation of young girls.
4. Hotel Owners are reminded of the Age Requirement Policy for accommodation of guests in Hotels in Ekiti State. For the avoidance of doubt, guests must be 18 years or older with a valid identification to reserve or check into a guest room. Parents of legal guardians must accompany guests under the age of 18. The Hotel must at all times reserve the right to ask and check photo identification.

Hotel Owners are enjoined to immediately place the Age Requirement Policy in a conspicuous place in the reception area of their hotels.

5. The following measures are hereby announced to ensure the protection of young girls from sexual abuse and exploitation in hotels in Ekiti State.

- i. Naming and shaming Hotels whose premises are used for the sexual abuse and exploitation of young girls. The names of Hotel owners as well as the full details of the Hotels will be posted and announced on all Government Communication Platforms including Electronic and Print Media as well as Social Media.

- ii. The Ministry of Justice will henceforth institute civil proceedings on

behalf of child victims with a view to seeking compensation from offending Hotels. This measure is in addition to the criminal prosecution of the Hotel Owner in furtherance of Section 219 of the Criminal Code Law, CAP C16, Laws of Ekiti State, 2012.

iii. The measures herein stated are without prejudice to the power of the Government of Ekiti State to revoke the licenses of offending Hotels.

6. These measures take effect immediately.

GIVEN UNDER MY HAND AND SEAL THIS  
10TH DAY OF MARCH, 2020.



Olawale Fapohunda  
Honourable Attorney-General  
& Commissioner for Justice, Ekiti State.





## **PUBLIC ADVISORY:**

### **COVID-19: PREVENTING AND COMBATING DOMESTIC VIOLENCE IN EKITI STATE.**

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1. The Ministry of Justice (MoJ) is concerned about the frequency of reported cases of domestic violence across the State. Movement restrictions aimed to stop the spread of the Coronavirus (COVID-19) may be making violence in homes more frequent, more severe and more dangerous.
2. Measures announced over recent weeks to tackle Coronavirus (COVID-19) have seen people's day-to-day life drastically altered. These measures are essential to beat COVID-19. The Government of Ekiti State acknowledges that the Order to stay-at-home can cause anxiety and inconvenience. However, domestic abuse is unacceptable in any situation, no matter what stresses caused by the measures.
3. The General Public is reminded that the Government of Ekiti State has Zero Tolerance for Domestic Violence in any form at any place whether at home or elsewhere. Domestic Violence is a crime in Ekiti State. The Ekiti State Gender-Based Violence (Prohibition) Law, 2019 was enacted specifically to ensure that this unacceptable practice could be robustly prosecuted. Government has also published a Victims Charter, which affirms the rights of all victims of crime to speedy remedy regardless of gender, economic status or any other attribute.
4. The MoJ is committed to supporting victims who wish to report this crime and to make sure perpetrators are brought to justice. Victims are encouraged to speak out, seek help and to use available legal remedies. The general public is also encouraged to intervene and speak up when they witness violence.
5. The MoJ has today established an Independent Domestic Violence Adviser's Scheme (IDVAS). Advisers under this scheme are persons of repute with vast experience in counseling. The purpose of this scheme is to offer appropriate guidance and advise on how to help keep victims and their children safe from harm from violent partners or family.
6. The MoJ is also reviewing the applicability of the Domestic Violence Protection Order (DVPO) within the framework of the Ekiti State Gender-Based Violence (Prohibition) Law, 2019. Under this initiative, the MoJ will work with the Police to prevent the perpetrator from

contacting the victim or returning to their home for up to 30 days. DVPO is designed to help victims who may otherwise have had to flee their homes giving them space and time to access support and consider their options.

7. For anyone who feels they are at risk of abuse, it is important to remember that there is help and support available. Government has ensured that the support services provided by the Directorate of Citizens Rights in the Ministry of Justice and the Office of Public Defender remain open during this challenging time. Government treats services for women who experience violence as essential services within the provisions of the Ekiti State Coronavirus Disease (Prevention of Infection) Regulations, 2020

8. The MoJ has also strengthened its helplines, including through, online counseling and technology-based solutions such as SMS and other online tools.

For more detailed information, contact **E. S Atane Esq.**  
Office of the Honourable Attorney-General & Commissioner for  
Justice, Ministry of Justice, Phase III,  
New Secretariat Complex, Ado-Ekiti  
Domestic Violence Helpline: 0806 757 7657  
Email: [mojekiti@gmail.com](mailto:mojekiti@gmail.com)



**Olawale Fapohunda**  
Honourable Attorney-General  
& Commissioner for Justice, Ekiti State  
17th April, 2020.





## **LEGAL ADVICE TO CHAIRMAN, EKITI STATE SECURITY NETWORK AGENCY (AMOTEKUN CORPS)**

### **ENSURING GENDER EQUALITY & WOMEN'S EMPOWERMENT IN THE RECRUITMENT OF PERSONS INTO AMOTEKUN CORPS.**

1. My office has received several communications from concerned persons and groups in the State on the need to ensure that the recruitment exercise into the Ekiti State Security Network Agency (AMOTEKUN CORPS) takes into consideration the state policy on gender equality and women's empowerment.

Please be advised as follows:

2. The Ekiti State Equal Opportunities Law, 2013, states the legal obligation of the Government of Ekiti State to provide a work environment in which employment opportunities are open to all qualified persons without discrimination on the basis of sex, age, religion, disability, ethnic group, economic status or any other attribute.

3. The Ekiti State Security Network Agency Law, 2020 asserts the commitment of the Government of Ekiti State to the principle of equal opportunity in the recruitment of eligible persons into the Agency. There is no provision in the Law that expressly or otherwise states that only persons of a certain gender shall be qualified to be recruited into AMOTEKUN Corps.

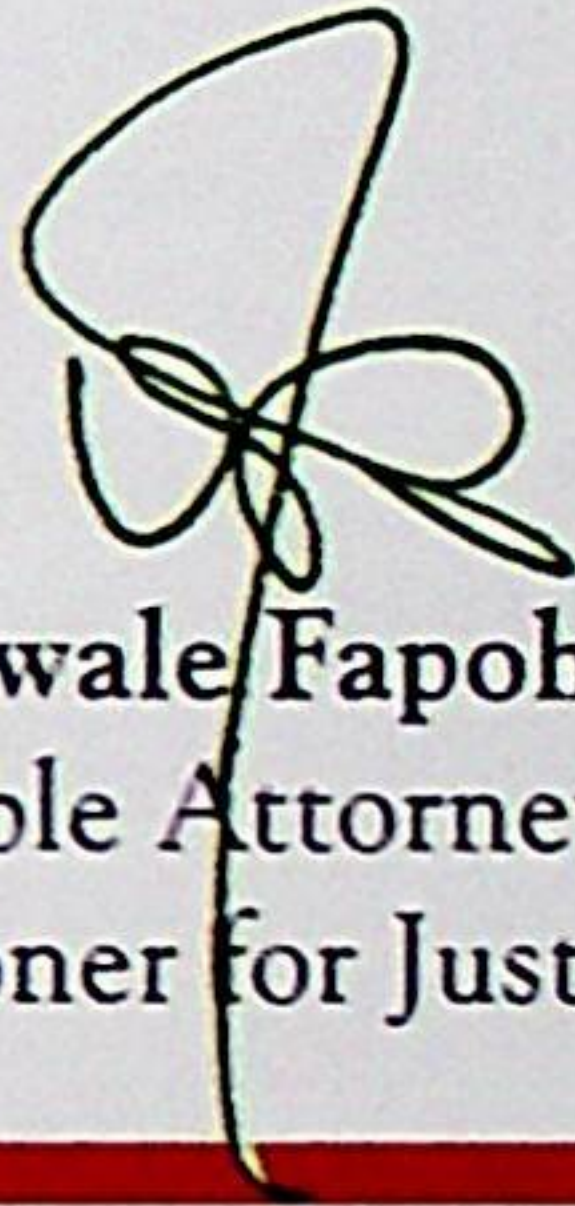
4. The Ekiti State Sustainable Development Goals Law, 2019 among others, proclaims the commitment of the Government of Ekiti State to realizing development policies, plans, and programmes aimed at women's advancement in different spheres. This includes the Ekiti State Gender and Development Policy 2011, which identifies the empowerment of women as the central issue in determining the status of women in Ekiti State.

5. The Government of Ekiti State recognizes the critical role of women's access to paid employment in realizing the Sustainable Development Goals (SDG). Increasing women's access to paid work is crucial for boosting growth, achieving equality, and reducing poverty in Ekiti State, and is therefore imperative for making progress towards the attainment of other SDGs such as ending poverty (SDG 1), ending hunger (SDG 2),

improving health and well-being (SDG 3), ensuring quality education (SDG 4), promoting decent work (SDG 8) and reducing inequalities (SDG 10).

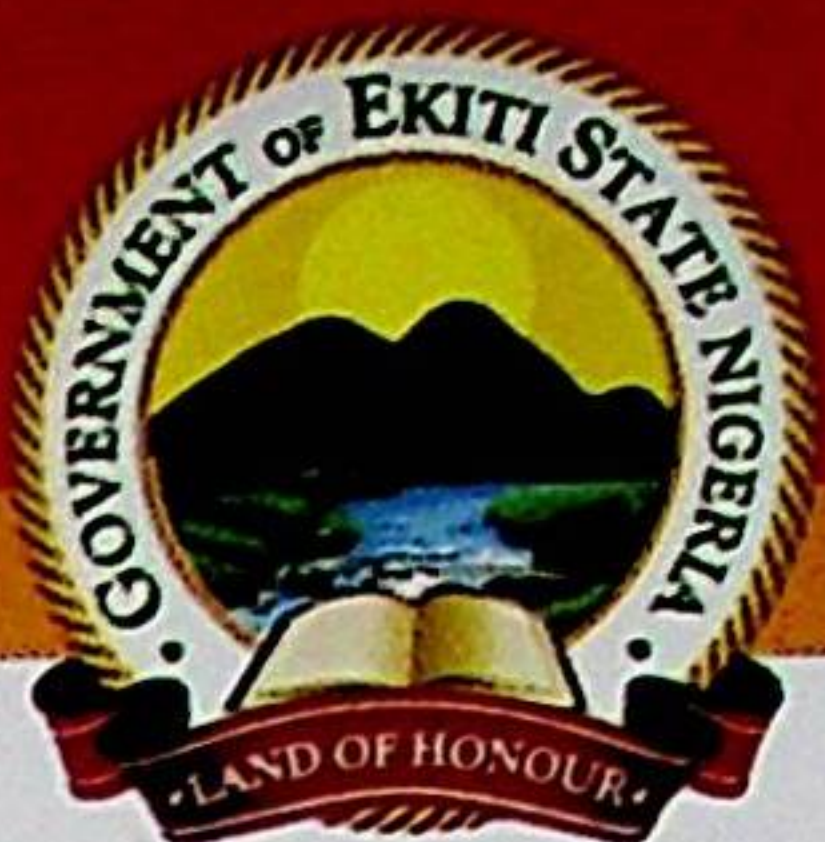
6. The Ekiti State Security Network Agency Governing Board has the overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework affirming gender equality and women's empowerment in the recruitment of persons into the Agency.

GIVEN UNDER MY HAND AND SEAL THIS  
3RD DAY OF SEPTEMBER, 2020.



Olawale Fapohunda  
Honorable Attorney-General  
& Commissioner for Justice, Ekiti State





## LEGAL ADVICE TO ACCOUNTANT-GENERAL, EKITI STATE

### ENFORCEMENT OF CHILD SUPPORT COURT ORDERS AGAINST PUBLIC OFFICERS IN THE PUBLIC SERVICE OF EKITI STATE

1. The Office of the Public Defender, Ekiti State has informed my office of the difficulties it continues to face in the Enforcement of Child Support Court Orders against Public Officers in the State Public Service. This is often in cases where the parents of the child are separated or the child was born out of marriage.

2. I have been further informed that these difficulties are largely as a result of interpretations of the Public Service Rules, other Regulations and Extant Circulars that require compliance with certain procedural requirements before such Orders can be executed. This situation has in a number of verified cases brought untold hardship on child beneficiaries.

3. Please be advised as follows:

- a) The Office of the Public Defender (OPD) is established by the Ekiti State Office of the Public Defender Law 2015. Its mandate is to provide free legal representation to vulnerable residents across the 16 Local Government Areas of Ekiti State in Criminal and Civil Matters. In civil matters, the OPD represents indigent citizens including in divorce and child support cases. The OPD through litigation and alternative dispute resolution recovers compensation, child support payments or any other remedies as applicable for its clients.
- b) The Government of Ekiti State has adopted a Zero Tolerance Policy For All Forms of Child Abuse And Neglect. The failure or refusal of a parent to pay child support as ordered by a court resulting in hardship or suffering of a child amounts to child abuse and neglect.
- c) The Order of a High Court or Magistrate Court overrides any Public Service Rules, Regulations, Circulars or Directives. Where a court orders that Child Support Deductions shall be made from the salary of any Public Officer in the State Public Service, such Order must be respected and obeyed without delay. The office of the Accountant-General is obliged to ensure that there are no bureaucratic or procedural obstacles that will delay or frustrate the execution of such Order.

d) The Office of the Accountant-General is now advised that refusal to obey court Orders in respect of child support payments will amount to contempt of court. Contempt is a criminal offence punishable by Law. Any public officer who deliberately or willfully obstructs the execution of such Order and is found to be in contempt will be personally responsible for the cost of his/her legal defence.

4. For the avoidance of doubt the recommended procedure to adopt in the enforcement of court Orders on child support is as follows:

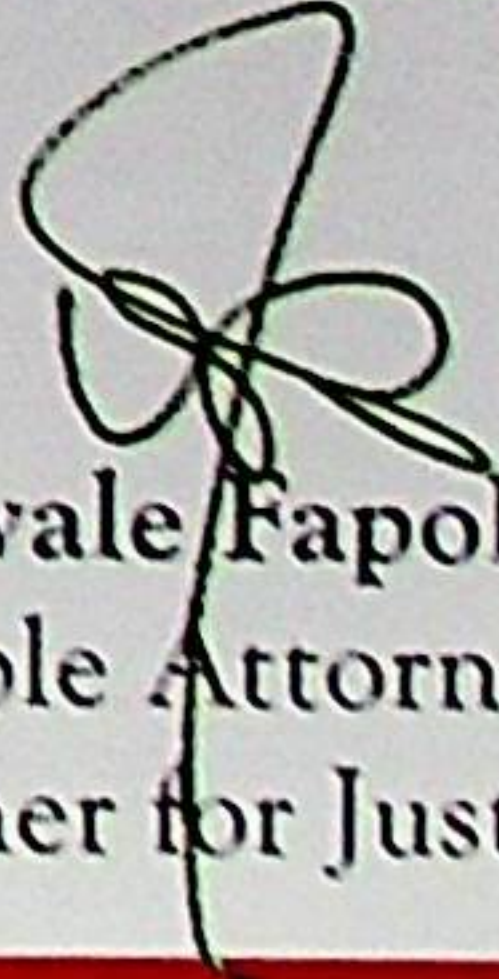
On notification in writing by the OPD of a Court Order, the Office of the Accountant-General shall:

- a) Within 24 Hours of receiving such notification seek legal advice from the Ministry of Justice.
- b) Inform the affected Public officer of the contents of the said Order.
- c) Subject to the legal advice of the Ministry of Justice, deduct the amount stated in the Order from the salary of the said officer.
- d) Where it is not possible to deduct the full amount for reason of insufficient funds, deductions must be made on a monthly basis until the entire amount stated in the court Order is liquidated.
- e) In cases where in the course of making payments, such officer retires from Public Service, the pension accruing to the officer must be deducted until the entire amount stated in the court Order is liquidated.

5. All payments must be made in favour of OPD to the credit of the designated parent, guardian or any other person identified by the OPD.

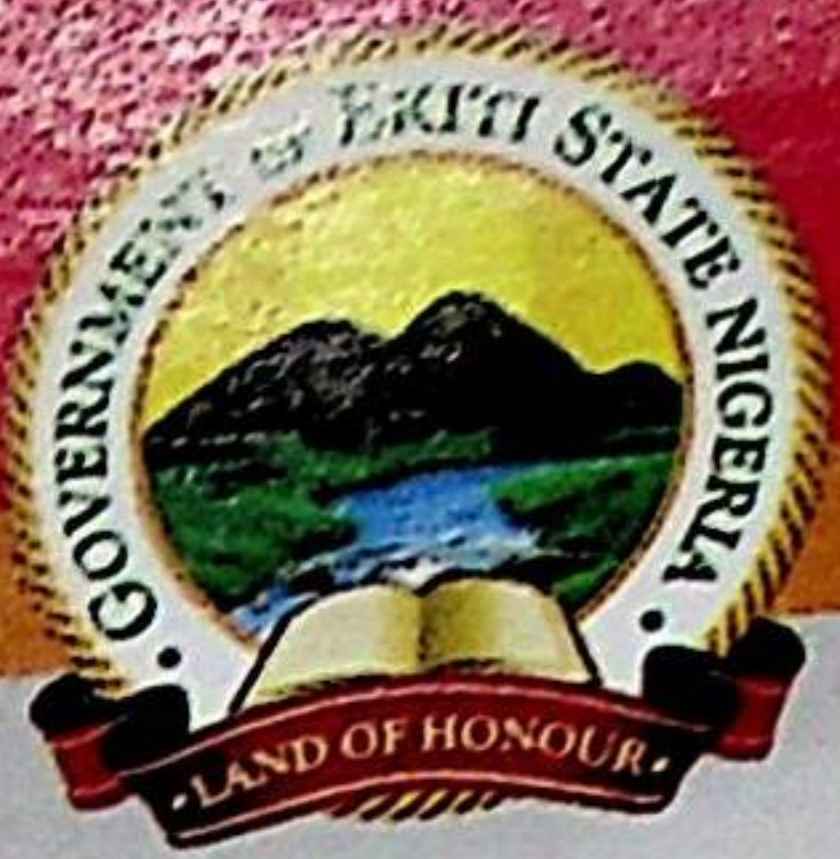
This legal advice will be served on the office of the Head of Service for further dissemination within the State Public Service.

GIVEN UNDER MY HAND AND SEAL THIS  
3RD DAY OF SEPTEMBER, 2020.

  
Olawale Fapohunda  
Honourable Attorney-General  
& Commissioner for Justice, Ekiti State.









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 Ekiti State Ministry of Justice

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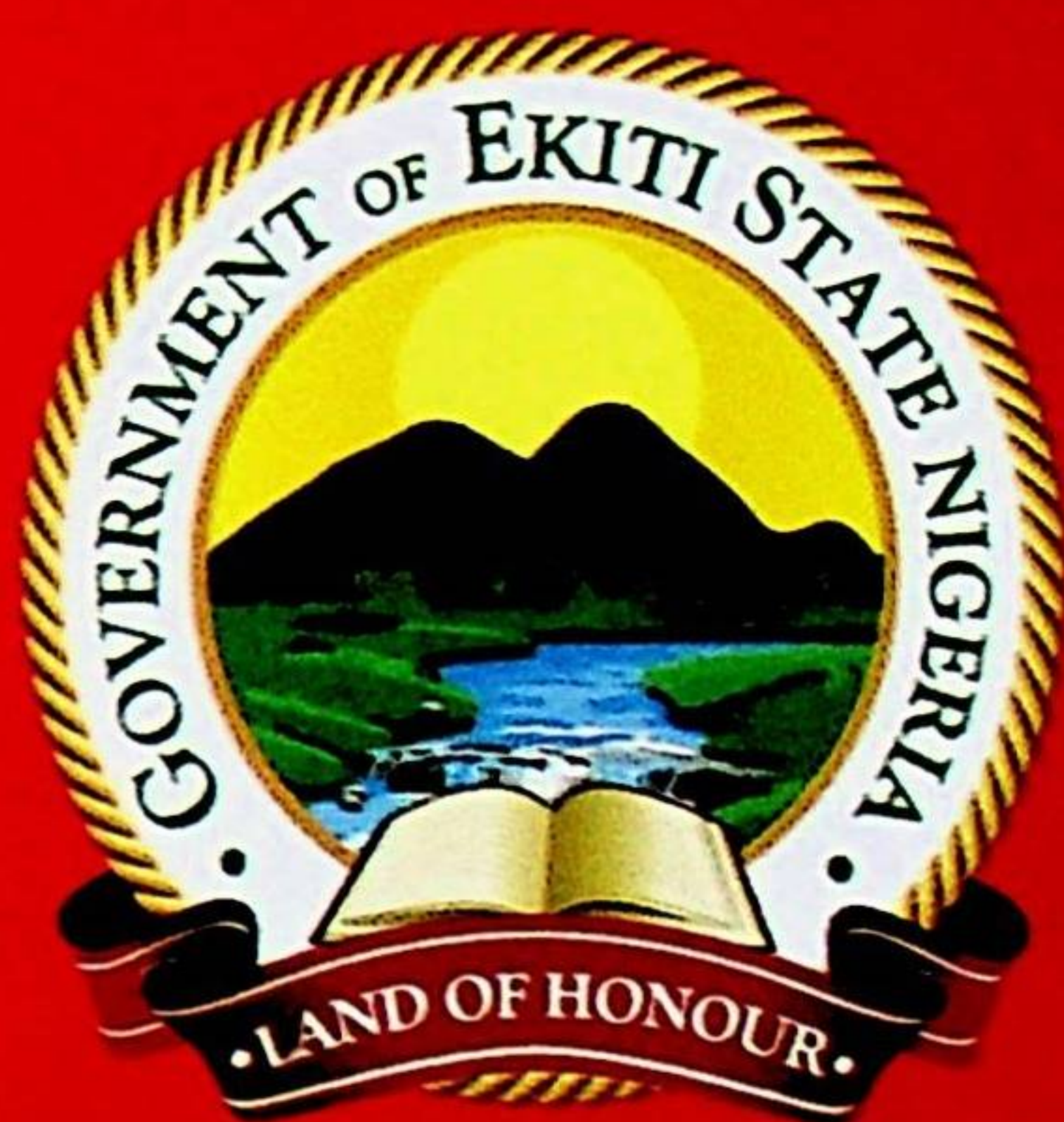
 YouTube Ministry of Justice Ekiti State



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