

# THE VICTIM CHARTER

**A Statement Of  
Rights For Victims  
Of Crime In Ekiti State**

**ISSUED BY THE OFFICE OF THE HONOURABLE ATTORNEY-GENERAL  
& COMMISSIONER FOR JUSTICE, EKITI STATE**

**MINISTRY OF  
JUSTICE**





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**The Charter is presented as an important standard setting policy document which victims of crimes in Ekiti State can use to claim their rights, act responsibly, and demand responsibility from service providers in ensuring the realization and attainment of justice.**

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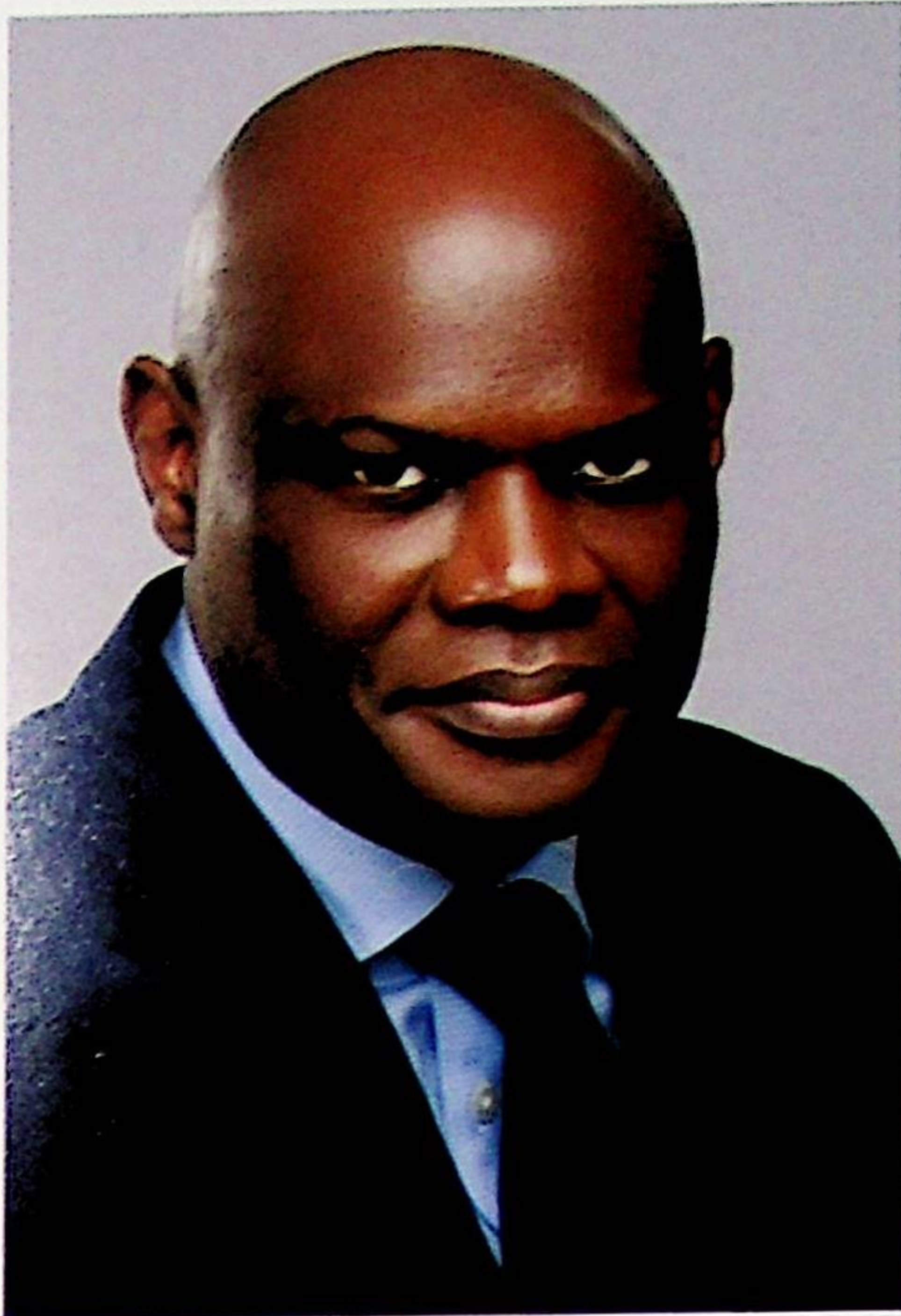


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## **PREFACE**

**BY THE HONOURABLE  
ATTORNEY-GENERAL AND  
COMMISSIONER FOR JUSTICE**

*Many justice sector stakeholders in Ekiti State are concerned that the administration of justice pays more attention to the rights of defendants instead of the rights of victims. They are also concerned about the marginalization of victims, even at the level of compensation. They say that the justice system pays little or no attention to repairing the social, financial, psychological damage that is suffered by victims of crime. They*

*say that the justice system has marginalized victims and that it does not respond to their needs because we are too preoccupied with offenders. The Ministry of Justice must try to remedy this.*

This Victim Charter (The Charter) for victims of crime in Ekiti State is an effort to shift from an adversarial and retributive criminal justice system to more victims centered approach to justice.

The Charter is an important component of the Ministry of Justice agenda for the reform of the administration of justice in Ekiti State. We recognize the need to respond to the plight of victims as an important result area in transforming the Administration of Criminal Justice in Ekiti State.

The Charter is for victims, a bereaved family member or their representative, and a parent on behalf of or instead of a child. It lists **five rights** herein and in addition, it sets out the services that the Ministry of Justice should provide when victims approach us for help or inquiries. Although not specifically included, the rights to compensate and restitution are implicit in this charter. There is the need for a broad-based discussion to enable state institutions have a shared understanding of these rights especially as it



relates to budgetary considerations. The Ministry of Justice is committed to facilitating further consultation.

The Charter is presented as an important standard setting policy document which victims of crimes in Ekiti State can use to claim their rights, act responsibly, and demand professional service from the Ministry of Justice and other justice service providers in ensuring the realization and attainment of justice.

**Generally a victim of crime is entitled to:**

- be treated fairly, professionally, and with dignity and respect;
- be understood and to understand - in his/her first language if necessary;
- be updated at key stages and given relevant information;
- be told about available support and opportunity to bring someone to give support;
- ask for a court familiarisation visit and be kept separate from the defendant as much as possible at court;
- let the Ministry of Justice and other service providers know if you are unhappy with their service.

This idea for a framework that clarifies the rights of victims of crime is the outcome of the several consultations between the Ministry of Justice and Justice Sector Shareholders in Ekiti State. We have taken note of the recommendations for a legal framework that affirms the right of victims. In response to this, we have proposed a Victims of Crime Bill, 2020 - a bill for an Act to make provision for the rights, support and protection of victims, and for matters connected therewith or incidental thereto. The objective of the bill is to recognise the impact of crime on the victims of that crime, including the impact on members of victims' families, witnesses to the crime and in some cases, the broader community.

The Ministry of Justice appreciates the constructive partnership with various non-governmental organizations and government access to justice institutions. We look forward to future collaborations as we strive towards achieving our commitment to the people of Ekiti State.

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





## **DEFINITION**

'A 'victim' means:

A person who has suffered harm, including physical, mental or emotional harm or economic loss, which was directly caused by a criminal offence; and

Family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person's death. (This does not include family members who have been charged with or are under investigation in connection with the death.)

## **PREAMBLE**

The Government of Ekiti State generally and agencies involved in the criminal justice system specifically:

### **Affirming**

Government's commitment to implement measures aimed at continuous reform of the criminal justice system to protect and promote the rights of victims in furtherance of *The Ministry of Justice Statement of Activities – A Presentation on Specific Activities for Transforming the Administration of Justice and State Legal Affairs in Ekiti State 2014 and Laws of Ekiti State* such as the Administration of Criminal Justice Law 2014, Gender Based Violence (Prohibition) Amendment Law, 2020.

### **Believing**

That it is part of the responsibility of government to promote the equal enjoyment of all the rights and freedoms that are guaranteed in the Constitution of the Federal Republic of Nigeria 1999 (as amended) by all and that an equitable criminal justice system can only be achieved if the rights of both victims and accused persons are recognised, protected and balanced.

### **Recognizing**

The serious impact of crime on victims and its potential for undermining victims' human rights.

### **Noting**

The significant progress made by the Government of Ekiti State, with regard to transforming the criminal justice system to ensure access to justice and responsiveness of processes to all, regardless of economic status, gender or any other attribute. That various measures have been implemented as part of the transformation of the justice system, with a view to ensuring the centrality of victims balancing their



rights with those accused persons and minimizing secondary victimization in the various stages of criminal justice process.

### **Hereby adopt this Victim Charter**

To provide for the consolidation of the present legal framework in Ekiti State relating to the rights of and services provided to victims of crime and to:

- Eliminate secondary victimization in the criminal justice process;
- Ensure that victims remain central to the criminal justice process;
- Clarify the services that can be expected by and are to be accorded to victims whenever they come into contact with the criminal justice system; and
- Make provision for victims' recourse when standard services are not provided.

### **YOUR RIGHTS AS A VICTIM OF CRIME**

If you have been a victim of a crime, this Charter aims to explain, as clearly as possible, what happens after the offence had been reported to the Police and the standards of service you should expect. There is also a section describing what other information is available and a list of addresses that you may find useful.

The way you are treated cannot make up for what you have suffered. We aim to make sure that the unpleasant effects of the crime are not made worse by what happens later. The following rights and service standards, will be upheld during your interaction with the criminal justice system:

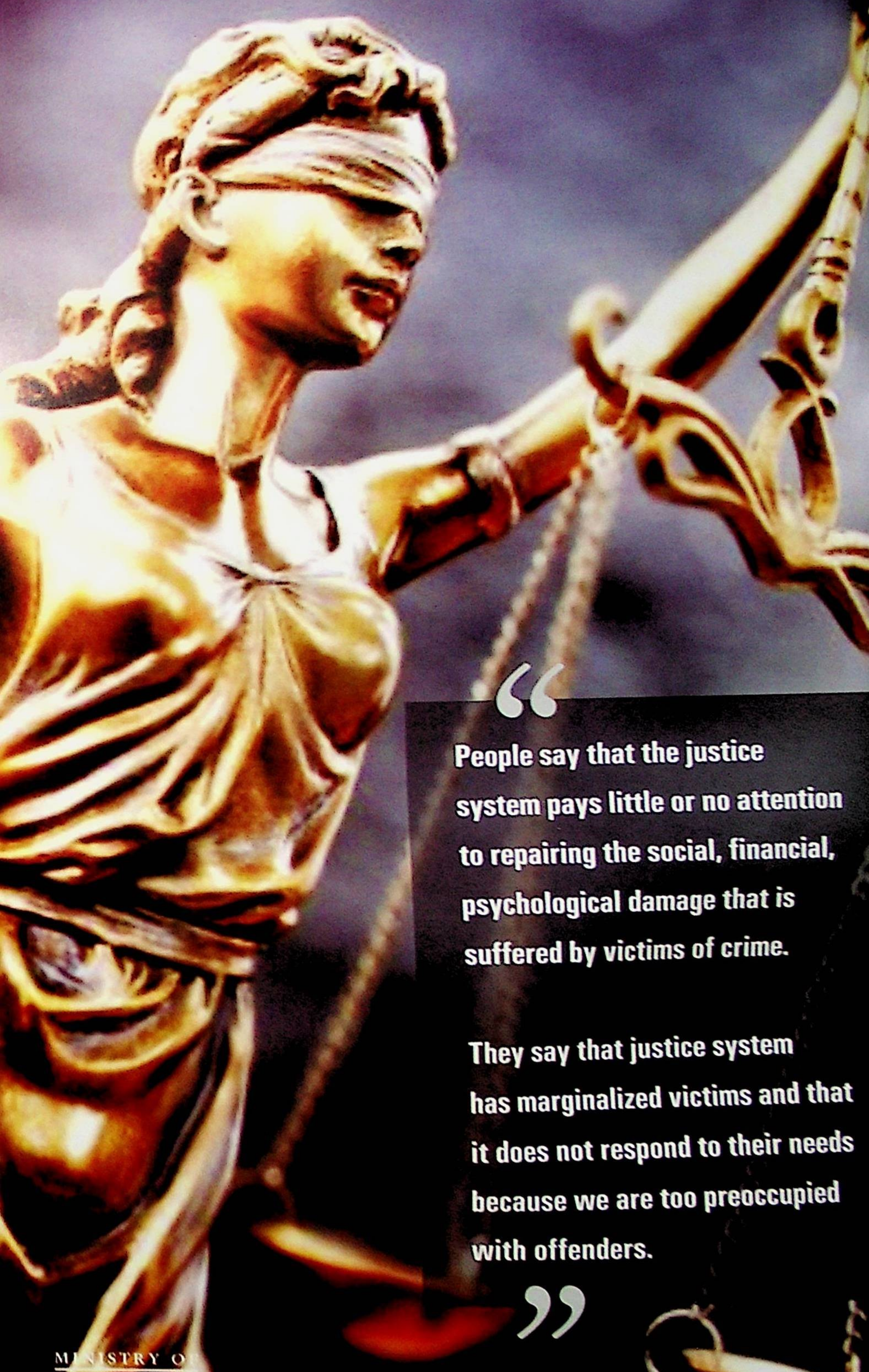
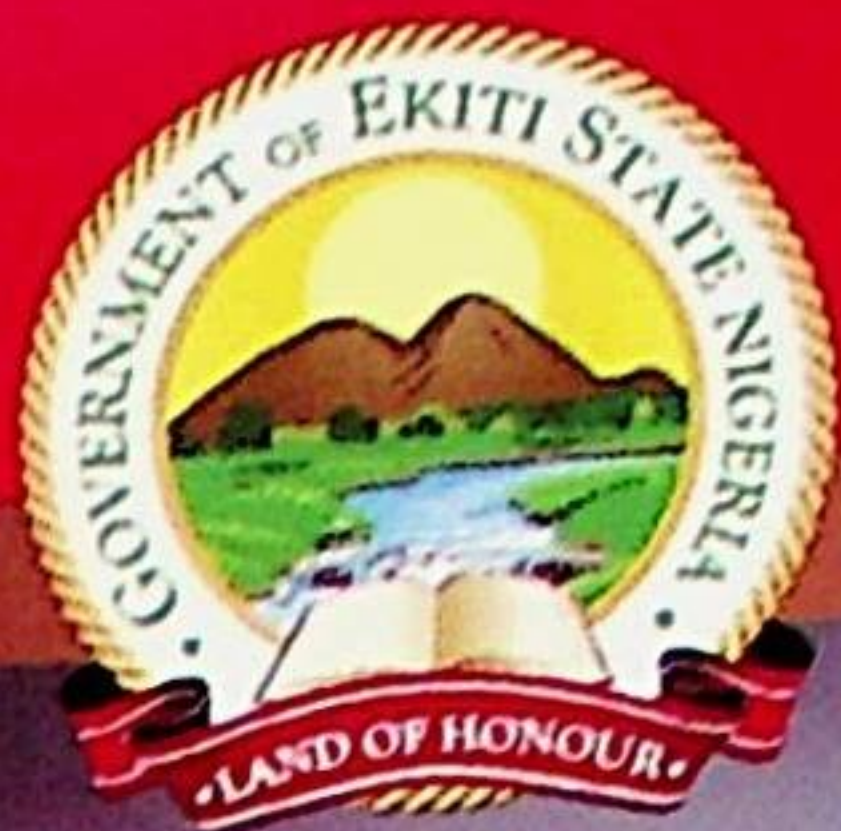
#### **1. The Right to be Treated with Fairness and with Respect for Dignity and Privacy:**

- You have the right to be attended to promptly and courteously treated, with respect to your dignity and privacy by officials of any Ministry, Department, Institution, Agency or Organization dealing with or providing a service to you (hereafter referred to as a service provider).
- The Police (during the investigations), the Prosecutor and Court officials (during preparation for and during the trial proceedings), and all other service providers will take measures to minimize any inconvenience to you by, among others, conducting interviews with you in your language of choice and in private, if necessary.
- These measures will prevent that you are being subjected to secondary victimization.

#### **2. The Right to Offer Information:**

- You have the right to offer information during the criminal investigation and trial.
- The Police and Prosecutor will take measures to ensure that any contribution





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**They say that justice system has marginalized victims and that it does not respond to their needs because we are too preoccupied with offenders.**

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that you wish to make to the investigation, prosecution or hearing is heard and considered when deciding on whether to proceed with the investigation, or in the course of the prosecution.

- This Right means that you can participate (if necessary and where possible) in criminal justice proceedings, by attending the bail hearing and the trial, proceedings.
- This Right means that you will have the opportunity to make a further statement to the Police if you realize that your first statement is incomplete.
- Furthermore, you may make a written input, application, petition or complaint regarding the conduct of investigation or prosecution to the Attorney-General and Commissioner for Justice.

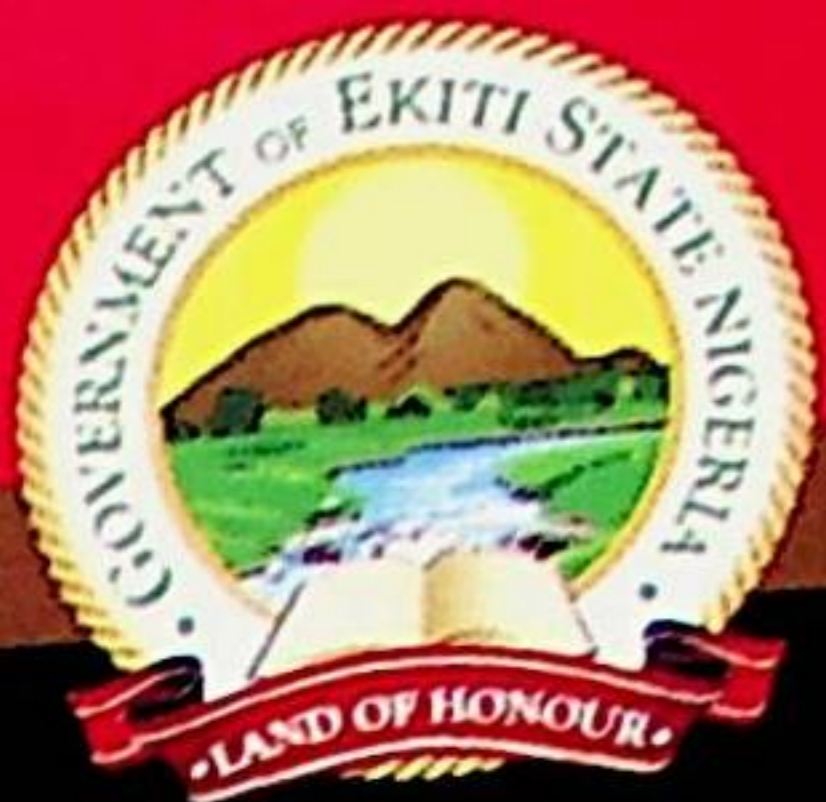
### **3. The Right to Receive Information:**

- You have the right to be informed of your rights and how to exercise them.
- You can, as part of this right, ask for explanations in your own language of anything you do not understand.
- You have the right to receive information and to be informed of all relevant services available to you by service providers.
- You will be informed of your role in the case and of the approximate duration of the case, you can request information regarding court dates, witness fees and the witness and victim support programme.
- You can request to be informed of the status of the case, whether or not the offender has been arrested, charged, granted bail, indicted, convicted or sentenced.
- You can request the prosecutor to notify your employer of any proceedings that necessitate your absence from work.

### **4. The Right to Protection:**

- You have the right to be free from intimidation, harassment, fear, tampering, bribery, corruption and abuse. If you are a witness, you must report any such threats to the Police or prosecutor.
- If you comply with certain requirements, you may apply for you to be placed in a witness protection programme.
- If you are placed in a witness protection programme, you will be protected, as far as possible from all forms of undue influence, harassment or intimidation.
- This will ensure your safety as a witness and the availability of your testimony, and prevent you from withdrawing from giving evidence as a result of undue influence.





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- This Right includes that, in certain circumstances and in accordance with the law, the court may prohibit the publication of the proceedings or any information (including your identity), or it may order that the trial be held behind closed doors (in camera).
- You can request the Prosecutor and Correctional Centres to inform you if the offender has escaped or has been transferred.

### **5. The Right to Request Assistance**

- You have the right to request assistance and, where relevant, have access to available social, health and counseling services, as well as legal assistance.
- The Police will assist you by explaining Police procedures, informing you of your rights and making the appropriate referral to other relevant service providers.
- The Prosecutor will ensure that special measures are taken in the case of sexual offenders, domestic violence and child support or maintenance matters and that where available, such cases are heard in designated or specialized courts.
- If you have special needs, the Ministry of Justice will take all reasonable steps to accommodate you and ensure that you are treated in a sensitive manner.

## **CRIME VICTIMS HELPLINE**

### **The role of the Crime Victims Helpline**

The Crime Victims Helpline is a confidential helpline run by a team of trained volunteers and staff of the Ministry of Justice. The purpose of the helpline is to listen. We support everyone who is affected by crime irrespective of age, gender, ethnic group, economic status or any other attribute. We understand the issues and difficulties that victims of crime have to deal with, and we will try to help you so that you do not feel alone.

### **What you can expect from the helpline**

When you contact the helpline:

- we will keep your information confidential;
- we can tell you about your rights;
- we will give you time and space to talk about your experience of the crime;
- we will listen with empathy and we won't judge you;
- we can give you information about other government and non-government support services in your local area for victims of crime;





- we can tell you about specialist services for victims of particular crimes – such as domestic violence, rape and sexual abuse;
- we can answer your questions about the criminal justice system;
- we can help you make contact with the Nigeria Police; and
- we can give you information about compensation, if this applies to your case.

When you contact us, you can tell us as much or as little as you like. You don't even have to give your name if you don't want to. If you ask us a question that we don't know the answer to, we'll find out for you.

You don't need to have a particular reason to ring us, or a particular question you want to ask. You might just want to talk, and that's fine – we are here to listen. And, we will be here for you if ever you want to contact us again.

**You can contact the helpline at:**

Telephone: 0913 388 7687 (Between the 8am- 8pm)

## COMPLAINTS

### If we do not meet your expectations

We aim to treat you fairly and courteously and to provide a good service. However, if we do not meet your expectations and you would like to ask questions, make suggestions or make a complaint about our service, you can contact us at the details below.

### Where to contact:

Address:	Office of the Honourable Attorney-General & Commissioner for Justice Ministry of Justice, Phase III, New Secretariat Complex, Ado-Ekiti;
Telephone:	0913 388 7687 and 0913 388 7416
Email:	mojekiti@gmail.com
Website:	moj.ekitistate.gov.ng

The Ministry of Justice will ensure that copies of the Victim Charter are available at the following offices:

- All Courts in Ekiti State
- All Police Stations in Ekiti State
- Ministry of Women Affairs and Social Development
- Health Care Facilities
- Legal Aid Council
- National Human Rights Commission
- Office of the Public Defender (OPD)





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