



**ENUGU STATE OF NIGERIA  
2019, NO. 2**

**ENUGU STATE VIOLENCE AGAINST PERSONS  
(PROHIBITION) LAW, 2019**

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**A LAW TO ELIMINATE VIOLENCE IN PRIVATE  
AND PUBLIC LIFE, PROHIBIT ALL FORMS  
OF VIOLENCE INCLUDING PHYSICAL,  
SEXUAL, PSYCHOLOGICAL, DOMESTIC,  
HARMFUL TRADITIONAL PRACTICES;  
DISCRIMINATION AGAINST PERSON AND TO  
PROVIDE MAXIMUM PROTECTION AND  
EFFECTIVE REMEDIES FOR VICTIMS AND  
PUNISHMENT OF OFFENDERS AND OTHER  
MATTERS RELATED THERETO**

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***ENACTED BY***

**ENUGU STATE HOUSE OF ASSEMBLY  
THIS 4<sup>TH</sup> DAY OF APRIL, 2019**



## **THE ENUGU STATE VIOLENCE AGAINST PERSONS (PROHIBITION) LAW, 2019**

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## ENUGU STATE OF NIGERIA 2019, NO. 2

*Title.*

A Law 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 and other Matters Related Thereto.

*Enactment.*

**Be it Enacted** by the House of Assembly of Enugu State of Nigeria as follows -

*Citation and date of Commencement.*

### **PART I – CITATION AND INTERPRETATION**

**1.**

This Law may be cited as Enugu State Violence Against Persons (Prohibition) Law, 2019 and shall be deemed to come into effect on 4<sup>th</sup> day of April, 2019.

*Interpretation.*

**2.**

In this Law, unless the context otherwise requires –  
“Abandonment of women, children and other persons” means deliberately leaving women, children and other persons under the perpetrator’s care, destitute and without any means of subsistence;

“Accredited service provider” means governmental, non-governmental, faith based, voluntary and charitable associations providing shelter, homes counseling, legal, financial, medical or other assistance to victims of domestic violence and are registered with the appropriate government ministry under the provisions of this Law;

“Arm” means any firearm or offensive weapon as defined in section 11(1) of the Robbery and Fire arms (Special Provisions) Act Cap. R11 Laws of the Federation of Nigeria 2004.

“Circumcision of a girl or woman” means cutting off all or part of the external sex organs of a girl or woman other than on medical ground.



“Civil proceedings” means

- i. proceedings for the making, variation or discharge of a protection order, safety order or interim protection order;
- ii. proceedings by way of appeal or case stated which are related to proceedings to which paragraph (i) applies;
- iii. proceedings under this Law for compensation or award;

“Court” means both the Magistrate Court and High Court.

“Dangerous weapon” means any instrument and/or machine directed toward a person with the intention of inflicting bodily harm on such person and includes, but is not limited to, a gun, knife, stick, whip or other household appliance capable of inflicting bodily harm on a person.

“Domestic relationship” means a relationship between any person and perpetrators of violence constituted in any of the following ways:

- (i) They are or were married to each other, including marriages according to any law, custom or religion;
- (ii) They live or have lived together in a relationship in the nature of marriage, although they are not or were not married to each other;
- (iii) They are the parents of a child or children or are the persons who have or had a parental responsibility for that child or children;
- (iv) They are family members related by consanguinity, affinity or adoption;
- (v) They are or were in an engagement, dating or customary relationship, including actual or perceived romantic, intimate or sexual relationship of any duration; or
- (vi) They share or recently shared the same residence.



“Domestic Violence” means any act perpetrated on any person in a domestic relationship where such act causes harm or may cause imminent harm to the safety, health or well-being of any person and this includes the following acts;

“Economic abuse” means denial of inheritance or succession rights, the unreasonable deprivation of economic or financial resources to which any person is entitled or which any person requires out of necessity, including household necessities, mortgage bond repayment or payment of rent in respect of a shared residence; the unreasonable disposal or destruction of household effects or other property in which any person has an interest;

“Emergency monetary relief” means compensation for monetary losses suffered by any person arising from an act of violence and does not in any way constitute a maintenance order, including –

- (a) loss of earnings;
- (b) medical and dental expenses;
- (c) relocation and accommodation expenses;
- (d) household necessities; or
- (e) legal fees related to obtaining and serving the protection order.

“Emotional, Verbal and Psychological Abuse” means a pattern of degrading or humiliating conduct towards any person, including repeated insults, ridicule or name calling; repeated threats to cause emotional pain; or the repeated exhibition of obsessive possessiveness, which is of such a nature as to constitute a serious invasion of such person’s privacy, liberty, integrity or security;

“Forced isolation from family and friends” includes but is not limited to preventing a person from leaving the home or from having contact with family, friends or the outside community;

“Harassment” means engaging in a pattern of conduct that induces fear of harm or impairs the dignity of a person including stalking; repeatedly



making telephone calls or including another person to make telephone calls to a person, whether or not conversation ensues; repeatedly sending, delivering or causing delivery of information such as letters, telegrams, packages, facsimiles, electronic mail, text messages or other objects to any person;

“Harmful traditional practices” means all traditional behaviour, attitudes and/ or practices, which negatively affect the fundamental rights of any person and includes harmful widowhood practices, as provided in section 3(1) (a-j) of the Prohibition of Infringement of a Widow’s and Widower’s Fundamental Rights Law 2001, denial of inheritance or succession rights, female genital mutilation or female circumcision, forced marriage and forced isolation from family and friends;

“Perpetrators” means any person who has committed or allegedly committed an act of violence as defined above;

“Indecent exposure” means the intentional showing of the genital organs, or a substantial part thereof, with the intention of causing distress to the other party;

“Intimidation” means the uttering or conveying of a threat or causing any person to receive a threat, which induces fear, anxiety or discomfort;

“Physical abuse” means acts or threatened acts of physical aggression towards any person such as slapping, hitting, kicking and beating;

“Protection Officer” means an officer appointed under section 37 of this Law in relation to and for the purpose of this Law;

“Sexual abuse” means any conduct, which violates, humiliates or degrades the sexual integrity of any person;



“Sexual assaults” means the intentional and unlawful touching, striking or causing of bodily harm to an individual in a sexual manner without his or her consent.

“Sexual exploitation” occurs where a perpetrator, for financial or other reward, favour or compensation invites, persuades, engages or induces the service of a victim, or offers or performs such services to any other person;

“Sexual harassment” means unwanted conduct of a sexual nature or other conduct based on sex or gender which is persistent or serious and demeans, humiliates or creates a hostile or intimidating environment. This may include physical, verbal or non-verbal conduct.

“Sexual intimidation” means

- (a) any action or circumstances which amount to demand for sexual intercourse with either a male or a female under any guise, as a condition for passing examination, securing employment, business patronage, obtaining any favour in any form whatsoever, as may be defined in this Act or any other enactments;
- (b) the actual demand for sexual intercourse with either a male or female under any guise, as a condition for passing examination, securing employment, business patronage and or obtaining any favour in any form whatsoever, as may be defined in this Law or any other enactments;
- (c) acts of deprivation, withholding, replacing and or short-changing of entitlements, privileges, rights, benefits, examination or test mark/scores, and any other form of disposition capable of coercing any person to submit to sexual intercourse for the purpose of receiving reprieve thereto;

“Spousal/Partner battery” means the intentional and unlawful use of force or violence upon a person, including the unlawful touching, beating or striking of another person against his will with the intention



of causing bodily harm to that person.

“Stalking” means repeatedly watching, or loitering outside of or near the building or place where such person resides, works, carries on business, studies or happens to be; or repeatedly following, pursuing or accosting any person in a manner which induces fear or anxiety;

“Substance attack” means the exposure of any person to any form of chemical, biological or any other harmful liquid with the intention to cause grievous bodily harm, which includes but is not limited to acid attack, hot water, hot oil;

“Trafficking” means the supply, recruitment, procurement, capture, removal, transportation, transfer, harbouring, sale, disposal or receiving of a person, within or across the borders of the Federal Republic of Nigeria, for use in sexual acts, including sexual exploitation or pornography of any person;

“Victim” means any person or persons, who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of this Law and/or the criminal laws of the country. Victim also includes the immediate family or dependants of the direct victim and any other person who has suffered harm in intervening to assist victims in distress;

“Violence” in this Law, unless the context otherwise requires means any act or attempted act, which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm whether this occurs in private or public life, in peace time and in conflict situations;

“Violence perpetrated by non state actors” includes –

- (i) wrongful arrest and detention;
- (ii) assault;
- (iii) use of force without lawful authority;
- (iv) an unlawful entry into the premises;



- (v) demolition of property without due processes.

"Vulnerable groups" means women, children, persons living under extreme poverty, persons with disability, the sick and the elderly, ethnic and religious minority groups, refugees, internally displaced persons, migrants and persons in detention;

## PART 2 - OFFENCES

*Definition of rape and punishment for rape.*

3.

- (1) A person commits the offence of rape if -  
(a) he intentionally penetrates the vagina, anus or mouth of another person no matter how slight with his sex organ or any other part of his body or anything else;  
(b) the other person does not consent to the penetration; or  
(c) the consent is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or addictive capable of taking away the will of such person or in the case of a married person by impersonating his spouse/partner;

*Conviction of an offender.*

4.

- (1)(a) A person convicted of an offence under this section is liable to imprisonment for life.  
(b) Where the offender is below 18 years old, he shall be remanded in a remand home or appropriate place and for number of years as the Judge deems fit.

*Inflicting physical injury on a person.*

5.

- (1) Any person who willfully causes or inflicts physical injury on another person by means of any weapon, substance or object commits an offence and is liable on conviction to imprisonment not exceeding five years or a fine not exceeding ₦100,000:00 or to both such fine and imprisonment;

- (2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to



imprisonment for a term not exceeding five years or to a fine not exceeding ₦50,000 or to both such fine and imprisonment;

(3) Any person who incites, aids, abets, or counsels another person to commit the offence provided for in subsection (1) of this section is guilty of an offence, and is liable on conviction to imprisonment for a term not exceeding five years or to a fine not exceeding ₦50,000 or to both such fine and imprisonment;

(4) Any person who receives or assists another who to his knowledge is guilty of the offence provided for in subsection (1) of this section, in order to hinder or prevent his apprehension or trial is an accessory after the fact and is guilty of an offence and liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦50,000 or to both such fine and imprisonment;

(5) The court shall also award appropriate compensation to the victim as it may deem fit in the circumstance.

Coercion

6. Any person who coerces another to engage in any act to the detriment of that other person's physical or psychological well-being commits an offence and upon conviction is liable to three years imprisonment.

Willfully placing a person in fear of physical injury.

7. (1) Any person who willfully or knowingly places a person in fear of physical injury commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.  
(2) Any person who attempts to commit the offence as provided for in subsection (1) of this section is guilty of an offence and is liable to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

(3) Any person who aids, abets, or counsels another person to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to



imprisonment for a term not exceeding one year or a fine not exceeding ₦50,000 or to both such fine and imprisonment.

- (4) Any person who receives or assists another who has committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is liable on Conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

*Offensive conduct.*

**8.**

(1) Any person who compels another by force or threat to engage in any conduct or act, sexual or otherwise, to the detriment of the victim's physical or psychological well-being commits an offence and is liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦100,000 or to both such fine and imprisonment

(2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding three years or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.



*Prohibition of  
female  
circumcision or  
genital mutilation.*

9. (1) The circumcision or genital mutilation of the girl child or woman is prohibited.

(2) Any person who performs female circumcision or genital mutilation or engages another to carry out such circumcision or mutilation commits an offence and is liable on conviction to imprisonment for a term not exceeding four years or to a fine not exceeding ₦200,000 or to both such fine and imprisonment.

(3) Any person who attempts to commit the offence provided for in subsection (2) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

(4) Any person who incites, aids, abets, or counsels another person to commit the offence provided for in subsection (2) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

*Forceful ejection from  
home.*

10. (1) Any marriage partner who forcefully evicts his or her partner from their home or refuses him or her access therein commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.



(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000 or to both such fine and imprisonment.

*Economic abuse*

**11.** (1) Any person who causes economic abuse of another commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦200,000 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to a fine exceeding ₦50,000 or to both such fine and imprisonment.

*Forced isolation or separation from family and friends*

**12.** (1) Any person who forcefully isolates another from family and friend(s) commit(s) an offence and is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding three



months or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding three months or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Emotional, Verbal and  
Psychological Abuse

13.

(1) Any person who causes emotional, verbal and psychological abuse on another commits an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.



*Harmful Widowhood Practices***14.**

(1) Any person who subjects a widow to harmful traditional practices commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another to commit the act of violence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

*Abandonment of Spouse, Children and other Dependent without sustenance***15.**

(1) Any person who abandons a wife/husband, children or other dependent without any means of sustenance commits an offence and is liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦250,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦150,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to



imprisonment for a term not exceeding two years or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) in this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 Or to both such fine and imprisonment.

*Stalking*

**16.**

(1) Any person who stalks another commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

*Intimidation of a person*

**17.**

(1) Any person who intimidates another commits an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦200,000.00 or to both such fine and imprisonment.



(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets or counsels another person to commit the act of violence provided for in subsection (1) of this is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge commits the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Spousal/partner  
battery

**18.**

(1) Any person who batters his spouse commits an offence and is liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets or counsels another person to commit the act of violence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory



after the fact and is therefore liable to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

*Harmful traditional practices*

**19.**

(1) Any person who carries out harmful traditional practices on another commits an offence and is liable on conviction to imprisonment for a term not exceeding four years or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment or a term not exceeding two years or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assist another who to his knowledge commits the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding two years or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.

*Substance Attack*

**20.**

(1) Any person who uses chemical, biological or any other harmful liquid on another, commits an offence and is liable on conviction to a term of life imprisonment without an option of fine.

(2) Any person who attempts to commit the act of violence described in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding twenty-five years without an option of fine.

(3) Any person who incites, aids, abets, or counsels



another person to commit the act of violence as provided for in subsection (1) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding twenty-five years without an option of fine.

(4) Any person who receive or assist another who to his/her knowledge committed the offence provided for in subsection (1) of this section in order to hinder or prevent his apprehension or trial is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding twenty-five years without an option of fine

*Administering a substance with intent*

**21.** (1) A person commits an offence if he intentionally administers a substance to, or causes a substance to be administered to or taken by another with the intention of stupefying or overpowering that person so as to enable the person to engage in a sexual activity with that person.

(2) A person guilty of an offence under subsection (1) of this section is, in addition to any other offence under this Law liable on conviction to imprisonment for a term not exceeding 10 years or to a fine of ₦50,000.00 or to both such fine and imprisonment.

*Indecent exposure.*

**22.** (1) Any person who intentionally exposes his or her genital organs, or a substantial part thereof, with the intention of causing distress to the other party, or that another person seeing it may be tempted or induced to commit an offence under this law, commits an offence termed indecent exposure .

(2) Any person who intentionally exposes his or her genital organs, or a substantial part thereof, and induces another to either massage, or touch with the intention of deriving sexual pleasure from such acts commits an offence under this section.

(3) A person guilty of an offence under this section is liable upon conviction to imprisonment for a term of not less than one year or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.



**PART 3 - JURISDICTION OF THE COURT**

*Jurisdiction of the court.*

- 23.** Only the Magistrate Court and the High Court of the State shall have the jurisdiction to hear and grant any application brought under this Law.

*Application for protection order.*

- 24.** (1) An application for a protection order may be made before any competent court following a complaint of violence by the complainant. A protection order granted by any High Court or Magistrate Court shall be effective throughout Enugu State and no time limit or prescription shall apply in relation to a person seeking to apply for such protection order.
- (2) Any complainant may in the prescribed manner apply to the court for a protection order.
- (3) If the complainant is not represented by counsel, the police officer with whom a complaint of violence has been lodged shall inform the complainant of the remedies he may be entitled to under this Law including the right to lodge a criminal complaint against the respondent if a criminal offence has been committed under this Law.
- (4) Notwithstanding the provisions of any other law, the application may be brought on behalf of the complainant by any other person, including a police officer, a protection officer, an accredited service provider, a counselor, health service provider, social worker or teacher who has interest in the well being of the complainant;  
Provided that the application must be brought with the written consent of the complainant, except in circumstances where the complainant is -
- (a) A minor;
  - (b) Mentally retarded;
  - (c) Unconscious; or
  - (d) A person who the court is satisfied is unable to provide the required consent.
- (5) Notwithstanding the provisions of any other law, any minor, or any person on behalf of a minor, may apply to the court for a protection order without the assistance of a parent, guardian or any other person. Supporting affidavit by persons who have knowledge of the matter concerned may accompany the application.



Consideration of  
application and  
issuing of interim  
protection order

25.

(6) The application and affidavits shall be filed in court.

(1) The court must as soon as is reasonably possible consider an application submitted to it in terms of section 24(6) and may, for that purpose, consider such additional evidence as it deems fit, including oral evidence or evidence by affidavit, which shall form part of the record of the proceedings.

(2) If the court is satisfied that there is prima facie evidence that the respondent is committing, has committed or that there is imminent likelihood that he may commit an act of domestic violence, the court shall notwithstanding the fact that the respondent has not been given notice of the proceedings contemplated in subsection (1) of this section, issue an interim protection order against the respondent, in the prescribed manner.

(3) An interim protection order must be served on the respondent in the prescribed manner and must call upon the respondent to show cause on the return date, specified in the order why a protection order should not be issued.

(4) A copy of the application referred to in section 24(1) and the record of any evidence taken in terms of subsection (1) of this section shall be served on the respondent together with the interim protection order.

(5) If the court does not issue an interim protection order in terms of subsection (2) of this section, the court shall direct the registrar of the court to cause certified copies of the application concerned and any supporting affidavit to be served on the respondent in the prescribed manner, together with a prescribed notice calling on the respondent to show cause on the return date specified in the notice why a protection order should not be issued.

(6) The return dates referred to in subsections (3) and (5) of this section may not be less than 5 days after service has been effected upon the respondent.

Issuing of Protection  
Order

26.

(1) If the respondent does not appear on a return date contemplated in section 25(3) or (5), and if the court is satisfied that –



- (a) proper service has been effected on the respondent; and
- (b) the application contains prima facie evidence that the respondent has committed, is committing or that there is an imminent likelihood that he may commit an act of domestic violence, the court shall issue a protection order in the prescribed form.

2. If the respondent appears on the return date in order to oppose the issuing of a protection order, the court shall proceed to hear the matter and –

- (a) consider any evidence previously received in terms of section 25(1); and
- (b) consider such further affidavits or oral evidence as it may direct, which shall form part of the record of the proceedings.

3. The court may, on its own accord or on the request of the complainant, if it is of the opinion that it is just or desirable to do so, order that in the examination of witnesses, including the complainant, a respondent who is not represented by a legal practitioner –

- (a) is not entitled to cross – examine directly a person who is in a domestic relationship with the respondent; and
- (b) shall put any question to such a witness by stating the question to the court, and the court is to repeat the question accurately to the witness.

4. The court shall after a hearing as contemplated in subsection (2) of this section, issue a protection order in the prescribed form if it finds, on a balance of probabilities, that the respondent has committed, is committing or that there is an imminent likelihood that he may commit an act of domestic violence.

5. Upon the issuing of a protection order the registrar of the court shall forthwith in the prescribed manner cause –

- (a) the original of such order to be served on the respondent; and
- (b) a certified copy of such order, and the original warrant of arrest contemplated in section 29(1)(a) to be served on the complainant.



6. The registrar of the court shall forthwith in the prescribed manner forward certified copies of any protection order and warrant of arrest contemplated in section 29(1)(a) to the police station of the complainant's choice.

7. Subject to the provisions of section 31(1), a protection order in terms of this section remains in force until it is set aside, and the execution of such order shall not be automatically suspended upon the filing of an appeal.

*Court's Power in terms  
of Protection order* **27.**

(1) The court may, by means of a protection order referred to in section 25 or 26, prohibit the respondent from –

- (a) committing any act of domestic violence;
- (b) enlisting the help of another to commit any such act;
- (c) entering a shared household provided that the court may impose this prohibition only if it appears to be in the best interests of the complainant;
- (d) entering a specified part of such a shared household;
- (e) entering the complainant's residence;
- (f) entering the complainant's place of employment;
- (g) preventing the complainant from entering or remaining in the shared household or a specified part of the shared household;
- (h) alienating or disposing the shared household or encumbering same;
- (i) renouncing his rights in the shared household except in favour of the complainant; or
- (j) committing any other act as specified in the protection order.

(2) The court may impose any additional conditions, which it deems reasonably necessary to protect and provide for the safety, health or well being of the complainant, including an order-

- (a) to seize any arm or dangerous weapon in the possession or under the control of the respondent;
- (b) that a police officer must accompany the complainant to a specified place to assist with arrangements regarding the collection of personal property; or
- (c) directing the respondent to secure alternative



accommodation for the complainant or;

(d) order a temporal relocation to any safe place as may be deemed fit in the interest of the complainant;

(e) approve a mediation channel upon submission by the complainant.

(3) In ordering a prohibition contemplated in subsection 1(c) of this section, the court may impose on the respondent obligations as to the discharge of rent or mortgage payments having regard to the financial needs and resources of the complainant and the respondent.

(4) The court may order the respondent to pay emergency monetary relief having regard to the financial needs and resources of the complainant and the respondent, and such order has the effect of a civil judgment of a court.

(5) The court may issue any directions to ensure that the complainant's physical address is not disclosed in any manner, which may endanger the safety, health or well being of the complainant.

(6) If the court is satisfied that it is in the best interest of any child it may -

- (a) refuse the respondent contact with such child; or
- (b) order contact with such child on such conditions as it may consider appropriate.

(7) The court may not refuse to issue a protection order or impose any condition or make any order which it is competent to impose or make under this section, merely on the grounds that other legal remedies are available to the complainant.

(8) If the court is of the opinion that any provision of a protection order deals with a matter that should, in the interest of justice, be dealt with further, in terms of any other relevant law, including the Matrimonial Causes Act, Cap M7 Laws of the Federation of Nigeria, 2004, Child Right Act, 2003, the court must order that such a provision shall be in force for such limited period as the court determines, in order to afford the party concerned the opportunity to seek appropriate relief in terms of such law.



## Police Powers

- 28.** (1) A police officer at the scene of violence or that came to the scene as soon thereafter as reasonably possible or to whom a report of violence has been made to, shall have the duty of -
- (a) assisting a victim of violence to file a complaint regarding the violence;
  - (b) providing or arranging safe transport for the victim to an alternative residence, safe place or shelter where such is required;
  - (c) providing or arranging transportation for the victim to the nearest hospital or medical facility for treatment of injuries where such treatment is needed;
  - (d) explaining to the victim his rights to protection against violence and remedies available in terms of this Law;
  - (e) explaining to the victim that he has the right to lodge a criminal complaint in addition to any remedy provided under this Law;
  - (f) accompanying the victim to victim's residence to collect personal belongings.
- (2) Any police officer may, without an order from the court or a warrant of arrest; arrest -
- (a) any person whom he or she suspects upon reasonable grounds to have committed any of the offences under part 2; and
  - (b) any person against whom a complaint has been made for having committed any of the offences under part 2.
- (3) A police officer in carrying out his or her duties under this law shall have the power;
- (a) to remove or supervise the removal of a person excluded from a shared residence where the court has issued such an order under this law;
  - (b) to remove or supervise the removal of any dangerous weapon used in order to commit an act of violence as contemplated in this law;
  - (c) to perform any other act considered necessary in order to ensure the safety and well- being of the complainant.



Warrant of arrest upon  
issuing of protection  
order

**29.**

(1) Whenever a court issues a protection order, the court shall make an order –

(a) authorizing the issue of a warrant for the arrest of the respondent, in the prescribed form; and

(b) suspending the execution of such warrant subject to compliance with any prohibition, condition, obligation or order imposed in terms of section 26.

(2) The warrant referred to in subsection (1)(a) remains in force unless the protection order is set aside, or it is cancelled after execution.

(3) The registrar of the court shall issue the complainant with a second or further warrant of arrest, if the complainant files an affidavit in the prescribed form in which it is stated that such warrant is required for his protection and that the existing warrant of arrest has been –

(a) executed or cancelled; or

(b) lost or destroyed.

(4) A complainant may hand the warrant of arrest together with an affidavit in the prescribed form, wherein it is stated that the respondent has contravened any prohibition, condition, obligation or order contained in a protection order, to any police officer.

(5) If it appears to the police officer concerned that, subject to subsection (8), there are reasonable grounds to suspect that the complainant may suffer imminent harm as a result of the alleged breach of the protection order by the respondent, the police officer shall forthwith arrest respondent for allegedly committing the offence referred to in part 2.

(6) If the police officer concerned is of the opinion that there are sufficient grounds for arresting the respondent in terms of paragraph (b), he shall forthwith hand a written notice to the respondent which –

(a) specifies the name, the residential address and the occupation or status of the respondent;

(b) calls upon the respondent to appear before a court, and on the date and at the time specified in the notice, on a charge of committing the offence referred to in section 27(1) ; and



(c) contains a certificate signed by the police officer concerned to the effect that he handed the original notice to the respondent and that he explained the import thereof to the respondent.

(7) The police officer shall forthwith forward a duplicate original of a notice referred to in subsection (6) to the registrar of the court concerned, and the mere production in the court of such a duplicate original shall be prima facie proof that the original thereof was handed to the respondent specified therein.

(8) In considering whether or not the complainant may suffer imminent harm, as contemplated in subsection (5), the police officer shall take into account

- (a) the risk to the safety, health or well being of the complainant;
- (b) the seriousness of the conduct comprising an alleged breach of the protection order; and
- (c) the length of time since the alleged breach occurred.

(9) Whenever a warrant of arrest is handed to a police officer in terms of subsection (4), the police officer shall inform the complainant of his right to simultaneously lay a criminal charge against the respondent, if applicable, and explain to the complainant how to lay such a charge.

*Seizure of arms and dangerous weapons* **30.**

(1) The court shall order a member of the Nigeria Police Force to seize any arm or dangerous weapon in the possession or under the control of a respondent if the court is satisfied on the evidence placed before it, including any affidavits supporting an application referred to in section 25(1) above that

- (a) the respondent has threatened or expressed the intention to kill or injure himself or herself or any person in a domestic relationship whether or not by means of such arm or dangerous weapon; or
- (b) possession of such arm or dangerous weapon is not in the best interest of the respondent or any other person in a domestic relationship as



a result of the respondent's-

- (i) state of mind or mental condition;
- (ii) inclination to violence; or
- (iii) use of or dependence on intoxicating liquor or drugs.

(2) Any arm seized in terms of subsection (1) above must be handed over to the Nigeria Police Force as contemplated in the Police Act, Cap P19 Laws of the Federation of Nigeria, 2004 and Firearms Act, Cap F28 Laws of the Federation of Nigeria, 2004.

(3) Any dangerous weapon seized in compliance with subsection (1) above -

- (a) must be given a distinctive identification mark and retained in police custody for such period of time as the court shall determine; and
- (b) shall only be returned to the respondent or, if the respondent is not the owner of the firearm or dangerous weapon, to the owner by order of the court and on such condition as the court shall determine; provided that the court is satisfied that it is in the interest of the safety of any person concerned or in the public interest, the court shall order that the firearm or dangerous weapon be forfeited to the state.

*Variation or setting  
aside of protection  
order*

- 31.** (1) A complainant or a respondent may, upon written notice to the other party and the court concerned, apply for the variation or setting aside of a protection order referred to in section 26 in the prescribed manner.
- (2) If the court is satisfied that good cause has been shown for the variation or setting aside of the protection order, it may issue an order to this effect, provided that the court shall not grant such an application to the complainant unless it is satisfied that the application is made freely and voluntarily.
- (3) The registrar of the court shall forward a notice as prescribed to the complainant and the respondent if the protection order is varied or set aside as contemplated in subsection (1) of this section.



*Discharge*

**32.** (1) Where a protection order has been made, any of the following persons in subsection (1) (a) (b) and (c) of this section may apply to have it discharged:

- (a) If the application for the order was made by a commissioner in respect of any dependent person by –
  - (i) the commissioner
  - (ii) the person who brought the application;
  - (iii) the respondent to that application;
- (b) If the application for the order was made by a commissioner in any other case by virtue of section 24 –
  - (i) the commissioner
  - (ii) the person who was the applicant for the order, or
  - (iii) the respondent to that application;
- (c) In any other case –
  - (a) the person who was the applicant for the order, or
  - (b) the person who was the respondent to the application for the order and the court upon hearing any such application shall make such order, as it considers appropriate in the circumstances.

*Offences relating to protection orders*

- 33.** (1) A respondent who contravened an interim protection order, or while an interim protection order is in force refuses to permit the applicant or any dependent person to enter and remain in the place to which the order relates or does any act for the purpose of preventing the applicant or such dependent person from so entering or remaining shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ₦200,000.00 or to imprisonment for a term not exceeding 6 months or both such fine and imprisonment.
- (2) The provisions of subsection (1) shall be without prejudice to any punishment or sanction as to contempt of court or any other liability, whether civil or criminal that may be incurred by the respondent concerned.



(3) Any person who in affidavit referred to in this section willfully makes a false statement in a material respect shall be liable upon conviction to a fine not exceeding ₦100,000.00 or at the discretion of the court, to imprisonment for a term not exceeding 6 months.

*Application and forms  
of protection order*

**34.** The affidavit, application and forms of protection order referred to in this part of the Law shall be in accordance with the first schedule to this Law.

*Rights of victims*

**35.** (1) Every victim of violence as defined in section 2 of this Law, is entitled to the following rights –

(a) Every victim is entitled to receive the necessary materials, medical, psychological, social and legal assistance through governmental agencies and non – governmental agencies providing such assistance.

(b) Victims are entitled to be informed of the availability of legal, health and social services and other relevant assistance and be readily afforded access to them;

(c) Victims are entitled to rehabilitation and re-integration programme of the State to enable victims to acquire, where applicable and necessary, pre-requisite skills in any vocation of the victim's choice and also in necessary formal education or access to micro credit facilities;

(2) Any rules and or regulations made by any institution or organization prohibiting or restraining the reporting of offences or complaint with the provisions of this Law, shall to the extent of the inconsistencies be null and void;

(3) No complainant of any offence under this Law shall be expelled, disengaged, suspended or punished in any form whatsoever by virtue of the action of compliance with the provisions of this Law

(4) Any head of institution who violates the provisions of this section is guilty of an offence under this Law and shall be liable on conviction to imprisonment for six months or a fine of ₦50,000.00 or to both such fine and imprisonment;

(5) No person may be present during any proceedings in terms of this Law except:

(i) officers of the court;



- (ii) the parties to the proceedings;
  - (iii) any person bringing an application on behalf of the complainant in terms of section 24(3);
  - (iv) any legal practitioner presenting any party to the proceeding;
  - (v) accredited service provider;
  - (vi) witnesses;
  - (vii) not more than three persons for the purpose of providing support to the complainant;
  - (viii) not more than three persons for the purpose of providing support to the respondent; and
  - (ix) Any other person whom the court permits to be present provided that the court may, if it is satisfied that it is in the interests of justice, exclude any person from attending any part of the proceedings;
- (b) Nothing is in this subsection limits any other power of the court to hear proceedings in camera or to exclude any person from attending such proceedings.
- (6)(a) No person shall publish in any manner any information which might direct or indirectly, reveal the identity of any party to the proceedings.
- (b) The court, if it is satisfied that it is in the interest of justice, may direct that any further information relating to proceedings held in terms of this Law shall not be published, provided that no direction in terms of this subsection applies in respect of the publication of a bona fide law report which does not mention the names or reveal the identities of the parties to the proceedings or of any witness at such proceedings;
- (c) Any person who contravenes the provisions of this subsection is guilty of an offence and is liable upon conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000.00 or to both such fine and imprisonment.



*Registration and  
powers of service  
providers*

#### PART 4 SERVICE PROVIDERS

**36.**

(1) Subject to such rules as may be made, any voluntary association registered under Companies and Allied Matters Act 1990 by the Corporate Affairs Commission or any other law for the time being in force with the objective of protecting the rights and the interest of victims of violence by any lawful means including providing of legal aid, medical, financial or other assistance shall register itself with the State Government as a service provider for the purpose of this Law.

(2) The appropriate government agency shall –

(a) keep a register of all accredited service providers and circulate same to all police stations, protection officers and the court; and

(b) draw up guidelines for the operation of the accredited service providers.

(3) A service provider registered under subsection (1) shall have the power to –

(a) record the violence incidence report in the prescribed form if the aggrieved person so desires and forward a copy thereof to the Magistrates and the protection officer having jurisdiction in the area where the violence took place;

(b) get the aggrieved person medically examined and forward a copy of the medical report to the protection officer and the police station within the locality of which the violence took place.

(c) ensure that the aggrieved person is provided shelter in a shelter home, if she so requires and forward a report of the lodging of the aggrieved person in the shelter home to the police station within the locality of which the violence took place.

4. No suit, prosecution or other legal proceeding shall lie against any service provider who is, or who is deemed to be acting or purporting to act under this Law for anything which is in good faith done or intended to be done in the exercise of powers or discharge of functions under this Law towards the prevention of the commission of violence.

*Protection Officers.*

**37.**

(1) The appropriate government agency shall appoint such number of protection officers in each Local



Government Council as it may consider necessary, to assist the court in the discharge of its duties under this Law, to co-ordinate the activities of the police and the accredited service providers in their Local Government council and to ensure that the victims/supervisors of violence;-

(a) have easy access to accredited service providers;  
(b) have easy access to transportation to an alternative residence or a safe shelter, the nearest hospital or medical facility for treatment, if the victims survivors of violence so requires;

(c) are able to collect their belongings or properties from a shared household or their residence, if the victims/survivors of violence so requires;

(d) are able to access the court for orders under this Law; or

(e) have access to every possible assistance in the service of interim protection order on the respondent, and the enforcement of any order that may have been made by the court under this Law.

(2) The protection officer may, upon the failure of the respondent to make payment ordered by the court under this Law, direct employer or a debtor of the respondent or any bank in which the respondent operates any account, to directly pay to the complainant or deposit with court a portion of wages or salaries or debt due to or accrued to the credit of respondent or monies in any bank account operated by the respondent, which amount may be adjusted towards the emergency monetary relief payable by the respondent.

*Coordinator for  
prevention of domestic  
violence*

**38.** The body vested with the regulation of this Law shall appoint a person as the coordinator for the prevention of domestic violence who shall submit annual report to the State Government on the implementation of this Law and a copy thereof shall be deposited with the National Bureau for statistics.

*Dangerous Sexual  
Offenders*

**39.** (1) A court may declare a person who has been convicted of a sexual offence a dangerous sexual offender if such person has –

(a) more than one conviction for a sexual offence;

(b) been convicted of sexual offence which was



accompanied with grievous harm or threat to life on the victim.

(c) been convicted of a sexual offence against a child.

#### **PART 5 – REGULATORY BODY**

*Regulatory  
implementation body*

**40.** (1) There is established a body to be known as Agency on Violence Against Persons (herein referred to as the “Agency”).

(2) The Agency shall be –

(a) a body Corporate with perpetual succession and a common seal;

(b) capable of suing and being sued in its Corporate name; and

(c) capable of acquiring, holding or disposing of any property, movable, for the purpose of carrying out its functions.

*Functions of the  
agency.*

**41.** (1) The agency shall –

(a) monitor and supervise the implementation of the provisions of this law;

(b) administer the operations of the Trust Fund;

(c) provide and manage victims crises centres ;

(d) register accredited service providers, draw up guidelines of their operations and supervise their activities;

(e) perform such other functions as may be specified by any law or enactment; and

(f) create directories of services;

(g) recruit staff for the Agency; and

(h) undertake such other activities as are necessary or expedient for giving full effect to the provision of this Law.

(2) The Agency shall also co-ordinate the activities of the police and the accredited service providers to ensure that the victim –

(a) has easy access to accredited service providers;

(b) has easy access to transportation to an alternative residence or a safe shelter, the nearest hospital or medical facility or treatment, if the victim so requires;

(c) is able to collect his belongings or properties from a shared household or his residence, if the victim so requires;

(d) is able to access the court for order under this



Law; or

(e) has access to every possible assistance in the service of interim protection order on the respondent, and the enforcement of any order that may have been made by the court under this Law.

(3) The Agency may, upon the failure of the respondent to make payment ordered by the court under this Law, direct an employer or a debtor of the respondent or any bank in which the respondent operates any account, to directly pay to the victim or deposit with court a portion of the wages or salaries or debt due to or accrued to the credit of respondent or monies in which may be adjusted towards the emergency monetary relief by the respondent.

(4) The Agency, to facilitate performance of its function may appoint such number of its officers in each Local Government Council as it may consider necessary, to assist the court in the discharge of its duties under this Law.

*Composition of the Agency.*

**42.**

(1) They shall consist of the following members –

(a) a Chairperson (or Chair) who shall be appointed by the Governor and shall be a person who by reason of his ability, experience, specialized knowledge or professional attainment or outstanding skill in handling matters and issues pertaining to peace and conflict resolutions is deemed fit for the position;

(b) the representative of -

(i) the Commissioner of Police, not below the rank of an superintendent of police;

(ii) the Ministry of Justice;

(iii) the ministry of Health; and

(iv) the Nigeria Prison Service.

(c) two representatives of the Ministry of Women Affairs;

(d) an Officer of the National Human Rights Commission;

(e) an Officer of the Legal Aid Council;

(f) 4 persons from the Legislative Advocacy Coalition on Violence Against Women;

(g) two representatives from religious organizations;

(h) the Director General, who shall be a woman and the administrative head of the Agency.



- (2) The representatives of the Ministries shall be public servants not below the cadres of Grade Level 14 Officers;
- (3) A person appointed as a member of the Agency shall hold office for a term of four years only and shall not be eligible for re-appointment.
- (4) A member of the Agency shall cease to hold office if the person –
  - (a) is of unsound mind or incapable of carrying out his duties;
  - (b) becomes bankrupt;
  - (c) is convicted of a felony or any offence involving dishonesty; or
  - (d) is guilty of serious misconduct relating to his duties.
- (5) Members of the Agency appointed under this section shall be paid such remuneration and allowances as the Governor, on the recommendation of the Revenue Mobilization Allocation and Fiscal Commission may direct.
- (6) Subject to section 27 of the interpretation Act, the Agency may make standing orders regulating its proceedings.

*Quorum.***43.**

- (1) The quorum of the Agency shall be one – third of the members; and the validity of its proceedings shall not be affected by any defect in the appointment of any member or by reason that a person not entitled to do so took part in the proceedings.
- (2) The members present at the meeting reserves the right to appoint a protem Chairman from among themselves to preside the meeting for that day only.

*Management of the agency.***44.**

- (1) The Agency shall be empowered to –
  - (a) disburse funds;
  - (b) appoint external auditors;
  - (c) oversee its own administration;
  - (d) engage in fund raising for the purpose of carrying of its functions.

*Establishment of Trust Fund.***45.**

- (1) There is established for the Agency a Trust Fund for victim of violence against person.
- (2) The Trust Fund shall be set up primarily for the



purpose of providing aid for the victim of violence against persons through –

(a) rehabilitation of victim, individually or as a group;

(b) reintegrating the victim into the society;

(c) provision of shelter;

(d) provision of legal aid;

(e) programmes on violence against person;

(f) provision of guidance and counseling;

(g) support of organizations which give direct assistance to victim of violence against persons.

#### **SCHEDULE**

AFFIDAVIT, APPLICATION AND FORMS OF PROTECTION ORDER  
FORM I

GENERAL FORM OF APPLICATION FOR PROTECTION ORDER

In the \_\_\_\_\_ Court

In the \_\_\_\_\_ Division/District

Suit No. \_\_\_\_\_

Between

A.B \_\_\_\_\_ Complainant

And

C.D \_\_\_\_\_ Respondent

APPLICATION FOR PROTECTION ORDER BY THE VICTIM

The complainant applies that he/she be protected by the Honourable Court by the issuance of a protection order against the Respondent.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Complainant/ Complainant's Counsel

#### **FORM 2**

GENERAL FORM OF APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER THAN THE VICTIM.

In the \_\_\_\_\_ Court

In the \_\_\_\_\_ Division/District

Suit No. \_\_\_\_\_

Between



A.B \_\_\_\_\_ Complainant

And

C.D \_\_\_\_\_ Respondent

And

E.F \_\_\_\_\_ Guardian/ Social Worker/ Police  
Officer etc.

APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER THAN  
THE VICTIM

I, E.F. Guardian to A.B. the Complainant, hereby applies that AB be  
protected by the Honourable Court by the issuance of a protection  
Order against the Respondent.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

E.F \_\_\_\_\_

Guardian/ Police Officer/ Social Worker, etc.

**FORM 3**

AFFIDAVIT IN SUPPORT OF APPLICATION FOR PROTECTION ORDER  
In the \_\_\_\_\_ Court

In the \_\_\_\_\_ Division/District

Suit No. \_\_\_\_\_

Between

A.B \_\_\_\_\_ Complainant

And

C.D \_\_\_\_\_ Respondent

E.F \_\_\_\_\_ Guardian/ Social Worker/ Police

I, A.B \_\_\_\_\_ of \_\_\_\_\_ hereby make oath and  
state as follows :



1. That I am the Complainant/Guardian of the Complainant/ A Police Officer/ A protection Officer/ An Accredited Service Provider/ A Counselor/ A Health Service Provider/ Social Worker/ Teacher etc.

\_\_\_\_\_  
DEPONENT

Sworn to at \_\_\_\_\_ Court Registry

This \_\_\_\_\_ day of \_\_\_\_\_

BEFORE ME

COMMISSIONER FOR OATHS.

#### FORM 4

CONSENT TO APPLICATION FOR PROTECTION ORDER IN RELATION TO A PERSON NOT BEING A MINOR, MENTALLY RETARDED PERSON, UNCONSCIOUS OR A PERSON WHO THE COURT IS SATISFIED IS UNABLE TO PROVIDE CONSENT

In the \_\_\_\_\_ Court

In the \_\_\_\_\_ Division/District

Suit No. \_\_\_\_\_

Between

A.B \_\_\_\_\_ Complainant

And

C.D \_\_\_\_\_ Respondent

EF \_\_\_\_\_ Guardian

CONSENT TO APPLICATION FOR PROTECTION ORDER

I, AB \_\_\_\_\_ Complainant to this case hereby consent to the application by EF, for the issuance of a protection Order on my behalf.

Dated this \_\_\_\_\_ day of \_\_\_\_\_  
Complainant

#### FORM 5

GENERAL FORM OF INTERIM PROTECTION ORDER

In the \_\_\_\_\_ Court



In the \_\_\_\_\_  
Division/District  
Suit No. \_\_\_\_\_  
Between  
A.B \_\_\_\_\_ Complainant  
And  
C.D \_\_\_\_\_ Respondent  
And  
EF \_\_\_\_\_ Guardian/Police Officer  
etc  
To: CD \_\_\_\_\_ Respondent

**INTERIM PROTECTION ORDER**

WHEREAS the Complainant/Guardian etc has applied that the Complainant be protected by this Honourable Court against you;

AND WHEREAS there is prima facie evidence that you have committed an act or acts of domestic violence against the Complainant, or that there is imminent likelihood of your committing such violence against the Complainant;

You are hereby commanded to show cause on the \_\_\_\_\_ day of \_\_\_\_\_ the return date, why a protection order should not be issued against you.

THIS ORDER shall serve as a protection order for the Complainant until the return date.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Judge/ Magistrate

**FORM 6**

**GENERAL FORM OF PROTECTION ORDER**

In the \_\_\_\_\_ Court  
In the \_\_\_\_\_ Division/District  
Suit No. \_\_\_\_\_  
Between  
A.B \_\_\_\_\_ Complainant  
And  
C.D \_\_\_\_\_ Respondent  
And



EF \_\_\_\_\_ Guardian/Police  
Officer etc  
To : CD - Respondent

PROTECTION ORDER

WHEREAS the Complainant/Guardian etc has applied that the Complainant be protected by this Honourable Court against you;

AND WHEREAS there is prima facie evidence that you have committed an act or acts of domestic violence against the Complainant, or that there is imminent likelihood of your committing such violence against the Complainant;

You are hereby prohibited from: ( insert whichever is appropriate)

- (a) committing any act of domestic violence
- (b) enlisting the help of another person to commit any such act;
- (c) entering a shared house hold: provided that the Court may impose this prohibition only if it appears to be in the best interests of the Complainant;
- (d) entering a specified part of such a shared household;
- (e) entering the Complainant's residence;
- (f) entering the Complainant's place of employment;
- (g) preventing the Complainant from entering or remaining in the shared household or a specified part of the shared household;
- (h) alienating or disposing the shared household or encumbering same;
- (i) renouncing his rights in the shared household except in favour of the Complainant;
- (j) committing any other act as specified in the protection order; and/or
- (k) as the court deems fit.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Judge/ Magistrate



## EXPLANATORY NOTES


### ***(This section of the Law is not part of the Law)***

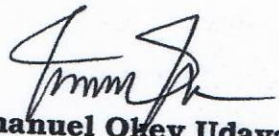
The Law is intended to eliminate all forms of violence in private and public life, prohibit all forms of violence including physical, sexual, psychological, Domestic, Harmful traditional practices and eradicate discrimination against persons and provide maximum protection and effective remedies for victims of violence. The Law also intends to punish offenders adequately in order to deter would be offenders of the offence of violence in the society and in the process check and control the act of violence in the State.



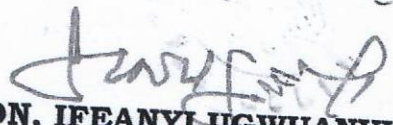
.....

This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly of Enugu State of Nigeria, and is found by me to be a true and correctly printed copy of the said Bill.

  
**Ubosi Edward Uchenna**  
Speaker of the House of Assembly

  
**Dr. Emmanuel Okey Udaya, CNA, ACARB**  
Clerk of the House/Perm. Sec.

Assented to this 8th Day of May, 2019.

  
**RT. HON. IFEANYI UGWUANYI**  
Governor of Enugu State



RECEIVED BY THE  
OFFICE OF THE SECRETARY OF THE ARMY

*[Signature]*

DATE: \_\_\_\_\_ BY: \_\_\_\_\_

OFFICE OF THE SECRETARY OF THE ARMY  
WASHINGTON, D.C.

*[Signature]*

OFFICE OF THE SECRETARY OF THE ARMY  
WASHINGTON, D.C.

*[Signature]*

THIS IS TO CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED TO THE OFFICE OF THE SECRETARY OF THE ARMY FOR THE PURPOSES OF THE ARMY AND NAVY RECORDS ACT OF 1967.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_