

REFORMING PRE-TRIAL DETENTION IN KUJE PRISON



The situation of pre-trial detainees in Nigeria is often dire with the most marginalized citizens rarely able to pay for the “three B’s” – bribe, bail, and the barrister. As a result, people are left languishing in prison for extensive periods of time. In Kuje Correctional Centre, located in Abuja in the Federal Capital Territory, pre-trial detention rates are considered to be above the national average with detainees routinely denied their rights to access to justice.

Active in Nigeria since 2013, **PartnersGlobal** is an international non-governmental organization that transforms conflict and promotes access to justice and good governance. Together with **New-Rule LLC**, a small US-based woman-owned organization with decades of rule of law expertise, Partners West Africa Nigeria (PWAN), and the Network of University Legal Aid Institutions (NULAI), **Partners** is implementing the Reforming Pre-trial Detention in Kuje Prison project (Reform Kuje).

Funded by the **U.S. Department of State’s Bureau of International Narcotics and Law Enforcement (INL)**, the project supports the Government of Nigeria to reduce the pre-trial detention population in Kuje Correctional Centre. Specifically, the program trains Nigerian Correctional Service (NCS) staff in case management system (CMS) best practices and leverages technology to track compliance with pre-trial provisions in the Administration of Criminal Justice Act (ACJA) by justice sector actors. The project works with a new CMS tracking tool that allows more effective information sharing among NCS staff, courts, and prosecuting and defense institutions, leading to increased efficiency and greater transparency of correctional centre procedures. Additionally, the project provides rights-based education to citizens on the content of the ACJA. It also facilitates peer-to-peer learning and exchange visits on best practices in legal clinical education between U.S. and Nigerian law schools and legal practitioners.



Major Accomplishments

- 10,326 court dates for 836 detainees were input into the system after training with NCS staff.
- 475 pre-trial detainees in Kuje Correctional Centre were interviewed by students from the University of Abuja, Baze University, and Nile University.
- 1,284 inmates were enrolled in the Nigerian Correctional Information Management System.
- NULAI created the Indicators and Monitoring Framework of the Pre-trial Provisions of the Administration of Criminal Justice Act to monitor compliance and implementation of pre-trial provisions in the ACJA and identify trends in detainee processing at Kuje Correctional Centre.
- A committee established by President Buhari to oversee the implementation of the ACJA adopted indicators enabling justice sector actors to monitor compliance with the law.

IMPACT

Partners established the Law Clinic Partnership in Kuje (LCPK) seeking to promote coordination among justice sector actors and reform minded stakeholders in Nigeria and the United States. Students and clinicians from the University of Abuja, Baze University, and Nile University of Nigeria law clinics work with NULAI to provide legal aid to pre-trial detainees in Kuje Correctional Centre. The partnership extends to the Georgetown University Law Center and the University of Maryland School of Law.

In April 2019, five students from the University of Abuja Law Clinic, one pro bono lawyer, and one Legal Aid Council of Nigeria (LACON) lawyer visited Kuje Correctional Centre to interview detainees. The students met a young man who explained the challenges he was encountering in Nigeria's justice system. By the time he met with the students, the young man had spent three weeks in pre-trial detention for a frivolous charge - jumping a fence - without being assigned to a lawyer or given a court date. After hearing about his frustrating situation, the students decided to take on the case. The group immediately got to work with the pro bono and LACON lawyers to request a court date and move the case through the system.

Their hard work paid off. Once in court, the Magistrate judge struck down the case due to lack of diligent prosecution and the lack of seriousness of the charge. On April 23, the young man was released from Kuje Correctional Centre.

The LCPK serves as a resource for pre-trial detainees and for the justice system as a whole, providing effective legal representation and addressing bottlenecks in Nigeria's justice system. Without this legal representation, detainees who commit petty crimes can be held in pre-trial detention for up to 10 years. Furthermore, the LCPK provides law students the opportunity to enhance their skills in criminal defense while ingraining in them the importance of public interest lawyering in Nigeria.



The legal team with their client upon his release.